



THE JAMAICA GAZETTE SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

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THE TOWN AND COUNTRY PLANNING ACT

THE TOWN AND COUNTRY PLANNING (SAINT MARY) PROVISIONAL DEVELOPMENT ORDER, 2017

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 made, after consultation with the Saint Mary Municipal Corporation.

PART 1—*Citation, Interpretation and General Regulations and Schedules (First–Fourth)*

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| Citation | 1. This Order may be cited as the Town and Country Planning (St. Mary) Provisional Development Order, 2017. |
| Interpreta-
tion. | 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; |

	<p>“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;</p> <p>“broadcasting” has the meaning assigned to it by the <i>Telecommunications Act</i> and the <i>Broadcasting and Radio Re-Diffusion Act</i>;</p> <p>“building” in relation to outline permission, does not include plant or machinery or a structure or erection of the nature of plant or machinery;</p> <p>“building height” or that of “plant and machinery” is to be measured from ground level which is the level of the surface of the ground immediately adjacent to the proposed building or where the level of the surface of the ground is not uniform with the highest part of the surface of the ground adjacent to it;</p>
Part 1.	<p>“conservation areas” means an area of special architecture or environmental interest, the character or appearance of which it is desirable to preserve or enhance and within which are specific controls over development and the felling of trees;</p> <p>“development” has the meaning assigned to it by section 5 of the Act and “develop” shall be construed accordingly;</p>
First Schedule.	<p>“development order area” means the area specified in the First Schedule;</p> <p>“erection” in relation to buildings includes extension, alteration and re-erection;</p> <p>“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 the 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 the land or building;</p> <p>“land” means any corporeal hereditament including a building, a structure or an erection;</p> <p>“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;</p>
First Schedule.	<p>“local authority” has the meaning assigned to it by section 2 of the Act;</p> <p>“local planning areas” means the areas specified in the First Schedule;</p> <p>“local planning authority”, has the meaning assigned to it by section 2 of the Act;</p>

“macrocell” means a base station that provides the largest area of signal transmission coverage and capacity within a mobile network;

“mast” means ground-based or roof-top structure that supports antennae at a height where they can satisfactorily transmit and receive radio waves;

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

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

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

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

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

“operators” mean those who own or operate a telecommunication or broadcast mast or tower, base station, macrocell, microcell 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 development” has the meaning assigned to it by paragraph 7;

“permitted use class” has the meaning assigned to it by paragraph 5;

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

“planning authority” means local planning authority as defined by section 2 of the Act, and includes the Authority in any case where an application is referred to the Authority pursuant to the provisions of section 12 of the Act;

“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;

“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 the *Jamaica National Heritage Trust Act*;

“references” or any schedule thereto relating to plans, drawings, notices or other documents in this order includes references to such documents or copies of them in electronic form;

“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 the size and placing of footprints for the erection of a building on the land;
- (b) the design and external appearance of the building i.e. the two dimensional arrangement of building in three dimensional form and their internal appearance;
- (c) the means of access to and egress from the site i.e. two dimensional design of vehicular and pedestrian access to the site from the surroundings, and
- (d) the landscaping of the site i.e. treatment of land for the purpose of amenity including screen walls and the laying out of gardens.

“Saint Mary” means the area specified in the First Schedule of Section 1;

“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 *Telecommunications Act*;

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

General Regulations

Application
of Order.

3. This Order relates to the parish of Saint Mary.

Designation
of Saint Mary
development
order area.

4. The parish of Saint Mary is designated as a development order area for the purposes of the Act with the description of its boundaries specified in the First Schedule along with the local planning area 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, is specified in the Second Schedule as a separate use, this shall not prevent the use which is included or incidental

from being considered as a use, which is ordinarily incidental to and included in any use specified in the Second Schedule.

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

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

Applications
for planning
permission.

6.—(1) 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.

(2) Where permission to develop land is granted under this part of the order, then, except as may be otherwise provided by the permission, the grant of permission shall enure for the benefit of the land and of all persons for

	the time being interested in the land, but without prejudice to the provisions of Part 1 of the Act with respect to the revocation and modification of permission so granted.
Permitted Development.	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.
Third Schedule.	(2) Nothing in this paragraph or in the Third Schedule shall operate so as to permit— <ul style="list-style-type: none"> (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 monument 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 <i>Natural Resources Conservation Authority Act</i>; or (e) development in any area designated as a quarry zone under the <i>Quarries Control Act</i>.
Grant or refusal of planning permission. Form A. Fourth Schedule.	8.—(1) Upon receiving an application for planning permission, the local planning authority shall send to the applicant an acknowledgement of receipt of the application in writing in the form set out as Form A in the Fourth Schedule. (2) The local planning authority may, upon considering the application for planning permission— <ul style="list-style-type: none"> (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 of within the area to which this Order applies, shall take place, except in accordance with this Order and permission granted in relation thereto. (2) The local planning authority may subject to any 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 for permission to erect a building. (2) Upon receiving an application for planning permission, the local planning authority shall send to the applicant an acknowledgement of receipt

Fourth
Schedule.
Form A.

of the application in writing in the form set out as Form A in the Fourth Schedule.

(3) The local planning authority shall, upon considering an application for outline planning permission either—

- (a) grant permission subject to a condition specifying reserved matters that require approval of the local planning authority or the Authority; or
- (b) 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 from 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.

(4) Where the local planning authority, pursuant to sub-paragraph (3)(b), 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 has been received on the date when the information was furnished and had included the information); or
- (b) appeal to the Minister under section 13 of the Act within twenty-eight days of receiving the 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, the person may apply for the approval of reserved matters and the 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; and
- (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;
- (d) be made within three years of the permission, except where the planning authority indicates a lesser period.

Applications
for determi-
nations under
section 14 of
Act.

12.—(1) An 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 the 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 acknowledgement thereof in the form set out as Form A in the Fourth Schedule.

(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 the time, not being less than twenty-eight days from the receipt of the notification of the decision thereof giving a copy to the local planning authority.

Notification
of decision or
determina-
tion.

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 the 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; or
- (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; or
- (c) refuses to grant approval, it shall state its reason for the decision or determination in writing and send with the decision or determination a notification in the form set out as Form B the Fourth Schedule.

Form B.
Fourth
Schedule.

Requiring
additional
information.

14.—(1) The local planning authority in 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.

(2) An applicant who, without reasonable cause, fails to supply any additional information required under sub-paragraph 1(a) within 30 days of the date of receipt of the notice requiring the information or such longer period as the local planning authority may think adequate in the circumstances shall be deemed to have withdrawn the application and shall be advised accordingly.

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 the period as may be specified in the directions in respect of the 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/
Authority.

16.—(1) The local planning authority/ 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 inside or outside 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 Minister 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 the land

Appendix
3.

Fifth
Schedule.

- shall not include land zoned by the Authority as land to be used for some other purpose; or
- (d) with the Jamaica National Heritage Trust where the land to be developed is situated within 91 meters 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;
 - (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 or environmental impact assessment;
 - (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) in 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 responsible 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 or
 - (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 where the land to be developed is situated in any mineral deposit area; and the Jamaica Bauxite Institute for bauxite related activities;
 - (h) with the Mines and Geology Division where the land is in a hillside area and there is a potential for slope instability or where a geotechnical report will be necessary;
 - (i) with the Office of Disaster Preparedness and Emergency Management where the development is situated on land occurring in areas subject to natural hazards;

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- (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 is being proposed or connection to an existing sewerage system is proposed;
 - (l) with the Civil Aviation Authority, where—
 - (i) the development is located within a 3 km radius of airports, aerodromes, airstrips, 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 or tower in order to ensure the structural integrity of the roof;
 - (ii) for roof gardens to ensure structural integrity and reinforcement;
 - (iii) for solar panels to ensure integrity of the roof;
 - (n) with the Forestry Department where land is located in or adjoining forest reserves and forest management areas.

(2) Where the planning authority consults with any other body under sub-paragraph (1) and the body—

- (a) makes a recommendation to the planning authority, the planning authority shall, before granting permission, whether conditional or unconditional, consider the recommendation;
- (b) fails to make a recommendation within six weeks from the date of the consultation the local planning authority shall deal with the application unless the body agrees in writing that it is unable to meet the deadline and requests a further extension.

Applications referred to the Authority.

17.—(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.

(2) The notice under sub-paragraph (1) shall—

- (a) inform the applicant that the application has been referred to the Authority; and

- (b) 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; or
- (c) on the failure of the local planning authority or the Authority or as the case may be, to give notice of their decision or determination;
- (d) against the refusal of the planning authority to approve details which were reserved when an outline permission was given or against their decision approving the details subject to conditions shall give notice of appeal to the Minister copying that notice to the local planning authority, or the Authority, as the case may be—
 - (i) within one month of the receipt of notice of decision or determination; or
 - (ii) within one month of the expiry of the period specified in paragraph 13(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 to be 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 for 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, or determination, if any, of the local planning authority in respect of the application, and the date of the 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 the application.

Information
on applica-
tions 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, the 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 the 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.

Control of subdivided land.	22.—(1) Where any person proposes to subdivide land within the area to which this Order applies into allotments for the purpose of development or for sale a Scheme Plan showing the proposed subdivision shall be prepared and submitted in accordance with the provisions of Appendix 13 of this Order 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 in development order and Planning Areas. Fifth Schedule.	24. The matters to be dealt with by 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 26, the Town and Country Planning (St. Mary Coast) Development Order, 1963 and the Town and Country Planning Petrol Filling Station- St. Mary Development Order, 1963, are 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 the permission is revoked, continue to have effect as if granted pursuant to this Order.

FIRST SCHEDULE

(Paragraphs 2 and 4)

Description of Boundary

PART I.

St. Mary Parish Development Order Area

Starting from the point where the Little Spanish River which is the St. Mary and Portland Parish Boundary meet the coastline at Palmetto Bay, thence generally south-westerly along this parish boundary to a point where the St. Mary, Portland and St. Andrew Parish Boundaries meet, thence generally north-westerly along the St. Andrew and St. Mary Parish Boundaries to a point where the St. Mary, St. Catherine, and St. Andrew Parish Boundaries meet, thence generally north-westerly along the St. Mary and St. Catherine Parish Boundary to a point where the St. Mary, St. Catherine, and St. Ann Parish Boundaries meet, thence northerly along the White River which is the St. Mary and St. Ann Parish Boundary to a point where it meets the coastline at White River Bay, thence northerly along the St Ann Parish Development Order Area boundary to a point on to the offshore territorial limits, thence generally along the territorial boundary to a point where it joins the Portland Parish Development Order area boundary, thence southerly along this boundary line back to the starting point at Palmetto Bay, including all offshore islands, cays, and man-made and natural accretions within the territorial waters.

Port Maria Local Planning Area

It starts from the point where the Jacks River/Little Bay secondary road meets Albion Park Road at Brooklyn; thence north-easterly and along Albion Park Road to where it meets Mason Hall/Little Bay Road in Grants Town; thence north-easterly and along this road to meet the Wentworth Land Settlement Road; thence north-easterly and along Wentworth Land Settlement Road to where it intersects with the Port Maria/Oracabessa Main Road and Three Miles Lane; thence easterly and along this road for a short distance to where it meets an unnamed road; thence easterly along this road to its end and continue in a straight line to the seacoast; thence south-easterly and along the seacoast to the where it meets the Pagee River at the Frontier Estate; thence south-easterly and along this river crossing the Port Maria/Islington secondary road and continuing to meet the Cambridge Land Settlement Road; thence south-westerly and along this land settlement road to where it meets the Port Maria/Annotto Bay Main Road; thence westerly and along this road for approximately 200 metres to meet a track; thence south-westerly and along this track to meet property registered at Volume/Folio Number 1031/260; thence north-westerly along the southern boundary of this property to meet the Negro River; thence south-westerly along this river to where it is crossed by the Llanrumney Land Settlement Road; thence south-easterly then south-westerly and along Llanrumney Land Settlement Road to where it meets the Hampstead/Sandside

FIRST SCHEDULE, *contd.*

Secondary Road in Sandside at a phone box; thence south-westerly along this secondary road to where it meets a property road (leading from Langley Estate) at the second fording of the Negro River; thence north-westerly along this property road to where it meets a track; thence north-easterly and along this track to the junction of Church Street and Tracey Street; thence northerly and along Church Street to the Fontabelle/Baileys Vale secondary road; thence south-westerly and along this secondary road to meet the Port Maria River thence north-westerly and north-easterly and along the Port Maria River to a point where it crosses Cox Street; thence north-westerly and north-easterly along Cox Street to where it meets the Trinity Property Boundary; thence westerly along the Trinity Property Boundary to a point where it meets the Wentworth Property Road opposite the Fire Baptist Church; thence northerly and along the Wentworth Property Road to meet the Salt River; thence easterly and along the Salt River to the Port Maria/Oracabessa Main Road; thence northerly along this main road for a short distance to where it meets the Jacks River/Little Bay Secondary Road at Little Bay; thence westerly and along this secondary road to the starting point.

Annotto Bay Local Planning Area

The boundary starts from a point where the Annotto Bay Main Road crosses the Dry River; thence south-westerly and along the Dry River to where it meets the Gibraltar Estate boundary; thence westerly along this boundary to a point on the Fort Stewart/Enfield Secondary Road, thence north-westerly to a point on a land settlement road; thence generally northerly, westerly along this land settlement road to a point on the Osborns Estate Road; thence south-westerly along Osborns Estate Road to meet the Gibraltar Estate Boundary; thence westerly along this boundary crossing the Crooked River to a point on the Pencar River; thence northerly and along Pencar River to meet the rail way line; thence south-westerly and along the railway line to meet Fort George Street; thence southerly along this street to meet a property road; thence westerly along this property road to meet the south western boundary of property at Volume/Folio Number 1240/836; thence in a northerly direction from this point to a point on Shooter River; thence westerly along this river to meet a tributary; thence westerly and northerly along this tributary to where it meets the mouth of the Wag Water River; thence easterly along the coast to a point opposite the north eastern boundary of property with Volume/Folio Number 1140/654; thence southerly in a straight line to a point on the eastern boundary of property with Volume/Folio Number 1140/654; thence southerly along this eastern boundary to meet the rail-way line; thence southerly along this rail-way line to a point on the eastern boundary of property with valuation number

FIRST SCHEDULE, *contd.*

09203008284; thence south-easterly from this point to meet the Annotto Bay/ Buff Bay Main Road; thence easterly along this road to the starting point.

Highgate Local Planning Area

The boundary starts from the point where the Hopewell Road meets the Richmond/ Highgate secondary road in Grantham; thence westerly and along Hopewell Road to a point where it meets Dead Cane Road; thence north-westerly and along Dead Cane Road to a point where it meets the Windsor Castle/Highgate secondary road; thence northerly and along this secondary road to a point on the Old Dean Pen Road, thence along the old Dean Pen Road to a point where it meets Tremolesworth Property Road; thence north-westerly and along Tremolesworth Property Road to a point where it meets Kilancholly/Unity Road; thence north-easterly along this road to a point where it meets Nonsuch Property Road; thence easterly and along Nonsuch Property Road to a point on the Montgomery Road; thence south-easterly and along Montgomery Road to where it meets Rubbish Lane (Esher Lane); thence south-westerly along Rubbish Lane to a point on the eastern boundary of property with volume and folio number 1140/610; thence south-easterly along this property boundary to a point where it turns south at a property road; thence southerly and along this property road to a point where it meets Esher Avenue, Mahoe Road and the railway line in Esher; thence south-easterly along Mahoe Road to a point where it meets the Highgate/Chovey secondary road in Cromwell Land; thence westerly and along this secondary road to a point where it meets Charlottenburgh Crescent; thence south-westerly along this crescent to a point where it meets Charlottenburgh Road; thence south-westerly and along this road to its junction with the Orange River Experimental Station property road; thence north-westerly and along this property road to a point on a seasonal tributary thence along this seasonal tributary to a point where it crosses the railway line; thence south-westerly and along this railway line to where it crosses the Richmond/Highgate secondary road; thence north-westerly and along the Richmond/Highgate secondary road to the starting point.

Oracabessa Local Planning Area

It starts from the point where the Salt Gut Gully enters the sea; thence north-easterly and along the seacoast to a point on the eastern boundary of the Rockmore Housing Scheme; thence south-easterly from this point in a straight line to a point on the Oracabessa/Port Maria Main Road; thence westerly and along the Oracabessa/Port Maria Main Road to a point on the eastern boundary of the Galina Housing Scheme; thence southerly from this point in a straight line to a point on the southern boundary of the Galina Housing Scheme; thence westerly and along this boundary to a point on the southern boundary of the Rockmoor Housing Scheme; thence westerly and along this boundary to a point on the western boundary of a property registered at Volume/Folio 1119/223 at Liberty Castle; thence south-easterly from this point in a straight line to a point on the Bundo

FIRST SCHEDULE, *contd.*

District Road by Clayton Martin's house; thence southeasterly and along this road to a point on the Spicy Grove/Bundo Road; thence southeasterly and along the Spicy Grove/Bundo Road to meet Camp Murphy Track near Mr. Zephaniah Thompson's shop; thence south-easterly along this track to where it meets Eden Park property road; thence south-westerly along this property road to a point where it meets the Eden Park P.C.R. and the Oracabessa River; thence south-westerly and along this river to a point where it crosses the Jacks River/Little Bay secondary road; thence westerly along this road for a short distance to meet the Boggie Road; thence south-westerly and along Boggie Road to a point where it meets Eden Park Road in Hamilton Mountain near Carlos Bailey's Premises; thence north-easterly and along this road to where it meets the Oracabessa River at Hamilton Mountain Crossing; south-westerly and along this river for a short distance (750 metres); thence north-westerly from this point in a straight line to meet Look Out Lane; thence north-westerly along Lookout Lane to a point where it meets Gibraltar Heights Road (Boscobel Housing Scheme Road); thence north-westerly along this road to where it meets Gibraltar Ridge Lane; thence north-westerly along this lane to meet a dirt road at the entrance of the Ponderosa Ranch marked by two white columns; thence westerly and along this dirt road along Union Track to meet Union Road near Common Road; thence north-westerly and along Union Road to meet the White River/Oracabessa Main Road where it crosses the Salt Gut Gully near the No. 10 milepost; thence north-westerly and northerly along this gully to the starting point.

Gayle/Lucky Hill Local Planning Area

The local planning area starts from the point where the Rio Nuevo meets the Gayle/Fontabelle Main Road; thence south-westerly for a short distance along this main road to a point where it meets the Lambkin Hill/Pembroke Hall Secondary Road; thence south-westerly along Maiden Hall/Pembroke Hall Secondary Road to a point where it meets Barka Road to where it meets Gayle-Guys Hill Main Road; thence southerly for a short distance along this main road to a point where it meets Coffee Walk Road; thence westerly along Coffee Walk Road to where it meets the Lucky Hill- Blackstoned Secondary Road; thence northerly along the Lucky Hill-Blackstoned Secondary Road to a point where it meets Willowfield Boundary; thence north-easterly along this property boundary to a point where it meets a track (School Lane) thence north-westerly and along this track to its intersection with Prospect/Gayle Road (P.C.R. No.1); thence westerly along Prospect/Gayle Road for a short distance to where it meets a track at property registered at Land Valuation Number 07003007019; thence northerly along this track to a point where it meets the Gayle/Rio Nuevo Secondary Road; thence north-westerly and along the Gayle/Rio Nuevo Secondary Road to where it meets a track at property registered at Land Valuation Number 05106002002; thence easterly in a straight line

to a point on the Rio Nuevo; thence south-easterly along the Rio Nuevo to the starting point.

Retreat Local Planning Area

Its boundary starts from a point where the White River/Oracabessa Main Road meets Breakfus Gut Gully(Breastwork Spring); thence south-westerly and along this gully to a point on the Mango Valley Road; thence westerly along Mango Valley Road for a short distance to meet Cardiff Road; thence south-westerly, westerly and along Cardiff Road to where it meets Gayle/Rio Nuevo Secondary Road; thence southerly along this secondary road to a point where it meets the Windsor/Petersfield Parish Council Road; thence westerly and northerly along this Parish Council Road to a point where it meets Charles Town Road; thence north-westerly along Charles Town Road to a point where it meets the Selvin Smith Road; thence north-easterly and along this road to meet a private road; thence south-easterly and along this private road to a point where it meets the White River/Oracabessa Main Road; thence south-easterly along this road to where it crosses the Rio Nuevo; thence north-westerly and along this river to where it enters the Caribbean Sea; thence east along the low water mark to the starting point at Breakfus Gut Gully.

Islington Local Planning Area

The local planning area starts from the point where the Friendship Mountain/Tollock Road meets Nutfield Road; thence westerly along Nutfield Road to a point on the eastern boundary of property registered at Land Valuation Number 07206006042; thence southerly along this property boundary to the end, thence westerly along the south-western boundaries of properties registered at Volume/Folio numbers 1113/649, 1240/106, 1142/638 and 1134/108 to where it meets the Islington/Water Valley Secondary Road; thence north-westerly along the Islington/Water Valley Secondary Road to a point where it meets a road leading to the Islington Health Centre and to a little district called Housing Scheme; thence south-westerly along this housing scheme road to its end at the eastern boundary of property registered at Volume/Folio number 1338/382; thence westerly in a straight line to where it meets the Albany Islington Secondary Road at property registered at Land Valuation Number 07205005003; thence north-westerly along the Albany Islington Secondary Road to where it meets the Lebanon Road; thence north-westerly along this road to where it meets a track at property registered at Land Valuation Number 0720201583 ; thence north-easterly along this track to where it meets the Cudjoe Spring Gully and the eastern boundary of the Baccas Basic School (Land Valuation Number 07202140); thence north-westerly along the school property boundary to where it meets Baccaswood Road; thence north-easterly along this road to where it meets the Port Maria/Islington Secondary Road; thence north-westerly and along this secondary road to meet Zion Hill Road in Maco Hall; thence south-easterly and along Zion Hill Road to where it meets Roadside Road; thence southerly along Roadside Road for a short distance to meet Pimento Hill Road; thence north-easterly and along Pimento Hill Road to its junction with Friendship Mountain/Tollock Road; thence southwesterly and south-easterly along Friendship Mountain/Tollock Road to the starting point.

SECOND SCHEDULE

(Paragraph 5)

Use Classes Order

Unless indicated planning permission is required for change of use from one class to another class.

Where permission is granted for development of any specified class the Authority or the local planning authority may direct that permission shall not apply either to development in a particular area or in relation to any particular development.

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 not the display of coffins and the storing of bodies;
- (h) for the display of goods for sale;
- (i) for the hiring out of domestic or personal goods or articles;
- (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; or
- (l) as an internet café.

Class 2 — *Financial and Professional Services*

Use for the provision of:—

- (a) financial services; or
- (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 for example banks, building societies, estate and employment agencies.

SECOND SCHEDULE, *contd.*Class 3 — *Restaurants and Cafes*

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

Class 4 — *Drinking Establishments*

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

Class 5 — *Hot Food Takeaways*

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) for 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.

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, but not for use of scrap metal storage or any other dangerous or hazardous materials.

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.

SECOND SCHEDULE, *contd.*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;
- (b) as a creche, day nursery, day care centre, health centre or 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 court of law; or
- (h) 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).

Note: Activities not specified in a Use Class and for which planning permission is required are indicated in Paragraph 5 (4).

THIRD SCHEDULE

(Paragraph 7)

*Permitted Development*CLASSES OF DEVELOPMENT WHICH MAY BE UNDERTAKEN
WITHOUT REQUIRING PLANNING PERMISSION

(Permission Granted by Development Order)

Where permission is granted under this schedule for the erection, extension or alteration of any building the permission of the local planning authority may be required to be obtained with respect to the design of the external appearance:

PART 1 — *Development within the Curtilage of 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 by Class A if— <ul style="list-style-type: none">(a) the cubic content of the resulting building would exceed the cubic content of the original dwelling house—<ul style="list-style-type: none">(i) in the case of a terrace house or a town house by more than 50 cubic meters 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—<ul style="list-style-type: none">(i) the part of the original dwelling house nearest to that highway; or |

THIRD SCHEDULE, *contd.*

- (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 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.
 - (i) the height of the eaves of the part of the dwelling house which is to be enlarged, improved or altered would increase the height of that of the existing building.
- 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.
- A.3 Development is Permitted by Class A subject to the following conditions:
- (a) the construction materials must be similar in appearance to those used in the construction of the existing dwelling house;

THIRD SCHEDULE, *contd.*

- (b) any window in the upper floor wall forming a side elevation must be:
 - (i) obscure glazed and/or
 - (ii) non-opening unless the opening parts are more than 1.7metres above the floor of the room in which they are located
- (c) where the enlarged portion has more than a single storey, the roof pitch of the extension should be the same as the original dwelling house as much as possible.

Interpretation of Class A A.4 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 purpose of calculating the cubic content.

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— <ul style="list-style-type: none"> (a) any part of the dwelling house would as a result of the works, exceed the |

THIRD SCHEDULE, *contd.*

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 in any case, by more than 115 cubic metres.
- (e) it would consist of or include the construction or provision of a verandah or balcony.

B. 2 Development is not permitted by Class B subject to the following conditions:—

- (a) the construction materials must be similar in appearance to those used in the construction of the existing dwelling house;

THIRD SCHEDULE, *contd.*

- (b) the enlargement must be constructed so that:—
 - (i) other than a hip to gable enlargement or one which joins the original roof to the roof of a side or rear extension the eaves of the original roof are to be maintained or reinstated.
 - (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension it is not intended beyond any external wall of the dwelling house.

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.

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

- (a) any window located on a roof slope forming a side elevation to a building must be glazed or non-opening to a height of not less than 1.7m above the floor level of the room in which it is installed.

CLASS D

Permitted
Development

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

Development
not permitted

D.1 Development is not permitted if—

- (a) the ground area (measured externally) of the structure would exceed 3 square metres;

THIRD SCHEDULE, *contd.*

			(b) any part of the structure would be more than 3 metres above ground level;
			(c) any of the structure would be within 15.54 metres of any boundary of the curtilage of the dwelling house to a highway.
CLASS E			Buildings etcetera incidental to the enjoyment of a dwelling house.
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 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 and any part of it would be within 5 metres of any part of the dwelling house;
		(d)	The height of that building or enclosure would exceed 3.66 metres, in the case of a building with a ridged roof; or 3 metres, in any other case;
		(e)	the total area of ground covered by buildings or enclosures within the

THIRD SCHEDULE, *contd.*

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 of 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

- G.1 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—
- (i) 45 centimetres in the case of an antenna to be installed on a chimney;
- (ii) 70 centimetres in any other case;

THIRD SCHEDULE, *contd.*

- (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

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

- (a) an antenna installed on a building shall, so far as practicable, be sited so as to minimize 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 reasonable practicable.

Interpretation
of Part 1

For the purposes of Part 1—

“existing building” means the dwelling house as enlarged, improved or altered, taking into account any enlargement, improvement or alteration to the original dwelling house, whether permitted by this part or not.

PART 2—*Minor Operations*

CLASS A

Permitted
Development

- A. The erection construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

 THIRD SCHEDULE, *contd.*

Development
not permitted

A. 1 Development is not permitted if—

- (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 1.22 metres above ground level;
- (b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed two metres above ground level;
- (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, whichever is the greater; or
- (d) it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.

CLASS B

Permitted
development

B. The formation, laying out and 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

Permitted
Development

C. The painting of the exterior of any building or work.

Development
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.

CLASS D

Permitted development D. The installation, alteration or replacement within an area lawfully used for off-street parking, of an up-stand or wall with an electrical outlet development mounted on it for recharging electric vehicles.

Development not permitted D. 1 Development is not permitted if:—

- (i) the outlet and its casing would exceed 0.2 cubic metres;
- (ii) the upstand and outlet would exceed 1.5 metres from surface level;
- (iii) it is faced onto and is accessible 6m of a highway;
- (iv) be within a site listed as a national monument;
- (v) result in more than one electrical outlet is being provided for each parking space.

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

- (a) the development is removed as soon as is practicable if no longer required; and
- (b) the wall on which the development was mounted or the land on which it was set be reinstated to its original condition.

 THIRD SCHEDULE, *contd.*

CLASS E

Permitted
development

- E The installation, alteration or replacement on a building of a closed circuit television camera to be used for security purposes.

Development
not permitted

- E. 1 Development is not permitted if:—
- (a) the building on which the camera would be installed, altered or replaced is a scheduled national monument;
 - (b) the dimensions of a camera including its housing exceed 0.75 metres by 0.25 metres by 0.25 metres;
 - (c) any part of the camera would, when installed, altered or replaced, be less than 2.5 metres above ground level;
 - (d) any part of the camera would, when installed, altered or replaced, protrude from the surface of the building by more than 1 metre when measured from the surface of the building;
 - (e) any part of the camera, would, when installed, altered or replaced, be in contact with the surface of the building at a point which is more from any other point of contact;
- E. 2 Development is permitted by Class E subject to the following conditions;—
- (i) the camera is, as far as practicable, sited so its effect on the external appearance of the building on which it is situated is minimized; and
 - (ii) the camera is removed as soon as it is no longer required for security purposes.

For the purposes of Class E—

- E. 3 “camera”, except in paragraph E.1(b), includes its housing, pan and tilt mechanism, infra-red illuminator, receiver, mountings and brackets; and

 THIRD SCHEDULE, *contd.*

Interpretation of Class E	“ground level” means the level of the surface of the ground immediately adjacent to the building or, where the level of the surface of the ground is not uniform, the level of the highest part of the surface of the ground adjacent to it.
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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 | <p>A. The erection or construction and maintenance, improvement or other alteration by local authority of—</p> <ul style="list-style-type: none"> (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 kiosks, 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 as may be required in connection with the operation of any public service administered by them. |
|--------------------------|--|

CLASS B

- | | |
|--------------------------|--|
| Permitted
development | <p>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 surface area or the height of the deposit is thereby extended.</p> |
|--------------------------|--|

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, being or to be carried out on, in, under or over that land or on land adjoining that land temporarily in connection with and for the duration of operational activities.

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 for speed and practicing for these 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.*

		<ul style="list-style-type: none"> (b) the land is, or is within, an area of special scientific interest and the use of the land is for— <ul style="list-style-type: none"> (i) motor car and motor cycle racing or other motor sports; (ii) clay pigeon shooting; (iii) any war game. (c) the use of the land is for the display of advertisement.
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.
CLASS C		
Permitted development	C	The temporary use of any land or building for a period not exceeding nine months in any twenty-four month period for the purpose of commercial film making and the provision of temporary structures on the land for that purpose.
Development not permitted	C. 1	Development is not permitted if:— <ul style="list-style-type: none"> (a) the land is more than one hectare; (b) the land will be used for overnight accommodation; (c) that land or site is within a safety hazard area; (d) the land or building is a schedule monument or listed building.
Conditions	C. 2	Development is permitted subject to the condition that:— <ul style="list-style-type: none"> (a) any development on the land must as soon as is practicable be removed at the end of filming;

THIRD SCHEDULE, *contd.*

- (b) the land must be returned to its original condition before the development took place.

Interpretation of Class C C. 3 “commercial film-making” means filming for broadcast or transmission but does not include the filming of persons paying to visit the site to participate in any leisure activity on the site.

PART 4A—*Non-domestic Extensions, Alterations Etcetera*

CLASS A

Permitted development A. The extension or alteration of a shop, financial or professional service establishment.

Development not permitted A. 1 Development is not permitted if—

- (a) the gross floor area of the original building would be exceeded by more than 50% or 100 square metres (whichever is the lesser);
- (b) the height of the extension would exceed 4 metres;
- (c) any part of the development would be on land which is used for residential purpose or institution;
- (d) any part would extend beyond an existing building front; or
- (e) would involve the erection of a new building front or the alteration or replacement of an existing one.

Conditions A. 2 Development is permitted subject to the following—

- (a) any alteration is at ground floor level only; or
- (b) any extension or alteration is to be used as part of, or for a purpose incidental to the use of the shop, financial or professional service establishment only.

Interpretation A. 3 Shop or financial or professional services establishment means a building or part of a building

THIRD SCHEDULE, *contd.*

used for any purpose within the Class 1 or 2 of the Use Classes Order and includes buildings with other uses in other parts as long as they are not in the part being altered and where there are two buildings in the same curtilage they are to be treated as one in making any measurement.

CLASS B

Permitted
development

B. The extension or alteration of an office building.

Development
not permitted

B. 1 Development is not permitted if—

- (a) the gross floor space of the original building would be exceeded by more than 50% or 100 square meters (whichever is lesser);
- (b) the proposed height of the building would exceed if within 10 metres of a boundary of the curtilage of the premises, 5 metres; or in all other cases, the height of the building being intended;
- (c) any part of the development other than an alteration would be within 5 metres of the curtilage of the premises.

Conditions

B. 2 Development is permitted subject to the following—

- (a) any office building as extended or altered be used only for a purpose related to that building; and
- (b) any alteration is at the ground floor level only.

Interpretation

B. 3 Where two or more original buildings are within the same curtilage and are being used for the same undertaking they are to be treated as a single original building in making any measurements or calculation.

THIRD SCHEDULE, *contd.*

CLASS C

Permitted
development

C. Development consisting of—

- (a) the provision of hard surface within the curtilage of an office building to be used for the relevant office; or
- (b) the replacement in whole or in part of such a surface.

Development
not permitted

C. 1 Development is not permitted if the cumulative area of hard ground coverage would exceed 50 square metres.

Conditions

C. 2 Development is permitted subject to:—

- (a) where there is a risk of ground water contamination the hard surface is not made of porous material; and
- (b) in all other cases the hard surface is made of porous material; or
- (c) provision is made to direct run-off from hard surface to a permeable or porous area within the curtilage of the building.

Interpretation

C. 3 Conditions C.2 applies to Class B.

CLASS D

Permitted
development

D. The erection, extension or alteration of an industrial building or warehouse.

Development
not permitted

D. 1 Development is not permitted if—

- (a) the gross floor space of any new building erected would exceed 200 square metres;
- (b) the gross floor space of the original building would be exceeded by more than 50% or 1,000 square metres;
- (c) the height of the building as extended or altered would exceed the height of the existing building;

THIRD SCHEDULE, *contd.*

		<ul style="list-style-type: none"> (d) the development would lead to a reduction in the parking or turning of motor vehicles; or (e) any part of it would be within 5 metres of any boundary of the curtilage of the premises.
Conditions	D. 2	Development is permitted subject to— <ul style="list-style-type: none"> (a) the proposal being within the curtilage of an existing industrial building or warehouse; or (b) any building erected, extended or altered is only to be used for industrial purposes in the case of an industrial building and for storage or distribution in the case of a warehouse building; or (c) any extension or alteration is constructed using similar external material to the existing building.
Interpretation	D. 3	Where two or more original buildings are in the same curtilage and used for the same purpose they are to be treated as a single original building for the purpose of measurements.
CLASS E		
Permitted development	E.	Development consisting of the provisioning of a hard surface within the curtilage of an industrial building or warehouse to be used by the activity or the replacement in whole or in part of such a surface.
Development not permitted	E. 1	Development would not be permitted if it would be in the curtilage of a heritage site.
Conditions	E. 2	If there is a risk of ground water pollution the hard surface must not be made of porous material however in all other cases it is to be made of porous material or provision is made to direct the run-off to a porous area or surface within the curtilage of the site.

 THIRD SCHEDULE, *contd.*

CLASS F

Permitted
developmentF. The erection, extension or alteration of a school,
college, university or hospital.Development
not permitted

F. 1 Development is not permitted—

- (a) if the cumulative gross floor space of any building erected, extended or altered would exceed—
 - (i) 25% of the gross floor space of the original building; or
 - (ii) 100 square metres, whichever is lesser.
- (b) if any part of the development would be within 5 metres of the curtilage of the site;
- (c) if, as a result of the development any land used as a playing field up to five years before the commencement of the development could no longer be used as such;
- (d) if the height of the building when extended or altered would increase the height of the existing building;
- (e) unless the predominant use of the buildings on site is for the provision of education and medical or health services respectively.

Conditions

F. 2 Development is permitted subject to the following conditions—

- (a) the proposal is within the curtilage of an existing school, college, or university or hospital;
- (b) the development is only used as part of, or for a purpose incidental to the

THIRD SCHEDULE, *contd.*

use of that school, college, university or hospital; or

- (c) Any extension or alteration is constructed using material similar to that of the external appearance of the original building.

CLASS G

Permitted
development

- G. Development consisting of hard surfaces for schools, colleges, universities or hospitals or the replacement in part or whole of such a surface.

Development
not permitted

- G 1 Development is not permitted if—

- (a) the cumulative area of ground covered by hard surface within the curtilage of the site would exceed 50 square metres; or
- (b) any land used as a playing field any time before the development commenced could no longer be so used.

Conditions

- G 2 Development is not permitted subject to the following—

- (a) where there is a risk of ground water contamination, the hard surface is not made of porous material; and
- (b) in all other cases:—
- (i) the hard surface is made of porous material or
- (ii) provision is made to direct run-off from the hard surface to a permeable or porous area or surface within the curtilage of the institution.

THIRD SCHEDULE, *contd.*PART 5—*Agricultural Buildings and Operations*

Class A

Development on units 2.0 hectares or more.

Permitted
development

- 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;
- (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;

THIRD SCHEDULE, *contd.*

- (e) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 meters;
- (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 meters;
- (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 lands which are connected with fish farming.

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

THIRD SCHEDULE, *contd.*

- (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 from 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 of the deposit of waste material (where the relevant area, as defined in paragraph D.4 below exceeds 0.5 hectares); 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, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required for 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 appear-

THIRD SCHEDULE, *contd.*

ance 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 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

THIRD SCHEDULE, *contd.*

required or notifying the applicant of their determination;

- (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

THIRD SCHEDULE, *contd.*

complied with the requirements of sub-paragraph

(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 sub-paragraph has elapsed, if he has taken reasonable steps for its protection and, if needs 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; 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

THIRD SCHEDULE, *contd.*

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 informa-
tion 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

Development on Units of less than 2.0 Hectares.

Permitted
development

B. 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;
- (d) the provision, rearrangement or replacement of a private way;
- (e) the creation of a hard surface;
- (f) the deposit of waste; or

THIRD SCHEDULE, *contd.*

- (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 meters 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 meters 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.

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 meters;
- (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.

THIRD SCHEDULE, *contd.*

	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.
Conditions	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.
	B. 6	Development is permitted by Class B (f) subject to the following conditions— <ul style="list-style-type: none"> (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 (b) that the height of the surface of the land will not be materially increased by the deposit.
Class C		<i>Mineral Working for Agricultural Purposes.</i>
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,

THIRD SCHEDULE, *contd.*

except to land which is held or occupied with that land and is used for the purposes of agriculture.

Interpretation
of Part 5

D. 1 For the purposes of Part 5—

“agricultural land” means land which, before development permitted by this Part is carried out, is land in use for agriculture and which 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 mollusk);

“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;

THIRD SCHEDULE, *contd.*

- (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.

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, is available to accommodate the livestock; and

- (a) that the need to accommodate it arises from—
 - (i) a quarantine requirement;

THIRD SCHEDULE, *contd.*

- (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.
- 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. 4A In paragraph A.2(2)(d)(i), “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

THIRD SCHEDULE, *contd.*

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; or

- (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.

- D. 6 In Class C, “the purposes of agriculture” include 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, or development reasonably necessary for those purposes consisting of—
 - (a) works for the erection, extension or alteration of a building;

 THIRD SCHEDULE, *contd.*

- | | | |
|---------------------------|---------|---|
| | | <ul style="list-style-type: none"> (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— <ul style="list-style-type: none"> (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— <ul style="list-style-type: none"> (a) the developer shall, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required in respect 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; |

THIRD SCHEDULE, *contd.*

- (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 the 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;
- (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

THIRD SCHEDULE, *contd.*

- local planning authority gave the notice to the applicant;
- (ii) the applicant shall not be treated as not having complied with the requirements of sub-paragraph (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 sub-paragraph 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;
- (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, failing which the applicant has to reapply,
 - (ii) in any other case, within a period of two years from the date on which the local planning authority was given the information referred to in sub-paragraph (b).

THIRD SCHEDULE, *contd.*

- (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.

Interpretation

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;
- (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

THIRD SCHEDULE, *contd.*

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	A. 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.
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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

Development at an airport.

Permitted development	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.
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Development not permitted	<p>A.1 Development is not permitted by Class A if it would consist of or include—</p> <ul style="list-style-type: none"> (a) the construction or extension of a runway; (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
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THIRD SCHEDULE, *contd.*

		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		<i>Air navigation development at an airport.</i>
Permitted development	B.	The carrying out on operational land within 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;

THIRD SCHEDULE, *contd.*

		(b) the navigation of aircraft using the airport; or
		(c) the monitoring of the movement of aircraft using the airport.
CLASS C		<i>Air Navigation development near an airport.</i>
Permitted development	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. 1	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.

THIRD SCHEDULE, *contd.*CLASS D *Development by Civil Aviation Authority within an airport.*

- Permitted development
- 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—
- (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 E *Development by Civil Aviation Authority for air traffic control and navigation.*

- Permitted development
- E The carrying out on operational land of the Civil Aviation Authority by the authority or its agents of development in connection with—
- (a) the provision of air traffic control services;
 - (b) the navigation of aircraft; or
 - (c) monitoring the movement of aircraft.

- Development not permitted
- E. 1 Development is not permitted by Class E 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, assisting the navigation of aircraft or monitoring the movement of aircraft;
 - (b) any building erected would exceed a height of 4 metres; or
 - (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

THIRD SCHEDULE, *contd.*

that mast, antenna or apparatus if greater.

CLASS F *Development by the Civil Aviation Authority in an emergency.*

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. The use of land by or on behalf of the Civil Aviation Authority to provide service and facilities in connection with—

- (a) the provision of air traffic control services;
- (b) the navigation of aircraft; or
- (c) the monitoring of aircraft; and the erection or placing of moveable structures on the land for the purpose of that use.

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.

THIRD SCHEDULE, *contd.*

CLASS H	<i>Development by the Civil Aviation Authority for surveys, etc.</i>	
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.
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	<i>Use of airport buildings managed by relevant airport operators.</i>	
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— “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; “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. “relevant airport operator” means the operator of a relevant airport.

General Note: This Part grants permission for development by:

- (1) relevant airport operators, at and (Class C) within eight (8) kilometres of, relevant airports; and

THIRD SCHEDULE, *contd.*

- (2) the Civil Aviation Authority in connection with air traffic control services, air navigation and monitoring services.

PART 10—*Telecommunications Operations*

CLASS A

Permitted
development

- A. 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 antennae installed on radio masts;
- (c) satellite antennae except when precluded in any Development Order.

Development
not permitted

- A.1 Development not permitted by Class A.

- (a) Cellular towers/masts and mono poles 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 Country Planning Act.

THIRD SCHEDULE, *contd.*

Conditions

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

- (a) 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;
- (b) 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)

NOTICES

FORM A

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

To: Name of Applicant

Address of Applicant

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.

FOURTH SCHEDULE, *contd.*

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 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 (Paragraph 16 and 23)

SECTION 2—*The Plan*

This section of the document consists of the Plan with its written Statements as required by Part II Section 6 (4) of the Act.

It covers the Development Order Area and sets out the broad strategies, objections and policies which should guide development in the entire Order Area. In addition there are areas which because of previous studies showing their importance in the growth and development of an area are classified as growth centres and have local plans prepared for them. Other areas will be included at a later date when their growth and importance warrants such action.

SUB-SECTION 1—*Statements**St. Mary Parish Development Order Area*

The boundaries of the St. Mary Development Order Area are indicated in the First Schedule of Section 1. The following is a brief summary of the background and characteristics of the area and outlines the information necessary for preparation of the document.

Saint Mary is located in the north-east section of the island in the county of Middlesex at latitude 18°09'N and longitude 77°03'W. It has an area of approximately 610km² and is bounded by Portland in the East, St. Ann in the West, parts of St. Catherine and St. Andrew in the South and the Caribbean Sea to the north. A description of the boundaries is outlined in the first schedule and delineated on Map 1 attached hereto.

HISTORY

Saint Mary was home to some of the largest Taino sites across the island with traces of their presence still existing mainly in the area of Retreat. It is also one of the first sections of the island to be occupied by the Spaniards. Puerto Santa Maria after which the parish was probably called, was the second town the Spaniards built on the island. In 1655, after the English captured Jamaica from the Spanish, the north coastal town became known as Port Maria with the parish of Saint Mary being formed in 1675 including the parish of Metcalfe, part of the parish of St. George. Port Maria has since remained the parish capital.

One of St. Mary's most famous earliest resident was the famous Sir Henry Morgan, whose home offered a strategic vantage point of the sea and featured a secret escape tunnel to the town. It was located on the same property as Fort Haldane which was built in 1759 to protect the harbour of Port Maria from Spanish raids and also as a garrison to keep the enslaved and working classes of St. Mary under control. Fort Haldane served a pivotal role in the famous Tacky's rebellion, one of Jamaica's bloodiest rebellions against slavery in 1760. There this regard there is a monument to the slave Tacky that stands in the Claude Stuart Park at Port Maria.

FIFTH SCHEDULE, *contd.*

The parish, had once listed as one of the poorest in Jamaica, but over the past 10 years there have been substantial improvements in the economy due to the influx of investments in infrastructure, including a new international airport (Ian Fleming International Airport), a new highway, and development of luxury resorts such as Goldeneye and Golden Clouds. The new inter coastal highway which was constructed in 2005 has benefitted the parish and has brought significant increase in tourism-related activities.

In the 1990s, the Island Outpost Corporation developed one of St. Mary's best-known tourist attractions, the James Bond Beach club at James Bond Beach which was featured in the James Bond film, Dr. No with the facility including a concert pavilion as well as a large bar/restaurant.

DEMOGRAPHY

Population Size and Growth

The STATIN 2011 Population Census shows that there are 113,440 persons residing in the St. Mary Development Order Area; comprising 56,948 males and 56,498 females.

Between 2001 and 2011 the population of the development order area experienced a growth of 1.47 percent at a growth rate of 0.15 percent per annum. Assuming that this growth rate remain constant the population is expected to increase to 115,117 persons in 2021 and 116,642 persons in 2030.

The urban areas accounted for 34.5 percent of the Development order area's population with a decline urban areas being experienced during the 2001-2011 intercensal period moving from 41,563 persons in 2001 to 39,520 persons in 2011. The capital town and major urban centre, Port Maria, experienced a decline of 1,702 persons during this period.

A youth-dominated population (ages 0-29 years) of approximately 54.4 percent was recorded in 2011. With this age group populating the parish an assessment on the existing social, educational and institutional services must be addressed so as to accommodate this youthful population.

The productive population (ages 15-64 years) accounted for 63.59 percent of the total population residing in the Development order area. Children (ages 0-14 years) accounted for 27 percent and the elderly (65 years and older) accounted for approximately 9 percent. A dependency ratio of 57.5 percent was recorded for 2011.

Population Density

The St. Mary Development Order Area covers an area of 61,000 hectares or 610 square kilometres (km²) making it the fifth smallest parish. The population density in 2001 was 183 persons per square kilometre but increased to approximately 186

FIFTH SCHEDULE, *contd.*

persons per square kilometre in 2011. It is projected that the density will increase to 191 persons per square kilometre by the year 2030.

NATURAL RESOURCES

Minerals

There are several varied rock types which are derived from the Blue Mountain Series and also from the white and yellow limestone groups. The calcareous shale is a soil type (limestone formation) worth mentioning as it is commonly present across the parish. Although limestone is considered a lucrative industrial mineral, there is minimal limestone quarrying which is possibly due to the instability of the soils within the areas. There are however numerous alluvial sand and gravel quarry sites which are located on or close to the banks of rivers. This material is used significantly in the construction industry.

Water Resources

St. Mary falls within the watershed management units of Rio Nuevo, Oracabessa, Pagee and Wagwater River. There are numerous rivers located to the eastern and south eastern sections of the development order area which are used for domestic, agricultural and recreation purposes.

Forestry/Vegetation Cover

There is no true natural forest within the parish although in the south-eastern mountainous section there exist a small portion of the Blue and John Crow Mountain Forestry Reserve. This area includes woodlands that are less disturbed by the cutting of trees and rocky hillsides in sections of the limestone areas.

NATURAL CONDITIONS

Topography

This consists of a coastline of mangrove swamps and a mixture of sandy and rocky shores and beaches. It is of undulating terrain with its highest point of approximately 4,100 feet located on Mount Telegraph in the southern section of the parish.

Geology

The geology is a combination of basic volcanic shale and ashes which both appear to weather differently and break down into different soil types. The eastern portion is noticeably different in its geological characteristics as it is made of shale rock formation while white limestone can be found in the west.

Periodic earth movements are a major issue and this fact is attributed to the presence of numerous fault lines, Richmond Shale and Belfield Clay which gives it a high probability of experiencing land slippages. These slippages range from

FIFTH SCHEDULE, *contd.*

negligent to high; with the highest instances occurring mainly during incidents of high precipitation and extreme heat.

Climate

With a humid tropical climate the parish is among the wettest regions in Jamaica recording one of the highest levels of rainfall each year. The average annual rainfall ranges from 70 to about 120 inches and occurs mainly in the month of May (“May Rain”) and during the months of October to December. There are also occasional hurricanes with unpredictable strengths consisting of devastating winds and heavy rains. Being a small parish with no great natural barrier such as a mountain range there is not a great contrast in climate over the parish. Temperatures fluctuate and rainfall levels rise over given periods as altitude increases.

Land Capability

The soil type is classified as being between the land capability Class I – IV with Class III being the most dominant. These Class III lands are classified as being suitable for cultivation with strong limitation one of which is of susceptibility to erosion. Due to these soil types St. Mary has is one of Jamaica’s best producers of banana, cocoa, oranges, coconut and coffee. Presently there has been an increase in the cultivation of new crops such as pineapple, cassava and sweet potato.

Drainage

Drainage is directed to the north of the parish which is along the coast. The drainage system includes numerous rivers (above and underground), dry valleys and sinkholes. The Wagwater River is the largest river draining nearly one third of the parish and occupies the largest catchment area followed by the Oracabessa - Pagee River and Rio Nuevo. The remainder of the parish is drained by a series of rivers, notable the White and Pencar Rivers. Most of these have a considerable gradient and are therefore rapid in flow. There are also intermittent streams located mainly in the limestone areas that run underground for miles then surface with a wide and heavy flow for example the White River. Seasonal tributaries of the Pagee River also surface during times of heavy rainfall.

CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

Natural Environment

The Development Order Area is bordered by an extensive coastline marked by mangroves swamps, sandy and rocky shores, and beaches while the interior is dominated by a variety of forests, caves, endemic plants and animal species as well as rivers, springs and ponds.

FIFTH SCHEDULE, *contd.*

The Ocho Rios Marine Park Protected Area which lies adjacent to the parish of St. Mary and the Blue and John Crow Mountains National Park are the only designated protected areas under the Natural Resources and Conservation Authority Act 1991. The Blue and John Crow Mountains National Park was designated in 1993 and the Ocho Rios Marine Park Protected Area was designated in 1999. Declared forest reserves under the Forestry Act 1996 include sections of the Blue Mountains, Fort George, Tremolesworth and Nutfield. These Forest Reserves are also slated as Game Reserves.

Other areas of ecological significance includes the Rio Nuevo from its headwaters to its drainage area in the Ocho Rios Marine Park Protected Area, the mangrove area at the St. Mary/Portland border and the large expanse of forest that extends from South-Central Jamaica to the Northern coast of St. Mary to include the Cabaritta Island and the coastal area of Port Maria to Salt Bay.

Climate Change

The diverse and unique natural environment of the development order area, like most of Jamaica, is highly vulnerable to climate change impacts. The extensive coastline will be impacted directly by storm surges and sea level rise with the effects on the coastal areas being erosion and coastal land subsidence. The hilly interior will also be affected as presently some areas of the watersheds are degraded and will likely lead to worsening impacts of flooding and landslides thus affecting water availability and supply.

Built Environment

There are several sites and buildings which are of particular beauty, architectural and historical significance and the Jamaica National Heritage Trust has declared twelve of these as national sites and monuments (See Appendix 3). The urban form of St. Mary consists mainly of single and two storey buildings constructed of concrete and wood with residential uses on the first floor and commercial use on the ground floor. Notwithstanding, these building types can also be found outside the urban areas of the local planning areas.

ECONOMIC ACTIVITY

The economic base of the St. Mary Development Order Area is largely dependent on agriculture which has declined over the last twenty years due to natural hazards and the lack of investment. However, there is still a large variety of cash crops such as banana, pineapple, cocoa, coconuts, pimento, vegetables and sugar cane being cultivated. Public and private initiatives have been undertaken over the years in an attempt to reform the economy of the parish and introduce growth within the service, commerce and manufacturing sectors. However, there are still challenges in maintaining economic growth within the parish compared to other parishes.

FIFTH SCHEDULE, *contd.*

TOURISM

St Mary has the potential to become one of Jamaica's most popular tourism destinations as it has a competitive advantage in terms of heritage and culture. There are numerous tourism products that can be facilitated within the parish namely eco, heritage, culinary and culture. Government policies and initiatives will be needed to propel this industry to its full potential.

Employment and Unemployment

The 2011 Population Census data revealed approximately 72,012 persons were of the working age (between the 15-64 age group) within the parish. An analysis of this amount showed that 51,307 of these persons were within the Labour Market with 44,445 currently employed. The major employment sectors are agriculture, mining, quarrying, manufacturing and commercial and accounts for 47 percent of the labour force. Persons working in the Hotel and Restaurant industry accounted for only 9.3 percent of the labour force despite the parish's proximity to Ocho Rios, one of Jamaica's prime resort areas. The data also revealed that the unemployment rate was high within the 14-29 cohorts. This represented 68.1 percent or 6,862 of the total amount persons.

TRANSPORTATION

Roads

The parish is accessed by a network of roads that route from the parishes of St. Ann and Portland via the North Coast Highway and also from other parishes such as Kingston and St. Andrew and St. Catherine.

The main mode of transportation is by private motor vehicles and public transportation. Publicly the service is supported by the use of route taxis and buses which offers transportation to all growth centres, other communities within the development order area and to bordering parishes.

The parish has a dense road network which over the years has been affected by disasters ranging from storm surges, flooding, land slippages and collapse of sections of the roadways due to the soil type.

Railway

The rail line from Spanish Town to Port Antonio passes through the areas of Richmond, Highgate and Annotto Bay. It was used by both passenger and freight trains but is currently non-operational. There are plans to reintroduce the rail system across the island to again assist in the transportation of goods and services.

FIFTH SCHEDULE, *contd.**Sea and Waterways*

Port Maria was also formerly a bustling seaport under both the Spanish and English rule. Unfortunately none of these ports are active today.

LOCAL PLANNING AREAS/MAJOR GROWTH CENTRES

The National Settlement Strategy provides the spatial framework for the development of areas as “Urban Growth Centres.” The purpose of these centres is to achieve a rational pattern of land use and community development which will offer a guide to the most appropriate location for receiving priority for future public and private investments. Social and infrastructural services and economic activities will be concentrated in these areas in such a manner that people will have easy access to such facilities. Basic services would be provided resulting in the efficiency of land uses. The general technique is to promote centres which service the population within a certain sphere.

The centres are determined by physical conditions and the economic and social facilities existing in area. These will function as the stimulus and focus of urban growth and development. A growth centre should have basic infrastructure such as post office, electricity, paved road and a number of facilities and amenities such as schools, commercial areas, a clinic, police station. The limits will be identified by an urban boundary within which all development activities are expected to take place, in an effort to prevent urban sprawl.

The three major Local Planning Areas/Growth Centres are; Port Maria, Annotto Bay and Highgate.

Port Maria

Port Maria the parish capital is a designated regional centre situated along Jamaica’s north coast. It is the most populated growth centre and home to the administrative and commercial hub of the parish. It has a rich heritage that is worthy of preservation as it contains many features of historic and architectural interest.

Annotto Bay

Annotto Bay is a sub-regional centre located along the coast in the north-eastern section of the parish. It is located approximately 24km south-east of Port Maria and was once a thriving export centre for the parish.

Highgate

Highgate is a designated sub-regional centre that is located approximately 12km south of Port Maria. It is a busy town with numerous commercial and service facilities.

Local Plans have been prepared for all the Local Planning Areas/Growth Centres as identified and detailed in the Fifth Schedule and listed in Appendix 2 with their boundaries indicated on Map 1.

FIFTH SCHEDULE, *contd.*

VISION

The vision for the parish of St. Mary after consultations with the local authority, various citizen groups and other stakeholders is to ensure the sustainable development of the parish by having regards to proper land use planning, the promotion of adequate health and educational facilities, preservation and conservation of the natural and built environment, while promoting a strong and vibrant economy.

STRATEGY

The strategy “is to provide support and encouragement for the economy within a framework of environmental protection, sustainable development and urban renewal”. This will involve the promotion of a renaissance in the urbanized areas by emphasizing constraints on development outside of the urban areas, by focusing on the quality of design and techniques for making better use of urban space; the zoning of adequate lands so that the provision of housing is available to various segments of the populace, the establishment of land uses that will create a harmonious spatial relationship between land uses and convenient and efficient transport system.

In protecting the environment for future generations and in keeping with the Strategy, the planning authorities will support sustainable forms of development. In particular, this Order will seek to ensure that sufficient land will be available to support development needed to achieve the areas potential; encourage the development of a system of parks, beaches, open spaces, and other areas for the recreational needs of the public; facilitate the conservation of those areas of diminishing and irreplaceable natural beauty, architecture and heritage and wetlands.

The local planning authority’s ability to plan radically is limited by the pattern of existing development and infrastructure but this Development Order will play a positive role in shaping the future growth of the parish. Policy guidelines will seek to address, inter alia; the demand for urban services, especially the provision of lands for business and commerce, particularly within the parish’s capital and at suitable established business nodes, the proliferation of non-conforming uses especially within residential areas, land degradation, the provision of suitable lands for light and heavy industry, preservation of agricultural land and tourism development. These policies and guidelines will provide direction to the overall development of the parish and strengthen urban/ rural linkages and local based development.

THE PURPOSE OF THE ORDER

This Development Order will make provisions for the orderly and progressive development of the parish by encouraging activities that the planning authorities have identified as being beneficial to the local planning areas, while preventing the encroachment of land uses that could harm the environment or amenity of the

FIFTH SCHEDULE, *contd.*

residents. The main aim is to provide the basis for sound decisions on planning applications for the activities set out in the Second Schedule of the Act in accordance with the Vision, Planning Strategies, Objectives, Policies and Proposals outlined in this document.

The Town and Country Planning Act (1957) require all applications to be determined in accordance with the provisions of this Order unless material considerations indicate otherwise. An applicant who proposes a development that does not accord therewith, except those falling within the categories outlined in the second and third schedule will need to demonstrate compelling reasons why they should be given material consideration and be allowed.

In some instances the Order will encourage appropriate development on specifically identified sites or in particular areas.

FORMAT OF THE ORDER

The document is presented in two sections along with the Land Use Proposal Maps—

Section 1 — The Citation, Interpretation, Schedules (First to Fourth) and General Regulations

Section 2 — The Statements (Fifth Schedule)

The Statements are further divided into two such sections:

Sub-Section 1 identifies the Statements and deals with the Objectives and Policies with reasoned justification at the Development Order Area level under different Thematic Headings, and

Sub-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 etcetera.

The Land Use Proposal Maps show the particular area which may be affected by the policies indicated in the written statement. Some of these policies are general and will affect both parishes while some will only be applicable to specific growth areas and other communities. If a discrepancy should arise between the Statements and the Maps then the former will prevail.

Although the Order is presented in sections it should be considered as a whole.

HOW TO USE THE ORDER

(1) For Information

- (a) on the interpretation of legal definitions, the application process and schedules refer to Section 1;

FIFTH SCHEDULE, *contd.*

- (b) on a particular site or building refer to the Proposal Maps which will show any guidelines or policy applicable. The inset maps may also provide additional information;
- (c) regarding a particular thematic topic such as housing, environment *etc.* consult the subsections devoted to the relevant topic. 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(s) to which the policy relates (thus “SP” Sectoral Policy) followed 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 thus read:— Policy SP T1.

Policies for local planning areas are identified by using a letter(s) of the area to which the Policy relates (thus PM for Port Maria) 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 Maria would therefore be:— Policy PM T1.

(3) It should be noted that some of the policies are cross listed, that is, they may appear under other thematic headings with the same or different justification.

(4) The Glossary is intended to be used as an aid to understanding the terms used in the written statement.

(5) When considering the possible use or operational development of a site reference should be made to the “Use Classes Order” (Second Schedule) and Permitted Development (Third Schedule) and any planning permission controlling the use of the building or land.

(6) In preparing this Order the Authority has tried to keep technical phrases and jargon to a minimum but where unavoidable explanation of the more complicated terms is given.

ACKNOWLEDGEMENT

The information and data used in the preparation of this document were derived from a number of sources which are recognized in the Acknowledgement and the end of the Appendices of this Order.

OBJECTIVES

The following objectives provide the guiding principles and a detailed framework within which policies are formulated and against which success of policy implementation can be evaluated qualitatively or quantitatively. They are listed

FIFTH SCHEDULE, *contd.*

sectorally to reflect the rationale behind the “Strategy” and to establish the long term intentions of the local planning authority and the Authority which will guide the decision making process throughout the Development Order Area.

TRANSPORTATION

Transportation is increasingly becoming a critical aspect in the development of the parish of St. Mary, which requires transportation infrastructure that allows for maximum efficiency in the movement of goods and people in, out and around the parish. This movement depends heavily on vehicular traffic, a large percentage of which is privately owned especially for the movement of goods. With regards to public transport, the majority of this service is provided by buses and route taxis. It is imperative that the transportation infrastructure within St. Mary be at a standard which allows for maximum efficiency for all users. The objectives will therefore be:

- Obj. T1 To ensure the integration of transport planning with land use planning.
- Obj. T2 To ensure that there is connectivity amongst all the regional and sub-regional centres through main arterial roads (Highways and Class A roads).
- Obj. T3 To make provisions for a transportation system that allows safe and easy movement in and around the parish and which makes it easily accessible from other parts of the island.
- Obj. T4 To ensure the adequate provision of land for transportation purposes including managed retreat from coastlines and other climate threatened regions whilst minimising impact on surrounding land uses.
- Obj. T5 To ensure that road design standards are maintained at a high level and in line taking into consideration with climate change scenarios.
- Obj. T6 To establish, preserve and protect the reservation of lands necessary for new roads and the improvement of existing ones.
- Obj. T7 To seek the provision of an adequate parking area to cater for buses taxis and other forms of public transport especially in Local Planning Areas.
- Obj. T8 To ensure that new developments are properly designed and located and designed with adequate parking to contribute to proposed and existing patterns of road layout and traffic movement.

FIFTH SCHEDULE, *contd.*

- Obj. T9 To promote growth through the appropriate location of development in relation to existing or proposed transport infrastructure and other supporting facilities in the urban and rural environment.

HOUSING

In providing housing needs special attention will be paid to the rationalization of new development and the access of units to all social groups. Large scale developments will not be allowed in rural areas unless there is local demand and the necessary infrastructure is available. Higher densities than those existing may be required in some urban areas to meet the needs of some income groups, and to ensure a balanced development. The objectives will therefore be:

- Obj. H1 To ensure that special attention is paid to the design and layout of all housing developments, considerations are incorporated for potential climate change impacts, the provision of necessary infrastructure and amenities so that these form an integral part of the local planning/growth areas and that adequate pedestrian walkway with linkages to transportation routes are available.
- Obj. H2 To encourage new development and infill in existing areas where adequate utilities, infrastructure and community facilities exist or can be provided in a cost effective manner.
- Obj. H3 To make housing more accessible to the various social groups and be in such a number as to meet the requirements of the population through the use of land use densities compatible with a pleasant environment.
- Obj. H4 To promote the maintenance, protection and where necessary, the rejuvenation of residential areas.
- Obj. H5 To ensure that there is efficient use of land in terms of density and provision is made for a suitable mix of size, type and tenure of housing.
- Obj. H6 To ensure that new housing development seeks to meet the local needs of specific groups including those unable to compete on the open market, the elderly and those with special needs.
- Obj. H7 To ensure the design and layout of new housing is in keeping with the character of the local area, and includes appropriate open space and landscaping to create an attractive living environment.
- Obj. H8 To promote green building technologies and applications throughout the Development Order Area.

FIFTH SCHEDULE, *contd.*

CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

Over the years there has been increased pressure on the environment and the natural resources of the Development order area. It is within this context that guidelines are developed towards conservation and protection of the important features of the built and natural environment of the parish. The objectives will therefore be:

Conservation of the Natural Environment:

- Obj. C1 To ensure that biological and geological diversity are conserved and enhanced as an integral part of social, economic and environmental development and ensure the protection of threatened and endangered species.
- Obj. C2 To ensure that development is sensitive to climate change impacts and the preservation of the most important coastal, landscape and vegetative features of the parish.
- Obj. C3 To prevent any increased marine and coastal contamination and degradation including those attributed to climate change (e.g. sea level rise, storm surge and erosion) which would adversely affect sectors, particularly the tourism and fishing industries.
- Obj. C4 To preserve and develop recreation facilities, green spaces and sea side parks which can adequately serve the population.
- Obj. C5 To support the replanting of forest for restoration of habitats, sustainable craft and industries, protection of water supplies and reduction in sediment transport and debris flow.

Conservation of the Built Environment:

- Obj. C6 To protect the built environment from insensitive or inappropriate change.
- Obj. C7 To preserve or enhance buildings, landscapes and areas of cultural, historic or archaeological interest including conservation areas, parks, areas of archaeological interest and listed buildings and their settings.
- Obj. C8 To provide special protection to areas of public or private open space identified within settlements as having particular amenity value.
- Obj. C9 To promote the enhancement of the built environment through the use of high standards of design and a careful choice of materials for all development.

FIFTH SCHEDULE, *contd.*

- Obj. C10 To encourage the appropriate reuse of existing buildings, especially those which make a contribution to the special character of their locality.

MINERALS

Minerals are valuable, finite and non-renewable natural solid resources formed through geological processes and have specific physical properties and uses. They are vital to the economy of the Development Order Area providing essential raw material for industries. Mining offers the opportunity to catalyse broad-based economic development, reduce poverty and assist in meeting some agreed development goals when managed effectively and properly. As such workable resources will be identified and safeguarded for future development and be protected from over exploitation. It is important:

- Obj. M1 To ensure that all mining and quarrying activities are undertaken in an environmentally friendly and sustainable manner that will enhance rather than destroy the environment.
- Obj. M2 To safeguard against all forms of pollution resulting from mining and quarrying activities.
- Obj. M3 To ensure minimal adverse effects on the natural and built environment of communities, the landscape, wildlife and habitats during mineral extraction.
- Obj. M4 To protect areas of importance such as critical landscape or nature quality from inappropriate mineral development.
- Obj. M5 To ensure the effective and sustainable management of the parish's mineral resources and mineral-bearing lands from the pre-mining to post-mining stage.

RURAL ECONOMY

St. Mary has numerous agricultural holdings, most of which aids the economy of the parish. The rural areas are inclusive of these agricultural lands most of which face significant challenges due to weather occurrences and also from the fluctuation in agricultural and manufacturing activities. The skill base in some of these areas is limited with the service sector being less developed than that of the urban areas therefore limiting growth of the area's economy. It will therefore be necessary:

- Obj. RE1 To ensure that agricultural development caters to both the large and small scale farmers and that adequate provision is made for agro-industries.
- Obj. RE2 To preserve lands of prime agricultural capability for agricultural purposes only.

FIFTH SCHEDULE, *contd.*

- Obj. RE3 To protect types of developments consistent with maintaining the area's rural and cultural landscape.
- Obj. RE4 To prevent the fragmentation of large lots into non-productive units so that the agricultural industry remains viable.
- Obj. RE5 To prevent as much as possible urban or semi-urban development encroaching onto productive farm lands.

URBAN ECONOMY

The parish's economic base consists of a wide range of lucrative activities. These activities however, have to be inclusive so as to ensure the creation of jobs for a wide cross section of the population. For example the accommodation of varying skill sets should be assessed when implementing economic schemes.

Economic growth and development within the parish should be promoted particularly in the service, tourism, commercial and manufacturing industries. Therefore, areas for new developments that are proposed to encourage such growth will be encouraged. This is essentially:

- Obj. UE1 To promote urban regeneration particularly in areas requiring physical improvement and also to promote the enhancement of employment opportunities.
- Obj. UE2 To increase employment opportunities and economic activities in the urban areas through the identification and allocation of lands for the service, manufacturing, commerce and tourism industries.
- Obj. UE3 To locate and encourage manufacturing in areas which are near to existing infrastructure.
- Obj. UE4 To locate factory sites in areas where economic benefits are dispersed, diversified and which will complement the economic activities of the urban area.
- Obj. UE5 To encourage a range of activities, facilities and services available to residents of the community thereby making the urban centres attractive and accessible.
- Obj. UE6 To zone lands that will ensure the balanced development of town centres with all types of land uses taking into consideration potential impacts of climate change.
- Obj. UE7 To encourage urban agriculture to compliment other economic activities.

FIFTH SCHEDULE, *contd.*

- Obj. UE8 To promote mixed-use development and improve integration between transport, economic development and other land uses.

ENERGY GENERATION AND CONSERVATION

The volatility in oil price has resulted in the global emphasis on the cheap and diverse generation of energy, and its distribution. The parish of St. Mary is highly dependent on electricity which is mostly generated from imported oil and as such long-term planning should focus on strategies that facilitate the production of clean, renewable and affordable energy to satisfy the needs of the parish. The objectives will therefore be:

- Obj. E1 To ensure that the parish has access to stable and adequate energy supply which enhances competitiveness and improves the quality of life of householders.
- Obj. E2 To promote energy efficiency and conservation practices.
- Obj. E3 To facilitate the diversification of energy generation and supply, including the use of renewable energy such as solar, wind, biomass, hydropower and landfill gas.
- Obj. E4 To facilitate the reduction in greenhouse gas emissions through policies that will reduce fossil fuel demand and maximize energy efficiency in all sectors.
- Obj. E5 To ensure that new developments mitigate their impact on the environment through their siting, layout and through the design of energy efficient buildings.
- Obj. E6 To ensure that electricity is supplied in accordance with the settlement strategy for domestic, industrial and commercial needs where required.

TOURISM

Although tourism is currently not a main economic activity in the parish, it has the potential to be an important contribution to the economy of St. Mary in terms of revenue generation and employment opportunities it can provide. Heritage tourism and eco-tourism activities which are still largely unexploited can play a vital role in enhancing the product thereby supporting the viability of many local suppliers, services and facilities. Through the utilization of existing environmental, historical, cultural and geographic assets, tourism can be a key economic driver capable of stimulating further growth and development opportunities. The objectives will therefore be:

- Obj. TO1 To make provisions for the development of a range of tourist attractions that complement the landscape as well as enhancing the historical and cultural heritage.

FIFTH SCHEDULE, *contd.*

- Obj. TO2 To facilitate the development of a sustainable tourism industry while protecting the environment and factoring climate change considerations thereby fostering a desirable ecological balance.
- Obj. TO3 To encourage and facilitate the development and extension of tourist accommodation, other facilities and support services that will encourage tourism development thereby maximizing the economic and employment benefits of the population.
- Obj. TO4 To encourage the diversification of the tourism product to cater to a wider market.
- Obj. TO5 To encourage and enhance linkages between the tourism sector and the rest of the economy.

WASTE TREATMENT AND DISPOSAL

Urbanization, economic growth and industrialization have resulted in the rapid increase in the volume and types of waste which has become a national concern. It is therefore critical that considerable efforts are made within the Development Order Area with regards to the handling and management of solid, hazardous and liquid waste to mitigate against waste related problems such as pollution, pestilence or disease to ensure a safe and healthy environment. The objectives will therefore be:

- Obj. WTD1 To ensure that safe and sanitary conditions exist for the disposal of all types of waste, along with the required technologies and support services, without any unacceptable risk or detrimental effects to natural resource or the environment.
- Obj. WTD2 To stabilize or reduce the production of waste destined for final disposal, by formulating goals to induce separation to facilitate waste recycling and reuse.
- Obj. WTD3 To encourage the development and upgrading of stormwater drainage systems that provide the needed capacity to support development and which are of a high standard.
- Obj. WTD4 To ensure that all waste along the coastal area is properly handled and disposed of.
- Obj. WTD5 To ensure that standards for effluent disposal are met before being disposed of in public water bodies.

TELECOMMUNICATION/COMMUNICATIONS

Telecommunication services have increased over the years as technology advancement expands across the country impacting on all aspects of the environment. With this fact, the need and demand for telecommunication services

FIFTH SCHEDULE, *contd.*

will increase intensifying the need to rationalize the installation of cellular base stations, satellite dishes and antennae for both domestic and commercial users. The objectives will therefore be:

- Obj. TELE1 To facilitate the installation of an effective telecommunications network in the parish that minimizes the adverse impacts to the community, and the natural and built environment.
- Obj. TELE2 To ensure that antennae and other facilities and apparatus used in telecommunications systems are located where there will be no adverse impact on the aesthetics of the surrounding areas.
- Obj. TELE3 To encourage the siting of telecommunication equipment away from public view and also to encourage the sharing of facilities where possible.
- Obj. TELE4 To safeguard the development rights of properties.

SECTORAL POLICIES

The policies outlined in this section are dealt with on a “sectoral basis” under various thematic headings. These are intended to be applicable to development in both the urban and rural areas of Development Order Area. These policies are intended to protect all aspects of the physical and environmental features and at the same time improve the character and quality of life for its residents and visitors. These are not intended to restrict development but along with the “General Development Policies” will promote resource sustainability. Specific policies have also been developed for local planning areas/growth centres and are to be used in conjunction with the other policies in this Order.

TRANSPORTATION AND TRAFFIC

The location of St. Mary along the northern boundary of Kingston and St. Andrew results in its increased significance as a means of access to the capital of Jamaica and other parishes in the eastern parts of the island. Efficient transportation is fundamental for the conveyance of people and commodities both within and outside of the parish. St. Mary therefore requires a transportation infrastructure programme that is geared toward the planning and development of an adequate, safe and efficient road network and transportation system which allows for maximum efficiency for all users.

Roads

The majority of the road infrastructure within the parish is in need of improvement. These improvements are in the form of road widening, bridge rehabilitation as well as the requisite street furniture such as sidewalks and drains.

- POLICY SP T1 The planning authorities will only grant planning permission for developments along highways and or

FIFTH SCHEDULE, *contd.*

arterial roads if located along a service road or in locations which will not impact adversely on traffic flow.

- POLICY SP T2 Planning permission will only be granted for individual isolated development with entry on the main road if located in an area where adequate visibility is provided it is safe to all road users and is a low generator of traffic.

The hierarchy of roads within St. Mary are divided into three distinct categories (Class A, Class C and Other). This road hierarchy is designed based on the function that each individual road provides 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 and is also intended to be used in new subdivisions.

- POLICY SP T3 All road reservations should be in accordance with the requirements set out in Appendix 7 and no development will be permitted which would conflict with these reservations.

- POLICY SP T4 New and improved roads will be required to comply with the provisions set out in the Schedule of Road Standards (Appendix 7) and with such other details of construction and design as required by the relevant road authority.

- POLICY SP T5 Where a dual carriage way is intended but the present need is for a single carriage way, the first should be built in its ultimate position within the road reserve allowing the second to be located in its correct position later.

It is important that buildings and other permanent structures be constructed at suitable distances from main and other roads so that future improvements will not be impeded. Along a road with fast moving vehicles it is also safer for buildings to be located at sufficient distances from the roadways. This also lessens the noise which can be a disruptive element. In areas where existing reservations do not conform to the requirements wherever possible, buildings will be required to set back from the existing road reservation and no building would be allowed which would obstruct or cause greater expense to the Government.

- POLICY SP T6 The planning authorities will seek to ensure that all developments adhere to the required setback from the main road improvement line as outlined by the relevant road authority.

FIFTH SCHEDULE, *contd.*

- POLICY SP T7 The planning authorities will not grant permission for any permanent structures such as walls, fences *etc.* within the road reservation limits.

Service roads are those used for direct access to individual lots within a residential area or for access to commercial premises. Although the volume of traffic which traverses them may not be heavy there are times when these have to be upgraded especially to fit into a new traffic system. Caution has to be taken to ensure that this can be accomplished through the adequate set back of buildings.

- POLICY SP T8 No permanent development will be permitted within 4.5 metres of a service road boundary except in unavoidable circumstances.

- POLICY SP T9 Where it is necessary to provide a service road in the future, owners of property in the area will be required to reserve part of the frontage of their properties for this purpose and to set back their developments accordingly.

There is a high volume of pedestrian traffic within urban centres of St. Mary especially Port Maria, Annotto Bay and Highgate where many services are located in proximity to each other. A balance has to be maintained between the use of roadways by pedestrians while also accommodating utility services. The installation of utility services is development and is therefore an operation which needs planning permission.

- POLICY SP T10 The planning authority will ensure that utility pole lines and installations in road reservation do not obstruct the free movement of pedestrians, including the disabled, before applications are granted planning permission. Where possible; power, telephone and cable lines should be installed underground.

- POLICY SP T11 The local planning authority will seek to ensure that the responsible authorities enhance the safety and convenience of street level facilities for pedestrians through the adequate provision of the necessary facilities when new developments are being undertaken.

- POLICY SP T12 The local planning authority will ensure consistency in the location of street furniture on roadways which can be hazardous to road users especially those with disabilities.

It is very difficult to see the movement of traffic when approaching intersections, making it necessary corners of roadways be rounded or splayed to improve visibility. In some instances it may also be necessary for buildings or fence lines

FIFTH SCHEDULE, *contd.*

be set back in a taper where the land adjoins a main road at an intersection, bend or corner for the same reason.

POLICY SP T13 The corners of lots at intersections are to be splayed or rounded to facilitate visibility in accordance with the guidelines in Appendix 14.

POLICY SP T14 Building lines or fence lines may be set back in a taper where the land adjoins a main road at an intersection, bend or corner.

Road intersections are potential points for vehicular collision therefore in designing subdivisions special attention should be given to the type of intersections being implemented. Some types of intersections are less dangerous than others. The 'T' intersection is the safest as it has less collision points. Designers should, where possible, use 'T' or inverted T intersections while avoiding the use of others.

POLICY SP T15 The local planning authority will encourage the use of 'T' or inverted "T" intersections as much as possible in the design and layout of subdivisions.

The North Coast Highway has increased the volume of vehicular traffic within the parish, as many roads and bridges have been upgraded. As a result of this, greater consideration has to be given with regards to direct access points onto main and arterial roads. These should be avoided or limited in the interest of safety and free traffic flow. When considering such access the views of the relevant road authority will be taken into consideration.

POLICY SP T16 Planning permission will not normally be given for development which would require direct access/egress on to or have an adverse impact on a main road or highway.

POLICY SP T17 The laying out or material widening of a means of access will be permitted only where it does not constitute a hazard to pedestrians and other users of the highway and where it is possible for vehicle to enter and leave the premises in a forward gear.

It is desirable that the road hierarchy and the pattern of land uses are harmonized in order to reduce the environmental impact of traffic in residential and other sensitive areas. In this regard special attention will be given to the types of development allowed along these roadways.

POLICY SP T18 Planning permission will not be granted for any development which would result in significant hazard to

FIFTH SCHEDULE, *contd.*

road users or which would reduce the free flow of the traffic on a primary distribution road.

In some instances motorists, especially drivers of heavy duty vehicles have the tendency to travel through residential areas to either avoid traffic congestion or their normal routes. The movement of these motor vehicles is a threat to road safety and contributes to noise and other environmental hazards in the area causing discomfort to the residents. This activity will be discouraged through the introduction of engineering and traffic management measures.

POLICY SP T19 Traffic management and engineering measures to improve local road safety and protect the environment especially in residential areas will be supported by the local planning authority.

Private motor car ownership is relatively high in Jamaica; however there are still a considerable number of people who depend on public transport for local travel. Public transportation is used to transport persons between various nodes within and outside of the parish for both social and economic activities. A significant percentage of the population of St. Mary rely on the various stage carriers and route taxis for transportation. Without this service, a significant number of people would therefore be disadvantaged.

POLICY SP T20 Where large developments are being undertaken the planning authorities will support development proposals where adequate provisions are made for public transportation in the form of lay-bys and turn-a-rounds within the development.

POLICY SP T21 The local planning authority will encourage the use of public transportation as a means of reducing traffic congestion and will support the public transport initiatives throughout the parish.

POLICY SP T22 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 SP T23 The local planning authorities will ensure that road improvements and traffic management schemes have regard to the provision for public transport.

Motorists are affected by the oncoming lights of other motor vehicles especially if they fail to dim them. This situation could be alleviated on the dual carriageway if they are constructed with this in mind. While such roadways are for the most part absent within the parish, it is anticipated that these will be developed as the parish becomes more urbanized. Where possible the construction of two separate

FIFTH SCHEDULE, *contd.*

carriageways should be arranged unparallel and be landscaped in such a way to create an anti-dazzle screen of trees and shrubs. This would shield vehicle headlights from other motorists. The same precautionary measures should be taken when service roads are constructed parallel to main roads or highways.

POLICY SP T24 Where a dual carriageway exists or a service road is constructed alongside a main road or highway, the two tracks should be unparallel and the median landscaped where possible to form an anti-dazzle screen.

POLICY SP T25 Special attention will be given to the relationship of service and other parallel roads to highways and main roads to ensure the avoidance of confusing dazzle to night drivers.

Majority of the areas in St. Mary are geologically unstable. During periods of heavy or prolonged rainfall, these areas are subject to erosion, flooding and land slippage. In undertaking road repairs or constructing new roadways in these areas, great care has to be taken to prevent any disastrous effects directly or indirectly on adjacent properties.

POLICY SP T26 The local planning authority in consultation with the relevant road authority will undertake an assessment of any area with unstable slopes before granting permission for any road works where this is required.

Where main roads have to be improved especially in rural areas with significant natural features, these features as far as possible should be protected and enhanced for public use. Where land is left over from road works it should be landscaped and maintained as green spaces.

POLICY SP T27 Where natural features exist on improved main roads or extra land is available from road works these will be enhanced or landscaped and maintained for aesthetic purposes.

Parking

Parking is an essential element in the overall strategy for transport and its provision can have an impact on the use of the road network. Control of the size, location and type of parking may be used to help achieve an overall approach to transportation. Off-street parking provision will be necessary to protect new developments from giving rise to indiscriminate on-street parking which would be detrimental to road safety, restrict the flow of traffic or cause environmental problems. The amount of parking which is to be provided for the various activities will be as outlined in Appendix 8.

POLICY SP T28 Developers will be required to provide parking facilities within the curtilage of the site being developed for new

FIFTH SCHEDULE, *contd.*

and extended developments and all change of uses in accordance with the requirements set out in Appendix 8 and the design standards in Appendix 9 and Figures 2 and 4.

POLICY SP T29 A standard allowance of approximately 30 square metres of parking area in practical shape (inclusive of manoeuvring space) should be made for each car parking space (Appendix 9 and Figures 2 and 4).

POLICY SP T30 Where a development is to be occupied by several users, each having its own space permanently, the number of parking spaces required will be calculated separately for each planning unit as outlined in Appendix 8.

POLICY SP T31 Where a building is divided by permanent construction into more than one use and occupancy, the number of parking bays required shall be calculated separately for each use and occupancy.

The provision of public parking resides in the hands of the local planning authority. It is essential that public parking areas are developed within each local planning area as the need arises.

POLICY SP T32 The local planning authority will encourage and support the local authority to introduce controlled parking zones where parking problems are particularly serious and adversely affect the operations of shops and other businesses.

POLICY SP T33 The planning authorities will support the development of parking garages where the need arises provided that they conform to the recommended guidelines.

On-street parking controls are effective mechanisms in regulating commuter parking. In residential areas they can assist in protecting the amenities of home owners from illegal developments with inadequate parking and the overflow from adjoining development.

POLICY SP T34 The planning authority will allow on street, short stay parking for shoppers and for the operational use of business where it is warranted and road conditions make this possible.

FIFTH SCHEDULE, *contd.*

POLICY SP T35 Where the planning authority thinks it is necessary to protect the amenities of residential areas by means of on street parking controls, parking stickers may be issued to residents in the area.

Special parking for people with disabilities will allow them to use their automobile to do business in commercial areas of the parish. The provision of special parking should be based on the guidelines provided in the parking standards in Appendix 8 and 9 and the internationally adopted symbol in Figure 2 should be displayed to prevent others from occupying the space.

POLICY SP T36 New developments will be required to provide adequate parking facilities for people with disabilities in such a position that it enables safe and convenient access to the development.

POLICY SP T37 All alterations to existing commercial, office and public buildings void of the necessary parking for persons with disabilities will be required to make the necessary changes to facilitate the disabled as a condition for approval by the relevant authorities.

For some high density housing developments, due to the lot sizes sufficient parking spaces are not available for each given lot, for that reason parking is provided in car parks at convenient locations. In instances though where the car ownership ratio is high and lack of parking is eminent residents will have to park vehicles on the street occupying spaces that should be reserved for visitors.

POLICY SP T38 The provision of parking spaces in residential developments is to be in accordance with the standards set out in Appendices 8 and 9 of this Order.

It may be possible to permit development in urban areas without sufficient on-site parking where part of the requirements could be met in a nearby car park during times when it is not in use. Night clubs and public assemblies are two such activities which require parking in the evenings or on days of worship respectively. Some on-site parking would still be required by these developments to meet operational needs and an element of customer demand. Agreements may be entered into between these organizations and the enterprise to make these spaces available outside their operating hours. The local planning authority should be given legal assurance regarding its availability.

POLICY SP T39 The planning authority will give due consideration to the dual use of parking areas for development where the uses alternate in terms of time and scale; and such uses can be made legally binding.

FIFTH SCHEDULE, *contd.*

In general parking permission for new developments or replacement of parking spaces lost in the process should be made on site. However, there are situations where this may be neither feasible nor desirable, such as extensions or conversions of upper floors. In such circumstances the planning authority may be prepared to consider parking at a suitable site elsewhere in close proximity.

POLICY SP T40 Where it is not feasible to provide parking to meet the local planning authority's normal requirements on site, the planning authority will consider whether it would be acceptable to have the shortfall made good on an alternative site.

Due to oversight, the parking schedule may not speak to all classes of use or categories. In such situations the planning authorities should determine the parking requirements based on the standards nearest to the activity being undertaken.

POLICY SP T41 Where the use class or category of a building is not specifically mentioned in the parking schedule the planning authorities shall determine the provision based upon the standards in the nearest category.

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 if it is in close proximity. However any development proposals contemplated for the alternate site would have to take that parking provision into consideration and exclude it from the area that is being developed.

POLICY SP T42 Where the planning authority supports parking on other sites the developer or owner will have to enter into an agreement with the planning authority making the site available for the purpose in perpetuity.

POLICY SP T43 In situations where parking is to be provided on other site or sites the application for planning permission should include all sites.

Educational institutions such as basic schools, primary schools etc. should not only conform to the Planning Regulations in the Appendices of this Order but should reserve an area on their site for the dropping off and picking up of children. The area should be such that there is no conflict between children and motor vehicles.

POLICY SP T44 An area should be reserved on the compound of educational institutions (separate from the parking area) for the picking up and dropping off of children from motor vehicles.

FIFTH SCHEDULE, *contd.*

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 these should be landscaped.

POLICY SP T45 All car parks will have to be landscaped in accordance with criteria set out in Figure 4.

Buses and trucks in particular have the tendency to discharge passengers and goods in areas where it is neither safe nor convenient, causing inconvenience to other users of the road. It is therefore necessary that precautionary measures be taken to avoid this practice. In such situations vehicles may have to park at the side or rear of the premises.

POLICY SP T46 The places where buses and trucks pick or discharge passengers and goods shall be located only where there is adequate space out of the line of traffic and where there is good visibility in both directions for an adequate distance to prevent danger to persons and vehicles.

Provisions should also be made within related developments for the loading of trucks and goods vehicles. Where the building site area is too small, the frontage of the site is narrow and service is not possible from the rear the planning authority may find it expedient to waive or alter this requirement.

POLICY SP T47 Developers will be required to provide vehicle loading and off-loading bays within the curtilage of the site to be developed as set out in Appendices 8 and 9.

POLICY SP T48 Loading and unloading of vehicles may be provided at the side or rear of the premises in cases where Policy SP T46 cannot be complied with, so that no parked or temporary halted vehicles will be on the road reserve to impede or endanger the movement of traffic.

POLICY SP T49 All new developments having outdoor parking lots shall make use of green parking surface techniques incorporating permeable materials with adequate drainage facility.

Transportation Centre

There are limited designated public transportation centres within the St. Mary Development Order Area. There is however significant reliance on public transport and as such there is the need to construct additional transportation facilities/centres within the order area.

POLICY SP T50 All transport centres will be required to provide suitable access and amenities for the disabled.

FIFTH SCHEDULE, *contd.*

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| POLICY SP T51 | All transportation centres used by the public should be provided with the necessary public conveniences and amenities. |
| POLICY SP T52 | The planning authorities will ensure that all transportation centres have proper signage, parking bays that are properly structured and marked. |
| POLICY SP T53 | All transport centres or off-street parking facilities, including parking lots, shall be properly surfaced and drainage provided so as not to cause any nuisance or damage to adjacent property or roadways. |
| POLICY SP T54 | All transport centres, parking lots and parking facilities shall be properly landscaped with materials which may be used as a visual medium and shall be maintained in a good condition. |

The safety of persons, especially women and children using transportation centres and car parks at nights cannot be overlooked. The possibility of criminal acts occurring against individuals at this time is much higher than during the day and in dark places than in well-lit areas. Because of this attention must be given to the proper lighting and security facilities within these developments.

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| POLICY SP T55 | The planning authorities will not approve applications for the development of transportation centres and car parks unless the proposals are accompanied by plans showing the layout and design of adequate lighting and security features. |
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Air

There is one major airport, the Ian Fleming International airport which is located in Oracabessa designed to handle private and commercial aircraft and the Unity airfield, at Unity and Nonsuch, north of Highgate, which is privately owned and do not have any physical infrastructure.

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| POLICY SP T56 | The local planning authority will seek to ensure that no development will be permitted which might interfere with the provision of additional land and other required facilities at this airport to meet expansion need and aeronautical requirements. |
| POLICY SP T57 | The local planning authority will seek to ensure that the associated road infrastructure is maintained and upgraded if necessary to meet the commuters needs to and from this facility. |

FIFTH SCHEDULE, *contd.*

HOUSING

The housing needs of the Development Order Area are supplied by public and private sectors. The local planning authority will support the development of a range of appropriate sites and housing types. It will also ensure that facilities associated with residential areas are provided in accordance with their needs. The layout and design of housing developments should conform to the appropriate policies and guidelines in the Appendices of this Order.

POLICY SP H1 The housing needs of the Development order area will be met by:

- (i) improvement of the housing stock in various areas and/or
- (ii) zoning of lands to meet the requirements of a range of housing types in different locations depending on demand.

The growth of local planning areas is to a great extent determined by housing developments. A wide range of potential housing sites will therefore be zoned in the local planning areas and conform to the Settlement Strategy.

POLICY SP H2 Large new housing development should be confined to the local planning areas identified by the Local Authority and no permission will be given for large scale housing development outside of these areas.

POLICY SP H3 New single family housing development only may be allowed in the existing confines of some villages where rationalized development is taking place.

POLICY SP H4 In local planning areas housing development will be allowed in accordance with land use and density proposals, and other criteria developed for these areas in the local area plans.

In order to cater for the full range of housing needs there is necessity for a mix of housing types and sizes. This will ensure that the needs of all income groups are met.

POLICY SP H5 Housing developments should incorporate a mix of housing types and sizes appropriate to the needs of the locality, which should include those suitable for low income groups, particularly where the development is on a large scale.

FIFTH SCHEDULE, *contd.*

The change of use of buildings to residential purposes can provide a useful addition to the housing stock of an area. 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 SP H6 The change of use of buildings to residential use will normally be permitted by the planning authorities subject to the need, surrounding uses, and other planning guidelines.

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

POLICY SP H7 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.

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 or the application may not be supported.

POLICY SP H8 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, slope, and requirements should be set aside for this purpose. No permission will be granted for purposes other than those for which such land was reserved.

POLICY SP H9 In single family housing developments 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 11.

POLICY SP H10 In multifamily developments space shall be set aside for children's play area and other recreational and landscaping purposes inclusive of that reserved for driveways, parking areas and access ways.

Any uncontrolled development on a hillside is a potential hazard as it increases the area's susceptibility to slope failure, erosion and drainage problems. In an

FIFTH SCHEDULE, *contd.*

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.

POLICY SP H11 No housing development will be allowed on land that is steep and unstable, vulnerable to erosion, slippage, subsidence, flooding or other natural hazards unless satisfactory engineering works are submitted and approved by the local planning authority and should conform to the Hill Side Development Guidelines in Appendix 21.

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 SP H12 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 or
- (ii) the property is required for a community use.

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 such circumstances carry out an assessment to determine the validity of the situation before making a decision.

POLICY SP H13 In exceptional circumstances planning permission may be granted for proposals to satisfy a local requirement where housing development would not have otherwise been permitted.

Infill can often make a useful contribution to meeting an area's housing needs. Such proposals have to be viewed in the context of the changes that can be brought about in an area. The density of the development, the character of the area, drainage requirements and the privacy of the neighbouring properties will have to be taken into consideration in supporting such proposals.

POLICY SP H14 In local planning areas 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 all the relevant planning standards and guidelines are satisfied.

FIFTH SCHEDULE, *contd.*

POLICY SP H15 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.

Single dwellings occupied by two or more people living separately are regarded as houses in multiple occupations. 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 as this could have severe impact on the surroundings. Hence there should be a balance with the character and amenity of the surrounding area.

POLICY SP H16 Where single family residences are being converted to houses in multiple family 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
- (iii) the availability of car parking facilities.

In an effort to have a suitable balance between the use of land and a satisfactory residential environment it is imperative that the height and density of buildings be controlled. New buildings should conform to the proposed height for the area and the density should protect the amenities of the surrounding areas.

POLICY SP H17 The height and density of new buildings will be controlled in conjunction with other appropriate planning controls, acceptable height and density in keeping with the character and actual density of adjoining sites.

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 SP H18 Proposals for residential homes for the elderly will be supported having regard to the effect on the character of the neighbourhood and any physical alterations to the 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 located on a substantial property.

FIFTH SCHEDULE, *contd.*

To protect the amenity of the area any subsequent change of use will be the subject of planning permission and this condition will be attached to the permission.

POLICY SP H19 Residential homes for the elderly will be permitted on extensive grounds and in or near the edge of town where access to facilities can be provided.

House lots and build on own land has the highest potential for the Development order area with the greatest demand being construction of one's own unit.

POLICY SP H20 Adequate lands will be identified in housing areas to meet the needs of individuals who are desirous of constructing their own homes.

In some cases it may be necessary to provide accommodation for people working on farms or special projects. In such circumstances the viability of the farm and other projects activities plus the location of existing residential activities will be taken into consideration in assessing and determining the application. Planning permission for such development will only be granted on a temporary basis and will not be transferable.

POLICY SP H21 Planning permission for agricultural and special project dwellings will only be permitted where it is essential that workers be accommodated on the holding, on a temporary basis and will not be transferable.

CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

The main objective of a conservation policy is to promote the integrated protection, preservation and development of land, water and other viable resources for their sustainable use and for the benefit of the nation as a whole.

While the resources and ecosystems provide important natural values and functions for the citizens of the parish and beyond, they are threatened by exploitation and pollution. As such, this order will ensure that the policy mechanisms are put in place to combat issues that affect the resources while placing emphasis on sustainability and management.

The Natural Environment

St. Mary's terrestrial environment is dominated by a variety of forests which are habitats for many endangered and endemic plants and animal species. They are also important to the parish's water supply.

There are several declared forest estate and crown lands that are managed by the Forestry Department. There are four forest reserves; sections of the Blue

FIFTH SCHEDULE, *contd.*

Mountains, Fort George, Tremolesworth and Nutfield Forest Reserves. These are indicated on the land use proposal map and will continue to be protected.

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| POLICY SP C1 | The local planning authority will seek to protect the natural environment and will impose conditions requiring the protection of existing habitats and established plant communities and their preservation and enhancement where necessary. |
| POLICY SP C2 | Planning permission will not normally be granted for any development which would result in the significant loss of any treed area unless there will be no adverse effect upon the environment and amenity of the surrounding area (such development may require an Environmental Impact Assessment). |
| POLICY SP C3 | Trees of amenity value or special importance may be placed under Tree Preservation Order to ensure their protection where necessary. |
| POLICY SP C4 | The planning authority will not normally encourage development within the aquifer recharge and watershed area that threatens to undermine or is in conflict with the natural functions of this area. |
| POLICY SP C5 | Agriculture may be allowed in watershed areas if the activities meet the requirements set by the controlling authority and is properly managed to reduce the effects of soil erosion and chemical runoff. |
| POLICY SP C6 | The planning authorities will normally not grant planning permission for any development that will have a detrimental effect on conservation areas/sites of natural value. |
| POLICY SP C7 | Planning permission will not be given for any form of development which will result in the degradation of habitat for endemic or endangered species of flora and fauna. |

Forest reserves containing natural or near natural forest are of great wildlife value, as by law no protected species of wildlife within the boundaries may be hunted and any use of the plant life over-exploited.

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| POLICY SP C8 | Valuable existing wildlife habitats will be protected and the planning authority will only consider planning permission where a proposal is not likely to result in the loss of habitats or impact wildlife populations. |
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FIFTH SCHEDULE, *contd.*

The protection of existing vegetation which positively enhances the amenity of the development order area is important and the planning authority will seek to protect and retain mature trees, planted areas, and hedge rows and to avoid damage to existing vegetation during development. Accurate surveys of existing vegetation should be shown on plans being submitted for approval. Trees should be plotted accurately by their crown's extent and location.

POLICY SP C9 The planning authorities will not consider applications for development which do not show all vegetation, ponds and ditches which are to be retained with details for their protection during the period of construction.

POLICY SP C10 Planning permission will not be granted for any development which infringes directly or indirectly (through felling, lopping, topping, pruning, changes to drainage patterns or ground levels, or compaction of roads), upon areas of woodland, as identified on the land use proposal map.

POLICY SP C11 Where possible, utility service lines should not be placed under tree crowns, through shrub or proposed landscape areas and the planning authority will be mindful of this in dealing with applications.

Trees are vulnerable to destruction during construction period and measures have to be taken to protect them. It is normal in such situations to have them fenced and site work in their vicinity controlled.

POLICY SP C12 Developers will be required to protect existing trees that are to be retained on a construction site in accordance with instructions from the Local Planning Authority.

POLICY SP C13 Consideration will be given by the local planning authority to the protection of trees on neighbouring premises where roots and branches might extend into a development site and may be affected by the new development.

The replacement of mature trees by new planting in order to accommodate development is usually less acceptable and the retention of mature trees is preferred. This is due to the fact that replacement trees take a long time to mature and provide the same level of amenity. To protect trees on development sites no disturbance will be permitted at or near the crown spread of the tree unless precautionary measures are taken.

POLICY SP C14 Development proposals for a site which includes mature trees should be accompanied by a detailed survey identifying the location, species, health and welfare of the trees.

FIFTH SCHEDULE, *contd.*

The main source of water supply in the development order area is from rivers and wells. The protection of these natural waterways and water sources has become increasingly important in improving water quality and maintaining natural ecological processes which positively enhance the amenity of the development order area. The potential impact of climate change on these natural features must be outlined in development plans submitted for approval. Also, accurate surveys of drainage patterns and existing and proposed changes of water levels in and over the site should also be shown on plans being submitted for approval.

POLICY SP C15 Development will not be permitted by the local planning authority if it is likely to have an adverse impact on the water environment particularly in relation to rivers, wetlands, watersheds and public access in river corridors.

POLICY SP C16 The planning authorities will not consider applications for development which do not show all natural land features which are to be retained during construction with details for their protection during the period.

The topography of the parish is very mountainous with only a narrow plain along the coast. Wetlands are limited to a few stands of fringing mangrove forests and waterlogged areas that are scattered along the coastline. The only major wetland area is the Frontier Swamp located in Port Maria.

POLICY SP C17 The local planning authority will not encourage any development along the coastline or within any mangrove forest which will negatively affect the integrity of the area.

POLICY SP C18 No planning permission will be given for any filling or other operations in the wetland areas that will interfere with its natural functions or that will in anyway destroy its existence.

The Jamaica Caves Organization (JCO) has sixteen caves/sinkholes recorded for the parish of St. Mary. Caves are notable geological features and are important habitats for endemic cave adapted species of insects and vertebrates. There are a number of bat species found in these limestone caves. This occurrence has led to the mining of guano from the caves. Tourism related activities have been noted to have an effect on cave ecosystems, which should be subject to strict development control.

POLICY SP C19 The Planning Authority will not permit any development which will result in the endangerment of any species of bat or alter airflow or natural water flow of caves.

FIFTH SCHEDULE, *contd.*

- POLICY SP C20 The local planning authority will ensure that the phosphate deposits are extracted on a sustainable basis through the imposition of planning conditions.
- POLICY SP C21 The Planning Authorities will normally permit eco-tourism development which will not result in the alteration or degradation of caves and supporting ecosystems.

The Built Environment

The built environment is the human made space, arranged, maintained or protected, in which people live, work and recreate on a day to day basis. It is a system that includes parks, buildings, road and the infrastructure that supports them such as water infrastructure.

- POLICY SP C22 All developments should be of a good quality design so that they can contribute to a built environment that:
- (i) is usually attractive;
 - (ii) promotes a healthy surrounding, including space and landscaping about a building and avoidance of exposure to excessive noise or pollution;
 - (iii) is energy and water efficient.

Landscaping add quality to the built environment as it can screen unsightly buildings or land uses and assist natural conservation especially if native species are used. It can enhance the appearance of development providing texture and pattern where landscape is a major feature.

- POLICY SP C23 Hard and soft landscaping is to be provided to the satisfaction of the Planning Authority as an integral part of any development proposals, where it is necessary to enhance the environment and setting of a new building or otherwise help integrate that development into its surroundings.
- POLICY SP C24 Developments may not be permitted which conflict with the need to safeguard and enhance the landscape and townscape features which contribute to the identity of areas of special character.
- POLICY SP C25 All new developments will be encouraged to design landscape schemes with nature conservation in mind including the planting of material that will attract wildlife.
- POLICY SP C26 New development will be encouraged to design landscape and parking schemes which allow for the percolation of water and the reduction of area of paved surfaces.

FIFTH SCHEDULE, *contd.*

In some areas the Local Authority has lands which were either vested in them as open space on behalf of residents or which they acquired for and is being used as public playing fields. Over the years, due to shifting neighbourhood patterns some of these may have become derelict or due to a demand for other facilities to be located in the area there is always the pressure to dispose of them. These lands should be protected as they were acquired or given for specific purposes.

POLICY SP C27 The Local Planning Authority will not support development on Municipal Corporation owned or controlled lands which have been designated as open space. Where such lands are to be used for other public purposes, the planning authority will only support the development if an equivalent area of land is acquired in an alternative location in the immediate area or in an area where the use for such purpose is deficient.

The same principle which applies to the ownership of lands by the Local Authority also applies to some lands owned by Central Government Agencies. There are instances in which lands have been acquired for parks and open spaces and have been used for other purposes and these need to be safeguarded.

POLICY SP C28 Except as required for other necessary public purposes, planning permission will not be granted for development on publicly owned lands which have been designated as park or open space and which shall be used for that purpose.

Since government has access to publicly owned lands it is customary for it to undertake activities in areas in which they would not otherwise have been allowed or allowed only if certain criteria are met. Where lands have been zoned for conservation purposes (or, are in other sensitive areas) such activities should be so designed that they do not detract from the area. What applies to public agencies also apply to individuals and private organizations.

POLICY SP C29 The undertaking of public or private works in conservation and other sensitive areas will be allowed only in special circumstances and where permission has been granted and should be designed such that it does not negatively impact the functionality of the area's ecosystem nor detract from the appearance and recreational use of the area.

Pollution may cause significant damage to ecological systems and wildlife habitats and can also impact residential amenity. Air pollution can cause adverse health problems from the emission of fumes, dust, and offensive smells. Poor water quality can destroy wildlife in riparian habitats and affect water based leisure

FIFTH SCHEDULE, *contd.*

potential. Developments which emit high levels of pollution will be treated cautiously when being assessed.

POLICY SP C30 The planning authorities will not grant planning permission for any development proposal which could lead to unacceptable levels of pollution and in dealing with such applications will take into consideration site location and mitigative methods.

Noise pollution also damages the environment and although there is a “Night Noise” Act which controls the volume of sound emanating from a building, planning plays a critical role in this regard. The layout and design of buildings can be such that it reduces the effects of noise disturbance causing little environmental damage.

POLICY SP C31 Development proposals which would lead to unacceptable levels of noise nuisance to nearby existing or future occupants will not be granted permission by the planning authority.

Notwithstanding the above policy there are outdoor spaces in which night time entertainment and impromptu social activities could occur with minimum disturbance to householders. There are car parks and open spaces which are strategically located which could be used for this purpose during the early and late evenings and is unlikely to violate the Night Noise Abatement Act. For example the use of a car park is mainly a daytime activity that ends in the evening allowing other outdoor open air activities to take place beyond that time. The use of these areas for such activities will however need permission from the local authority and the police with each application being considered on its own merit.

POLICY SP C32 Car parks and other similar facilities may be used for open-air entertainment and other social events during the period in which they are not occupied for regular use.

POLICY SP C33 The operations of facilities such as car parks or other open areas that are being used for social events should obtain permission from the local authority and conform to the requirements and guidelines contained in such permission.

The integration of new developments and alterations, or extensions is to a large extent dependent on detailing hence, “Outline Planning Permission” will not be granted for applications in conservation areas. In such situations “detailed applications’ need to be submitted so that a full assessment of the applications can be undertaken. The proposals should be such that it can make a positive contribution to the character of the area in which it is to be located.

POLICY SP C34 Outline applications for planning permission to develop in conservation areas will not normally be accepted by

FIFTH SCHEDULE, *contd.*

the local planning authority. All such applications should provide a level of detail which will allow a full assessment to be made in relation to the character and appearance of the section of the conservation area in which they are to be located.

POLICY SP C35 Where an extension is proposed, the details of the extension are to be matched closely to the details on the main building especially where these are of a traditional nature. Where these have been lost, the local planning authority will aim to implement restorative measures to repair them.

POLICY SP C36 New developments are expected to retain or reinstate the historic street pattern, traditional buildings lines, boundary walls, open spaces and kerb lines which contribute to their character originally.

Wave action or that by individuals may cause the accretion of land forming beaches and islets where they did not previously exist. In such situations they should be preserved and used for public recreational purposes unless prior arrangements were made with the appropriate authorities.

POLICY SP C37 Land created by accretion in the territorial waters or along the coast shall be used for recreational purposes unless there is a prior arrangement with the appropriate relevant agency or authority and the local planning authority to use it for other purposes.

Insensitively sited high buildings, especially those above two storeys in height (ground plus one floor) can often intrude upon pleasant views. These will therefore be restricted to the height of surrounding developments where their visual impact will be minimal.

POLICY SP C38 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 SP C39 No permission will be given for the erection of high buildings within an area regarded as inappropriate for such buildings by the local planning authority or in, or, adjacent to sight lines between strategic view points and landmarks.

A natural hazard is a rare or extreme event in the natural environment such as earthquakes, droughts and tropical cyclones that adversely affects human life,

FIFTH SCHEDULE, *contd.*

property or activity to the extent of causing a disaster. Their occurrence and scale of impact are often influenced by human-induced activities as a result of inappropriate land use, poor building practices and environmental degradation. With the advent of climate change the prospect of more disturbed weather patterns and rising sea levels has the potential to exacerbate existing risks.

POLICY SP C40 The planning authority will ensure that the effect of climate change adaptation is considered in the assessment of all types of development applications including the provision of infrastructure.

Historical, Archaeological Sites and Buildings

The Parish has a rich heritage of sites and buildings having particular beauty or historic, archaeological or architectural significance which should be preserved for the benefit of both residents and visitors as they are important linkages with our past cultural heritage.

A list of those which are protected by the provisions of the Jamaica National Heritage Trust Act is indicated in Appendix 3 rather than allowing these sites and their settings to be destroyed the Planning Authorities will seek to preserve and protect them.

Application for the development of land in the vicinity of such sites and buildings of historic significance should only be undertaken after consultation with the Jamaica National Heritage Trust.

POLICY SP C41 Permission will not be given for any development within the vicinity of any monuments, historic landscape and important archaeological sites listed by the Jamaica National Heritage Trust without approval from them.

It is envisaged 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 exploring, recording, preserving and restoring will be developed.

POLICY SP C42 The planning authorities will support and encourage the identification, recording, protection and enhancement of archaeological sites, ancient monuments and historic landscape features and will not grant permission for development which would lead to their damage or destruction without consultation with the Jamaica National Heritage Trust Commission.

FIFTH SCHEDULE, *contd.*

There may be a situation in which a proposed development will unavoidable affect archaeological remains if it is allowed to take place. In such cases the local planning authority will seek an agreement with the developer and other appropriate bodies that time and resources are made available for a comprehensive programme, of investigation to take place. The Jamaica National Heritage Trust will be consulted when the impact of development proposals on such a site is being assessed.

POLICY SP C43 There will be a presumption against developments on important archaeological sites except where the redevelopment of a substantially developed site is proposed. Where preservation of existing archaeological remains is not possible at the outset, planning permission will only be granted if arrangements are made with the local planning authority for work to be undertaken in a programmed manner after approval by the Jamaica National Heritage Trust.

POLICY SP C44 Planning permission involving the loss of a building or feature of archaeological or historic interest will not be granted unless reasonable opportunity for recording its characteristics is provided before demolition begins.

POLICY SP C45 The planning authorities will identify structures, buildings, monuments and neighbourhoods of historic or architectural significance and seek to have the Jamaica National Heritage Trust restore them as a means of enhancing their economic and cultural value.

Historical and architectural buildings which are listed by the authorities are generally old, disused and in need of maintenance. Due to the high cost of such maintenance however these buildings are not normally used and as such do not remain in good condition thereby shortening their useful life. Activities which would not adversely affect the historic or architectural interest, character or appearance of the building if encouraged would extend its useful life.

POLICY SP C46 Proposals for change of use or alteration which will improve or make more effective use of, or will assist in the preservation of heritage or other buildings of importance will normally be permitted if the historical or architectural interest and character of the building will be enhanced and there will be no adverse effect on the amenity and surroundings.

POLICY SP C47 When considering proposals for change of use generally or to specific developments the local planning authority

FIFTH SCHEDULE, *contd.*

will have regard to whether any building or buildings is of sufficient interest or importance to merit preservation.

- POLICY SP C48 The local planning authority will endeavour to protect and enhance all listed buildings, their settings and any features of specified architectural or historical interest they may possess.

Where the restoration of a building is to take place it is customary for the existing features to be changed by the owners. This will be discouraged by the planning authorities and all efforts made to retain the original design. Any application within 91m of a monument will be referred to the Jamaica National Heritage Trust for their comments and advice before approval is granted.

- POLICY SP C49 Alterations and extensions to buildings should respect the period, architectural characteristics and detailing of the original building including external features such as porches, and should use matching material.

- POLICY SP C50 In considering applications on or near sites of historic architectural or archaeological significance the planning authority will have regard to the Jamaica National Heritage Trust Act and refer such applications for their comments and advice.

- POLICY SP C51 The local planning authority will ensure wherever possible the conservation of listed buildings, their settings and any archaeological and historic features they may possess in town, village and countryside.

If buildings in an area have a distinctive character and contribute to the street architecture then the design should be preserved and not be arbitrarily changed. For example if a new shop front has to be provided it should be in keeping with the character of those already existing in the area. In dealing with applications it will be necessary to control the design and arrangement of buildings and structures, access and circulation, and relation to the surroundings to ensure efficient functioning and adequate protection to adjacent and nearby residential areas.

- POLICY SP C52 The character of shop fronts and other commercial buildings which are of architectural or historic interest should be maintained and enhanced and others made to conform as much as is practicable.

FIFTH SCHEDULE, *contd.*

MINERALS

Minerals are valuable, finite non-renewable natural resources formed through geological processes and as such possess specific physical properties and uses. They are the basic resources needed for most if not all development, the extraction of which can have positive or negative effects on the environment. Dereliction of landscape, destruction of the ecological balance, irrational mining practices are some possible effects when the activity is done in an adhoc and unsustainable manner. Sand and gravel are the main minerals mined in the parish, it is important to safeguard the areas from being exploited.

POLICY SP M1 Physical development of a permanent or capital intensive nature will not be given permission on mineral bearing lands.

POLICY SP M2 All operations concerned with and ancillary to the extraction of minerals constitute development and as such, require planning permission from the planning authorities.

The Mines and Geology Division delineate areas as quarry zone(s) and under normal circumstances quarrying will only be permitted in these areas or any other locations after the necessary licenses have been obtained. The zones are determined by the availability and quality of suitable material in relation to the consumption areas, such as block making factories and housing development areas. However, there are licensed quarry sites outside of the zone which may remain in operation until their licenses are expired.

POLICY SP M3 Quarries must be located within approved quarry zones as identified by the Commissioner of Mines, and illustrated on Map 1 and this operation will not be permitted in any other location, except in extenuating circumstances approved by the relevant agency.

POLICY SP M4 Mining and quarrying applications should be submitted to the Mines and Quarries Division and the necessary licenses obtained from this body before any such activity commences.

POLICY SP M5 The quarry zones will be determined by the availability and quality of suitable material and will as far as possible, be related to the present and projected consumption levels in the areas.

Where quarry applications fall inside or outside the established quarry zones or where there are no zones such proposal will be assessed for its impact on the

FIFTH SCHEDULE, *contd.*

surrounding areas in terms of aesthetics and environmental considerations such as noise, dust, smoke, traffic and visual effect.

POLICY SP M6 In dealing with quarry applications the local planning authority will take into consideration the impact of the activity on the surrounding areas and will not recommend their approval to the Commissioner of Mines where they will have adverse effects.

POLICY SP M7 In the event that a contemplated development might affect licensed quarry operation, or fall within a quarry zone the matter will be referred to the Commissioner of Mines for his recommendation.

POLICY SP M8 Plant sites for the processing of quarry materials should be located as close as possible to the quarry sites where they are easily accessible by the building industry and will be assessed in terms of their impact on the surrounding areas.

The number of quarries operating in any area at one time will be controlled by the demand for the material. On completion of the operations it is expected that restoration of the quarried areas will take place in the shortest possible time.

POLICY SP M9 All mined out and quarried lands should on completion of the activity be restored to its original vegetative state, or to a level which is satisfactory to the local planning authority and related authorities.

In some instances, land that is slated for future development may be quarried on a priority basis and be prepared for such development in accordance with the requirements of and to the satisfaction of the local planning authority after consultation with the Mines and Geology Division, or any agency carrying out that function. It should be noted however, that the quarrying of land generally shall not be construed as rendering the land suitable for development.

POLICY SP M10 Lands which are slated for development may be quarried on a priority basis and be prepared for development to the satisfaction of the planning authority after consultation with the Mines and Geology Division.

Coastal sand mining (both onshore and offshore) have over time increasingly become a common occurrence in the Jamaican construction landscape; however the coastal sand of St. Mary should not be regarded as a source for extraction. It is therefore the intention of the local planning authority to adopt a preventative approach, since the rate of generation by natural means may not be able to

FIFTH SCHEDULE, *contd.*

replenish the extraction or rate of removal which could be more rapid than the replenishment rate thus resulting in the destruction of prime beach areas of not only the parish but other coastal areas as well. In line with anticipated sea level rise and intensity of storms and the likelihood of increased coastal erosion the climate change impacts should be adequately considered before any approval is granted.

- POLICY SP M11 The extraction of onshore coastal sand will not be permitted except under exceptional circumstances and sand extraction in such situations will be strictly controlled. Sand extracted under these conditions should normally be used in the landscaping/rehabilitation of eroded coastal areas in the immediate area. Sand should only be exported under exceptional circumstances and be utilized for the above stated reasons where approval is granted.

RURAL ECONOMY

St. Mary conveniently known as the “banana parish” has a large agricultural sector. Sugarcane was historically the main crop cultivated in the parish, however due to its decline banana cultivation took its place contributing greatly to the parish’s economy. Exporting of this produce took place at the Annotto Bay Wharf but after its closure was outsourced to the parish of Kingston. Other crops that supplemented the building of St. Mary’s economic base included citrus, coconut, cocoa, pimento and coffee. It is important that lands of high agricultural capabilities be protected and rationalized to safeguard and support the economy of these areas.

- POLICY SP RE1 The planning authority will give long term protection to the areas which have been delineated as agriculture on the land use proposal map and will give priority to the needs of agriculture over other planning considerations in dealing with any development applications in these areas.
- POLICY SP RE2 There will be a presumption against development which diminishes the amount of productive or potentially productive agricultural land outside of the urban fence.
- POLICY SP RE3 There will be adequate setbacks put in place to protect riverine areas from contamination from agricultural lands and to protect life and livelihoods from flooding in line with climate change considerations.

FIFTH SCHEDULE, *contd.*

Animal husbandry does not require lands with good quality soils and will therefore be encouraged on lands with low agricultural and crop capabilities. The implementation and use of greenhouse technologies will be encouraged in suitable areas throughout the Development order area. Agro-industries add to the economic intake of the parish and should be developed for further diversification of the economy. These industries can be implemented in redundant buildings. They however will have to be located in areas that are close to raw materials and should not however have a negative impact on the surrounding environment or change the character of the area.

POLICY SP RE4 Intensive agricultural activities such as poultry and pig rearing which do not depend on soil quality and which can contribute to the rural economy will be encouraged on poor agricultural land.

POLICY SP RE5 The local planning authority will support:

- (i) the use of poor agricultural land for the development and use of greenhouse technology and; or
- (ii) the establishment of agro industries to strengthen the rural economy, as long as:
 - (a) they are not located on good agricultural land;
 - (b) will not compromise the character of the area;
 - (c) impact adversely on the environment or
 - (d) have a deleterious effect on surrounding uses.

While agricultural lands will be given the utmost protection both in and outside of local planning areas, there are lands of agricultural significance which are located in proximity to or surrounded by housing developments. These lands will continue in agricultural use until they are required for housing and other related uses after which time this will be released in an orderly and timely manner.

POLICY SP RE5 Planning permission for development of lands of agricultural significance within the local planning areas will be granted on a phased basis provided the land is urgently needed for development and the proposals do not prejudice the existing residential and visual amenity of the area and the necessary infrastructure is available.

FIFTH SCHEDULE, *contd.*

The efficient practice of agriculture and horticulture requires the provision of markets and other distribution facilities in convenient locations. These will normally be supported to facilitate farming activities.

POLICY SP RE6 Markets and other distribution facilities will normally be permitted where it is shown that it is necessary for the wholesale distribution of produce to and from local farms.

Cottage industries are common throughout the parish but more widespread across the rural and suburban population. Rural residents implement a range of small scale cottage industries while aiding the employment opportunities. The planning authorities will support such activities where possible.

POLICY SP RE7 The operation of small scale home industries will be supported provided that it will not create a nuisance, nor affect the character and appearance of the neighbourhood in anyway.

Residents in rural areas also tend to shop for small items at irregular intervals and local shops are necessary in fulfilling this activity. Such facilities will be supported where there is a justifiable need and they will not act as a catalyst to linear commercial development.

POLICY SP RE8 Proposals for shops in rural areas will be given consideration in appropriate locations where it can be proven that a need exists for the facility in the neighbourhood.

POLICY SP RE9 Proposals for improvements to local shopping facilities in villages or residential areas will normally be permitted.

Sections of the rural area provide scenic settings and ecological environments from which the area obtains economic benefits. Therefore, these areas have to be protected from encroachment by incompatible developments as land converted from its primary or natural state through development cannot easily be restored.

POLICY SP RE10 The Planning Authority will seek to protect lands outside the defined built up area from irreversible and unnecessary developments and will ensure that authorization for developments in these areas are kept to a minimum.

URBAN ECONOMY

St. Mary known for its agricultural contribution to Jamaica's economy also relies on other sectors that add to its economic performance. These are tourism, manufacturing, commercial and service oriented sectors. These economic activities are located in urban areas and employ a large percentage of the labour force.

FIFTH SCHEDULE, *contd.*

Extending and upgrading the aforementioned sectors will increase employment and labour force. However, adequate lands must also be zoned for the creation and expansion of these economic activities across the development order area to assist in the further development of the parish.

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| POLICY SP UE1 | The planning authorities will provide the zoning of lands for the development order area through the promotion, reservation of suitable sites for commercial, industrial, and office uses, and disaster management (e.g. temporary relocation or staging areas) in local planning areas. |
| POLICY SP UE2 | The planning authorities will provide adequate setbacks to protect life and livelihoods (e.g. from flooding) in line with climate change considerations. |
| POLICY SP UE3 | Proposals that will improve or otherwise modernize the commercial base of existing towns will normally be approved if compliance is had with requisite conditions stipulated by the local planning authority. |
| POLICY SP UE4 | Permission for the development of land or buildings currently in employment generating use for non-employment purposes will normally be refused. Only in extenuating circumstances will permission be granted to use such land or building for other activities. |

Commercial areas will be delineated within the urban areas so as to foster economic growth and development. When economic activities are proposed outside the boundaries of a local planning area special consideration will be given for its implementation given its purpose and benefits to the area. These developments however will be controlled in accordance with planning guidelines.

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| POLICY SP UE5 | Adequate lands will be zoned within the Development Order Area to accommodate the establishment of new economic developments and also to fulfil the requirements of existing ones except where these would have an adverse environmental impact. |
| POLICY SP UE6 | The local planning authority will encourage the upgrading of all public facilities and services within urban areas to attract investors. |
| POLICY SP UE7 | The planning authorities will consider favourable proposals for new developments in urban centres, which will increase the range and quality of facilities and services. |

FIFTH SCHEDULE, *contd.*

Proposed large scale commercial and office developments should provide the necessary amenities for effective operations and public use to include amenities for children and the disabled. The planning authorities will assess each proposal and ensure that the provision adheres to the guidelines set out in this development order.

POLICY SP UE8 The local planning authority will ensure that as much as possible all large scale commercial and office developments provide certain public facilities such as sanitary conveniences for all users as well as receptacles for garbage disposal and facilities for recycling.

POLICY SP UE9 The local planning authority will encourage that all new developments for public use and including change of use, alteration or extension to buildings provide suitable access and facilities for disabled persons.

Companies that offer services widely used by the public will be encouraged to provide outlets in commercial and office complexes and other related developments where it is suitable for shoppers to carry out business transactions at the same time, making it convenient to the public.

POLICY SP UE10 All new commercial development such as shopping centres will be encouraged to include outlets for public and private organizations that provide services for customers such as paying of utility bills, etcetera.

Eateries and other similar establishments contribute to the economic development of an area. They however can be a nuisance as noise, odour, and other disturbances are associated with these developments. The authorities will therefore ensure that these entities are located in appropriate areas fitted with the necessary amenities for patrons.

POLICY SP UE11 Planning permission will only be granted for suitably situated fast food establishments and restaurants where there is no potential detriment to the environment.

Nightly activities (i.e. bars and lounges) within the urban boundaries contribute to the economic development of most areas. These activities assist in maintaining some level of security and keep the urban core alive. The establishment of such facilities will however be dependent on the location, amenities and the developer's adherence to planning and development guidelines.

POLICY SP UE12 Planning permission for entertainment facilities will not normally be granted where traffic problems are exacerbated, where the amenity of residents would be

FIFTH SCHEDULE, *contd.*

considerably injured or where a proposal is incompatible with the existing activities of the area.

POLICY SP UE13 The local planning authority will encourage proposals to bring disused or underused floor space back into beneficial use such as for residential or office purposes, or entertainment facilities in areas where they will not injure the amenities of an area.

POLICY SP UE14 Permission will not normally be granted for a change of use from a socio-cultural use such as cinemas, museums etcetera to other non-related uses except in circumstances where a replacement will be made in a suitable location and within a stated time period.

Mixed use developments of residential and commercial activities are compatible in certain areas and may be permitted provided that land uses are compatible and will not cause undue hardship to neighbours.

POLICY SP UE15 Mixed use development of residential, commercial, industrial or institutional activities in areas compatible for such may be allowed as long as the extent of development is permitted.

Micro businesses may have to be located in or close to residential areas and other sensitive localities. This may in turn have a negative effect on the amenity of the surrounding properties. Therefore it is imperative that all new developments for this purpose be strategically integrated when designing developments and that the amenity of neighbouring land uses particularly residential is not unduly affected.

POLICY SP UE16 In considering applications for business developments outside of the area identified on the land use proposal map for that purpose, the following will be taken into consideration:

- (a) character of the area;
- (b) availability and supply of such facilities within the area;
- (c) development being acceptable on environmental, design, traffic amenity and other grounds;
- (d) plot ratio for the type of development;
- (e) car parking requirements for the development;

FIFTH SCHEDULE, *contd.*

- (f) provision of adequate servicing facilities;
- (g) impact on amenity, in terms of noise, vibration, smell, fumes, smoke, soot, ash, dust, grit etcetera;
- (h) provision of soft landscaping and trees;
- (i) or other related policies in this Order.

The National Industrial Policy seeks to promote transformation of the Jamaican economy through the expansion and promotion of both new and existing industrial activities in targeted areas. To achieve this goal it will be essential to identify and establish special locations for the purpose.

POLICY SP UE17 In keeping with the industrial policy the planning authority will support the development of specialized industrial areas or zones where such uses should be located.

Industrial activities within the parish are mainly located along the coast which in many cases is in proximity to the raw materials and/or transportation. They are also found inland but are nominal in numbers. These activities range from light to heavy, therefore, where hazardous processes are being undertaken there will be a potential risk for employees and persons living in the surrounding area. Therefore, proposals involving heavy industries will be given intense investigation and will only be allowed after adequate consultations with the relevant agencies are undertaken.

POLICY SP UE18 Hazardous industrial processes or storage facilities will only be permitted in locations where there will be no adverse impacts on the site to be developed or on neighbouring sites or developments in the area.

POLICY SP UE19 Development proposals for any use which would result in a significant number of people living or working in close proximity of any hazardous industry or storage site will not normally be permitted.

The processing and storing of minerals and building materials add to the local economy. These industrial uses can adversely affect adjoining neighbours and are classified as “un-neighbourly” uses. Permission for these will be subject to stringent and enforceable conditions to protect surrounding residents or businesses. Where these exist in an incompatible location the local planning authority will support its relocation at the earliest opportunity and will not grant permission for further intensification.

POLICY SP UE20 New “bad neighbour” use developments or the intensification of existing “bad neighbour” use areas will not be permitted.

FIFTH SCHEDULE, *contd.*

- POLICY SP UE21 Permission will not be granted for “un-neighbourly” industrial activities, or other uses likely to be detrimental to the amenity of a locality or pollute the natural environment and the local planning authority will encourage the relocation of such uses.
- POLICY SP UE22 In dealing with proposals for light industries, regard will be given to the impact on the amenities of the surrounding area, particularly where residential accommodation is involved.

Informal and unapproved industrial activities occurring in areas not zoned for such use have become very prevalent. These are at times located in residential areas, along road reservations in proximity to the urban areas, and include machine and auto repair shops and garages. They however do not operate in an environmentally sensitive manner and will overtime encroach on neighbouring uses ultimately causing noise pollution.

- POLICY SP UE23 The planning authorities will allow the establishment of these industries and related activities in areas where they will not have an adverse effect on the character of a neighbourhood or the environment.

ENERGY GENERATION AND CONSERVATION

There is a global emphasis on the provision of reliable sustainable energy due to population growth and urbanisation. The Jamaica Public Service (JPS) Company Limited provides energy within the Development order area through its distribution system and a series of sub-station.

Ninety percent (90%) of the 36,527 households within the Development Order Area have access to electricity; the remaining ten percent (10%) use alternative source such as kerosene and coal.

The cost of supplying energy is very expensive due to the rising cost of oil on which J.P.S. Co. Ltd. relies for its power plant. Energy conservation strategies should therefore be developed to reduce the demand as well as the use of alternative energy source such as solar, wind and hydro plants.

In considering development proposals, the demand and consumption of electricity will be taken into consideration so that a less energy intensive land use pattern is achieved. This should be reflected in the design, siting, orientation and layout of new housing areas, commercial, office and industrial development.

- POLICY SP E1 The planning authority will ensure that the design of hotels, residential, commercial and office buildings is

FIFTH SCHEDULE, *contd.*

such that they can make full use of natural lighting and ventilation and other energy conservation measures.

POLICY SP E2 Where it is necessary to have heated water, the planning authority will require that buildings be designed so that they can make use of solar heaters.

POLICY SP E3 The planning authority will support the heights of buildings which are such that it makes it unnecessary to install elevators or other electrical lifting devices for goods and people.

The siting of substations and pole lines can be aesthetically unsightly and at time dangerous to pedestrian and vehicular traffic. Planning permission should be obtained for these activities before work commences as this constitute development.

POLICY SP E4 The construction of electricity substations will be supported in areas where it is necessary to upgrade the supply of electricity as long as it will have no adverse impact on the environment.

POLICY SP E5 Utility substations and individual transformers located on the ground shall be surrounded by a wall or by a security fence with a screening hedge or other means which reduces the visual impact and prevent undesirable intrusions by humans.

POLICY SP E6 Planning permission will be given for the installation of utility poles and lines where they are sited so as to allow easy and economic means of road and sightline improvements and do not obstruct pedestrian movement.

POLICY SP E7 Ancillary utility services should be so located that they will in no way obstruct sidewalk facilities.

Undergrounding of electric wires is an alternate way to distribute energy. In large developments such as shopping plazas and some resort, this method is more appropriate than to have the wires exposed overhead.

POLICY SP E8 Where it is feasible it is desirous that electric wires and cables be placed underground and appropriate markers be installed to identify the routes.

High tension wires have been a feature of the rural landscape for a very long time, some of which detract from the environment, while others are less prominent.

FIFTH SCHEDULE, *contd.*

The local planning authority will ensure that routes selected for their installation be submitted for approval along with the methodology used for the selection.

POLICY SP E9 In seeking permission for the erection of transmission lines in the rural areas the Electricity and Power Company will be required to indicate to the planning authority how the proposed route was selected in an effort to ensure minimum visual impact on the environment.

Over the years it has become increasingly important to find alternate sources of energy as the earth's non-renewable resources are being depleted at an extremely rapid rate. The planning authority recognizes the importance of renewable energy and support the introduction of wind, hydro and solar energy in where power can be generated and conserved. The local planning authority will therefore support the establishment of such developments at suitable locations. An Environmental Impact Assessment will generally be required for such developments.

POLICY SP E10 The local planning authority will be mindful to grant planning permission for alternative energy sources provided the development, including ancillary buildings and facilities, will not cause serious harm to the ecology of the area or disturbance to any receiving or transmitting system in the location.

Solar power is mainly used on an individual basis in most instances as a supplementary electricity source. Although panels are needed externally to collect the energy these are sometimes placed in locations where they have a visual impact.

POLICY SP E11 Where planning permission is required for proposals to use solar energy, applications will be considered on the basis of the visual effects of the structures proposed and impact on the surrounding uses and environment.

The development order area is one of the three wettest parishes in Jamaica and has the potential to facilitate a Hydroelectricity Plant. Hydroelectricity produces no direct waste, and has a considerably lower output level of the greenhouse gas carbon dioxide (CO₂) than fossil fuel powered energy plants.

POLICY SP E12 The planning authorities along with the relevant agencies will support the introduction of hydroelectric power generation within the development order area provided that such activities are not detrimental to the environment and are in line with the national energy policy of Jamaica.

FIFTH SCHEDULE, *contd.*

TOURISM

With the imminent expansion of some of the urban centres and its history, the development order area presents the potential for enormous development within the sector. Hence, it may be highly attractive to tourists demanding the more non-traditional products such as those showcasing culture, heritage, sports and adventure. Each type of tourism must be viewed as having the potential to boost and reinforce the other types. As the industry develops there may be a demand for more accommodation and attractions, hence the need to ensure that the correct policies are applied at the onset.

POLICY SP TO1 Proposals for hotels, guest houses and other service accommodation will normally be permitted along the coast, within built up areas and in areas identified for the purpose where the facilities are available to service this type of activity.

POLICY SP TO2 Proposals for hotels, guest houses and other service accommodation will normally be permitted on appropriate sites providing there are no over-arching conflict with the policies in this Development Order especially those under “Tourism”.

The development of eco adventure tours and attractions is being increased in this parish with several offerings such as horseback riding, along with other activities to include river tubing on the White River. Such facilities provide valuable employment opportunities which help the economy to grow should be accessible both to residents and visitors and be sensitive to environment considerations. Visitor attractions are a valuable resource in tourism and it is important that additional facilities are developed and supported.

POLICY SP TO3 The retention and enhancement of existing visitor attractions and facilities will be encouraged and proposals for new facilities and attractions will be supported on appropriate sites for such developments as the opportunity arises taking into consideration factors such as siting, design, environment and visitor management.

POLICY SP TO4 The local planning authority whilst aiming to secure the positive benefits of tourism for residents and visitors will seek to have the local authority pursue opportunities for the development of major cultural and sporting facilities at locations easily accessible by main roads and public transport system.

FIFTH SCHEDULE, *contd.*

Although the best location to have facilities for exhibitions is in the main urban centres this may not be possible as all lands suitable for that given purpose would have already been occupied. The alternative therefore is to locate such facilities relatively close to these local planning areas with accessibility to transportation network.

POLICY SP TO5 The local planning authority will support the location of sites for the development of facilities for the purpose of exhibitions, concerts, and conference.

POLICY SP TO6 Priority will be given to the provision and siting of new leisure facilities and the retention and enhancement of existing ones at locations accessible to all sections of the community.

Whilst new development to facilitate tourism will not normally be supported in the rural areas there are occasions when this may be acceptable if the size of the building or the activity is not significant. Extension to existing buildings and changes of use to developed sites and buildings such as large country houses, redundant farm buildings to guest houses, bed and breakfast, and self-catering accommodation will normally be acceptable. However, access should be suitable with the proposals having no adverse effect on the character of the building and its locality.

POLICY SP TO7 Permission will be granted for hotels, guest houses, and other self-service tourism accommodation outside built up areas, provided:

- (i) The buildings are structurally sound and will not require major external alterations;
- (ii) The cumulative impact of the development would not adversely affect the environment, landscape and amenity of the area;
- (iii) that vehicular access, approach roads and provision for parking is adequate;
- (iv) the external design retains the original features of the building.

Tourist information centres are very important in providing advice and assistance in identifying activity areas for visitors. While most of these are located in town centres, consideration will be given to the siting of additional units in appropriate locations along main roads.

POLICY SP TO8 The provision of new tourist information centres, community or similar information points will be supported

FIFTH SCHEDULE, *contd.*

provided they are developed at a high standard of design and layout, and do not provide parking or access problems.

There should be a wide variety of accommodation offerings across the parish, ranging from large all inclusive to smaller boutique hotels. The height of hotels, guest houses and other tourist accommodation should fit into the environment in which they are being located. They should not be bulky and overbearing, should be adequately landscaped and conform to the density, height, floor area ratio, ground coverage and all other development requirements for the area (See Appendix 16).

POLICY SP TO9 The height of hotels, guest houses and other tourist accommodation should not exceed the planning guidelines established for the area in which they will be located and should be guided by the criteria set out in Appendix 16.

In some instances tourist attractions will require service facilities and supporting activities. These should be provided in a very unobtrusive manner and at a scale and intensity such that they do not detract from or have any harmful effects on the surroundings.

POLICY SP TO10 Tourism service facilities will be allowed in areas where man-made features are developed as attractions and in conservation areas where the need exist and it would not be detrimental to the environment.

The objective to increase visitor expenditure outside of the accommodation sector requires the development of alternatives to the usual sun, sea and sand which is being offered. One such diversification is heritage tourism. The potential for development of this activity is great, however focus must be placed on the protection and conservation of sites and where feasible, the development of heritage assets into a product.

POLICY SP TO11 Conversion of buildings of historic and architectural importance into tourist accommodation especially in rural areas where this would contribute to the preservation of the building will be supported.

POLICY SP TO12 The local planning authority will normally support the development of supporting tourism activities such as nature, heritage and adventure tours provided that the integrity of the environment is not compromised and that they comply with the required standards of the appropriate authorities.

FIFTH SCHEDULE, *contd.*

The continuing existence of tourism depends largely on aesthetics of the tourism centres with the general intention being to preserve their unique landscape characteristic. Major visual corridors in and around these areas should be maintained as well as views and access to the beach. Building siting and design should be such that clear visual corridors of the sea are maintained (windows to the sea) at appropriate intervals.

POLICY SP TO13 The setback of buildings from side property boundaries shall be determined by their height and density and shall not be less than 4.6 metres.

POLICY SP TO14 The setback of buildings from the high water mark in areas where this has not been indicated on the land use proposal plan and in the policies should be in accordance with figure 5.

POLICY SP TO15 The local planning authority will not support the development of structures or the carrying out of activities which will block or detract from the visual amenity of coastal scenic routes.

The landscape and wildlife in the development order area is of great importance to tourism. Any proposal which would attempt to diminish this resource or affect the viability of any tourism resource will be strongly opposed.

Policy SP TO16 The local planning authority will not support any proposals for development that would adversely affect the amenity, setting and characteristics of an important existing tourism resource or attraction.

The conversion of hotels to other activities can lessen the number of rooms available especially in the winter months when they are at a premium. This will in due course weaken the parish's capability to retain its status as a tourism destination. Only in situations where it can be proven that all efforts to retain it as a hotel facility has failed will the local planning authority give any, due consideration for change.

POLICY SP TO17 Proposals to change the use of hotels to other purposes will be resisted where the loss of bed spaces would have a detrimental effect on local tourism provision.

Green and cultural tourism development is a concept which will be pursued in an effort to attract visitors to areas with unique, natural, cultural and historic resources. Activities such as the provision for walking, cycling and visitor centre would be provided. These attractions should be located near to major roads so that

FIFTH SCHEDULE, *contd.*

visitors can be encouraged to access them by means of public transport. Developments which will not be allowed include those that are intrusive, harmful to the environment or detrimental to a local community.

POLICY SP TO18 Tourism development proposals which take into consideration the environmental resources or cultural and historic interests of an area will be permitted provided there is no conflict with other policies in this Order.

WASTE TREATMENT AND DISPOSAL

Sewage Disposal

The management of sewage has significant long-term implication on public health and safety, the economy and the natural environment. The growth in economic development within the Development Order Area especially the tourism industry has poses several environmental risks as there are no central sewage treatment facility in place. The existing methods of sewage disposal are primarily pit latrines, septic tanks and absorption pits. Although there is no central sewage system, there are a few satellite treatment plants located throughout the Development Order Area in housing developments operated by the National Water Commission.

The health and environmental authorities require the movement from primary sewage disposal techniques to tertiary treatment methods which is a more environmentally friendly way to deal with waste treatment.

POLICY SP WT1 Permission will not be granted for any new development or extensions to existing development within a sewered area unless arrangements have been made with appropriate agency for connection to the central sewerage system.

Sites that are developed without adequate sewage facilities result in pollution of the environment. To safeguard against this, it will be necessary that central collection systems be installed either individually or collectively within the development order area for certain developments outside centrally sewered areas.

POLICY SP WT2 Where densities are higher than seventeen (17) dwelling units per hectare and an aggregation exceeding three hundred persons, or where otherwise necessary because of environmental conditions, the units should normally be connected to a central collection system.

Areas in which central collection facilities are absent households should discharge sewage by means of one of the methods approved by the local authority. This should however, take into consideration the type of building, lot size, soil characteristics, sources of ground water and the topography existing in the area.

POLICY SP WT3 For single family houses on lots larger than one tenth (1/10) of a hectare, the treatment and disposal of sewage

FIFTH SCHEDULE, *contd.*

should be by means of septic tank and tile field or any other approved method, where the soil is considered suitable.

- POLICY SP WT4 For single family houses on lots of five hundred and sixty square meters (560 sq. m.) and larger with maximum density not exceeding eighty six (86) persons per hectare and a total population not exceeding three hundred persons, waste disposal should be by means of septic tank and tile field or any other method approved by the appropriate agency.

Disposal facilities strategic measures should be sited to ensure that there is no pollution of water sources inclusive of underground water sources.

- POLICY SP WT5 No absorption pit or tile field shall be located in the vicinity of an actual or potential well or source of domestic water supply where there is the possibility that these may become polluted.

- POLICY SP WT6 There should be a minimum vertical distance of one meter between the bottom of a tile field and the maximum elevation of the ground water table or any layer of rock or impervious material.

Recycling of Grey Water

In areas where there is difficulty in providing piped domestic water supply systems especially within the rural interior, the recycling of grey water and the harvesting of rain water for secondary uses in buildings should be seriously considered. Waste water from basins, baths, and showers can be disinfected and used to flush lavatories or water gardens. Domestic water consumption can therefore be substantially reduced, making it less costly and available to individuals especially during periods of drought.

- POLICY SP WT7 The collection and use of rain water and recycled grey water for some secondary uses in buildings will be encouraged and provision should be made for this in development proposals.

- POLICY SP WT8 New housing developments which are served with a piped domestic water supply system should make provision for the use of rain water/grey water for the watering of plants and gardens.

- POLICY SP WT9 Developments having large landscaped grounds, golf courses, or management of public green/open spaces

FIFTH SCHEDULE, *contd.*

should make provision for the use of recycled water to irrigate these areas.

- POLICY SP WT10 The local planning authority will encourage the local authority to carry-out the upgrading and maintenance of storm water drainage systems, and upgrading where necessary, particularly in light of climate change considerations (e.g. flooding and siltation, and spread of mosquito-borne diseases).

Solid Waste Disposal

The collection and disposal of solid waste in the Development Order Area is the responsibilities of the National Solid Waste Management Authority, with the physical activity being allocated to North East Parks and Market Waste Management Limited (NEPM) along with private contractors. Currently there are no solid waste disposal sites in the Development Order Area and as such waste is transported to sites that are located in neighbouring parishes such as Doctors Wood in Portland and Tobolski and Hadden in St. Ann.

- POLICY SP WT11 Proposed waste sites and transfer stations should have satisfactory access to and from the site and not be detrimental to environmentally sensitive areas and the activity should in no way be a nuisance to adjoining uses.

The recycling and composting of solid waste is an important component of a sustainable approach to solid waste management because of environmental issues. Any form of recycling has land use implications and suitable location have to be provided. These uses can range from small recycling centres in housing developments or shopping areas to depot space for the sorting and handling of such materials.

- POLICY SP WT12 The local planning authority will seek to ensure that provision is made for recycling facilities in new developments to facilitate the recycling of waste.

The siting of Solid Waste Disposal Sites and Transfer stations should be screened and evaluated to avoid risks involving the pollution of the soil and water resources and should have minimal or no impacts on the surrounding uses and the environment.

- POLICY SP WT13 In considering the location of sites for waste disposal or recycling the local planning authority will have regard to the potential impact and effect on the surrounding uses and the environment in general.

FIFTH SCHEDULE, *contd.*

POLICY SP WT14 Solid waste should be disposed of in landfill sites where possible and these should be located in areas where there will be no detrimental effect on surface or underground water sources.

POLICY SP WT15 Where landfill is used as the method of solid waste disposal there should be an acceptable scheme of restoration with the planning authorities to make the land suitable for an agreed use in the future.

Where facilities are not adequate for the storage of solid waste material, this could result in breeding grounds for insects and rodents. This is more prevalent in commercial districts and to a lesser extent applicable to residential locations. Precautionary measures should therefore be taken by providing satisfactory receptacles on such premises.

POLICY SP WT16 Commercial, industrial, office, and multifamily developments should provide vector and rodent proof receptacles on the premises for the storage and disposal of garbage; and these must not be located along the fringes of the development.

POLICY SP WT17 Solid waste management plans showing the separation, use, and disposal of solid waste shall be submitted with development applications to the planning authority.

Industrial developments can often generate large amount of hazardous waste which in some cases cannot be recycled. Adequate provision should be made for the disposal of such waste and to ensure that there is compatibility between the industry and environment.

POLICY SP WT18 The planning authority will give special attention to the creation of special hazardous waste disposal sites where and when necessary for the safe disposal of hazardous materials.

TELECOMMUNICATION/COMMUNICATIONS

Information and communication technologies play a critical role in promoting and improving social, economic and national development. Technological schemes included in developments include the erection of cellular base stations, laying of cable and other telecommunication apparatus and devices such as antennae and satellite dishes for both domestic and commercial use across the Development order area. Telecommunication devices used in commercial development are larger and more prominent than those for residential purposes. Hence, the siting and

FIFTH SCHEDULE, *contd.*

design of these facilities should at all times be such that no severe impact is made on the character and visual amenity of the environment, see Appendix 15.

POLICY SP TELE1 Base stations and transmission masts and towers will be approved in areas in which the environment will not be adversely affected and meet the necessary guidelines for the structures proposed as set out in Appendix 15.

POLICY SP TELE2 Where possible the proposed development should be designed so that it blends into the environment and has minimal visual impact. A range of solutions, types of material and colours should be utilized where possible and new apparatus within urban areas sited on existing structures where possible.

POLICY SP TELE3 Telecommunication networks should be sited so as to minimize the disturbance to the environment and loss of amenities.

Telecommunication mechanisms, particularly mobile telephones have become an indispensable feature of modern living. However, there has been a great deal of concern about radio frequencies 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 and base stations have remained inconclusive, a precautionary approach will therefore be adopted in the location of these devices.

POLICY SP TELE4 Pre-application consultations and discussions will 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 SP TELE5 The beam of greatest radio frequency intensity from a base station sited within or near retirement homes, educational and health facilities should not fall on any part of the grounds or buildings of the institution.

POLICY SP TELE6 Operators shall submit statements indicating compliance with World Health Organization guidelines for non-ionizing radiation protection with each application before it will be considered by the local planning authority.

Due to limitations imposed by telecommunication networks, planning permission will be granted if it can be proven that the proposal will have a minimal effect on the surroundings. It is also to be kept in mind that the construction of new developments can adversely affect the telecommunication services of others in the

FIFTH SCHEDULE, *contd.*

neighbourhood. The rights of adjacent landowners and the level of effect of the proposal on them will be assessed to ensure protection.

POLICY SP TELE7 In considering applications the planning authority will take into consideration the development rights of the subject land and that of the adjoining premises.

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, and appropriate measures taken to reinstate the land to its original state or as near thereto as possible.

POLICY SP TELE8 Operators of communication systems shall safely dispose of obsolete equipment on their sites and restore the land to the satisfaction of the Local Planning Authority.

An increase in the number of participants in the telecommunications industry has given rise to a proliferation of antennae not only in urban areas but more so in the rural areas of the Development order area. These equipment are tall and prominent and are always located where they are a visible feature of the landscape. 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, these will be assessed on their own merits taking into consideration the impact on the character of the area. The possibility of sharing facilities will also have to be explored so that the number of structures in an area may be reduced.

POLICY SP TELE9 The planning authorities will ensure that the erection of telecommunications equipment will not result in unnecessary proliferation thereof or have any adverse effects on the character of a locality or the appearance of a property.

POLICY SP TELE10 In considering applications for the erection of masts the planning authority will need to be satisfied that the siting and external appearance of it and its apparatus will take into account existing and proposed landscaping, the impact on amenity and the impact due to noise and disturbance.

POLICY SP TELE11 In considering planning applications from licensed operators consideration will be given to the possibility of sharing existing masts, replacing one with another for

FIFTH SCHEDULE, *contd.*

joint use or erecting one suitable for joint use and that proposals will not affect the skyline or other areas of importance.

Business premises, especially betting shops and cable facilities, normally have the need for satellite receiving antennae and these are usually installed in locations where they are incongruous. They should be unobtrusively located so that these are hidden from public view and do not harm the amenities of any residents adjacent to or in close proximity to the site.

POLICY SP TELE12 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.

POLICY SP TELE13 Proposals for the erection of commercial antennae within the cartilage of industrial or commercial premises will be considered taking into account the scale of the equipment in relation to its surroundings and the existence of similar equipment in the vicinity of the site. Under normal circumstances the size should not exceed 1.8 metres in diameter.

Antennae in residential developments or other domestic use has very little environmental effect and is confined to satellite antenna mostly. Normally a satellite dish of up to 70 centimetres in diameter is permitted development and will not require planning permission. Those above this size will need planning permission and special attention will be paid to their location. Ground mounted antennae will be less obtrusive than wall or roof mounted and will be allowed where it can be screened from public view.

POLICY SP TELE14 Where planning permission is required for the erection of an antenna on any residential dwelling, the application will be considered in terms of:

- (i) any existing antenna on the building
- (ii) the size which should not be greater than 1.8 metres in diameter
- (iii) the visual effect by occupiers of adjacent land.

POLICY SP TELE15 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 public view.

POLICY SP TELE16 In complexes such as town houses, terraced and apartment buildings consideration will be given to

FIFTH SCHEDULE, *contd.*

antennae or satellite dish serving several units rather than a number of individual dishes on the site.

Although telecommunications devices are not compatible with historic or other heritage buildings or even townscapes due to their limitations, permission will be granted if there is minimal effect on the surroundings. The visual amenities of buildings, open areas and street scenes will have to be protected.

POLICY SP TELE17 Telecommunication devices will not be allowed on listed or other such buildings or buildings within conservation areas or on a site affecting heritage and consideration will be given to siting these on adjoining buildings or where they will least jeopardize the character and appearance of the heritage building.

It is indisputable that telecommunications have contributed to modern living. The dependency on this means of communication will continue and designers and architects should make provision for its future needs. In designing new developments telecommunication requirements should be considered to prevent installation at a later stage which may not be supported.

POLICY SP TELE18 Telecommunication requirements should be considered at an early stage in new developments 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 local planning authority will not grant approvals for major residential or commercial development:

- (i) outside of growth centres, except where it is needed to satisfy a local demand.
- (ii) where adequate provisions have not been made for infrastructure and utility services.
- (iii) which will sterilize or destroy the enjoyment of an important resource.

FIFTH SCHEDULE, *contd.*

- (iv) which by virtue of any process generates smell, fumes, noise or any other nuisance to existing and proposed development in the area in which it is to be located.

POLICY GD 2 Development will be given approval in areas that provide a healthy environment and in which the land to be developed meets the requirements and guidelines for the type of buildings and structures being proposed.

The local planning authority will seek to ensure that as far as possible, existing trees and woodlands of amenity, economic and ecological value are protected and maintained. Where a development is permitted, trees or groups of existing or planted trees and woodlands of significance within the area being developed will be retained and maintained. Where their existence is likely to be threatened the local planning authority will ensure that such areas will be protected by Tree Preservation Orders.

POLICY GD 3 The local planning authority will seek to protect trees and woodlands of public amenity value in development proposals and secure retention where necessary through the implementation of Tree Preservation Orders under the Town and Country Planning Act.

POLICY GD 4 All relevant aspects of environmental impact will be taken into consideration by the local planning authority when development proposals are being assessed and those adversely affecting existing trees or clusters of trees worthy of retention and preservation will not normally be permitted.

In order to preserve the visual and recreational amenities of the parish, areas within the local planning area will be zoned to preserve amenity and open space. It is the intention of the local planning authority that such spaces will be provided within a convenient distance of all places of residence. Where private or public open spaces or recreational activities are of high amenity value, these will be protected from abuse and vandalism. Only uses consistent with their preservation will be considered. This includes development of recreational and cultural buildings with necessary car parking facilities. Unrelated uses such as shops and houses will not be permitted.

POLICY GD 5 Existing recreational open spaces will be protected and enhanced in all developments and only facilities necessary for adequate functioning and the preservation of the amenity and character of the area will be allowed.

FIFTH SCHEDULE, *contd.*

POLICY GD 6 Existing playing fields and recreational open spaces within established residential areas will be protected and the creation of new areas for active and passive recreation will be promoted wherever possible.

Non-conforming uses are those activities existing in areas that have not been zoned for the purpose and which are out of character. It is anticipated that where these exist, the land affected will revert to a use in conformity with the requirements of this Order and will relocate to an appropriate site where the use is compatible. In the interim no extension will be allowed for the activity in its existing location.

POLICY GD 7 Where a non-conforming use exists, the local planning authority will encourage its removal at its earliest convenience and during the interim will not grant any permission for extension of the facility except in extreme cases of hardships. This does not obviate the fact that it will have to be removed eventually in such circumstances.

The level of awareness and concern for the disabled has increased over recent years. In providing such facilities the local planning authority will use the design criteria set out in the Development and Investment Manual Volume 1, Section 1, Planning and Development—Chapter 2 and the National Building Code as a reference in dealing with such developments to which the disabled has access.

POLICY GD 8 In providing facilities for the disabled the local planning authority will be guided by the relevant sections of the Development and Investment Manual and the National Building Code as guidelines in assessing development proposals.

The conservation and preservation of buildings, structures and sites of historical, architectural and archaeological importance is of keen interest to the local planning authority. The list in Appendices 3 and 4 provides information on such buildings involved in this process. In conjunction with the Jamaica National Heritage Trust and the owners and occupiers of the building, preservation and conservation of noteworthy features and architectural detailing of structures and the continuity and character of buildings will be preserved.

POLICY GD 9 The local planning authority will seek to preserve and conserve buildings of architectural and historical importance both in the long and short term and will seek the cooperation of the owners and occupiers in this regard.

FIFTH SCHEDULE, *contd.*

- POLICY GD 10 In considering applications for development on or within 91 meters of sites of archaeological significance the local planning authority will consult with the Jamaica National Heritage Trust for comments and advice.

There are many activities which are important to the residents of the parish but at the same time can be an irritant and have a detrimental effect on the environment. These are known as “bad neighbour” uses or backyard industries and include the breaking up, repairing and spraying of motor vehicles and the storing and processing of minerals and building materials. Such uses usually have a high level of outdoor activities and ought to be accommodated on special sites such as those in industrial zones away from residential areas. The local planning authority will ensure that these developments are screened and landscaped to minimize impacts.

- POLICY GD 11 New “bad neighbour” use developments or the extension or intensification of these outside of designated areas will not be permitted.

- POLICY GD 12 “Bad neighbour” uses will be confined to special sites such as industrial zones except where it can be shown that the proposal is not suited to the sites available.

There are several sections of St. Mary that have a domestic water distribution problem and as such residents rely on catchment tanks. The use of catchment tanks should continue even after the supply situation has changed.

- POLICY GD 13 Developments taking place in St. Mary where potable piped water is not available should make provisions for the continued collection of rain water.

Flood plains perform an important function in the control of flooding in the lower reaches of a river course, and coastal areas and should therefore be preserved and left undeveloped. New development on lands previously not developed or extensions to existing development will also increase run-off thereby increasing the risk of flooding. These situations will be taken into consideration in the processing of development applications.

- POLICY GD 14 There will be a general presumption against new developments 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.

Doctors’ and dentists’ offices need to be located as near as possible to their catchment population. Such practice can often occupy most of the space within a sizeable dwelling and whilst house conversions to provide offices can cause loss of residential accommodations this is acceptable in principle because the need for

FIFTH SCHEDULE, *contd.*

a convenient location is important. However such conversions or any new offices will have to conform to the vehicle parking requirements in Appendix 8.

POLICY GD 15 The local planning authority will support proposals for the change of use of buildings from residential to medical and dental offices in appropriate locations and premises.

The opportunity for outdoor sporting activities should be complemented by indoor 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 16 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 17 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 the 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.

POLICY GD 18 In built up areas, permission will normally be given for hotels and other serviced accommodation, provided these are consistent with other policies of the Order. The conversion of tourist accommodation to other uses will not however be normally permitted.

THE DESIGN OF NEW DEVELOPMENTS

The local planning authority will ensure that new developments will be of a high standard, with respect to design, site layouts and being in sympathy with the character of the surrounding area. The provision and siting of community facilities will be considered in the grant of planning permission. The size, height, colour, use and finishing materials of buildings will also be controlled to ensure proper standards of development.

POLICY GD 19 New developments will only be approved by the local planning authority where the necessary infrastructure and amenities are available and where conformity with the policies, requirements and guidelines for such developments are met as set out in this Development Order.

FIFTH SCHEDULE, *contd.*

- POLICY GD 20 Planning permission will not be granted for any development which would have a significant or adverse effect upon amenity and privacy of adjoining properties.
- POLICY GD 21 All single family single storey residential buildings and horizontal multiple housing will be required to be setback a minimum of 1.2 metres from side property boundaries and a distance to be decided by the local planning authority from rear property boundary to the farthest projection of the building at ground level plus 0.6 metres for each storey above the storey or partial storey at ground level to allow for side and rear yards.

It is expected that new residential and resort developments will provide safe and attractive living environment. In making applications for large scale housing developments such as town houses, apartments, resorts and hotels a survey plan showing existing trees and proposals for the retention or removal of trees and new planting and landscaping of the site should be submitted. It is important that trees which have been retained be protected during and after the period of construction. Any tree destroyed during the process should be replaced.

- POLICY GD 22 A landscaping plan should accompany the submission of an application to the local planning authority for resort, townhouse and apartment development and no operations should take place on the site before permission is received for the application.
- POLICY GD 23 New developments will be expected to conserve any wildlife features that exist on the site and create appropriate wildlife habitats and sanctuaries where possible.

Trees are important to the visual quality and amenity of built-up areas and needs to be protected for posterity. The local planning authority will discourage developments which require the removal of trees. In commercial or other similar developments where it may not be possible to retain trees, replacement will be required in the form of new landscaping with varieties adaptable to the environment.

- POLICY GD 24 The local planning authority will refuse planning permission for development likely to result in damage to or the loss of trees which make a significant contribution to the character and appearance of an area except in extraordinary circumstances in which case the site would have to be satisfactorily landscaped.

In subdividing land a variety of street design such as grid, modified grid, curve linear, cul-de-sacs, loops and P-loops and a variety of housing types and design

FIFTH SCHEDULE, *contd.*

along with the necessary open space will be encouraged. All proposals should take the physical and natural characteristics of the site, including trees, and other forms of vegetation and structures and sites of architectural, historical or archaeological interest respectively into consideration. The nature and character of adjoining development, and the type of services to be supplied by the developer must be considered. The convenience, amenity and safety of the community are to be of paramount consideration.

POLICY GD 25 In considering sub-division applications the local planning authority will pay special attention to the design of the road network and will ensure the coordination of the subdivision of contiguous properties through the continuation of roads adjoining lands which have not yet been subdivided in order to integrate utility and public services and other activities.

POLICY GD 26 In granting permission for the development of land, due consideration will be given to the standards of amenity already established in the area and any departure to provisions which are lower will be permitted only on the merits of the case.

POLICY GD 27 The land required to be set aside to meet community needs in residential subdivision should not be pieces left as unsuitable for housing development but land of appropriate dimensions, shape, slope and location in accordance with the requirements set out in Appendix 11, (Residential Density, Standards and Control).

POLICY GD 28 In reserving land for open space in large subdivisions, the local planning authority will give consideration to the provision of larger parcel on which playfields can be located rather than several small ones which can only be used for passive recreational purposes. A mixture of both may be acceptable, depending on the circumstances.

The local planning authority is concerned that land is not merely subdivided for sale of lots only but that development takes place and communities are formed. In dealing with very large subdivisions regard will be given to the pace of development and the number of undeveloped lots in the general area and rate of occupation. This will be necessary to ensure that development is promoted and the subdivision is not premature.

POLICY GD 29 The local planning authority will assess new subdivision applications based on needs in the area and where

FIFTH SCHEDULE, *contd.*

necessary will impose a program of phasing and seeding to encourage development.

A high quality of layout and design is expected and can be achieved in developments that have a wide range of densities. Very low densities can result in the wasteful use of land in urban areas, while high densities can generate more traffic than the system can accommodate, reduce the amount of open space to be provided and adversely affect the amenities of adjoining properties. Residential densities will be used to control the amount of development that takes place to ensure that the best use of the land is achieved.

POLICY GD 30 Site development standards including density, plot coverage, building heights and other requirements will be used in accordance with Appendix 11 to guide the types of development that can take place within an area.

Roads provide the basic framework around which new neighbourhoods are developed. This establishes the neighbourhood structure and has a major influence on the visual and functional character of emerging communities. All subdivisions must be connected to an existing network in accordance with Appendices 7 and 12. Traffic generation and its impact on the road system will be taken into account when new development proposals are being considered. Importance will be given to safety and environmental factors at all times.

POLICY GD 31 All road network in new developments will be required to be designed in accordance with the Road Schedule Guidelines in Appendix 7 to provide satisfactory vehicular entrance/exit crossover and appropriate circulation within the site.

Usually commercial development and to a limited extent office use are located within recognized shopping areas. This is generally convenient for both shoppers and traders and the land use proposal maps reflect areas for such uses. Planning control aims to guide new shops and offices to these areas having regard to the shopping needs of the population. In large developments however, shops will be needed on individual lots or as part of a residential unit or as shopping centres to serve neighbourhood needs. Irrespective of the type and size of the facility careful location in relation to other developments will be required.

POLICY GD 32 In the design and location of shopping facilities access and circulation with regard to the existing road network will be controlled in order to facilitate proper functioning of the facility and protect adjacent residential properties.

Parking is an integral part of the overall Transport Policy and the requirements, standards and design criteria are set out in the Appendices for all categories of

FIFTH SCHEDULE, *contd.*

buildings to ensure that an adequate amount is provided for each development. The spaces should be located within the building line on the premises in such a manner that it will not be injurious to the amenities of adjoining premises. Landscaping should be provided, especially in commercial areas as shown in Figure 4. The bays should be designed to allow for the manoeuvring of vehicles.

POLICY GD 33 Car parking will be in accordance with the requirements indicated in Appendix 8 to ensure adequate provisions of off street parking spaces. The standards and parking bays shall be provided in accordance with guidelines in Appendices 8 and 9 and Figures 3 and 4 and no development will be approved that is not in conformity except in extraordinary circumstances.

Shop fronts are important visual elements in a commercial area and can contribute significantly to its attractive quality if designed properly. Traditional shop fronts are usually based on classical architectural features adapted to the needs of the business place. In the case of modern shop fronts the design should be creative and innovative, enhancing the buildings. They should not obscure or damage the existing architectural features nor detract from the property. New shops should be adjacent to those already existing rather than being isolated.

POLICY GD 34 The local planning authority will ensure that the provision of shop fronts is of a high standard of design and relate to the architectural characteristics of the area or adjoining buildings.

POLICY GD 35 Wherever possible new shops should be located adjacent to those already existing so that greater convenience to customers can be provided.

POLICY GD 36 New shop frontage to road ways will be encouraged to have continuous facades with matching canopies. Where the building is two or more floors high, the first floor is to be at the same height throughout its length where this is possible.

In some cases shops will be located adjacent to residential buildings or have residences located on the top floor. Irrespective of the situation the commercial building should reflect the nature and character of the residential unit. However, the commercial entity should be identifiable.

POLICY GD 37 Where shops are designed as part of or attached to a residential building the character of the host building should be maintained.

New developments may take the form of infill which is the construction of buildings on vacant lots within a housing development on developed subdivision.

FIFTH SCHEDULE, *contd.*

Developments should be closely related to the surroundings and should enhance the appearance and character of such areas. The density should not adversely affect the surrounding amenities.

POLICY GD 38 Infill will be allowed within residential subdivision on housing developments that are vacant where appropriate at a density not significantly higher than that existing. The form and design of the new development should normally be influenced by the existing side of buildings in the area and have regard to the form and materials of adjoining buildings.

Developments which impinge on local views will not be acceptable by the local planning authority. The design of such buildings should always take cognizance of the surrounding areas and have regard to the amenities being enjoyed by others.

POLICY GD 39 The local planning authority will normally refuse permission for any development which will have a detrimental effect on views being enjoyed by occupiers of buildings whether or not located in close proximity.

All new developments are to be of a high standard of design and external appearance, and be easily accessible by the disabled, the elderly and people with young children, so that members of particular sections of the community are not disadvantaged. Planting and landscaping should be an integral part of such developments. The amenities provided should be accessible by all persons including the disabled.

POLICY GD 40 The design of new buildings and other areas to which the general public will have access will normally be required to take into account the needs of the disabled failing which there will be no support by the local planning authority.

POLICY GD 41 All proposals for development are required to be of a high standard of design, have a satisfactory means of access, adequate car parking facilities provide a high standard of landscaping where appropriate and avoid conflict with adjoining uses.

There are certain establishments which are required to provide sanitary facilities for patrons. Such requirements will be in addition to that provided for employees. The facilities should be properly maintained and accessible by the public during business hours. The design should be of such that the disabled can be accommodated.

POLICY GD 42 All new shopping centres, hotels and other businesses such as restaurants used by the general public should

FIFTH SCHEDULE, *contd.*

have public sanitary convenience for the both able and disabled in accordance with the standards set out in the Development and Investment Manual, Volume, Section 1–chapter 2.

In designing new development public areas should be such that users feel safe. A number of measures can be taken in this regard and in assisting in the reduction of vandalism. Property lighting and elimination of concealed places are two such factors that should be considered.

POLICY GD 43 When considering proposals for new development and change of use the local planning authority will take into consideration the need for public safety and the prevention of criminal activity.

It is important that full regard be had for other safety measures especially in terms of fire and other disasters. The provision of fire hydrants and adequate water supplies in fire fighting is a matter to be dealt with by developers and the authorities. The local planning authority will take this into consideration in dealing with applications.

POLICY GD 44 In dealing with new applications or proposals for change of use the local planning authority will take into consideration the need for appropriate provisions to meet the requirements of the Fire Department.

Activities or sources of pollution of the environment such as noise, air etcetera will have to be dealt with by the authorities. These will be assessed when dealing with applications to ensure that there is no impact on the environment. The necessary consultation will be held with the relevant agencies in this regard.

POLICY GD 45 When considering proposals for new development which involves the possibility of pollution or other forms of hazards the local planning authority will take into account the location of the development in relation to surrounding developments.

Adequate provision is to be made in all new developments for waste storage and collection. Inadequate or inappropriately located storage facilities can affect the amenity of neighbouring property and can result in health and safety problems. Such waste areas should be screened to prevent tampering.

POLICY GD 46 All new developments will be required to make provision for the storage and collection of solid waste in such a manner that it is environmentally friendly.

FIFTH SCHEDULE, *contd.*

Strategic gaps are intended to prevent the coalescence of existing local planning areas. This allows each to have individual and identifiable character which should be retained.

POLICY GD 47 Strategic gaps will be maintained and only in compelling circumstances will development be permitted to take place within these areas.

Rural area policies are supposed to apply outside of local planning areas boundaries. However, within these areas are scattered settlements relating to agriculture giving the impression of a built up area. Over time a request may be made for subdivisions or the extension of buildings in these locations. These will be carefully considered as approval could set the precedence for other proposals destroying the character and appearance of the countryside.

POLICY GD 48 Proposals for new development or extension outside the defined boundaries of the local planning areas will only be permitted if the proposal is essentially rural in character and scale and would not alter the appearance of the surrounding areas.

Storm water run-off from building sites onto roadways can cause interruption of the movement of pedestrian and motor vehicles. Owners of properties, especially along major thoroughfares should ensure that surface water is intercepted and disposed of in water tables along the side of the roads.

POLICY GD 49 Developments shall require disposing of storm water run-off from roofs and properties on their own property or under the side walk into water tables. No permission will be given for such storm water run-off to be disposed of onto the surface of the side walk.

One of the problems on a development site is the amount of dust created during the construction period. This can be a nuisance to the people living and working in the area as well as the motorists and pedestrians who 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 50 During the construction stage of a development all possible source of fugitive dust generation should be sprinkled with water to avoid the dispersion of dust to surrounding areas. Trucks transporting construction materials are to be covered.

FIFTH SCHEDULE, *contd.*

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 neighbours, the planning authority will give consideration to such proposals.

POLICY GD 51 Mixed use developments which are compatible may be allowed in certain areas. The total amount of development shall not exceed that permitted for the area.

NEW SETTLEMENTS

A number of towns have been identified in this document as local planning areas based upon the guidelines provided by the National Physical Plan 1978–1998. These have been targeted for growth and development will be directed to these centres. However, where there is a need for further growth of villages in order to accommodate a special type of development, consideration could be given to the proposal. Care will be taken to ensure that such proposals are established in accordance with the policies indicated in this Order so as to ensure that the unique qualities of the rural environment are maintained.

POLICY GD 52 The local planning authority will give due consideration to the establishment of new settlements which will fill special needs in the rural areas without destroying the unique qualities of the environment.

POLICY GD 53 All proposals for new settlements should include the necessary social amenities, physical infrastructure and facilities needed for the residents.

New settlements should not be dependent on existing Parish Council's roads for direct access to individual buildings but should have an independent service road system. These should be connected to other existing roads in the hierarchical system to provide access to other areas (See Appendix 7).

POLICY GD 54 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.

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 to ensure that proper development standards are met for the safety of residents.

POLICY GD 55 The subdivision of lands for new settlements will be guided by the relevant policies, guidelines and requirements in the Appendices of this Order.

FIFTH SCHEDULE, *contd.*

There are several well established villages scattered throughout the parish which are not considered as local planning areas. These areas are zoned and are shown on the land use proposal maps as “rural development areas”. Where this situation occurs future residential developments can be accommodated. This would however, be dependent on the various services and amenities being available.

- POLICY GD 56 Planning permission for all new housing developments will normally be granted if satisfactory provision has been made for access to appropriate local facilities and services to meet the needs of the future residents. If satisfactory provision cannot be achieved, or would give rise to problems for the local community such a development may be required to make additional provision within or in association with the existing development.

ENERGY GENERATION

The parish of St. Mary relies on the national grid for electricity supply. Developments providing alternative sources of energy should be encouraged. Scattered settlement patterns should be avoided so that service can be concentrated in communities to reduce development costs.

- POLICY GD 57 The planning authority will encourage the concentration of developments instead of having dispersed settlements in an effort to reduce the cost of the provision of electricity.
- POLICY GD 58 The planning authority will allow the creation of bio-gas projects to be included in commercial, residential and industrial developments.
- POLICY GD 59 The planning authority will ensure that the design of new buildings take into consideration energy conservation techniques.
- POLICY GD 60 Where wind energy development can take place, developers are required to seek planning permission from the planning authority.

COASTAL DEVELOPMENT

Developments located within coastal areas are often more intense and at times operated on a larger scale such as hotels, wharfs and some industries. As such there are implications of environmental risk to marine and aquatic habitats.

The coastline encompasses several coves, bays, beaches and undeveloped vegetated areas which are to be preserved and protected for recreational purposes.

FIFTH SCHEDULE, *contd.*

Sections along the coast are polluted due to improper disposal of sewage and solid waste. This has created a need for the efficient and sustainable management of the coastal environment. Additionally, coastal areas are highly vulnerable to natural hazards such as hurricanes and storm surges.

The planning system has to reconcile development requirements which will conserve and protect the environmental quality and recreational opportunities of the coastal area. The coast is a complex environment where the interactions between natural processes and human activities are not always well understood. A precautionary approach is therefore required where potential damage to the environment is both uncertain and significant.

The width of the coastal zone varies, depending on the physical characteristics that exist. In all instances the boundary is the mean low water mark in the seaward direction and the edge of development or roadway in the landward direction. The policies will be dealt with under three headings.

Undeveloped Coast

There are areas along the coastline where no development has taken place and is preserved for its landscape value and natural conservation interest. It is expected that planned development will occur in due course where this can be accommodated but during the interim the local planning authority will endeavour to safeguard the area from unplanned development.

POLICY UC 1 Development proposals for the undeveloped coast will generally be considered acceptable where it can be demonstrated that no other suitable site exists along 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 considered acceptable if such proposals would not be detrimental to the environmental quality of the surrounding areas, and in close proximity to a service centre or adequate services.

Regard will be paid to the visual and physical impact of coastal development, particularly along the undeveloped coast. Where development is approved, conditions will be imposed to minimize any adverse impact on the environment:

POLICY UC 3 Where the local planning authority grants permission for development along the undeveloped coast, it will

FIFTH SCHEDULE, *contd.*

ensure that the design is of a high standard and that important scenic views of the sea are kept free from development.

The undeveloped coast in the development order area is very scenic and of great significance to the general attraction of the area. Development proposals will be assessed for their impact on the undeveloped coast and refused if considered to be detrimental to the character of the area in which they are to be located. Any new uses permitted in a scenic area should be designed to minimize visual impact and blend with the natural environment. Conservation and, where appropriate, enhancement of the natural and cultural heritage will be promoted and opportunities for its enjoyment will be identified.

POLICY UC 4 Development will not be permitted if it materially detracts from the un-spoilt scenic quality or scientific value of the undeveloped coast.

There are several areas with large and small beaches. These beaches should be developed to the degree that ensures usefulness and safety without destroying the natural beauty. Erected structures should be ancillary to the use of the beach and are to be of temporary nature. A list of beaches is indicated in Appendix 5.

POLICY UC 5 The development of beaches will be allowed to the degree that ensures their usefulness and safety without impairing their natural environment.

POLICY UC 6 In developing beaches for recreational activities consideration should be given to the erection of structures of a temporary nature only and the provision of facilities that will not negatively impact on the beaches or any wild life present.

Developments that prohibit access to the foreshore and beach of any public bathing beach will not be allowed. Access ways should be created for public use and will be protected against encroachment from any other use.

POLICY UC 7 The local planning authority will not grant permission for any development that restricts access to the foreshore and beach of any public bathing beach.

There are areas located along the undeveloped coast that falls within some local planning areas such as Port Maria, Annotto Bay, Oracabessa and Retreat. Proposals for recreational activities will be assessed for their impact on the

FIFTH SCHEDULE, *contd.*

undeveloped coast and refused if considered to be detrimental to the character of the area in which they are to be located.

POLICY UC 8 Recreational development may be permitted in locations where such a facility would serve the public or will preserve an area of natural beauty and where such proposal would not be detrimental to the environmental quality of the surrounding areas.

In relatively undeveloped areas the density should remain moderate so that sewage disposal system can be properly managed and should have minimal or no impact on the environment and the surrounding uses when developed. Developments should be sited such that the public has unrestricted movement along the coastline and a clear view of the sea from the road. Buildings should also be setback to prevent encroachment into the marine ecosystem.

POLICY UC 9 Development should be as unobtrusive as possible and shall not exceed a density of fifty habitable rooms per hectare (50 h.r.ha.) on the landward side, and twenty-five habitable rooms per hectare (25 h.r.ha) on the seaward side.

POLICY UC 10 Developments such as hotels, apartments and villas should not exceed an overall density of thirty habitable rooms per hectare (30 h.r.ha) with densities on the seaward side not being more than twenty-five habitable room per hectare (25 h.r.ha).

POLICY UC 11 The heights of buildings in this area should not exceed two floors and be setback from road and sea in accordance with the relevant policies.

POLICY UC 12 The layout of the developments to be undertaken in the area should be such that there are no significant alteration to the vegetation cover, the cliffs and the views to sea.

The growth in the tourism industry within the development order area has created a need for coastal lands. To preserve these coastal areas it is prudent that tourism facilities be clustered rather than being dispersed or continuous. However, there is an absence of infrastructure in the area and consequently no intensive development will be allowed at this time. Setbacks from the coastline should be in accordance with Figure 5.

FIFTH SCHEDULE, *contd.*

POLICY UC 13 In order to protect against premature development, the planning authority will give due consideration to the timely basis for the development of resort and residential facilities in the development order area. The development should be arranged in clusters, to ensure an unobstructed view of the sea and public access to the beaches.

POLICY UC 14 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.

There are certain industries which by their nature will require a coastal location. These include ports or marinas, coastal marine farms, and some energy schemes. Large development proposals are likely to present the greatest threat to the natural, cultural or scenic environment but the cumulative effect of smaller developments can be just as damaging. In considering applications for the location of any of these activities the planning authority will ensure that there is no conflict with existing uses or diminishing of the site's development potential.

POLICY UC 15 There will be a general presumption against new industrial development along the undeveloped coast unless it can be demonstrated:

- (i) through strongly reasoned justification, that no other suitable site exists elsewhere along the developed coast or within existing settlements; or
- (ii) that the social and economic benefits of the proposed development outweigh the potential detrimental impact on the undeveloped coastal environment.

POLICY UC 16 The local planning authority will normally consider development proposals for the establishment of coastal dependent industries which will not impact adversely on the coastal environment.

POLICY UC 17 The local planning authority will take into consideration, the cumulative impact of industrial development when

FIFTH SCHEDULE, *contd.*

assessing proposals for development along the undeveloped coast.

The effects of climate change are evident within the development order area. It is prudent that policies and strategies are developed and implemented to mitigate against impacts.

POLICY UC 18 The local planning authority in dealing with development applications will institute strategies to mitigate against the effects of climate change such as storm surges and erosion within the coastal area.

Possibilities are that water sporting activities may become popular along the coastal area and facilities on land may be needed to accommodate the boats. Along with visitors' boats, space may be needed to moor those owned locally. Location for this facility will be treated on its merit when permission is sought but should not conflict with the amenities or the environment in the proposed area.

POLICY UC 19 Proposals for boat moorings, areas for boat parking on land and associated facilities will normally be permitted as long as there will be no pollution problem or no serious adverse impact on the environment.

Development proposals for ports, marinas, piers and jetties will be accessed on its own merit providing that the land is suitable for the intended use and will not be detrimental to the surrounding uses or ecology of the area. Unrelated activities will not be tolerated on the proposed site.

POLICY UC 20 The development of ports, marinas, piers and jetties will be supported providing that there is no adverse impact on the surrounding uses and the environment.

Developed and Partially Developed Coast

The developed and partially developed coast are areas in which development has already taken place but vacant lots still exist for future developments. Proposals within this area will be cognizant of those existing and where possible and desirable conform to the standards. The arrangement of buildings on these sites should be such that views may still be obtained from the road to the sea.

POLICY DC 1 Lots on the seaward side of the North Coast Highway with sizeable areas of buildable land should have no structure wider than twelve metres (12m)(40ft)

FIFTH SCHEDULE, *contd.*

continuously measured anywhere across the width of the lot.

The density of development is one of the major factors in setting limits to intrusions into the natural environment especially along the coast. In calculating densities for new hotel developments the principles of foot print, ground cover, plot ratio, and height will be applied. The standards have been given a range to allow flexibility in the quality of the design based on the size of the lot. The meanings of these terms are outlined in the glossary and special attention should be paid to these standards which will be used for assessing allowable development. Habitable rooms per hectare will continue to be used for apartment and townhouse developments.

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| POLICY DC 2 | Densities on vacant lots along the seaward side of the main road should have a footprint not exceeding a range of 33 1/3%-40% of the site, a height of not more than 3 floors, open land space of 60%-66 2/3% and a plot ratio in the range of 0.8:1 to a maximum of 1:1 calculated on the entire lot whether or not it extends across the road. |
| POLICY DC 3 | Resort development will be permitted by the planning authority on lots originating on the landward side of the main road at a maximum density of twenty-five habitable rooms per hectare (25 h.r.ha) (10 h.r.a) on lots of a minimum size of 0.4 ha. Such developments shall have adequate setbacks, be two (2) storeys in height, (ground plus one) and shall not exceed ten percent (10%) of site coverage. |
| POLICY DC 4 | The planning authority will require that a minimum of sixty per cent of the existing tree coverage on all lots being developed on the landward side be retained. Trees that are removed should be replanted in a suitable location. |
| POLICY DC 5 | The planning authority will not approve the erection of any permanent structure, fences, or obstructions within 45.75 metres of the high water mark. |

General Coastal Developments

This consists of policies that can apply generally along the coast whether or not the development proposals fall into the two previous categories.

FIFTH SCHEDULE, *contd.*

The development order area's continued existence as a natural beauty spot depends largely on how the lots along the coastal area are developed. The general intention is to preserve its unique qualities. New developments should not compromise the existing landscape or the unique characteristics of the area. Major visual corridors in and around these areas should be maintained so that view of the sea are retained at all times. The setback from property boundaries and the height of buildings are important considerations in achieving this objective. Buildings should not be obtrusive and the architectural expression should be in keeping with the natural environment. Commercial activities will only be allowed to the extent that they provide a service to the resort and hotel facilities and are included in the development.

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| POLICY CD 1 | The setback of buildings from side property boundaries shall be determined by height and density and shall not be less than 4.6 metres for single storey building. |
| POLICY CD 2 | The setback of buildings from the high water mark in areas where this has not been indicated in the policies should be in accordance with Figure 5. |
| POLICY CD 3 | The local planning authority will not grant permission for any development on land adjacent to the line of high water mark which would preclude general public access to and along the foreshore. |

Because of the scenic value of the coastline, great care has to be taken to ensure that development is compatible with the environment and will not significantly affect the vegetation. It has to be designed in such a way to avoid significant alteration to stands of vegetation.

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| POLICY CD 4 | Development proposals should be accompanied by a comprehensive landscape plan showing the location, species and size of all major vegetation to be removed, retained or planted. |
| POLICY CD 5 | Only development which will not result in any significant alteration to the existing topography or any reduction in significant stands of vegetation will be permitted by the planning authority. |
| POLICY CD 6 | No development will be allowed in wooded areas which would adversely affect their homogeneity or integrity. |

FIFTH SCHEDULE, *contd.*

Developments should be sensitive to the ecology of the area, be in a manner and scale which is in harmony with and or enhances the character of the coastal environment.

The coastal area and waters are to be protected against pollution by managing adjoining developments as the effluent from these might be harmful to the marine area, irrespective of how it reaches the coast. Development proposals are to be examined with regards to prevention and or control of pollution particularly in the most sensitive areas along the coast.

POLICY CD 7 Development along the coast will only be allowed by the planning authority if such proposals would not be detrimental to the marine environment and the environmental quality of the surrounding areas.

OVERWATER STRUCTURE DEVELOPMENT

An Overwater Structure is defined as a whole constructed unit suspended above the surface of a water body. The following are general guidelines for the development of overwater structures intended to provide guidance for developments/project proponents from the project concept phase. Detailed and specific conditions and guidelines will be provided on a case-by-case basis as part of the development application's review process. These guidelines, while being flexible, are intended to ensure that planning takes place in a sustainable and harmonious manner, and that marine resources are protected from construction and operation-related activities.

POLICY SP OWS1 The developer of any overwater structure must obtain the necessary licence and permit from the Natural Resources Conservation Authority (NRCA) and the required planning approval from the planning authorities before proceeding with the development.

POLICY SP OWS2 The development of overwater structures will not be permitted in the following areas:

- (a) Areas within 100m from a coral reef;
- (b) Declared public bathing and fishing beaches;
- (c) Fish sanctuaries;
- (d) Marine protected areas;

FIFTH SCHEDULE, *contd.*

- (e) Navigational channels;
- (f) Within 100m of river mouths and drainage features;
- (g) Areas within 30 in of mangroves and riparian forest;
- (h) Exposed and high energy coast line;
- (i) Within 30m of underwater infrastructure e.g. cables and pipelines;
- (j) Proposed development areas with 30% or more of sea grass coverage.

POLICY SP OWS3	The location of an overwater structure must not conflict with zoning objectives, Conservation Management Plans, or other management measures within a zoned area.
POLICY SP OWS4	All potential developments will require an Environmental Impact Assessment (EIA). The Terms of Reference of the EIA will address concerns specific to the development and must be approved by the National Environment and Planning Agency (NEPA).
POLICY SP OWS5	The design and outlay of the overwater structure must be such that it blends with the natural surroundings and maintain as much as possible a tropical look and should be of "Green Buildings" standard (Passive Climatic Design).
POLICY SP OWS6	All developments on the seafront property will be required to leave as land reservation an area of usable land equivalent to or larger than the area of the footprint of the overwater structures to be located on the sea front property.
POLICY SP OWS7	Only a maximum of 20 percent of the total length of sea frontage will be permitted for overwater structures; and, the footprint of the overwater structures area shall not exceed 20 percent of the developer's property.
POLICY SP OWS8	Only a maximum of 20 percent of the total length of sea frontage will be permitted for overwater structures; and,

FIFTH SCHEDULE, *contd.*

the footprint of the overwater structures area shall not exceed 20 percent of the developer's property.

RURAL AREA POLICIES

The development order area is comprised of a hilly terrain in the interior sections and a relatively flat coastline. Rural economic activities are situated within the interior and are dependent on jobs within the agricultural and to a lesser extent the industrial sectors. The cultivation of crops for subsistence and commercial uses is done to support the rural economy of the area.

POLICY RAP 1 Land of high agricultural capability will be preserved for agricultural use and the gradual intrusion of quasi-agricultural subdivisions onto fertile lands will not be entertained.

POLICY RAP 2 Developments which will cause a loss of agricultural land will not be permitted unless the use for such development over-rides agricultural considerations and no alternative site is available.

POLICY RAP 3 The planning authority will attach major importance to the need to safeguard agricultural lands in all decisions concerned with development in the rural areas and refuse planning permission or otherwise oppose changes of use or development involving the subdivision of agricultural land into unproductive units.

Some agricultural development do not rely on the quality of the land and are not necessarily related to the efficient and effective operation of the agricultural holding although these can have a significant impact on the appearance of the rural area e.g. food stores. Their location cannot always justify these as part of an agricultural use of an area and should be regarded as development.

POLICY RAP 4 Proposals for agricultural development in the rural area not dependent on the agricultural use of land will only be permitted if there is no conflict with other resources and if it will not jeopardize the long term availability of good agricultural land (Classes I–III).

The erection of structures for agricultural use and other form of agricultural activities sometimes do not require planning permission. However, in cases where planning permission applies it is important that guidelines be implemented and adhered to.

FIFTH SCHEDULE, *contd.*

- POLICY RAP 5 Developments essential for agricultural production will normally be permitted in the rural area provided that there is no conflict with other important rural area resources and no adverse impact on the appearance of the surroundings.

The reuse of redundant agricultural structures within rural areas can assist in diversifying the agricultural sector, thereby contributing to the economic development of the parish. This however has to be balanced against the need to preserve the character of the area. Consequently, there is also the need to ensure economic viability to support agricultural businesses and maintain the feasibility of local services. Business ventures, lodgings and other uses that are practical and will not be detrimental to the surrounding environment will also be supported in redundant agricultural buildings and can be an extension of a building with a compatible use. However, each proposal will be assessed on its own merit.

- POLICY RAP 6 New recreational, educational and tourist related businesses will normally be acceptable in rural areas within redundant agricultural buildings provided that the change of use would preserve its character, appearance, fabric and setting.

- POLICY RAP 7 Extensions to existing buildings in the rural areas to accommodate bed and breakfast and self-catering accommodations will normally be acceptable provided that access is suitable and the proposal can be implemented with no adverse effect on the character of the building and its locality.

There are circumstances when less productive or under-used agricultural lands in rural areas are pressured for housing developments. These lands can be developed and used for agricultural related activities and at times are allowed to remain in ruinate as a justification for change. Also, it is essential to ensure that the amount of agricultural lands transferred for other types of development be phased and suitably planned as this will protect the rural resources and enable future development options.

- POLICY RAP 8 The planning authority will protect agricultural lands especially in the rural areas by not granting permission

FIFTH SCHEDULE, *contd.*

for development unrelated to the needs of agriculture and forestry in these areas.

Although local planning areas (growth centres) have been identified for the focus of growth and development undeveloped or sparsely developed lands in rural areas can be used to spur growth. It is not unusual for an area to appear as if it is developed due to its layout. This sometimes results in pressure being applied for additional development in these locations. In such situations the application will have to be assessed against the character and appearance of the rural area and the impact of such development on the environment. The setting of precedents will also have to be considered as this could lead to uncontrolled development of the area.

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| POLICY RAP 9 | New housing developments in rural areas to satisfy special housing needs will normally be restricted to the existing built confines of villages and settlements where amenities and facilities are available except in situations where it could be linked with other existing developments. |
| POLICY RAP 10 | Housing development to satisfy genuine local needs outside of local planning areas will be supported if the local planning authority is satisfied that there is a demand and this will not conflict with any policies for the area. |
| POLICY RAP 11 | Small scale businesses such as craft centres, souvenir shops, etcetera, will be allowed in and adjoining built up area of villages and small towns appropriate to the scale of the settlement and it would not be detrimental to the amenity and character of the area. |
| POLICY RAP 12 | Residential development outside the local planning areas will be strictly controlled and permission will not normally be given for “rounding off” the extension of isolated groups of houses or consolidating linear or sporadic development. |

Periodically individuals construct new housing units in remote sections of rural areas. Developments of this nature act as a catalyst for the construction of other residencies or the creation of a new village without requisite infrastructure. Where this is a one off situation such as the need for a worker to live permanently or near his or her place of work or an owner wishes to live on his farm, will require

FIFTH SCHEDULE, *contd.*

justification for planning permission to be granted. In all situations the economic viability of the farm will be paramount in assessing the application.

POLICY RAP 13 Dwellings will not be allowed in isolated areas except where it is necessary that a farm worker or the owner be accommodated on the holding and where it is an economical viable farming unit.

Recreational and leisure activities are communal developments that require lands ranging from small areas for playfields to intensive areas for golf courses. These should not only be compatible with the area in which these are located, but should provide and consolidate the strategic gap between towns.

POLICY RAP 14 Proposals for recreational development in rural areas will normally be permitted if it does not seriously impact the character and appearance of the surrounding area or conflict with agriculture and other important rural area interests including nearby housing.

POLICY RAP 15 Planning consideration will be given to applications for golf courses and other uses that will require large land areas for recreational use where the development would:

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

POLICY RAP 16 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.

Strategic gaps, that is, land providing separation between towns or settlements comprise open spaces (green areas) along highways or extensive areas predominantly of a green character in developed areas. Increase in environmental

FIFTH SCHEDULE, *contd.*

awareness is of particular importance; therefore, the continued protection of conservation areas and woodlands is imperative throughout the development order area.

POLICY RAP 17 Protection will be given to areas of vegetation especially those identified as conservation areas which are of significant importance to the visual character, ecology and landscape of the rural area.

Areas of scenic beauty in rural areas are in the “Public Domain” as these are visible from locations such as roads and other vantage points. St. Mary has many areas of scenic beauty for example its rivers and its coastline. The characteristics of these areas should be protected for the continued enjoyment of the public.

POLICY RAP 18 Permission to allow development in the rural area will at all times seek to protect and enhance areas of outstanding natural beauty.

PETROL AND OIL FILLING STATIONS

Petrol Stations are volatile developments and as such it is important that the design and location of buildings and ancillary facilities be regulated by the planning authorities. Special attention will be given to, access, egress and the relation of these to road intersections, the location of the proposed site in relation to existing or proposed development and the planting and protection of grass, trees and shrubs. All proposed developments should conform to the policies and the guidelines listed in the Appendix 10.

POLICY PFS 1 Filling stations will not normally be permitted close together on one side of any road unless there is a similar provision on the other side sufficient to reduce traffic having to cross the road to get service.

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 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 10.

Filling stations should be established where they fulfil a need, they should not be located in isolated areas on highways where their existence depend solely on

FIFTH SCHEDULE, *contd.*

passing motorists. Communities and commercial areas should benefit from their location as they can add to their economic activities whilst providing 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 filling 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 to protect public and environmental health.

POLICY PFS 6 “Vapour recovery pumps” should be installed in all new petrol filling stations where the petrol being dispensed contains benzene.

POLICY PFS 7 Advertisement at Petrol Stations will be controlled in accordance with the guidelines provided in Appendix 17.

CONTROL OF ADVERTISEMENT

The display of advertisement shall be controlled in accordance with the Town and Country Planning (Control of Advertisement) Regulation, 1978. Hoardings or other similar structures used or adopted for the display of advertisements or other public notices constitute development for which planning permission will be required.

The regulations set out the general framework for the control of advertisement but the power of the planning authorities may be exercised only in the interest of amenity and public safety. Applications to display advertisement will however be assessed according to their location and siting, dominance in the street scene and where appropriate illumination.

Developers and other interested parties should familiarize themselves with the Regulations, the Policies herein and Appendix 17 as the planning authorities will pay due regard to them in dealing with applications.

FIFTH SCHEDULE, *contd.*

POLICY CA 1 When considering proposals for the display of advertisements the planning authorities will take into consideration:

- (i) whether it is an appropriate location given the character and appearance of the surrounding area;
- (ii) the general siting, size and dominance of the proposal and its impact upon the amenity of adjacent property;
- (iii) all relevant road safety considerations;
- (iv) within conservation and heritage areas the design, siting and illumination of advertisements and the maintenance and enhancement of the historic character and appearance of the area.

POLICY CA 2 The planning authorities' decision in dealing with advertisements will be influenced by the Advertisement Regulations 1978 and guidelines as set out in Appendix 17 of this development order.

Advertisements are vital to a business' branding and disseminating of information. However, measures have to be taken to ensure the character and appearance of the area in which they are located is not compromised.

POLICY CA 3 Signs and advertisement must be well designed and sensitively located within the street scene. The planning authority will have regard to the circumstances of each case and the interest of amenities and public safety.

POLICY CA 4 Signs on shop fronts in the area should not be placed above the ground floor level of the building whether or not it is a commercial building. No signs should be displayed on the building above normal fascia level.

SECTION II — LOCAL PLANNING AREAS

This part of the Order presents the principles, objectives and policies that are applicable throughout the local planning areas regardless of the land use designation,

FIFTH SCHEDULE, *contd.*

unless otherwise indicated. It should be read in conjunction with the other parts of this Order. The document should therefore be read as a whole.

These local planning areas are regarded as growth centres, which based upon specific spatial criteria help government to identify where growth and development should occur in a sustainably sound manner in the parish. Government agencies will direct their resources to these towns rather than creating new ones which will need infrastructure thereby saving resources.

They are dynamic and efficient centres that have a core of commercial and residential developments with natural and built landmarks and boundaries that provide a sense of place. The intention is for them to be supported by not only public but private investments as well as social and infrastructural facilities and economic activities which will be in easy reach of the population notwithstanding the stamen above. It may be necessary in some instances to provide new infrastructure or extending existing ones to support compact growth.

The local planning areas or growth centres with their mix of land uses within their boundaries are expected to be used for urban purposes only. However where an agro industry exists, the source of raw material if located in the area will be protected over the life of that industry. Lands outside the urban boundary will continue in agriculture and urban development will not be allowed in these areas under normal circumstances. However lands within the area will continue in agriculture or such other non-urban activity until needed for urban development at which time it will be released in an orderly and progressive fashion unless circumstances dictate otherwise.

However, where the land is being used for housing construction there should be flexibility in the type of development that can take place in all spectrum of the market. While lot sizes in the urban areas will satisfy most home seekers, there is a need to diversify their size and activities in these suburban areas. Larger lots reflecting a homestead type development could be allowed to satisfy owners such as retirees who enjoy or undertake activities in keeping with their lifestyles and those who are interested in doing subsistence farming.

This is significant as some residents in the suburban areas like to seek out an existence through subsistence farming and these lot sizes would contribute to such activities.

Based on the foregoing, the following policies will be applicable in all local planning areas.

FIFTH SCHEDULE, *contd.*

POLICY LPA 1 The local planning authority will support the subdivision of lands in suburban sections of local planning areas into larger or homestead type lots as supplement to those in the urban areas to accommodate individuals who are desirous of living on large lots.

POLICY LPA 2 Building and structures for the accommodation of livestock will not normally be permitted where residential amenity and/or environmental quality would be adversely affected or significantly compromised. Special attention will also be paid to the impact of agricultural development on heritage and historic environment.

PORT MARIA LOCAL PLANNING AREA

Port Maria, the capital of Saint Mary is located in the northern section of the parish along the coast. It is the main administrative hub for the parish and covers an area of 12.12178 square kilometres (112,178 hectares). It extends from Frontier in the east to Trinity in the west and from Sandside in the south to Grants Town and the Caribbean Sea in the north.

The Statistical Institute of Jamaica Population Census Data 2011 shows that there are 7, 867 persons currently living within the local planning area; a 17.78 percentage decrease from that of 2001 which had 9,569 persons. A -1.9 percent growth rate was recorded for that inter-censal period (2001-2011). It is projected that the population will further decrease to 5,423 persons by the year 2030 assuming that this growth rate remains constant.

Sections of the local planning area are prone to flooding as it lies on the flood plain of the Outram River. Percolation is minimal and surface water run-off is very slow as such flooding often especially during heavy rainfall.

Notwithstanding the limitations there is potential for growth through carefully considered and coordinated planning by the relevant authorities.

TRANSPORTATION AND TRAFFIC

A significant portion of the transportation services within the local planning area is provided by means of private motor vehicles but there is, however, a large percentage of persons rely on public transport.

Public Transportation

The Port Maria Transportation Centre, located along Main Street, built and operated by the St. Mary Municipal Corporation is the only facility that

FIFTH SCHEDULE, *contd.*

accommodates public passenger vehicles within the local planning area. However, this facility is underutilized as taxis and minibuses park in areas designated for commercial activities in the urban core resulting in traffic congestion. This situation is further exacerbated by the parking of delivery vehicles in prohibited areas. To relieve the situation the local planning authority will seek to ensure that the Municipal Corporation improves the situation at the public transportation centre to facilitate its use.

POLICY PM T1 The local planning authority will seek to ensure that the Local Authority upgrade and expand the Port Maria Transport Centre as the need arises and that all public passenger vehicles operate from this facility.

POLICY PM T2 The local planning authority will ensure that transportation routes and bays are clearly identified and marked and that the facility can adequately accommodate persons with disabilities to facilitate smooth operation of the facility.

POLICY PM T3 The local planning authority will seek to ensure that the local authority provides the transportation centre with amenities necessary for the use and comfort of all commuters such as snack counters and toilet facilities and that vending activities are regulated.

Road Network

The road network is important as it determines the ease with which motorists and pedestrians can move about within the local planning area and can gain access to other areas. The Port Maria to Annotto Bay main road within the vicinity of its intersections with Main Street and Cox Street is generally congested due to the undertaking of prohibited activities. The proliferation of illegal developments along this roadway with the increase traffic flow now necessitates intervention to ensure the smooth flow of traffic through the town.

There are also roadways that are very narrow and lack sidewalk facilities. The local planning authority will support the rehabilitation of the road network including the installation of adequate lay-bys, bus bays, sidewalks and other related infrastructure. Roadways are to be properly lit and be suitable for traversing by the disabled and other vulnerable groups including children and the elderly.

POLICY PM T4 The local planning authority will seek to develop a road widening, improvements and maintenance programme in

FIFTH SCHEDULE, *contd.*

conjunction with the local authority and for any other responsible agency for the local planning area.

- POLICY PM T5 The planning authorities will support any rehabilitation of the arterial or any other roads carried out in the area that seeks to improve or add adequate sidewalk facilities, for the use and safety of pedestrians including those with disabilities.

Vehicular Parking

The availability of adequate parking spaces for commercial and office uses has become more of a challenge due to the one to one (1:1) lot coverage of buildings especially within the town centre. As a result on-street parking is prevalent and often times impede pedestrians and vehicular movement.

- POLICY PM T6 To avoid increased congestion within the town centre, on-street parking will only be allowed where it does not affect the free flow of traffic and is not detrimental to the easy movement of pedestrians and other road users.
- POLICY PM T7 All new development or extensions are required to provide adequate on-site parking for staff and customers as set out in the parking and loading requirements (Appendix 8), unless it is impractical or not feasible to do so; in which case alternative arrangements for parking will have to be made and approved by the local planning authority.
- Policy PM T8 The local planning authority shall seek to provide and implement parking requirements for disabled which will be in accordance with Appendix 8 and Figure 2.

In areas zoned for commercial and office use, the planning authority will encourage appropriate design and siting of buildings to increase the human scale and encourage pedestrian friendliness. Landscaping significantly improves the aesthetics of parking areas, and, by minimising the percentage of paved surfaces there is the added benefit of reduced storm water runoff and localized flooding.

- POLICY PM T9 All new developments having outdoor parking lots shall make use of green and or permeable parking surface techniques.
- POLICY PM T10 The planning authority will ensure that parking lots are sufficiently landscaped (accounting for at least ten percent of total lot area) and are suitably sited to encourage pedestrian friendliness.

FIFTH SCHEDULE, *contd.*

HOUSING

Housing infrastructure within the Port Maria Local Planning Area is predominantly single family residential units, constructed mainly of concrete. The housing units are characterized by one, two and three storey buildings and multi-family developments in some cases. The 2011 population census revealed that in the area there are 2,702 housing units and 2,925 households. This represents an average household size of 2.9 persons when compared to the national household size of 3.1.

Currently there is a surplus of dwelling units based on the current population of 7,867 persons. Although the local planning area has a declining population lands should still be reserved for housing developments in case there is a possible future demand. The local planning authority should ensure that suitable lands are reserved to accommodate the projected housing demand.

In an effort to reduce urban sprawl in the local planning area, various types of residential options will be encouraged. The appropriate policies in the Housing Sector Policies of this development order may be applied where applicable. Where developments are located on slopes/hillside Appendix 21 will apply.

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| POLICY PM H1 | Residential single family unit or duplex dwellings will be allowed on lots which satisfy the relevant planning guidelines. |
| POLICY PM H2 | Proposals for high density residential developments such as apartments and townhouses will normally be considered once all planning and environmental standards are met. |
| POLICY PM H3 | The density for apartments shall not exceed 75 habitable rooms per hectare (30 habitable rooms per acre) on a minimum lot size of 0.2 hectare ($\frac{1}{2}$ acre), with building heights not exceeding two (2) storeys for residential lots in areas that do not have connection to a central sewage system; where such a system does not exist sewage should be treated to at least a secondary level (See Map Inset No. 1). |
| POLICY PM H4 | Density shall not exceed 125 habitable rooms per hectare (50 habitable rooms per acre) on a minimum lot size of 0.2 hectare ($\frac{1}{2}$ acre), with building heights not exceeding four (4) storeys for residential lots in areas that are connected to a central sewage system (See Map Inset No. 1). |

FIFTH SCHEDULE, *contd.*

POLICY PM H5 The amalgamation of smaller residential lots to allow for multifamily development will be encouraged where the individual lot does not meet the minimum size required for such development.

There are incidences of informal developments within the local planning area. As such it is prudent that the planning authorities develop and implement strategies to mitigate against these settlements.

POLICY PM H6 In order to satisfy low income housing demand a mixture of housing types will be encouraged in large scaled developments at suitable locations.

POLICY PM H7 The planning authorities along with the relevant agencies will seek to ensure that informal settlements are not established within the local planning area.

In areas where residential uses are near to non-residential activities, there is the possibility of encroachment by such activities into the residential areas. The local planning authority will not support changes which are not compatible to residential development.

POLICY PM H8 Industrial and commercial uses not providing an essential service will not normally be supported within a residential community.

POLICY PM H9 Proposals for partial change of use of a residential property to a non-residential use will be permitted only if the non-residential activity is normally carried out in the day time and the amenity privacy and enjoyment of neighbouring dwellings is not adversely affected. Such activities will require special approval from the local planning authority.

POLICY PM H10 Planning permission will not normally be granted for any development which would result in a net loss of residential units especially to those not able to compete in the housing market.

SOCIAL AMENITIES

Located within the local planning area are Type C hospital, Type III health centre, infirmary, library, schools, post office, police station, churches, community centres and a few recreational areas. These facilities not only serve the communities within the planning area but those outside as well.

POLICY PM SA1 The local planning authority will support the expansion and upgrading of all social facilities as the need arises.

FIFTH SCHEDULE, *contd.*

- POLICY PM SA2 Developments that would decrease or eliminate any of the social facilities in the Planning Area will not be supported unless being replaced with a similar facility of equal or greater stature in the locality.

Educational and Institutional

There are several educational facilities located within the local planning area: basic schools, primary school, and a high school. However, the high school is privately owned. These facilities serve the local populace, neighbouring communities and in some cases neighbouring parishes and should be upgraded as the need arises.

- POLICY PM SA3 The local planning authority will assist in identifying suitable lands within the local planning area to establish additional educational and institutional facilities as the need arises.
- POLICY PM SA4 The local planning authority will assist in identifying suitable lands within the local planning area to establish a public high school.
- POLICY PM SA5 New proposals for educational and institutional facilities will be assessed on a case by case basis and shall conform to all required planning standards.
- POLICY PM SA6 All educational or institutional facilities must meet the requirements of the Ministry of Education and policies of the local planning authority.
- POLICY PM SA7 Building heights for schools and churches shall not exceed three and two storeys, respectively.

The Port Maria Hospital and Health Centre are severely degraded. These facilities are in need of upgrading and expansion to adequately satisfy the current and future demand of the population.

- POLICY PM SA8 The local planning authority will support the expansion and upgrading of the Port Maria Hospital and the Port Maria Health Centre as is necessary.

Open Space/Recreational Areas

The existing recreational areas such as Claude Stuart Park, Palmers Park community centre and Clembhards Park community centre which are inclusive of large playfield areas adequately satisfy the current population. However, these facilities are underutilised and in some instances the buildings are rented to

FIFTH SCHEDULE, *contd.*

accommodate other uses such as churches. There are a few areas along the coast that are suitable for seaside parks and can accommodate seating facilities and other complimentary amenities.

- POLICY PM SA9 The local planning authority in conjunction with the relevant authorities will seek to upgrade and improve all areas zoned for recreational use within the local planning area.
- POLICY PM SA10 No structure shall be allowed on any public open space that does not complement the use thereof.
- POLICY PM SA11 Areas zoned as seaside parks should be landscaped and provided with amenities ancillary to the use and be used for recreational purposes only.

Cemetery

The Port Maria Cemetery located within the local planning area is utilized by the entire parish of St. Mary. As such suitable lands should be acquired for the possible expansion of the existing cemetery or for the siting of a new one based on its current capacity. Currently residents use church cemeteries or public cemeteries located in other surrounding local planning areas. The local planning authority will not normally support family plot burials on residential lots.

- POLICY PM SA12 The local planning authority will along with the appropriate agencies identify suitable lands to expand the existing cemetery or to establish a new one as the situation warrants.
- POLICY PM SA13 The local planning authority will support the use of columbarium as an alternative to burial or any other acceptable method that will conserve on land space.

URBAN ECONOMY

The local planning area has a variety of economic activities and services that are utilized by residents and persons from other communities located within the parish. These involve commercial facilities, transportation services, small business operations, and administrative services.

Developments that will boost the economic base of the area will be supported in designated areas as shown on the Port Maria Local Planning Area Land Use Proposed Zoning Map (Inset 1 and Inset 1.1). The appropriate policies set out in Section I of the Fifth Schedule of this Order may be applied where relevant.

- POLICY PM UE1 Due consideration will be given to proposals for the establishment of commercial and other service facilities as the need arise in the local planning area.

FIFTH SCHEDULE, *contd.*

POLICY PM UE2 Industrial developments and service industries which are compatible with the general character of the area and have no adverse impact on the environment in which they are to be located will be encouraged.

Mixed land uses enable building/sites to be used to their full potential. Such activities will be encouraged in areas designated for mixed use developments and could introduce life to the town, especially at nights. However such uses are to be compatible with adjoining developments.

POLICY PM UE3 For commercial and office uses, the following standards shall apply:

- (i) Buildings shall not normally exceed two (2) storeys in height. However, the authorities may consider a height of three (3) storeys in exceptional circumstances.
- (ii) Buildings may maintain a zero lot line except to the front in accordance with road reservations and where it adjoins residential development to the satisfaction of the planning authority
- (iii) Buildings should adhere to a floor area ratio of 0.5 plot coverage of no less 33 1/3%.

POLICY PM UE4 For commercial and office uses, the building may be located hard on the property boundaries subject to the provision of adequate parking on a separate lot or floor if necessary to the satisfaction of the planning authorities.

POLICY PM UE5 The local planning authority will encourage mixed use development where this is appropriate, and will at all times ensure the residential amenities and areas of environmental importance are protected.

POLICY PM UE6 The planning authorities will support private sector initiatives aimed at maintaining and improving the commercial and industrial sectors to enable employment opportunities in appropriate locations.

SUB-URBAN ECONOMY

Agriculture and fishing which were once the dominant economic activities are slowly declining due to the shift in development and economic trends since the last decade. As a result subsistence farming is becoming the more dominant

FIFTH SCHEDULE, *contd.*

practice whilst large parcels of agricultural lands become ruinate or is being used for the rearing of animals or subdivided for residential developments. Ground provisions among other goods are sold in the Port Maria Market located within the town centre. There is need to diversify the rural economy and the planning authorities will support proposals that will provide employment for residents thereby strengthening the rural economy of the local planning area.

POLICY PM SUE1 The local planning authority will support proposals for agricultural development provided that it is not in conflict with the character of the area, or impact adversely on the environment or have a deleterious effect on surrounding residents.

POLICY PM SUE2 Light industrial developments including agro-processing and cottage industries which are compatible with the general character of the area will be encouraged.

POLICY PM SUE3 Agricultural activities such as poultry and animal rearing which do not depend on the quality of the soil and which can contribute to the rural economy will be supported by the local planning authority in suitable areas.

POLICY PM SUE4 The local planning authority will ensure that the Port Maria Market is upgraded to provide required facilities for both vendors and patrons.

Small retail shops on residential properties are dispersed across the local planning area. The local planning authority will support these proposals at suitable locations as they supplement the sub-urban area while providing quick retail access for residents.

POLICY PM SUE5 Proposals for small shops throughout the local planning area will be given consideration in appropriate locations and must not detract from the residential amenities of the area.

TOURISM

Tourism facilities are few and are limited to small hotels. There is potential for growth in this industry which can strengthen the economic base of the local planning area.

POLICY PM TO1 The local planning authority will support proposals for small scale tourism activities such as small cabins/resorts

FIFTH SCHEDULE, *contd.*

and hiking trails as long as these are not detrimental to the environment.

POLICY PM TO2 New tourism developments will normally be supported in suitable areas to increase the economic potential of the local planning area provided that the integrity of the area is not compromised.

POLICY PM TO3 The local planning authority will support the provision or improvement of ancillary tourism facilities provided the amenities of the area can be safeguarded and there will be no adverse impact on adjoining developments.

MINING

Sand (both inshore and offshore) should not be regarded as a major source for extraction purposes. These deposits are not extensive and the rate of generation by natural means is not as rapid as the rate of removal, resulting in the destruction of the beaches. The appropriate Minerals Sectoral Policies of this Order shall apply in this local planning area.

POLICY PM M1 The extraction of onshore coastal sand will not be permitted except under exceptional circumstances and sand extraction in such situations will be strictly controlled.

POLICY PM M2 All material that is excavated as a result of construction of an approved development must be used on the site or be disposed of in accordance to a plan submitted and approved by the local planning authority.

ADVERTISEMENT GUIDELINES

Advertisements are vital to business and important in disseminating information. Nonetheless measures have to be in place to ensure that the character and appearance of the area is not compromised. Guidelines are set by the regulations as to the size, height and placement of advertisements and their location and appearance throughout the local planning area will have to be addressed. The relevant policies contained in the Control of Advertisement Sectoral Policies and Appendix 17 of this Order shall apply in this local planning area.

POLICY PM CA1 Signs adhering to the guidelines set out by regulations will only be permitted by the planning authority in areas where they do not distract road users, cause clutter or become unsightly and detract from the character and appearance of the area.

FIFTH SCHEDULE, *contd.*

CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

The Natural Environment

The Port Maria Local Planning Area has an elevation ranging from 3 – 274 meters above sea level. The southern area is undulated in sections while the northern section towards the coast is relatively flat. There are sections that are heavily vegetated and are rich in natural resources as it has a wide variety of flora and fauna.

POLICY PM C1 No development will be allowed in areas identified as areas of outstanding landscape beauty, outdoor recreational potential, special scientific interest due to the presence of unique flora and fauna which would conflict with the policies of this Order.

The local planning area is drained by the Salt, Outram and Pagee Rivers. These water sources are used for recreational, domestic and agricultural purposes. The existing vegetation, rivers and streams within the locality enhances the amenity of the area and should be protected.

POLICY PM C2 All rivers and streams will be preserved for domestic, agricultural and recreational purposes and the local planning authority will not grant permission within their reaches for any activity that will defeat this purpose.

POLICY PM C3 In areas where development is permitted adjacent to rivers or streams, the setback shall be a minimum of 30 metres from the banks and may, in relation to the physical conditions existing in the area, be varied by the planning authorities.

POLICY PM C4 The planning authorities will ensure that environmentally sensitive or vulnerable areas are reserved as natural areas and greenbelt reserves for recreation whenever possible and used as open space buffers between incompatible land uses.

The Pagee bathing and fishing beach located along a section of the coastline enhances the amenity value of the local planning area. It is prudent that the relevant authorities restrict the intensity of development within this general area. The local planning authority will seek to ensure that residents and visitors are able to have access to the beach and coastline.

POLICY PM C5 Planning permission will not be granted for any development which will restrict residents and visitors from gaining access to the beaches via established pathways for bathing, fishing or recreational use.

FIFTH SCHEDULE, *contd.*

- POLICY PM C6 The local planning authority will seek to ensure that fishing and bathing beaches are properly demarcated and equipped with the requisite amenities.

The Cabarita Island that is located just north off shore is considered a part of the Port Maria local planning area. It is currently undeveloped and heavily vegetated. If this vegetation was 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. As such the island will be zoned as a conservation area whereby only recreational type activities will be allowed.

- POLICY PM C7 The planning authority will only support recreational type development on the Cabarita Island, provided that there are no adverse impacts on the natural environment, and buildings ancillary to its use will be of a temporary nature.

The Built Environment

The built environment within the local planning area is characterised by one and two storey buildings. The uses range from commercial, office and residential among other uses.

- POLICY PM C8 The local planning authorities will seek to ensure that the design and character of new buildings is in keeping with the scale and character of existing buildings.
- POLICY PM C9 The conversion or alteration of any existing building should be of a high standard of design and be in sympathy with the existing built environment.

Historical, Archaeological Sites and Building

There are a number of designated historic sites and buildings in the Port Maria local planning area such as Fort Haldane, Calder Park and the Port Maria Civic Centre.

- POLICY PM C10 Planning permission will not be given for any development that would damage any building/monuments which are of historic importance or one that is adjacent to such building/monument, or which would adversely affect its setting.
- POLICY PM C11 The local planning authority will not support any proposed development on historic buildings and sites without first consulting the Jamaica National Heritage Trust.
- POLICY PM C12 The local planning authority will support the use and integration of historic sites and building in tourism product providing it will not have an adverse effect on the site and or building.

FIFTH SCHEDULE, *contd.*

Population growth has resulted in the increase in developments especially along the Port Maria to Annotto Bay main road. As such the natural drainage flow has been interrupted along sections resulting in flooding. Additionally the local planning authority will seek to ensure that drains are implemented and maintained along roadways.

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| POLICY PM C13 | Planning permission will not be given for any form of development which will result in the disruption or blockage of any natural run off channel. |
| POLICY PM C14 | The local planning authority will seek to ensure that drainage channels are constructed along roadways and maintained where necessary. |
| POLICY PM C15 | Development will normally not be permitted if it is likely to cause a loss, or material damage to the beach, landscape areas and features which are of scenic and/or unspoilt quality. |
| POLICY PM C16 | All new or extension to existing developments along the coastal area should be of low density and will be setback in accordance with the guidelines provided in Figure 5. |
| POLICY PM C17 | The local planning authority in dealing with developments will institute strategies to mitigate against the effects of climate change such as storm surges and erosion within the coastal areas in the Port Maria Local Planning Area. |

Views and access to beaches should be maintained especially where tourism facilities are located within the local planning area. Building siting and design should be such that clear visual corridors of the sea are maintained (windows to the sea) at appropriate intervals.

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| POLICY PM C18 | Proposals for high buildings will not be allowed in or adjacent to strategic view points and land marks. |
| POLICY PM C19 | The setback of buildings from side property boundaries shall be determined by their height and density and shall not be less than 4.6 metres. |
| POLICY PM C20 | The setback of buildings from the high water mark in area where this has not been indicated on the land use proposal plan and in the policies should be in accordance with figure 5. |
| POLICY PM C21 | The local planning authority will not support the development of structures or the carrying out of activities which will block or detract from the visual amenity of coastal scenic routes. |

FIFTH SCHEDULE, *contd.*

- POLICY PM C22 The developer of any overwater structure must obtain the necessary licence and permit from the Natural Resources Conservation Authority (NRCA) and the required planning approval from the planning authorities before proceeding with the development.

WASTE TREATMENT AND DISPOSAL

Sewage Disposal

There is no centralized sewage disposal system in the local planning area. Septic tanks are used along with absorption pits as the main method of disposal. STATIN Data (2011) reveals that twenty-eight percent (28%) of the household used pit latrine, while seventy percent (70%) had water closets. However, all methods of disposal should conform to those recommended by the Ministry of Health, the Natural Resources Conservation Authority (NRCA), the local authority and all other relevant authorities.

- POLICY PM WT1 Permission will not be granted for new buildings or extensions in areas without central sewage unless the sewage treatment facilities proposed will treat the sewage produced to at least a tertiary level.

Solid Waste Disposal

The local planning area is serviced by the North Eastern Parks and Markets garbage collection system. According to 2011 census data, of the 2,925 households within the local planning area, sixty-five percent (65%) have access to public garbage collection facilities. The inefficiency in the garbage collection system has resulted in overflowing skips and the presence of small illegal dump sites throughout the local planning area.

- POLICY PM WT2 The indiscriminate and unsatisfactory disposal of waste will not be encouraged and the local planning authority will support the routine collection and recycling of such waste and the facilities to undertake same.

- POLICY PM WT3 The disposal of waste into sinkholes and caves will not be supported by the planning authority.

Limited garbage facilities can have an adverse effect on the amenities and health of neighbouring properties and the general environment through the infestation of rodents and insects. All development should therefore make provision for proper waste storage and collection in tamper and rodent proof devices.

- POLICY PM WT4 The planning authority will ensure that all developments make provisions for the storage and collection of waste within their development in tamper proof and rodent proof devices.

FIFTH SCHEDULE, *contd.*

- POLICY PM WT5 All developments will be required to make adequate provision for the storage, collection and separation of waste matter which should if possible be sorted into non-recyclable and recyclable categories.

Water Supply

STATIN Data (2011) reveals that eighty-seven percent (87%) of the households in the Port Maria Local Planning Area have access to public water facilities. Currently water supply to the area is provided through several pump and lift stations. However some of these facilities are not reliable and needs to be repaired.

- POLICY PM WS1 The local planning authority will ensure that the relevant authorities upgrade and improve the existing public water supply system to adequately service the local planning area.

Residents in hilly areas where the supply of public water is absent rely on rivers, streams and catchment tanks for water. Although piped water is supplied to some areas, residents still depend on catchment tanks.

- POLICY PM WS2 All developments shall be required to provide catchment tanks or some other method of harnessing rain water to satisfy their needs in the absence of a piped water supply system.
- POLICY PM WS3 The provision of rainwater catchment tanks will be encouraged by the planning authorities for residential developments and other areas without public water supply.
- POLICY PM WS4 New developments which are served with piped domestic water are encouraged to also make provision for the use of rain water/grey water for the watering of plants and gardens.

ANNOTTO BAY LOCAL PLANNING AREA

Annotto Bay is one of St. Mary's major urban centres containing a variety of commercial enterprises, public institutions, service and office entities, and industrial facilities. The town is strategically located along the main arterial route from Kingston to Portland and approximately 24km from Port Maria, the parish capital.

The Annotto Bay Local Planning Area covers an area of approximately area of 5 square kilometers and comprises several communities namely Prospect to the south, Iter Boreale to the east and Fort George to the west (see Inset No. 2).

The STATIN 2011 Population Census showed that the Annotto Bay local area had a population of 6,018 persons and experienced an increase of 11%, from the 5,422 persons in 2001. It is projected that by the year 2021 the area will have a total population of 7,080 persons and will further increase to 8,844 persons by 2031.

FIFTH SCHEDULE, *contd.*

TRANSPORTATION AND TRAFFIC

Public Transportation

Annotto Bay Local Planning Area's transportation system consists of roadways (main, secondary, parochial), public passenger vehicles and private vehicles. The main mode of transportation is by route taxis most of which are operated by the North Eastern Region Taxi Association. Due to the lack of a formal public transport facility, taxis and mini buses currently, park along the roadway within the town centre as well as in the vicinity of the police station.

Additionally, taxis load and unload passengers randomly along the Port Maria to Annotto Bay main road. This practice contributes to traffic congestion, inconveniences to pedestrians it is dangerous for all road users especially the disabled persons.

To prevent obstruction along this major road a central transportation hub and lay-bys will be required. There is also a for additional transportation options that will accommodate the growing population of the community.

POLICY AB T1 The local planning authority will identify lands establish a transportation centre with suitable amenities to accommodate public passenger vehicles and will seek to facilitate the construction of lay-bys and bus bays by the road authorities for the picking up and letting off of passengers in appropriate locations.

POLICY AB T2 All forms of public transportation will be required to utilize the transportation centre to be erected on lands identified by the local planning authority and equipped with the requisite facilities to satisfy the needs of the commuting public including persons with disabilities.

Road Network

The Port Maria to Annotto Bay main road is the main thoroughfare used by motorists and pedestrians and is a segment of the North Coast Highway which connects to other coastal towns. The town centre is generally congested during peak hours. This situation is further exacerbated by street side vending, illegal parking and other unregulated use of the roadway by motorist. The proliferation of developments along this roadway also generates the increased traffic flow which now necessitates intervention to ensure the smooth movement of traffic through the town.

The arterial roads within the local planning area are narrow and lack sidewalk facilities. The local planning authority will support the rehabilitation of the road network including the installation of sufficient lay-bys, bus bays, sidewalks and other related infrastructure.

FIFTH SCHEDULE, *contd.*

- POLICY AB T3 The planning authority will support the appropriate rehabilitation of arterial or any other roads in the area that seeks to improve or add sidewalk facilities, for the safe movement of pedestrians and persons with disabilities.

Vehicular Parking

Within the Annotto Bay town centre there is a mixture of commercial, light industrial and office facilities which generate a significant amount of vehicular and pedestrian traffic. The area has a chronic problem of inadequate parking spaces both on and offsite. As a result vehicles are often parked along roadsides inhibiting pedestrians and vehicular movement. Adequate parking facilities are therefore necessary to accommodate and ensure the free and safe movement of traffic along the roadway.

- POLICY AB T4 The local planning authority will not support proposals for any new development or extensions unless the developer provides the required number of parking spaces on site including parking spaces for disabled persons or unless such provisions can be met elsewhere pursuant to the stipulations of the Development and Investment Manual, Volume 1, Section 1—Planning and Development—to the satisfaction of the planning authority.
- POLICY AB T5 To avoid congestion and facilitate the free flow of traffic along the Port Maria to Annotto Bay main road, the planning authorities will encourage the road authorities to strategically place no parking signs along this road and apply and maintain pertinent enforcement measures.
- POLICY AB T6 On street parking will only be allowed where it does not affect the free flow of traffic and is not detrimental to the easy movement of pedestrians and other road users.
- POLICY AB T7 All new developments having outdoor parking lots shall make use of green and or permeable parking surface techniques.

HOUSING

According to the STATIN 2011 Population Census, there are 1754 dwelling units within the Annotto Bay Local Planning Area. The housing stock is primarily one storey detached units with large numbers of informal residential settlements predominately in the environs of the urban core near Annotto Bay Primary School, adjacent the market and sections of the coast. Annotto Bay, residential land use account for some 83 hectares or 17.4 per cent of the total land use area while Informal residential developments currently occupy 1.3 hectares of lands.

FIFTH SCHEDULE, *contd.*

Based on the STATIN 2011 Population Census the density of the area is approximately 1099 persons per square kilometers. Within the area there are 1,708 housing units and 1,992 households. Based on the 2011 population of 6018 persons, the average household size is 2.9 persons, and there is a deficit of 185 dwelling units. However, the population is projected to increase to 8844 persons by the year 2031; as such 475 dwelling units will be required to satisfy housing demand. The local planning authority should ensure that suitable lands are reserved to accommodate the projected housing demand.

In an effort to reduce sprawl of urban areas, various types of residential development options should be encouraged. The appropriate policies set out in this Order are intended to find a solution to this problem.

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| POLICY AB H1 | Residential single family unit or duplex dwellings will be allowed on lots which satisfy the relevant planning guidelines. |
| POLICY AB H2 | Proposals for high density residential developments will normally be considered once all planning and environmental standards are met. |
| POLICY AB H3 | Residential density shall not exceed 75 habitable rooms per hectare (30 habitable rooms per acre) on a minimum lot size of 0.2 hectare ($\frac{1}{2}$ acre), with building heights not exceeding two (2) storeys for residential lots in areas that do not have connection a central sewage system; where there is no such system the units will be required to treat sewerage to at least a tertiary level using any of the methods approved by the appropriate authority (See Map #2). |
| POLICY AB H4 | Density shall not exceed 125 habitable rooms per hectare (50 habitable rooms per acre) on a minimum lot size of 0.2 hectare ($\frac{1}{2}$ acre), with building heights not exceeding four (4) storeys for residential lots in areas that are connected to a central sewage system, and may, in relation to the physical conditions existing in the area, be varied by the planning authorities. (See Map #2). |
| POLICY AB H5 | In areas of steep slopes or unstable geology, density shall not exceed 50 habitable rooms per hectare (20 habitable rooms per acre), with building heights not exceeding two (2) floors), and shall be in accordance with the hillside development guidelines which may be revised from time to time. |

FIFTH SCHEDULE, *contd.*

At present the penetration of residential areas by non-conforming uses is not prevalent in this local planning area. However, it is the intention of this Order to prevent such intrusions which may overtime reduce the amenity value of residential areas. Where illegal and non-conforming uses exist the appropriate action will be taken to control the situation.

POLICY AB H6 The local planning authority will not normally support non-residential development on lots zoned for residential uses.

POLICY AB H7 Proposals for change of use of a residential property to a non-residential use will only be permitted if the non-residential activity is compatible with the residential character of the area.

There are pockets of informal settlements in the Annotto Bay Local Planning Area, particularly in the Grays Inn, Crooked River and Iter Boreale areas. Efforts will be made to secure suitable sites for the upgrading or relocation of these settlements through the provision of adequate housing lands and dialogue with the responsible agency.

POLICY AB H8 In areas where it is feasible to regularize existing informal settlements, the planning authorities will work with the relevant authorities in doing so or will alternatively identify sites for their relocation.

Although the local planning area is provided with shopping facilities, it may be difficult for some residents to purchase convenience items due to the distance of travel. For accessibility, community shopping outlets may be provided in residential developments. The type, size, layout, siting and location of the facility will be decided by the local planning authority. The design should however conform to the residential character of the area.

POLICY AB H9 Planning permission may be granted for suitable commercial facilities in housing areas where they provide supporting service to the local community.

SOCIAL AMENITIES

The Annotto Bay local planning area has several social amenities necessary for the enhancement of the lives of residents. These include churches, health centre, hospital, schools, recreational areas, post office, fire station and a police station.

POLICY AB SA1 The local planning authority will support the expansion and upgrading of all social facilities as the need arises.

POLICY AB SA2 The local planning authority will support the use of any of the existing social facilities for a compatible use that will not detract from the original use.

FIFTH SCHEDULE, *contd.**Recreation and Open Space*

The Annotto Bay community centre which is located in proximity to the commercial core and the Annotto Bay Hospital is not being utilized. A church is currently occupying the community center. Residents however use the field at the community center.

POLICY AB SA3 Planning permission will not be granted for any development that will eliminate or decrease any of the existing social facilities, unless it will be replaced by a facility of equal or greater stature.

POLICY AB SA4 All lots within Annotto Bay local planning area that are zoned as public open spaces, or for recreational uses, shall be developed only for such use and the planning authorities will not support any uses in conflict with the proposed zoning.

POLICY AB SA5 No structure shall be allowed on any public open space that does not complement the use thereof (e.g. Telecommunication Towers and billboards, etcetera).

There are many vacant lots located throughout the town which were reserved for open spaces in subdivisions and housing developments as a condition of approval. In future, conditions will be imposed requiring their development by the developers of the housing development in partnership with the residents.

POLICY AB SA6 Areas left as amenity spaces in housing developments shall be landscaped and/or otherwise be developed for passive/active recreational purposes by the developer at the time the infrastructure is being implemented.

POLICY AB SA7 In all new housing developments land is to be provided for open space and other amenity purposes at the rate set out in the Development and Investment Manual and such lands can either be for active or passive recreational purposes.

Land at Grays Inn, located across from the Fire Station was once used as a travel halt. This area is now zoned and used as a seaside park.

POLICY AB SA8 The local planning authority will seek to ensure that areas zoned as seaside parks are landscaped and provided with amenities ancillary to the use and be used for recreational purposes only.

POLICY AB SA9 All new or extension to existing developments along this coastal area are to be of a temporary nature, low density and will be setback in accordance with the guidelines provided in Figure 5.

FIFTH SCHEDULE, *contd.**Educational and Institutional*

There are adequate educational facilities within the local planning area; however, there is a need for refurbishment and upgrading of several of these facilities. With the urbanization of Annotto Bay the Local Planning Authority will support proposals for new educational institutions to accommodate the increasing population.

- POLICY AB SA10 The local planning authority will support the upgrading and refurbishing of educational and institutional facilities by the relevant agencies within the local planning area.
- POLICY AB SA11 The local planning authority shall generally be in support of private interests seeking to establish educational or institutional facilities as long those meet the requirements of the Development and Investment Manual—Planning and Development and/or to the satisfaction of the appropriate authorities.
- POLICY AB SA12 Developments which would result in the reduction of the available educational facilities will not be encouraged unless provisions can be made elsewhere at a suitable location to offset any loss which would result from such development.
- POLICY AB SA13 Public Assembly use may be also considered on lots zoned as commercial or mixed use involving commercial uses, provided that it would not be conflicting with surrounding uses and other relevant standards.

Annotto Bay has a Type C hospital which provides a range of services including general medical and surgical care and maternity services. There is also a Type III health centre that serves the local planning area. The general health of the population is important as such the emphasis will be to continue improving the level of services provided, through repairs and maintenance programmes. Improved ambulance and emergency services are also required throughout the local planning area.

- POLICY AB SA14 The local planning authority will support the expansion and upgrading of the health facilities as necessary provided that these meet the requirements of this Order and those specified by the Ministry of Health.
- POLICY AB SA15 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.

Cemetery

Annotto Bay has one public cemetery, which falls just outside the western boundary of the local planning area. In 2015, 0.40 hectare (1 acre) of land was acquired from

FIFTH SCHEDULE, *contd.*

Jamaica Producers as an extension and is projected to accommodate an additional 1,011 burials. In this regard the local planning authority will explore and promote other interment options which conserve land space.

POLICY AB SA16 The local planning authority will support the use of columbarium and other approved interment options instead of graves provided that the relevant planning, health and environmental standards are met.

URBAN ECONOMY

Annotto Bay is a major market centre of the parish, providing jobs in the commercial, industrial and service sectors. Residents from other local planning areas travel to Annotto Bay for employment and also to access its services. Special attention will have to be given to activities which will diversify the economy hence creating more jobs within the local planning area.

POLICY AB UE1 Large scale commercial developments will be encouraged in the Annotto Bay local planning area in areas zoned for such activities.

POLICY AB UE2 The local planning authority will ensure that all large scale commercial, industrial or office developments within the local planning area have minimal adverse impact on the site to be developed or on neighbouring sites.

POLICY AB UE3 For commercial and office uses, the following standards shall apply:

- (i) buildings shall not normally exceed two (2) storeys in height. However, the authorities may consider a height of three (3) storeys in exceptional circumstances.
- (ii) buildings may maintain a zero lot line except to the front in accordance with road reservations and where it adjoins residential development to the satisfaction of the planning authority
- (iii) buildings should adhere to a floor area ratio of 0.5 plot coverage of no less 33¹/₃%

POLICY AB UE4 New office development should conform to the standards outlined within the Development and Investment Manual.

POLICY AB UE5 The size, height, objects which may be affixed to buildings, the layout and site coverage of new commercial and industrial developments, will be subject to the standards outlined in the Development and Investment Manual.

FIFTH SCHEDULE, *contd.*

The disabled are often not taken into consideration in the design of developments and therefore find it difficult to access some buildings. The local planning authority will therefore ensure that all new developments provide adequate provisions for the disabled especially in the town area.

POLICY AB UE6 Developments open to the public or used for employment or educational purposes will not be permitted unless adequate access and facilities are provided for all people with disabilities.

Manufacturing and industrial facilities provide significant employment opportunities which are vital to the economic prosperity of the local planning area. While the number of large industrial establishments in the local planning area has declined, their reestablishment should be encouraged and abandoned buildings and sites once used for such activities should be reused where appropriate.

POLICY AB UE7 Development proposals for industrial activities within the Annotto Bay local planning area will be allowed in areas provided for such activities in the Development Order and should conform to the relevant Acts and Planning Guidelines relevant to them.

Heavy industries that are hazardous by nature to residents and the environment will only be supported in the areas zoned for that purpose. These industries will need to conduct an environmental audit to determine the nature and volume of any discharge and to prohibit or minimize the possibility of pollution. The local planning authority will ensure that all proposals involving hazardous industries will be given close scrutiny and will only be allowed after adequate consultation with the relevant agencies.

POLICY AB UE8 Development proposals for any use which would result in a significant number of people living or working in proximity of any hazardous industry or storage site will not be permitted.

POLICY AB UE9 The local planning authority will ensure that all proposals involving hazardous industries will be given close scrutiny and will only be allowed after an environmental audit and adequate consultation with the relevant agencies.

The Annotto Bay market is located along Port Maria to Annotto Bay main road and is owned and operated by the Municipal Corporation. The market plays a significant role in the local planning area, as it is one of the primary facilities for the trading of dry goods and farm products from various vendors from across the parish. There is also the issue of on-street vending impeding the free movement of pedestrians and motorist.

FIFTH SCHEDULE, *contd.*

- POLICY AB UE10 The Annotto Bay market is upgraded as the need arises to provide the facilities required to make the market experience a more pleasurable and worthwhile one for both vendors and consumers in terms of layout of stalls, paving, shelter sanitary conveniences and adequate parking.

The fisheries sector provides a potential area for growth and development in Annotto Bay. It is recommended that the Annotto Bay Fishing and Bathing Beach be upgraded with the requisite amenities and access to the beach.

- POLICY AB UE11 The site reserved for public fishing beach on the Annotto Bay Local Planning Area Land Use Proposal Map shall be used specifically for that purpose and the local planning authority will only grant permission for activities directly related to the fishing industry at this location.

- POLICY AB UE12 The local planning authority will support any action taken to ensure that the fishing beach has the necessary storage, vending and waste disposal facilities that will enhance and make it more attractive to all its users.

A public market is located within Annotto Bay. Although underutilized, it is important that this market be maintained as it contributes to the economy of the local planning area and is one of the main facilities for the sale of farm produce.

- POLICY AB UE13 The local authority will support improvements to the market facility required to make the market experience a more pleasurable and worthwhile one for both vendors and customers in terms of layout of stalls, shelter and sanitary conveniences.

- POLICY AB UE14 Planning permission will not be given for the conversion of the market facility to a non-commercial use unless a suitable alternative site can be identified for its location.

TOURISM

Annotto Bay local planning area has the potential for increased economic gain from activities geared towards tourism. Its proximity to the parish of Portland, its scenic coastline and vibrant commercial centre makes facilities such as motels and bed and breakfasts a possibility.

The local planning authority will also support the implementation of land use activities that will encourage eco-tourism, cultural and heritage tourism which will stimulate tourism growth within the local planning area. The location of each activity will have to be assessed on its own merit.

FIFTH SCHEDULE, *contd.*

- POLICY AB TO1 Proposals to establish small hotels, guest houses and villas will normally be supported in suitable areas to increase the economic potential of the local planning area provided that the integrity of the area is not compromised.

CONSERVATION OF NATURAL AND BUILT ENVIRONMENT

The National Environment

The Annotto Bay Fishing and Bathing Beach and the Marking Stone Bathing Beach enhance the amenity value of the local planning area. It is prudent that the relevant authorities restrict the intensity of development within this general area. The local planning authority will seek to ensure that the local authority will allow residents and visitors to be able to have access to the beach and coastline.

- POLICY AB C1 Planning permission will not be granted for any development which will restrict residents and visitors from gaining access to the beaches for bathing, recreational or fishing uses via established pathways.

The local planning area falls within the Pencar/Buff Bay Watershed Area which at present is severely degraded in some sections. This will be taken into consideration when granting permission for buildings and other forms of development to prevent adverse impacts on the environment.

- POLICY AB C2 Planning permission will not be granted for any form of development that will in anyway result in excessive destruction of heavily vegetated areas.

There are undeveloped sections along the Annotto Bay coastline within which developments will be of a temporary nature, low density and should not reduce scenic views.

- POLICY AB C3 Development will normally not be permitted if it is likely to cause a loss, or material damage to the beach, landscape areas and features which are of scenic and/or unspoilt quality.

- POLICY AB C4 The local planning authority in dealing with developments will institute strategies to mitigate against the effects of climate change such as storm surges and erosion within the coastal areas in the Annotto Bay Local Planning Area.

The Pencar and Dry River along with its tributaries traverse the local planning area. These water sources are used for recreational, domestic and agricultural purposes.

FIFTH SCHEDULE, *contd.*

The existing vegetation and water sources within the locality enhance the amenity of the area and should be protected.

POLICY AB C5 All rivers and streams will be preserved for domestic, agricultural and recreational purposes and the local planning authority will not grant permission within their reaches for any activity that will defeat this purpose.

POLICY AB C6 In areas where development is permitted adjacent to rivers or streams, the setback shall be a minimum of 30 metres from the banks and may, in relation to the physical conditions existing in the area, be varied by the planning authorities.

POLICY AB C7 The planning authorities will ensure that environmentally sensitive or vulnerable areas should be reserved as natural areas and greenbelt preserves for recreation whenever possible and used as open space buffers between incompatible land uses.

Population growth has resulted in increased developments occasioning an interruption of the natural drainage flow of the area. The local planning authority should support the construction and maintenance of drains throughout the local planning area to as to minimise surface runoff.

POLICY AB C8 Planning permission will not be given for any form of development which will result in the disruption or blockage of any natural run off channel.

POLICY AB C9 The local planning authority should ensure that drainage channels are implemented along roadways and maintained.

The Built Environment

The built environment within the local planning area is characterised by one to three storey buildings. The uses range from commercial, office and residential among others.

POLICY AB C10 The local planning authorities will seek to ensure that the design and character of new buildings is in keeping with the scale and character of existing buildings around them.

POLICY AB C11 The conversion or alteration of any existing building should be of a high standard of design and be in sympathy with the existing built environment.

Historical, Archeological Sites and Buildings

The Annotto Bay Baptist Church is listed as a Historical monument by the Jamaica National Heritage Trust (JNHT). It was the first Baptist Church to be constructed in

FIFTH SCHEDULE, *contd.*

St. Mary in 1824 and stands as a reminder of the Christmas slave rebellion of 1831-1832. The building stands on the seaward side of the main road and has undergone rehabilitation works over the years.

POLICY AB C12 All Proposals for the alteration, change of use and extension of declared national historical buildings will be sent to the Jamaica National Heritage Trust for approval in keeping with preservation guidelines.

WATER SUPPLY

According to STATIN 2011 Population Census, approximately forty seven percent (47%) of residents within the local planning area access potable water direct to their dwellings. Due to the location of some housing units and the terrain some residents do not benefit from this facility. Water is therefore provided either by public catchments or private tanks. There is also evidence of rainwater harvesting where there is a shortage of supply from the National Water Commission.

The existing water supply system needs to be improved to ensure adequacy of the supply as population grows and the demand for water increases.

POLICY AB WS1 Rainwater harvesting will be encouraged by the planning authorities for residential and other developments with or without public water supply

POLICY AB WS2 Proposed developments in areas without a reliable piped water supply will be required to construct facilities with adequate capacity to satisfy water supply requirements.

POLICY AB WS3 New developments which are served with a piped domestic water supply system are encouraged to make provision for the connection and use of rain and grey water for the watering of plants and gardens.

WASTE TREATMENT AND DISPOSAL

The natural water resources in Annotto Bay have to be preserved and protected from contamination arising from developments or human activities. It is important that appropriate disposal systems are established to prevent the degradation or contamination of the water resources. The STATIN 2011 data revealed that only approximately seventy seven percent (77%) of the local area's population use water closets. Absorption pit is the predominant method of sewage disposal and this has negative implications for the areas groundwater resources.

Sewage Disposal

Due to the nature of the area the Water Resources Authority (WRA) has recommended that sewage be treated to at least a tertiary level to reduce or prevent the

FIFTH SCHEDULE, *contd.*

level of contamination to aquifers and major rivers, tributaries, springs and other surface water features.

POLICY AB WT1 No permission will be granted for new housing developments unless the sewage treatment facilities proposed will treat the sewage to at least a tertiary level or any other safe and appropriate waste disposal technology as may be developed from time to time which is acceptable to the relevant authorities.

Solid Waste Disposal

The STATIN 2011 Population Census showed that approximately seventy six percent (76%) of residents have their garbage collected by The National Solid Waste Management Authority while approximately nineteen percent (19%) of residents burn the majority of their solid waste. If some methods of recycling were to be introduced along with a repository in a central location this would diminish the amount of waste being disposed of indiscriminately and relieve the situation.

POLICY AB WT2 The indiscriminate and unsatisfactory disposal of waste will not be encouraged and the local planning authority will support the routine separation and collection of such waste as much as possible and the relevant facilities to undertake same.

HIGHGATE LOCAL PLANNING AREA

The Highgate Local Planning Area is located in the central hills of St. Mary, approximately 11 kilometres south-east of the parish capital, Port Maria. It covers an area of approximately 9,965,431 square meters (996.54 hectares) and is bounded by the communities of Whitehall to the north, Richmond to the south, Clermont and Belfield to the east and Tremolesworth to the west. The area is characterized by undulating lands and a combination of land uses comprising predominantly of agricultural, commercial and residential.

The town is built on a ridge which restricts its expansion, hence creating a linear settlement pattern. It is also situated within the Wagwater Belt which in some sections is composed of shales and sandstones, rendering the area susceptible to land slippages. The area is also affected by numerous fault lines and seasonal rivers and tributaries that traverse the area.

The STATIN 2011 Population Census indicated that Highgate had an enumerated population of 6,355; this represented a -0.16% growth rate for the intercensal period 2001-2011. The population is however projected to decrease to approximately 6,164 persons by the year 2030.

FIFTH SCHEDULE, *contd.*

TRANSPORTATION AND TRAFFIC

Transportation services within the local planning area are provided mainly by mini buses and route taxis which traverse from Highgate to Port Maria and other local areas within St. Mary and to the neighbouring parish of Portland.

Public Transportation

The area has no designated transportation centre hence vehicles providing public transportation converge along the Highgate Secondary Road in the vicinity of the clock and the public market. The Highgate Local Planning Area may be characterized as a very busy transient town, in which public transportation can be accessed for travel to the neighbouring parishes of St. Andrew, Portland and St. Ann.

POLICY HG T1 The local planning authority will seek to identify an area and seek to have it developed to be used for the purpose of parking for public transportation. With the creation of such an area all public passenger vehicles will be expected to operate from this point.

POLICY HG T2 The local planning authority will identify appropriate locations in which lay-bys can be constructed as well as the erection of adequate traffic signage to accommodate public passenger vehicles and to facilitate traffic movement through the local planning area and seek to have the local authority or relevant authority implement them.

Road Network

The Highgate Secondary Road traverses the urban core where the major social and economic facilities are located. This is the most heavily congested and traversed road in the local planning area. Improvements to the existing road network will upgrade the distribution network for people, goods and services hence increasing the economic viability of the local planning area.

POLICY HG T3 The planning authorities will support any rehabilitation of the arterial or any other roads which seeks to improve facilities, example for the use and safety of pedestrians and persons with disabilities. (Policy SP T10 also applies)

POLICY HG T4 The planning authority will ensure that roads in proposed sub-divisions within the Highgate Local Planning Area are designed to withstand earth movements as much as possible.

POLICY HG T5 The local planning authority will seek to ensure that within the local planning area the local authority installs at all intersections and roadways proper lighting that will give visibility to motorists and pedestrians.

FIFTH SCHEDULE, *contd.**Vehicular Parking*

Majority of the business establishments throughout Highgate do not have sufficient parking provisions either on or off site. This has resulted in undue traffic congestion and obstruction due to parking along the roadway.

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| POLICY HG T6 | The local planning authority will seek to have the local authority provide and implement on-street parking arrangements along the Highgate secondary road to alleviate the traffic congestion. |
| POLICY HG T7 | The local planning authority will not support proposals for any new development or extensions unless the developer provides the required number of parking spaces on site or provisions can be met elsewhere pursuant to the regulations of the Development and Investment Manual, Volume 1, Section 1—Planning and Development—to the satisfaction of the planning authority. |
| POLICY HG T8 | The local planning authority shall implement parking arrangements for disabled persons which will be in accordance with Appendix 8 and Figure 2. |
| POLICY HG T9 | All new developments having outdoor parking lots shall make use of green and or permeable parking surface techniques. |

HOUSING

The Highgate Local Planning Area is ranked the third most populated community in St. Mary. Historically the area was mainly occupied by agricultural lots, which overtime were converted to residential uses due to the increased demand for housing. The 2011 Census data recorded the planning area having a total housing unit of 1,853 which is an increase of 204 housing units over a ten year period. The density of the area is 6 persons per square metre. This however is not a true representation on ground as residential development and settlement patterns are restricted in the area due to the area being susceptible to land slippages.

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| POLICY HG H1 | The local planning authority will normally support residential developments in areas where it is in accordance with the development densities and standards which satisfy the relevant planning guidelines. |
| POLICY HG H2 | The following density ranges shall apply across the local planning area and may in relation to the physical conditions |

FIFTH SCHEDULE, *contd.*

existing in the area be varied by the planning authorities
(See Map# 2):

- (a) density shall not exceed 75 habitable rooms per hectare (30 habitable rooms per acre) as indicated on Figure 1, with building heights not exceeding two (2) floors.
- (b) density shall not exceed 50 habitable rooms per hectare (20 habitable rooms per acre) as indicated on Figure 1, with building heights not exceeding two (2) floors.

In order to undertake housing development in areas within the local planning area, a geotechnical study will have to be conducted at the time the application plan for subdivision is permitted. The geotechnical study must provide critical information which (a) identifies sites of unstable soils which may be deemed unsuitable or may require engineering techniques/structural measures to become developable and (b) alterations to the site will not cause adverse environmental effects, create new hazards or aggravate the hazard elsewhere.

POLICY HG H3 Development proposed in areas with a potential land slip hazard, land slip hazard rating of medium, high and very high and areas of unstable soils must be supported by a report which incorporates adequate documentation of geotechnical stability of the site.

POLICY HG H4 Density shall not exceed 50 habitable rooms per hectare (20 habitable rooms per acre) in hilly areas and shall be in accordance with the Hillside Development Manual for Jamaica which have been developed for these areas.

Housing developments should firstly be supported in existing settlements and premature subdivisions rather than in areas that are located a far distance from supported infrastructure. Areas used for housing development must be carefully assessed so as to avoid using prime agriculture lands, lands subject to flooding and major land slippages.

POLICY HG H5 Based on the soil type and formation housing developments will not be permitted in areas that are vulnerable to landslides and flooding or where the natural environment or amenities will be severely impacted.

POLICY HG H6 The local planning authority will not grant permission for any development located in environmentally sensitive areas especially in areas where active faults are present.

FIFTH SCHEDULE, *contd.*

POLICY HG H7 Where retaining walls have to be constructed to prevent land slippage or erosion the local planning authority will not grant planning permission until approval has been obtained from the agency under whose portfolio such activities fall.

In sections of the local planning area where there is a mixture of residential and commercial uses the residential use will be dominant at a ratio of 80:20 and the commercial use positioned toward the front of the designated lot.

POLICY HG H8 Commercial development within residential areas will be ancillary to the residential use of the area and should not conflict with the residential potential of the existing land.

SOCIAL AMENITIES

The local planning area is serviced by schools, a post office, police station, library, market, cemetery and a health centre.

POLICY HG SA1 The local planning authority will support the expansion and upgrading of all social facilities as the need arises.

Open Space and Recreation

The local planning area currently utilizes the school's play area and a community center located in a housing development for recreational activities. There is a need for a multi-purpose recreational facility for the local planning area and the public at large.

POLICY HG SA2 The planning authorities will seek to identify lands within the area and ensure that the local authority develop it for public recreational purposes.

Educational and Institutional

A Type III health center is located within the local planning area and operates at its full potential. The area however is in need of land to construct a proper police station as its present location is on privately owned land and in need of repairs. Also, the Highgate Local Planning Area is without a fire station and depends on the local planning areas of Port Maria and Annotto Bay.

POLICY HG SA3 The local planning authority will support the expansion and upgrading of the health facility as necessary and will identify lands for the purpose when necessary.

POLICY HG SA4 The local planning authority will seek to identify suitable lands within the Highgate Local Planning Area to be developed and used as:

- (1) a police station and
- (2) a fire station.

FIFTH SCHEDULE, *contd.*

There are a small number of educational facilities within the local planning area. The St. Mary High School is the only secondary educational facility within the boundary which presently operates within its capacity after undergoing expansion some years ago. The Highgate Primary School (previously the Highgate Primary and Junior High School) would like to acquire lands adjacent to the north-eastern boundary of the school's property for this purpose.

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| POLICY HG SA5 | The local planning authority along with other relevant authorities will identify suitable lands for any development which will promote the increase of educational facilities within the local planning area. |
| POLICY HG SA6 | New proposals for educational and institutional uses will be assessed on a case by case basis and should conform to all required planning standards. |
| POLICY HG SA7 | All educational or institutional facilities must meet the requirements of the Ministry of Education and policies of the local planning authority. |
| POLICY HG SA8 | Developments which would result in the reduction of the available educational facilities will not be encouraged unless provisions can be made elsewhere at a suitable location to offset any loss which would result from such development. |

Cemetery

There are both private and public cemeteries located in the local planning area. However, the public cemetery located at Tremolsworth is at eighty percent capacity. When this cemetery reaches its full capacity the local planning authority will seek to provide lands for the construction of a new cemetery.

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| POLICY HG SA9 | The local planning authority will identify suitable lands to establish a public cemetery and crematorium within the Highgate Local Planning Area should the need arise. |
| POLICY HG SA10 | The local planning authority will support the use of crematoria and other approved interment options provided that the relevant planning, health and environmental standards are met. |

URBAN ECONOMY

This local planning area has a defined town centre consisting of commercial, office, light industrial and residential activities. However, there is always the need to diversify the economy and create jobs while offering a wide array of goods and services.

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| POLICY HG UE 1 | The local planning authority will support the development of a range of service and commercial establishments within |
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FIFTH SCHEDULE, *contd.*

Highgate on lots zoned for that purpose provided that they conform with the requirements for such development as indicated in this Order.

POLICY HG UE2 The planning authority will ensure that all large scale commercial developments in the planning area have no adverse impacts on the site being developed or on neighbouring sites in the area for which the proposal is submitted.

POLICY HG UE3 For commercial and office uses, the following standards shall apply:

- (i) buildings shall not normally exceed two (2) storeys in height. However, the authorities may consider a height of three (3) storeys in exceptional circumstances.
- (ii) buildings should adhere to a floor area ratio of 0.5 and a plot coverage of no less 33¹/₃%.

There is a public market located within town's centre; however this facility is significantly underutilized. It is important that this market be maintained as it contributes to the economy of the area. Also, due to its size this facility can aid in standardizing the vending congestion within the town.

POLICY HG UE4 The local planning authority will support improvements to the market facility to gain a more pleasurable and worthwhile experience for both vendors and all customers in terms of layout of stalls, shelter and sanitary conveniences.

POLICY HG UE5 Planning permission will not be given for the conversion of the market facility to a non-commercial use unless a suitable alternative site can be identified for the location of the market.

There are buildings located within the town centre that house commercial and residential activities. These are two and three storey structures that have residential and commercial activities on the top and ground floors respectively.

POLICY HG UE6 The local planning authority will allow a mix of uses in areas where this can be appropriately scaled and not be in conflict with the existing area.

FIFTH SCHEDULE, *contd.*

SUB-URBAN ECONOMY

Highgate is historically known for contributing greatly to the economy by virtue of its agricultural sector. Most of the communities that continue to practice farming are located along the periphery of the local planning area. The Orange River Research Station, a facility operated by the Ministry Of Agriculture and Fisheries is located within the south eastern section of the local planning area. The major crops cultivated throughout the planning area are cocoa, citrus and banana.

POLICY HG SUE 1 The local planning authority will endeavour to protect areas of agricultural importance by allowing homestead size lots where subdivision has to take place. Please see Policies LPA1 and LPA2.

Income generating activities that will stimulate economic growth within the locality for example agro-industrial plants can be located at appropriate locations throughout the local planning area.

POLICY HG SUE 2 The local planning authority will give due consideration to the establishment of agro industrial development at suitable locations where the infrastructural facilities are available and where surrounding amenities will not be adversely affected especially in light of food security concerns related to climate change.

CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

The National Environment

The area is prone to land slippages with its level of land slide susceptibility ranging from moderate to high; this is contributed by the type of soils present within the area. There are areas of land Highgate that have soils unsuitable for normal building practices, thus posing a risk to public safety and property. Development is therefore discouraged in areas with known or suspected unstable soils particularly if it is susceptible to erosion and collapse.

POLICY HG C1 Planning decisions on matters relating to unstable lands (soils) are subject to the approval of the Mines and Geology Division and the Planning Authorities. Development will not be permitted where there is an unacceptable risk to public health or safety or property damage. (See Landslide Susceptibility Map 3).

The Built Environment

There are buildings and monuments of architectural significance within the local planning area that are not declared by the Jamaica National Heritage trust. These are

FIFTH SCHEDULE, *contd.*

the clock, located in the town's centre and the Anglican Church, which are considered to be of importance to the residents.

POLICY HG C2 Recommendations will be made by the local planning authority to the Jamaican National Heritage Trust, for any site or buildings of an historical or archeological character to be declared as a heritage site.

Though the use of the railway has been discontinued in Jamaica the railway lines serve as a reminder of this period in our history. Therefore all rail reservations within the local planning area will be conserved, protected and development proposals not related to this activity on these sites will not be supported.

POLICY HG C3 The local planning authority will not grant planning permission for any development which would adversely affect the appearance and layout of the railway lines.

WATER SUPPLY

The Statistical Institute of Jamaica Census Data (2011) revealed that eighty-one per cent (81%) of households have access to public water supply, while fifteen percent (15%) access potable water privately. Publicly, water is supplied by the National Water Commission through a series of pump and lift stations. This commodity however is not evenly distributed across the local planning area and needs to be addressed so as to improve the regularity and accessibility of public water supply.

POLICY HG WS1 The relevant authorities will ensure that the existing public water supply systems are improved to adequately service the local planning area.

Residents in areas where public water facilities are absent or unreliable depend on rivers and streams for supply of water. The remaining four percent of the Highgate population uses rivers and other sources to access the commodity. Rainwater is an economical, safe and sustainable source of water when captured and stored in a correct manner. Rainwater harvesting should be encouraged throughout the local planning area.

POLICY HG WS2 All new developments shall be required to provide rain water harvesting facilities or other suitable water source to satisfy the needs of the development.

WASTE TREATMENT AND DISPOSAL

Sewage Disposal

The local planning area is not centrally sewered however there are housing developments within the areas that are sewered. In 2011 sixty-five per cent (65%) of the households used water closets, while thirty-one per cent (31%) used pit latrines.

FIFTH SCHEDULE, *contd.*

However, all methods of disposal should conform to those recommended by the Natural Resources Conservation Authority, the Environment Health Unit in the Ministry of Health, the local planning authority and all other relevant authorities.

POLICY HG WT1 The local planning authority will support any recognized method of waste disposal that is satisfactory for the area which is recommended by the health authorities and relevant agencies.

POLICY HG WT2 Where pit latrine is recommended as the method of waste disposal it should be of the ventilated improved type or any other that is environmentally friendly and approved by the relevant ministry.

Solid Waste Disposal

Solid Waste collection appears to be done in a haphazard manner resulting in small illegal dump sites occurring throughout the local planning area.

POLICY HG WT3 The local planning authority will seek to have the relevant agencies improve the garbage collection system by ensuring that adequate garbage disposal facilities are placed at strategic locations throughout the local planning area.

Inadequate garbage facilities exist in the local planning area and this can have an adverse effect on the surrounding environment and health of residents and may cause infestation by rodents and insects. All development should therefore make provision for proper waste storage collection in tamper and rodent proof devices.

POLICY HG WT4 All developments will be required to make adequate provision for the storage and collection of waste matter, the disposal of which, into sinkholes and caves, will not be supported by the planning authority.

ORACABESSA LOCAL AREA PLAN

Oracabessa is a coastal town which is located in northern Saint Mary. It is characterized by partially vegetated and undulated terrain ranging between 1.5—228.6 meters (5—750 feet) above sea level with lands located along the coastline being relatively flat. The local planning area comprises several communities and extends from a section of Galina and Airy Hill in the east, Boscobel in the west, Jack Rivers in the south and the sea in the north.

According to the Statistical Institute of Jamaica (STATIN) Population Census in 2001, the Oracabessa Local Planning Area had a population of 9,461 persons which increased to 9,487 in 2011, a growth rate of 0.03 percent. Assuming the growth rate remains constant the population is projected to increase to approximately 9,513 by 2021 and further increase to 9,537 by 2030.

FIFTH SCHEDULE, *contd.*

Oracabessa was once a thriving banana exporting centre but its main economic activities at present are agriculture, fishing, commercial and tourism. The urban core serves as a commercial hub with all its major facilities located along the main thoroughfare inclusive of a Type II health centre, post office, library and police station.

The Oracabessa local planning area presents unique planning challenges with respect to the terrain, climate change and improvement to its urban core. These amongst other factors must be carefully considered and coordinated to ensure sustainable development of the local planning area.

TRANSPORTATION AND TRAFFIC

The transportation system within the Oracabessa local planning area consists of roadways (main, secondary, parochial), public passenger and private vehicles. However, the main mode of transportation is by public transportation which is comprised of taxis and buses. The Port Maria to Oracabessa Main Road is the main thoroughfare which traverses the local planning area. It is a segment of the North Coast Highway which connects with other coastal local planning areas on route to the parishes of Saint Ann and Portland. The appropriate General Development and Transportation and Traffic Sectoral Policies of this Order should be applied where relevant.

Public Transportation

The Oracabessa Transport Centre is located at the intersection of the Port Maria to Oracabessa Main Road and the Fontabelle to Spicy Grove secondary road. This facility was built and operated by the local authority to alleviate traffic congestion within the town centre which was due to the lack of parking provision for public passenger vehicles. The facility is underutilized as taxis and buses are still being parked and operated along the roadsides inhibiting other road users resulting in traffic congestion especially during peak hours.

POLICY O T1	The local planning authority will seek to have the local authority upgrade the Oracabessa Transport Centre as the need arises and should ensure that all public passenger vehicles operate from this facility.
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Road Network

The Port Maria to Oracabessa Main Road is generally congested within the town centre during peak hours. This situation is further exacerbated within the vicinity of the market and the post office due to illegal parking and the haphazard letting off and picking up of passengers by public transport. The proliferation of developments along this roadway with the increase traffic now necessitates intervention to ensure the smooth flow of traffic through the town.

There are also sections along roadways that are very narrow and lack sidewalk facilities. The local planning authority will support the rehabilitation of the road network

FIFTH SCHEDULE, *contd.*

including the installation of sufficient lay-bys, bus bays, sidewalks and other related infrastructure.

- POLICY O T2 The planning authorities will support any rehabilitation of the arterial or any other roads carried out in the area that seeks to improve or add adequate sidewalk facilities, for the use and safety of pedestrians and persons with disabilities.

Vehicular Parking

The town of Oracabessa is heavily utilised by pedestrian and vehicular traffic. Like many older towns in Jamaica, the area has inadequate parking spaces both on and offsite. Customer parking areas are often occupied by taxis and buses, which prevent customers from accessing these parking spaces. As a result vehicles are often parked along roadsides inhibiting pedestrians and vehicular movement.

- POLICY O T3 To avoid increased congestion within the town centre, on-street parking will only be allowed where it does not affect the free flow of traffic and is not detrimental to pedestrians and other road users.

There are some developments within the urban core that are constructed for the most part, without parking provisions and with one to one (1:1) lot coverage. This does not allow for parking or delivery of goods resulting in traffic congestion. It will be important for suitable parking solutions to be developed for these lots in all new developments; arrangements must be provided for parking needs for the disabled.

- POLICY O T4 The local planning authority will seek to identify and ensure that suitable lands are secured for the development of off-site parking facilities such as parking lots or garages to supplement the parking accommodation within the town centre.

- POLICY O T5 The local planning authority shall seek to ensure that the local authority provides and implements parking arrangement for disabled persons in accordance with Appendix 8 and Figure 2.

- POLICY O T6 All new developments having outdoor parking lots shall make use of green and or permeable parking surface techniques.

Where parking facilities are provided, these should be adequately landscaped to improve the appearance of developments. The provisions detailed in Figure 4 should be adhered to.

- POLICY O T7 All commercial car parks should have at least ten percent of the parking area landscaped to the satisfaction of the planning authorities.

FIFTH SCHEDULE, *contd.**Air*

The Ian Fleming International Airport, located within the Oracabessa local planning area, is one of the island's major international airports offering a wide range of aviation facilities and capabilities. Suitable provisions for its improvement and expansion should be provided within this development order.

POLICY O T7 Lands adjoining the Ian Fleming International Airport should be reserved where possible for future expansion. Expansion however, should not be to the detriment of the surrounding uses in proximity to the airport.

POLICY O T8 The planning authorities will facilitate development proposals to improve the existing airport facilities to modern standards and technologies as the need arises.

HOUSING

Residential dwellings are mainly single family detached type, constructed of concrete. The units are characterized by one, two and three storey multi-family developments in some cases. The 2011 population census revealed that there are 2,846 housing units and 3,141 households which represent an average household size of 3 persons for the local planning area.

Currently there is a deficit of 214 dwelling units based on the current population of 9,487 persons. However, the population is projected to increase to 9,537 persons by the year 2030; as such 230 dwelling units will be required to satisfy housing demand. The local planning authority will ensure that suitable lands are reserved to accommodate the projected housing demand. This will also prevent urban sprawl as various types of residential options will be encouraged.

POLICY O H1 Lands will be granted for residential single family unit or duplex dwellings to satisfy the demands of those who are desirous of constructing such accommodation which should conform to the guidelines in the Order.

POLICY O H2 A mix of housing types including starter and semi-detached units will be encouraged in suitable locations to satisfy the need of all income groups.

The terrain of the southern section of the local planning area is hilly in nature with areas susceptible to rock falls and soil subsidence. Residential densities in these areas will not be in excess of 50 habitable rooms per hectare (20 habitable rooms per acre) for multifamily developments due to the physical (topographical, geological and ecological) constraints of the area. Developments in these areas should be in accordance with the guidelines provided in Appendix 21 with regard to hillside developments.

FIFTH SCHEDULE, *contd.*

POLICY O H3

The following density ranges shall apply across the local planning area and may in relation to the physical conditions existing in the area be varied by the planning authorities (See Map#2):

- (a) density shall not exceed 125 habitable rooms per hectare (50 habitable rooms per acre) as indicated on Figure 1, with building heights not exceeding four (4) floors.
- (b) density shall not exceed 75 habitable rooms per hectare (30 habitable rooms per acre) as indicated on Figure 1, with building heights not exceeding two (2) floors.

POLICY O H4

Density shall not exceed 50 habitable rooms per hectare (20 habitable rooms per acre) in hilly areas and shall be in accordance with the Hillside Development Manual for Jamaica which have been developed for these areas.

POLICY O H5

The amalgamation of smaller residential lots to allow for multifamily development will be encouraged where the individual lot does not meet the minimum size required for multifamily development.

SOCIAL AMENITIES

This local planning area has a limited range of basic social facilities, primarily education and community facilities such as a post office, Type II health centre, police station and churches. These facilities over time may need upgrading and improvement to meet the demands of any future increase in the population for all residents to have access.

POLICY O SA1

The use of the existing social facilities for other compatible uses will be supported by the planning authorities provided their individual requirements are met and they would not be out of character with the area.

POLICY O SA2

The local planning authority will seek to identify suitable lands within the local planning area for the establishment of new social facilities when the necessity arises.

Educational and Institutional

There are several educational facilities, which include basic schools, a primary and high school. Institutional facilities consist of a few churches, a training facility and a Type II health centre. These facilities serve the local populace, neighbouring

FIFTH SCHEDULE, *contd.*

communities and in some cases neighbouring parishes and should therefore be upgraded as the need arises.

POLICY O SA3 The local planning authority will assist in identifying suitable lands within the local planning area to establish additional educational and institutional facilities as the need arises.

POLICY O SA4 New proposals for educational and institutional uses will be assessed on a case by case basis and shall conform to all required planning standards.

POLICY O SA5 All educational or institutional facilities must meet the requirements of the Ministry of Education and policies of the local planning authority.

POLICY O SA6 Building heights for schools and churches shall not exceed three and two storeys, respectively.

Recreational Areas and Open Space

The provision of public open space is lacking in this area, however, school playfields, and church grounds and a few vacant lots are utilized for active and passive purposes. Suitable lands should be identified for the establishment of a public open space inclusive of a multi-purpose community centre that is accessible to all residents.

POLICY O SA7 The local planning authority will identify suitable lands within the local planning area to be used for recreational purposes including a multi-purpose community centre and will seek to have the local authority develop them for this purpose.

POLICY O SA8 No structure shall be allowed on any public open space that does not complement the use thereof.

POLICY O SA9 Areas zoned as seaside parks should be landscaped and provided with amenities ancillary to the use and be used for recreational purposes only.

In establishing new housing developments within the local planning area 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 schools, which the community may need. These will be provided at the rate set out in Appendix 11 of this Order and the Development and Investment Manual Volume 1 Section 1—Planning and Development.

POLICY O SA10 In all new housing developments, land is to be provided for open space and other amenity purposes either on site or in proximity to the development subject to the satisfaction of the local planning authority at the rate set out in Appendix 11 and such lands can either be for active or passive recreational purposes.

FIFTH SCHEDULE, *contd.**Cemetery*

There is no public cemetery located within the local planning area. Currently residents used church cemeteries, Port Maria Cemetery or practice onsite burial. As such suitable lands should be acquired for the siting of a cemetery and a crematorium. The local planning authority will not normally support family plot burials on residential lots in urban areas.

POLICY O SA11 The local planning authority will seek to identify suitable lands to establish a public cemetery and will seek to have the Local Authority develop it for the purpose.

POLICY O SA12 The local planning authority will support the use of crematorium as an alternative form of burial.

URBANECONOMY

The economy is characterized by small commercial entities, a few service-oriented businesses and limited tourist facilities. However, the area requires a more diversified economic base providing a wider range of employment opportunities for residents in order to sustain and balance development of the area. The existing economy lacks competitiveness to foster economic growth as the services are few in numbers.

Developments that will boost the economic base of the area will be supported in designated areas as shown on the Oracabessa Local Planning Area Land Use Proposals Map (Inset 4). The appropriate policies set out in Section I of the Fifth Schedule of this Order may be applied where relevant.

POLICY O UE1 Due considerations will be given to proposals for the establishment of commercial and other service facilities as the need arise in the local planning area.

POLICY O UE2 For commercial and office uses, the following standards shall apply:

- (i) buildings shall not normally exceed two (2) storeys in height. However, the authorities may consider a height of three (3) storeys in exceptional circumstances.
- (ii) buildings may maintain a zero lot line except to the front in accordance with road reservations and where it adjoins residential development to the satisfaction of the planning authority
- (iii) buildings should adhere to a floor area ratio of 0.5 and a plot coverage of no less 33¹/₃%.

FIFTH SCHEDULE, *contd.*

POLICY O UE3 Industrial developments and service industries which are compatible with the general character of the area and have no adverse impact on the environment will be encouraged.

Mixed land uses such as residential and commercial enables building sites to be used to their full potential. Such activities will be encouraged in areas designated for mixed use developments and could introduce life to the town, especially at nights. However where land uses are incompatible this will not be encouraged.

POLICY O UE4 The local planning authority will encourage mixed use development where this is appropriate, and will at all times ensure the residential amenities and areas of environmental importance are protected.

POLICY O UE5 For commercial and office uses, the building may be located hard on the property boundaries subject to the provision of adequate parking on a separate lot or floor to the satisfaction of the planning authorities but will not apply if the development adjoins residential uses.

POLICY O UE6 The planning authorities will support private sector developments aimed at maintaining and improving the commercial and industrial sectors to enable employment opportunities in appropriate locations.

SUB-URBAN ECONOMY

Agriculture and fishing were once the dominant economic activities within this local planning area. Whilst agricultural activities declined, fishing remains a large part of the livelihood of the residents being maintained over the years through several initiatives to rejuvenate fishing industry such as improvements to the Murdock and the Oracabessa fishing beaches. There is need to diversify the rural economy and the planning authorities will support proposals that will provide employment for residents and thereby strengthening the rural economy of the local planning area. (See SP RE8).

POLICY O SUE1 The local planning authority will support proposals for agricultural development provided that it is not in conflict with the character of the area, impact adversely on the environment or have a deleterious effect on surrounding residents and that the land is released for residential purposes when required for such use.

POLICY O SUE2 Light industrial developments including agro-processing and cottage industries which are compatible with the general character of the area will be encouraged in Oracabessa.

FIFTH SCHEDULE, *contd.*

The Oracabessa market plays a significant role in the local planning area, as it is one of the primary facilities for the sale of agricultural produce from the farming areas within and outside local planning area. However, there is a need to upgrade the market and improve the associated effects of its activities on traffic flow and pedestrian movement.

- POLICY O SUE3 The local planning authority will seek to ensure that local planning authority upgrades the Oracabessa market as the need arises and provide the facilities required to make the market experience a pleasurable and worthwhile one for both vendors and consumers in terms of layout of stalls, paving, shelter sanitary conveniences and adequate parking.

TOURISM

There are several guest houses and a few hotels such as the Goldeneye Hotel located within the local planning area. There is tremendous potential for the further development in the tourism industry but in doing so the natural environment of Oracabessa should be conserved and proposed tourism facilities should be compatible with the existing amenities and the interests of local residents should be safeguarded.

- POLICY O TO1 The local planning authority will support proposals for small scale tourism activities such as small cabins, resorts and hiking trails as long as these are not detrimental to the environment.
- POLICY O TO2 New tourism developments will normally be supported in suitable areas to increase the economic potential of the local planning area provided that the integrity of the area is not compromised.
- POLICY O TO3 The local planning authority will support the provision or improvement of ancillary tourism facilities provided the amenities of the area can be safeguarded and there will be no adverse impact on adjoining developments.

MINERALS

Sand (both inshore and offshore) which is the most abundant mineral in this local planning area should not be regarded as a major source for extraction purposes. These deposits are not extensive and the rate of generation by natural means is not as rapid as the rate of removal which may result in the destruction of the beaches which is very

FIFTH SCHEDULE, *contd.*

important to tourism in the area. The extraction of minerals should conform to the guidelines provided in this Order.

POLICY O M1 The extraction of onshore coastal sand will not be permitted except under exceptional circumstances and all material that is excavated as a result of construction of an approved development must be disposed of in accordance to a plan submitted and approved by the local planning authority.

CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

The Oracabessa local planning area is characterized by a dynamic natural and built environment. Its topographical features warrant the need for sound conservation policies to ensure that developments occur in a rational manner.

The Natural Environment

The local planning area falls within the Oracabessa Pagee River Watershed Management Unit, and in such situations it is expected that there are sections of this watershed that will be degraded due to developments. It is therefore imperative that the undisturbed sections along the river be protected from indiscriminate clearing and destructive development practices.

POLICY O C1 Development that would result in the unnecessary removal of trees within upland and watershed areas will not be allowed by the planning authorities.

POLICY O C2 No development will be allowed in areas identified as areas of outstanding landscape beauty, outdoor recreational potential, special scientific interest due to the presence of unique flora, and fauna which would conflict with the policies of this Order.

There are several rivers and streams that traverse the local planning area. These water sources are used for recreational, domestic and agricultural purposes within the community. The existing rivers and streams within the locality enhance the amenity of the area and should be protected.

POLICY O C3 All rivers and streams will be preserved for domestic, agricultural and recreational purposes and the local planning authority will not grant permission within their reaches for any activity that will defeat this purpose.

Population growth has resulted in an increase in developments especially along the highway. As such the natural drainage flow has been interrupted along sections resulting in flooding. The local planning authority will seek to have the local authority

FIFTH SCHEDULE, *contd.*

ensure that drains are constructed and maintained along roadways to mitigate against flooding.

POLICY O C4 Planning permission will not be given for any form of development which will result in the disruption or blockage of any natural run off channels.

POLICY O C5 The local planning authority will seek to ensure that drainage channels are implemented along roadways and maintained by the local authority.

There are beaches, both fishing and bathing, located within the local planning area. It is prudent that the relevant authorities restrict the intensity of development within this general area. It is being recommended that developments on beach lands should be of a temporary nature, low density and should not reduce strategic views. The local planning authority will seek to ensure that the local authority provide residents and visitors with suitable access to the beach and coastline.

POLICY O C6 Planning permission will not be granted for any development which will restrict residents and visitors from gaining access to the beaches via established pathways for bathing, fishing or recreational use.

POLICY O C7 The local planning authority along with the relevant authority should ensure that fishing and bathing beaches are properly demarcated and equipped with the requisite amenities.

POLICY O C8 Development will not normally be permitted if it is likely to cause a loss, or material damage to the beach, landscape areas and features which are of scenic and unspoilt quality.

Views and access to beaches should be maintained especially where tourism facilities are located. Building siting and design should be such that clear visual corridors of the sea are maintained (windows to the sea) at appropriate intervals. Several points along the Port Maria to Oracabessa main road within the vicinity of Rockmoor Housing Scheme provide spectacular views of the sea and care will be taken to ensure that these views are not compromised.

POLICY O C9 Proposals for high buildings will not be allowed in or adjacent to strategic view points and land marks.

POLICY O C10 The setback of buildings from side property boundaries shall be determined by their height and density and shall not be less than 4.6 metres.

POLICY O C11 The setback of buildings from the high water mark in area where this has not been indicated on the land use proposal plan and in the policies should be in accordance with figure 5.

FIFTH SCHEDULE, *contd.*

- POLICY O C12 The local planning authority will not support the development of structures or the carrying out of activities which will block or detract from the visual amenity of coastal scenic routes.
- POLICY O C13 The local planning authority in dealing with developments will institute strategies to mitigate against the effects of climate change such as storm surges and erosion within the coastal areas in the Oracabessa Local Planning Area.
- POLICY O C14 The developer of any overwater structure must obtain the necessary licence and permit from the Natural Resources Conservation Authority (NRCA) and the required planning approval from the planning authorities before proceeding with the development.

The Built Environment

The built environment within the local planning area is characterised by one and two storey buildings with uses ranging from commercial, office and residential to other uses.

- POLICY O C15 The local planning authorities will seek to ensure that the design and character of new buildings is in keeping with the scale and character of existing buildings adjoining them.
- POLICY O C16 The conversion or alteration of any existing building should be of a high standard of design and be in sympathy with the existing built environment.

WASTE TREATMENT AND DISPOSAL

Sewage Disposal

The Oracabessa Local Planning Area is not centrally sewerred leading to the use of septic tanks along with absorption pits being the main method of sewage disposal. STATIN Data (2011) reveals that twenty-five percent (25%) of the household used pit latrine, while seventy-eight percent (78%) had water closets. However, all methods of disposal should conform to those recommended by the Ministry of Health, the Natural Resources Conservation Authority (NRCA), the local planning authority and all other relevant authorities.

- POLICY O WT1 Permission will not be granted for new buildings or extensions in areas without central sewage unless the sewage treatment facilities proposed will treat the sewage produced to at least a tertiary level.

FIFTH SCHEDULE, *contd.**Solid Waste Disposal*

The local planning area is serviced by the North Eastern Parks and Markets garbage collection system. According to 2011 census data, of the 3,141 households within the local planning area, seventy percent (70%) have access to public garbage collection facilities. The inefficiency in the garbage collection system has resulted in overflowing skips and the presence of small illegal dump sites throughout the local planning area.

POLICY O WT2 The indiscriminate and unsatisfactory disposal of waste will not be encouraged and the local planning authority will seek to have the local planning authority along with the National Solid Waste Management Authority locate storage and collection facilities throughout the local planning area at strategic points.

WATER SUPPLY

STATIN Data (2011) reveals that eighty point seven percent (80.7%) of the households in the Oracabessa Local Planning Area have access to public water facilities. However some of the sources and distribution systems are not reliable and needs to be upgraded.

POLICY O WS1 The local planning authority will seek to ensure that the local authority and other relevant authorities upgrade and improve the existing public water supply system to adequately service the local planning area.

GAYLE/LUCKY HILL LOCAL PLANNING AREA

The Gayle/Lucky Hill Local Planning Area is a rural farming community located in northwestern St. Mary. It is situated approximately forty-two (42km) kilometres south west of the parish's capital Port Maria and is comprised of several communities such as Lambkin Hill to the north, Pembroke Hall to the east, Jeffrey Town to the south and Arcadia to the west all of which are located in the boundary.

The STATIN 2001 Population Census revealed that Gayle/Lucky Hill Local Planning Area had a population of 4,150 and 3,260 in 2001 and 2011 respectively, which represented a decrease of approximately 2.3%. It is projected that if this decrease continues by the year 2021 the area will have a total population of approximately 2,889 persons and will further decrease to approximately 2,325 persons by 2031.

TRANSPORTATION AND TRAFFIC

Gayle/Lucky Hill Local Planning Area consists of a system of roadways (main, secondary, parochial) with the public mode of travel being public passenger and private motor vehicles. However, the main mode of transportation is by public transportation which consists of taxis and buses.

FIFTH SCHEDULE, *contd.**Public Transportation*

The Gayle/Lucky Hill Transport Centre, located along the Prospect to Gayle Main Road was built and operated by the local authority. However, the facility is underutilized as the buses and taxis park along the Gayle to Guys Hill Main Road for loading and unloading passengers. This has resulted in chaotic parking activities along the roadway and interference with the pedestrian movement and the smooth flow of vehicular traffic.

POLICY GLH T1 The local planning authority will seek to ensure that the transportation centre is upgraded and provided with the necessary facilities and amenities for the use and comfort of commuters, including the disabled, such as route identification areas, snack counters and toilet facilities and that vending activities are regulated.

POLICY GLH T2 The local planning authority will seek to have the local authority or other responsible authority enforce the parking regulations relating to this facility.

Road Network

The major roads within the town centre namely the Prospect to Gayle Main Road and the Gayle to Guys Hill Main Road are heavily used by vehicular and pedestrian traffic and are generally congested during peak hours. This situation is further exacerbated due to street side vending and illegal parking. There are also sections along roadways that are narrow and lack sidewalk facilities. The local planning authority will support the rehabilitation of the road network including the installation of sufficient lay-bys, bus bays, sidewalks and other related infrastructure.

POLICY GLH T3 The planning authorities will support any rehabilitation of the arterial or any other roads carried out in the area that is intended to increase traffic flow, improve or add adequate sidewalk facilities and generally increases the safety of all pedestrians, including the disabled. Policy SP T10 also applies.

Vehicular Parking

Gayle /Lucky Hill Local Planning Area like many older towns in Jamaica has a chronic problem of inadequate parking. Parking spaces in commercial entities are often occupied by taxis and buses, which prevent customers from accessing these spaces. As a result vehicles are often parked along roadsides inhibiting pedestrians and vehicular movement.

POLICY GLH T4 To avoid increased congestion within the town centre, the local authority will be encouraged to allow on-street parking only where it does not affect the free flow of traffic and will not be detrimental to the easy movement of pedestrians and other road users.

FIFTH SCHEDULE, *contd.*

- POLICY GLH T5 All new development or extensions are required to provide adequate on-site parking for staff and customers as set out in the parking regulations (Appendix 8), unless it is impractical or not feasible to do so; in which case alternative arrangements will have to be made and approved by the local planning authority.
- POLICY GLH T6 The local planning authority shall implement parking arrangements for disabled persons which will be in accordance with Appendix 8 and Figure 2.

There are some developments within the urban core with one to one (1:1) lot coverage, this does not allow for parking or delivery of goods resulting in traffic congestion. Additionally, it limits expansion of existing buildings and or redevelopment of the town centre. In all new developments, suitable onsite parking solutions must be provided with particular emphasis on parking needs for the disabled.

- POLICY GLH T7 The local planning authority will identify and seek to have the local authority secure suitable lands for the development of off-site parking facilities such as parking lots or garages to supplement the parking accommodation within the town centre.

Where on ground parking facilities are provided, these should be adequately landscaped to improve the appearance of developments. The provisions detailed in Figure 4 should be adhered to.

- POLICY GLH T8 All on ground commercial car parks should have at least ten percent of the parking area landscaped to the satisfaction of the planning authorities to enhance the area and prevent harmful micro-climate situations.
- POLICY GLH T9 All new developments having outdoor parking lots shall make use of green and or permeable parking surface techniques.

HOUSING

Housing infrastructure within the Gayle/Lucky Hill Local Planning Area is predominantly single family residential units, constructed mainly of concrete. The housing units are characterized by one, and two storey buildings and multi-family developments in some cases. The STATIN 2011 population census revealed that there are 807 dwelling units and 916 households within the local planning area.

Based on the STATIN 2011 population census the density of the area is 310 persons per square kilometers and there is a shortage of one hundred and fifty-two (152) dwelling units. However due to the projected decline by 2030, it is envisioned that land within the local planning area will be more than adequate to fulfill the housing needs of

FIFTH SCHEDULE, *contd.*

the local planning area. Where developments are located on slopes/hillside Appendix 21 will apply.

POLICY GLH H1 The local planning authority will normally support residential developments in areas where it is in accordance with the development densities and standards which satisfy the relevant planning guidelines.

POLICY GLH H2 The following density ranges shall apply across the local planning area and may in relation to the physical conditions existing in the area, be varied by the planning authorities (See Map# 2):

- (a) density shall not exceed 125 habitable rooms per hectare (50 habitable rooms per acre) as indicated on Figure 1, with building heights not exceeding four (4) floors.
- (b) density shall not exceed 75 habitable rooms per hectare (30 habitable rooms per acre) as indicated on Figure 1, with building heights not exceeding two (2) floors.

POLICY GLH H3 Density shall not exceed 50 habitable rooms per hectare (20 habitable rooms per acre) in hilly areas and shall be in accordance with the Hillside Development Manual for Jamaica which have been developed for these areas

Due to the topography and geology of the local planning area the type and intensity of development will be taken into consideration.

POLICY GLH H4 Based on the terrain housing developments will not be permitted in areas that are vulnerable to landslides and flooding or where the natural environment or amenities will be severely impacted.

POLICY GLH H5 Where retaining walls have to be constructed to prevent land slippage or erosion the local planning authority will not grant planning permission until approval has been obtained from the agency under whose portfolio such activities fall.

POLICY GLH H6 The local planning authority will not grant permission for any development located in environmentally sensitive areas without consulting the appropriate relevant authority.

In areas where residential uses are near to non-residential activities, there is the possibility of encroachment by such activities into the residential areas. The local

FIFTH SCHEDULE, *contd.*

planning authority will not tolerate changes which are not compatible to residential development.

POLICY GLH H7 Proposals for partial change of use of a residential property to a non-residential use will be permitted only if the non-residential activity is normally carried out in the day time and the amenity privacy and enjoyment of neighbouring dwellings is not adversely affected.

In sections of the local area where there is a mixture of residential and commercial uses, the residential use will be of dominance with a ratio of 80:20 and the commercial use positioned toward the front of the designated lot.

POLICY GLH H8 Commercial developments within residential areas will be ancillary to the residential use of the area and should not conflict with the residential potential of the existing land.

New residential developments should be laid out in a manner that is aesthetically pleasing and provide convenient access to essential local services. The design and layout should be efficient and sustainable for all users providing all the amenities and services.

POLICY GLH H9 Commercial development within residential areas will be ancillary to the residential use of the area and should not conflict with the residential potential of the existing land.

SOCIAL AMENITIES

The Gayle/Lucky Hill Local Planning Area has several community facilities which not only serve the local planning area but also other outside communities. Residents have access to health, a range of educational, institutional, and social facilities. However, there is an acute shortage of public open spaces and recreational areas.

POLICY GLH SA1 Developments that would decrease or eliminate any of the social facilities in the Gayle/Lucky Hill local planning area will not be supported unless being replaced with a similar facility of equal or greater stature in the locality.

Educational/Institutional

There are several educational facilities located within the local planning area; which includes basic schools, primary school, and high school. These facilities serve the local populace, neighbouring communities and in some cases neighbouring parishes. These facilities should be upgraded as the need arises.

POLICY GLH SA2 The local planning authority will assist the Ministry of Education and other related agencies in identifying suitable lands within the local planning area to establish additional educational and institutional facilities after an assessment of the situation and as the need arises.

FIFTH SCHEDULE, *contd.*

- POLICY GLH SA3 Building heights for schools and churches shall not exceed three and two storeys, respectively.

Open Space/Recreational Area

Public open spaces and recreational areas are limited social amenities with residents utilizing school playgrounds for this purpose. Suitable lands should therefore be sought for the establishment of a public open space inclusive of a multi-purpose community centre that is accessible to all residents.

- POLICY GLH SA4 The local planning authority will identify suitable lands within the local planning area to be used for recreational purposes including a multi-purpose community centre and seek to have the local authority develop same.

- POLICY GLH SA5 All lots within that are reserved for open spaces, or for recreational uses, shall be developed only for such use and the planning authority will not support any uses otherwise.

- POLICY GLH SA6 No structure shall be allowed on any public open space that does not complement the use thereof.

Cemetery

There is no public cemetery located in the local planning area. Currently, residents use the public cemetery located in Highgate, Port Maria or Annotto Bay, local church cemeteries and also family plots. However, in most instances some of these are reaching capacity. The local planning authority will identify lands for the establishment of a public cemetery within the local planning area and encourage the Local Authority to have it developed for the purpose.

- POLICY GLH SA7 The local planning authority will identify suitable lands to establish a public cemetery and crematorium within the Gayle Lucky Hill Local Planning Area and will not support onsite burials unless there is an existing family plot with the capacity to satisfactorily to accommodate burial.

URBANECONOMY

Gayle/Lucky Hill has a vibrant commercial centre. Commercial activities include transportation services and small business operations such as restaurants and commercial activities. The local planning area has several surrounding districts which depend on the social and commercial facilities located here.

Developments that will boost the economic base of the area will be supported in designated areas as shown on the Gayle/Lucky Hill Local Planning Area Land Use

FIFTH SCHEDULE, *contd.*

Proposals Map. The appropriate policies set out in Section I of the Fifth Schedule of this Order may be applied where relevant.

POLICY GLH UE1 Due considerations will be given to proposals for the establishment of commercial and other service facilities as the need arise in the local planning area.

POLICY GLH UE2 For commercial and office uses, the following standards shall apply:

- (i) buildings shall not normally exceed two (2) storeys in height. However, the authorities may consider a height of three (3) storeys in exceptional circumstances.
- (ii) buildings should adhere to a floor area ratio of 0.5
- (iii) plot coverage of no less 33¹/₃%

POLICY GLH UE3 Industrial developments and service industries which are compatible with the general character of the area and have no adverse impact on the environment will be supported.

Mixed land uses enables building and sites to be used to their full potential. Such activities will be encouraged in areas designated for mixed use developments and could introduce life to the town, especially at nights. However where land uses are incompatible this will not be encouraged.

POLICY GLH UE4 The local planning authority will encourage mixed use development where this is appropriate, and will at all times ensure the residential amenities and areas of environmental importance are protected.

POLICY GLH UE5 For commercial and office uses, the building may be located hard on the property boundaries with adequate parking being provided a separate location to the satisfaction of the planning authorities.

A public market is located within the local planning area. Although underutilized, it is important that this market be maintained. This activity still contributes to the economy of the area as well as the surrounding rural communities as it is one of the main facilities for the sale of farm products from the surrounding areas.

POLICY GLHUE6 The local authority will support and improvements to the market facility required to make the market experience a more pleasurable and worthwhile one for both vendors and customers in terms of layout of stalls, shelter and sanitary conveniences.

FIFTH SCHEDULE, *contd.*

- POLICY GLH UE7 Planning permission will not be given for the conversion of the market facility to a non-commercial use unless a suitable alternative can be identified for the location of the market.

SUB-URBANECONOMY

Along with large farms of citrus and banana, several small farmers practice subsistence farming within the area for both domestic and commercial purposes. Over the years agricultural production has declined significantly, therefore the planning authorities will support as best as possible proposals that will provide employment for residents that will improve their earnings.

- POLICY GLH SUE1 The local planning authority will support proposals for agricultural developments on large lots which will not have a deleterious effect on residential activities which will be allowed in the area as necessity dictates. Policy SP RE3 also applies.

The Organic Bamboo Charcoal Factory in Gayle/Lucky Hill could significantly increase the farming of organic produce in Jamaica. It is environmentally friendly and will create a catalyst for economic development within the local planning area.

- POLICY GLH SUE2 The establishment of bamboo charcoal factories and related industries will be supported provided that there are no nuisances and the character and environment of the area are not affected.

CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

Natural Environment

The lands within the Gayle /Lucky Hill Local Planning Area undulate between 152-455.06 metres above sea level. It forms part of both the Rio Nuevo and Rio Bueno/ White River Watersheds as such the Gayle/Lucky Hill Area has numerous streams that run through the area. The existing vegetation, rivers and streams within the locality enhances the amenity of the area and should be protected.

- POLICY GLH C1 All rivers and streams will be preserved for domestic, agricultural and recreational purposes where possible and the local planning authority will grant permission within their reaches only for activity that will not defeat the objectives of this Order.

Soils in these areas are prone to landslides in periods of heavy rainfall hence developments being undertaken will have to exercise an abundance of caution. Conservation within the community and its immediate environs is important to prevent

FIFTH SCHEDULE, *contd.*

erosion. Techniques applied by farmers include, terracing, crop rotation and contour hedge growth with trees or grasses on erosion control structures. Notwithstanding, local planning areas are growth centres and developments will have to be allowed with the necessary precautionary methods being undertaken in such situations.

POLICY GLH C2 The planning authorities will ensure that environmentally sensitive or vulnerable areas greenbelt preserves be reserved for recreation whenever possible and used as open space buffers between incompatible land uses.

WASTE TREATMENT AND DISPOSAL

Sewage Disposal

There is no central sewerage system in the Gayle/Lucky Hill Local Planning Area. Traditionally, sewage is disposed of onsite by means of absorption pits. Septic tanks are subsequently used along with absorption pits as the main method of disposal. The relevant authorities have become stringent with regards to the management of waste and sewage and there is a concerted effort to have sewage treated at least to a secondary level.

POLICY GLH WT1 No permission will be granted for new developments or extensions unless the sewage treatment facilities proposed will treat the sewage to at least a secondary level or 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.

POLICY GLH WT2 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.

Solid Waste Disposal

The STATIN 2011 Population Census showed that approximately forty two percent (42%) of residents have their garbage collected by the National Solid Waste Management Authority but there are still approximately fifty two percent (52%) of residents who burn the majority of their solid waste. Methods of recycling should be introduced along with a repository in a central location as this would diminish the amount of waste being disposed of indiscriminately.

POLICY GLH WT3 The indiscriminate and unsatisfactory disposal of solid waste will not be encouraged and the local planning authority will support the routine collection and recycling facilities.

FIFTH SCHEDULE, *contd.*

WATER SUPPLY

Approximately fifty three percent (53%) of residents within the local planning area have access to water which has been piped to their houses or yard while the remaining residents use stand pipes, catchments and other water sources. However, due to the location and the terrain, some residents do not benefit from this resource. Water is therefore provided privately by catchment tanks.

The existing water supply system needs to be improved and maintained, to ensure adequacy of the water system as the population grows and water demand increases.

POLICY GLH WS1 The local planning authority while protecting natural water sources from contamination will encourage and support the necessary works to be put in place to ensure access of piped water to all residents.

RETREAT LOCAL PLANNING AREA

The Retreat Local Planning Area is located in the parish of St. Mary approximately 23.7 kilometres west of Port Maria, the parish capital and 5km from Oracabessa which is the closest local planning area. It is also 9.5 kilometres east of Ocho Rios, St. Ann which is a major tourism and commercial centre.

This local planning area is nestled in the north western hills of the parish, within the Rio Nuevo Watershed Area. The Rio Nuevo one of the largest rivers in the parish also traverses the hills of the local planning area and empties into the Caribbean Sea.

The name Retreat was given to the area due to the Spaniards having to “retreat” to the hills after being defeated by the English in 1658. The Rio Nuevo Battle Site located just outside the local planning area boundary is remnant of the guerrilla warfare that took place within Retreat for possession of Jamaica. The area is rich with history with relics located across the area to prove same.

The 2011 Population Census showed that Retreat had an enumerated population of 4,030 up from 3,993 in 2001 which represented a -0.1% growth rate for the intercensal period. The population is projected to decrease to approximately 4,411 by 2030.

TRANSPORTATION

Public Transportation

The main mode of transportation within this local planning area is by means of private motor cars and taxis. There is no designated transportation centre to facilitate movement of the public in and out the local planning area. Motor vehicles converge at the intersections of the Retreat and Oracabessa to Ocho Rios Main Roads and the Huddersfield to Mango Valley Roads intersection as focal points for the picking up and

FIFTH SCHEDULE, *contd.*

putting down of passengers. Bus stops and sheds are however present along the Oracabessa to Ocho Rios Main Road.

- POLICY R T1 The local planning authority will identify suitable lands for a transportation facility and will seek to have the local authority develop it with the necessary facilities for both operators and commuters.

Road Network

The road network and road reservations within the area are very narrow and winding especially when traversing uphill into the town centre of Retreat. Due to the limitation of the road reservation traffic congestion is frequent when vehicles stop or park along the roadway. The North South Highway also traverses the local planning area in an east to west direction. This section of the roadway is in good condition and is equipped with some road furniture. However, along most arterial roads sidewalk facilities are lacking and the provision of access ways for the disabled are minimal.

- POLICY R T2 Development proposals which would be likely to create or worsen unacceptable traffic conditions will not be permitted unless satisfactory mitigation measures can be provided in keeping with the appropriate Road Authority.

- POLICY R T3 The planning authorities will support the rehabilitation of the existing road network or the construction of new roads in order to facilitate a smooth flow of through traffic and improve traffic circulation in the planning area.

- POLICY R T4 The local planning authority will seek to ensure that adequate sidewalk facilities and bus lay-bys are placed in areas where lacking and where the safety of pedestrians is threatened.

- POLICY R T5 The local planning authority will seek to ensure that persons with special needs are able to access sidewalk facilities.

Vehicular Parking

Parking facilities are limited throughout the local planning area. Vehicles are normally parked along the roadside inhibiting pedestrians and vehicular movement.

- POLICY R T6 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.*

- POLICY R T7 All on ground commercial car parks should have at least ten percent of the parking area landscaped to the satisfaction of the planning authorities to enhance the area and prevent harmful micro-climatic situations.
- POLICY R T8 All new developments having outdoor parking lots shall make use of green and or permeable parking surface techniques.
- POLICY R T9 The local planning authority shall implement parking arrangements for disabled persons which will be in accordance with Appendix 8 and Figure 2.

HOUSING

The Retreat Local Planning Area is ranked as being the sixth most populated local planning area in St. Mary. Agricultural holdings overtime have been converted into large residential developments. These new housing developments are mainly located in the Huddersfield area and along the Mango Valley Road. The 2011 Census housing data recorded Retreat as having a total of 1,351 housing units which accommodated 1,547 households. Calculations show that due to the population there was an excess of 51 housing units during the 2011 Census period, an increase of 204 housing units over a ten year period. The density of the area is 3 persons per square metre. Presently there is no demand in increasing housing density due to the local area's present population. However, the Retreat area is poised for increases in population and residential density due to its proximity to major goods, services and employment opportunities.

- POLICY R H1 Permission will be given where necessary for single family residential development which would be on lot sizes that meet the requirements set out in Appendix 19 Minimum Lot Sizes for Single family Residential Development and Appendix 21 General Considerations for Setback for Selected Buildings.
- POLICY R H2 The following density ranges shall apply across the local planning area and may in relation to the physical conditions existing in the area, be varied by the planning authorities (See Map #2):
- (a) density shall not exceed 125 habitable rooms per hectare (50 habitable rooms per acre) as indicated on Figure 1, with building heights not exceeding four (4) floors.
 - (b) density shall not exceed 75 habitable rooms per hectare (30 habitable rooms per acre) as indicated on Figure 1, with building heights not exceeding two (2) floors.

FIFTH SCHEDULE, *contd.*

Housing developments should be firstly supported in existing settlements and premature subdivisions that have the supporting infrastructure. Additionally, multifamily development will be supported in areas where the topography, lot size and infrastructure can accommodate them. Areas for this type of development are within the Huddersfield/Mango Valley area and along appropriate sections of the coast.

POLICY R H3 The erection of multi-family type developments (Apartments and Town Houses) will be supported in areas where they can conform to all required standards as stipulated by the Local Planning Authority and should conform with the guidelines provided in Appendix 11, 19 and 20.

POLICY R H4 Minimum setbacks from property boundaries for apartment/townhouse development:

- (i) 1.5m from the sides per floor up to a maximum of 4.5 metres.
- (ii) 1.5m from the rear per floor up to three (3) floors.
- (iii) the front boundary should be in keeping with the existing building line or as stipulated by the local authority.

Retreat is predominantly a residential community and in many instances, mixed uses occur where residential and other uses occur either on the same lot, on the same building or in the same area. These establishments should be and be ancillary to the main use of the lot or the locality.

POLICY R H5 Planning permission will normally be granted for mixed use activities where they are compatible with the residential character or major use of the area and will not cause damage to the existing amenities.

The topography and geology of the southern section of the local planning area have to be taken into consideration when contemplating the type and intensity of residential developments that will be allowed. Any uncontrolled development on steep hillsides is a potential hazard as it increases the susceptibility of the area to slope failure and erosion. In an effort to protect the stability of these sensitive areas, control has to be exercised over development activities on steep hillsides or other areas.

POLICY R H6 Density shall not exceed 50 habitable rooms per hectare (20 habitable rooms per acre) in hilly areas and shall be in accordance with the Hillside Development Manual for Jamaica which have been developed for these areas.

FIFTH SCHEDULE, *contd.*

- POLICY R H7 Housing development will not be allowed on land which will involve costly extra ordinary precautions to safeguard and any such development should accord with the policies and guidelines in Appendix 21.

SOCIAL AMENITIES

The area is serviced by a police station, postal agency, library, market, Type III health centre and a cemetery that is located just beyond the local planning area boundary.

- POLICY R SA1 The local planning authority will support the expansion and upgrading of all social facilities should the need arise.
- POLICY R SA2 Developments that would decrease or eliminate any of the social facilities in the Retreat Local Planning Area will not be supported unless being replaced with a similar facility of equal or greater stature in the locality.
- POLICY R SA3 The use of existing social facilities for other compatible uses will be supported by the planning authorities provided individual requirements are met and these would not be out of character with the area.

Open Space and Recreation

The local planning area has recreational areas and a community centre however these are not sufficient to service all the residents. In establishing new housing developments land must be reserved for open space and other recreational purposes. This will be in addition to any reservation required for other amenities such as schools.

- POLICY R SA4 A multi-purpose facility to be used as a community centre for a wide range of activity including educational purposes such as technical or skills training will be supported by the local planning authority.
- POLICY R SA5 All new developments shall reserve lands for the recreational needs of the residents in the development at the rate set out in Appendix 11 and ownership be endorsed on the individual titles.

Educational and Institutional

The local area is equipped with educational institutions ranging from early childhood to secondary levels. It also has a Type III health centre. However, these institutions will over time need upgrading and possible expansion to continue serving the area and surrounding communities. Therefore, lands that are occupied and zoned on the local

FIFTH SCHEDULE, *contd.*

area planning map for institutional purposes should only be used for the said purpose or for the housing of facilities that will serve the needs of the community.

POLICY R SA6 New proposals and extensions for educational and institutional uses will be assessed on their merit and should conform to all required planning standards.

Cemetery

Abutting the south-eastern boundary of the local planning area is a public cemetery; which has reached its capacity and is closed to burials. There are no available lands within that area to serve as a public cemetery and as such the local planning authority will have to find an alternative location for the purpose. Other interment options which conserve land space will also be examined.

POLICY R SA7 The local planning authority will identify lands for the location of a cemetery site within the local planning area and will seek to have the Authority develop it for the stated purpose.

POLICY R SA8 The local planning authority will support the use of crematoria and other approved interment options provided that the relevant planning, health and environmental standards are met.

URBANECONOMY

There are minimal commercial establishments within the local planning area. This contributes to residents commuting to the neighbouring parish of St. Ann, specifically Ocho Rios to get goods and services. There are however light commercial activities for example bars and small shops that are located along the North Coast Highway. These ventures are however mixed use developments as most are connected to a residential building. The urban economy needs to be vibrant with an outlined area that contains most social amenities.

POLICY R UE1 The local planning authority will consider favourable proposals for new commercial and office activities in the Retreat Local Planning Area, which would increase the range and quality of the local facilities and services, and are readily accessible to residents.

POLICY R UE2 For commercial and office uses, the following standards shall apply:

- (i) buildings shall not normally exceed two (2) storeys in height. However, the authorities may consider a height of three (3) storeys in exceptional circumstances.

FIFTH SCHEDULE, *contd.*

- (ii) buildings may maintain a zero lot line except to the front in accordance with road reservations and where it adjoins residential development to the satisfaction of the planning authority.
- (iii) buildings should adhere to a floor area ratio of 0.5 and a plot coverage of no less 33¹/₃%.

SUB-URBAN ECONOMY

The main economic activity in the sub urban areas of the local planning area is agriculture. This however is on the decline as agricultural lots are being divested and developed as residential subdivisions. Agricultural lands will however, continue in that use until required for development when it will be sub-divided into homestead type lots as indicated in Policies LPA1 and LPA2.

POLICY R SUE1 The local planning authority will support the development of alternative and innovative agricultural activities which will utilize otherwise unproductive or underutilized agricultural lands until it is required for development at which time it will be released as the need arises. Policy SP RE3 also applies.

POLICY R SUE2 The local planning authority will give due consideration to the establishment of agro industrial development at suitable locations where the infrastructural facilities are available and where surrounding amenities will not be adversely affected.

The development of small scale industries in the home can bring supplementary income to families. These should not be un-neighbourly activities and should at all times have no adverse effect on the environment.

POLICY R SUE3 The planning authorities will support the establishment of small scale or other income generating activities in homes or adjacent to a rural settlement which will not be a nuisance to neighbours, or have any adverse impact on the environment.

TOURISM

Retreat has tremendous potential to develop its tourism product. Its history, location and areas of ecological and recreational significance are factors that the area can use to establish and expand this activity. Resort and hospitality tourism options will also

FIFTH SCHEDULE, *contd.*

be supported and encouraged in areas which can be satisfactorily accessed especially along the coast.

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| POLICY R TO1 | The planning authority will normally support proposals for eco and heritage-tourism activities as long as the developments are not detrimental or incompatible with the natural environment. |
| POLICY R TO2 | Proposals for new or improved tourism facilities and attractions will be supported on appropriate sites subject to the siting, design and environmental considerations being satisfactory. |
| POLICY R TO3 | The planning authority will support proposals for development of small-scale cottage type accommodations such as villas and guesthouses as long as these are not detrimental or incompatible with the area in which they will be located. |

There are a few guest houses within the planning area boundary some of which are located along the coast with access to the beach. With Retreat located in proximity to numerous small scale hotels there is also cope for the area to expand its economy by tapping into the hotel and tourism industry. This could also include the promotion of its historic and ecological sites.

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| POLICY R TO4 | Tourism projects based on cultural heritage and ecotourism will be encouraged provided that these conform to the prescribed historical, environmental and planning guidelines. |
| POLICY R TO5 | Development in the area which improves or expands the range of tourist facilities will normally be permitted provided the requisite guidelines set out by the relevant authorities are followed. |
| POLICY R TO6 | The developer of any overwater structure must obtain the necessary licence and permit from the Natural Resources Conservation Authority (NRCA) and the required planning approval from the planning authorities before proceeding with the development. |
| POLICY R TO7 | The planning authority will be minded to support bed and breakfast type developments in order to foster greater community participation in the tourism industry. |

FIFTH SCHEDULE, *contd.*

- POLICY R TO8 The setback of buildings from the high water mark in area where this has not been indicated on the land use proposal plan and in the policies should be in accordance with figure 5.
- POLICY R TO9 The local planning authority in dealing with developments will institute strategies to mitigate against the effects of climate change such as storm surges and erosion within the coastal areas in the Retreat Local Planning Area.

CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

The Natural Environment

The Retreat area is traversed by the Rio Nuevo which is one of Jamaica's largest rivers. This source for potable water, domestic, irrigation and recreational uses runs from the hilly interior to the Caribbean Sea. This river has a high carrying capacity and has over ridden its banks in times of heavy rainfall. There are also seasonal tributaries associated with the Rio Nuevo that spread across the local planning area.

- POLICY R C1 Development proposals that would materially affect the quality and quantity of fresh water resources will not be supported.
- POLICY R C2 The local planning authority will support the authorities that are responsible for conservation in the watershed section of the local planning area where measures being undertaken to control the effects of and measures to prevent flooding are satisfactory and will not affect necessary development.
- POLICY R C3 In areas where development is permitted adjacent to rivers or streams, the setback shall be a minimum of 50 metres from the banks and may, in relation to the physical conditions existing in the area, be varied by the planning authorities.

There is a cave (Jacota Hole) located within the hilly interior of the area however there is no significant specie of mould life associated with this specific cave. However all caves play a part in balancing the ecosystem and should be conserved and kept clear of debris.

- POLICY R C4 The planning authority will not support in any way and will resist any interference, excavation, development or exploitation of any caves especially where they are part of the natural drainage system.

FIFTH SCHEDULE, *contd.*

There is also a Special Fishery Conservation Area (Fish Sanctuary) that overlaps with the Retreat boundary. This venture is operated by the Sandals Foundation and was declared by the Ministry of Agriculture under the Fishing Industry Act of 1975. These areas are anticipated to gradually increase fish populations affected by overfishing, habitat degradation and some factors of pollution. These areas will over time improve economic opportunities for fishers and increased opportunities for eco-tourism.

POLICY R C5 The local planning authority will not support any activities on land in areas demarcated as Fish Sanctuaries that will directly or indirectly affect such sanctuaries in any way.

The Built Environment

Retreat Area has cultural heritage sites that should be protected to inform the public of our national history. Located within the Rio Nuevo Housing Development is the Rio Nuevo Battle Site. This is the site of the final battle between British and Spanish forces to determine possession of Jamaica. At the end of this battle the Spanish placed Jamaica definitively in English hands and Spain formally conceded Jamaica to England by the Treaty of Madrid in 1670. This battle site holds several relics and monuments in appreciation to the island's history. On this site there is also a heritage trail that runs along the coast. There is also the Rio Nuevo Taino Site which is within the boundaries of the local planning area. These sites are declared national heritage sites by the Jamaica National Heritage Trust and should continue to be preserved.

POLICY R C6 There is a presumption in favour of the preservation of historic buildings, monuments and structures and their special architectural and historic character. Proposals for the alteration, use and extension of such buildings should not affect its architectural or historical character.

The Holy Trinity Anglican Church is a very beautiful historic Georgian Building constructed of brick, cut stone, concrete, and wood. It was erected on lands donated by an old English plantation owner. This building is not a declared heritage site but its architecture makes it a place of interest to many individuals.

POLICY R C7 Recommendations will be made by the local planning authority to the Jamaican National Heritage Trust, for any site or buildings of an historical or archeological character including the Holy Trinity Anglican Church to be declared a heritage site.

POLICY R C8 Planning permission will not be given for any development that would damage any building or monument which is of historic importance or which would adversely affect its setting.

FIFTH SCHEDULE, *contd.*

WATER SUPPLY

The Retreat Local Planning Area's water supply is currently provided by the National Water Commission through a series of pipelines. STATIN 2011 Data shows that eighty-two percent (82%) of the households within the area receive water from the public source, eleven percent (11%) from private sources and the remaining percentages from the rivers, springs and trucks. Some of the facilities supplying potable water are in need of rehabilitation and expansion in order to improve the regularity of water supply.

POLICY R WS1 The local planning authority will seek to have the relevant authorities improve the existing public water supply systems so that it can adequately service the local planning area and will ensure that lands necessary for the purpose are identified and preserved by the authorities.

Residents in areas where public water facilities are absent or unreliable still rely on rivers, streams and catchment tanks for their supply. In these areas rainwater harvesting should be considered as it is economical, safe and a sustainable source of quality water when captured and stored in the correct manner. The use of catchment tanks should be encouraged in this regard.

POLICY R WS2 All new developments shall be required to provide rain water harvesting facilities or other suitable water sources to satisfy the needs of the development.

WASTE TREATMENT AND DISPOSAL

Sewage Disposal

The Retreat Local Planning Area lacks a centralized sewage treatment facility. Disposal of sewage within the local planning area is via septic tanks which accounts for eighty-three percent (83%) and pit latrines that account for some eleven percent (11%). It is unlikely that central sewage will be installed in the near future; therefore sewage should be discharged by means of one of the methods approved for such situations. This should however, have regards to the type of building, intensity or scale of development, lot size, soil characteristics, sources of ground water and topographical conditions existing in the area.

POLICY R WT1 New developments or extensions should have sewage facilities that treat the waste to at least a secondary level by any safe and appropriate waste disposal technology as may be developed from time to time that is acceptable to the local planning authority and other appropriate agencies.

FIFTH SCHEDULE, *contd.**Solid Waste Disposal*

Routine solid waste collection is present within the area, of which sixty-eight percent (68%) of the households are serviced by the relevant authority. The remaining solid waste is burnt, collected privately or dumped. Introduction of some methods of recycling along with a repository in a central location would diminish the amount being disposed of indiscriminately and relieve the situation.

POLICY R WT2 Owners of buildings are expected to have proper garbage disposal facilities on their premises and the local planning authority will not approve any new buildings or extension devoid of such facilities and will encourage the relevant Authority to have large garbage receptacles placed in public areas as a repository.

ISLINGTON LOCAL PLANNING AREA

The Islington Local Planning Area is situated on the hilly terrains of north-central St. Mary approximately 3km south of the coastline. It is situated 14 kilometres south-east of the parish's capital, Port Maria and is comprised of several communities namely Mount Morency to the north, Friendship to the east, Lebanon to the south and Barkerswood to the west.

The STATIN 2011 Population Census showed that Islington Local Planning Area's population grew from 2,974 in 2001 to 3,983 in 2011, representing an increased growth rate of 2.96%. It is projected that by the year 2021 the area will have a total population of 4609 persons that will further increase to 5,995 persons by 2031.

TRANSPORTATION AND TRAFFIC

Transportation services within the local planning area is provided by means of private motor vehicles or publicly by route taxis and minibuses which plies within Islington and other adjoining towns such as Port Maria and Highgate.

Public Transportation

The Islington Local Planning Area does not have a public transportation centre and the absence of 'large scale' economic activity in the area has lessened the need for such a development. Public passenger vehicles park for the loading and unloading of passengers along the roadways as necessary.

POLICY I T1 If the economic activity in the area increases to a level warranting it, the local planning authority will identify lands within the Islington local planning area that can facilitate a proper transportation centre to accommodate all public passenger vehicles.

FIFTH SCHEDULE, *contd.**Road Network*

The area has no immediate traffic congestion problems; however the lack of sidewalks along roadways poses a problem for the safe movement of pedestrians.

- POLICY I T2 The local planning authority will seek to ensure that the local authority provides the main transport routes with lay-bys or a central collection point to allow public passenger vehicles to pick up and set down passengers safely as well as the provision of adequate sidewalks for the use and safety of pedestrians, including the disabled.

Vehicular Parking

There are little or no on-site parking facilities. Adequate parking facilities are therefore needed to accommodate and ensure the free and safe movement of traffic along the roadway.

- POLICY I T3 All new developments and extensions shall be required to satisfy their parking requirements on site in accordance with the guidelines.
- POLICY I T4 The local planning authority shall implement parking arrangements for disabled persons which will be in accordance with Appendix 8 and Figure 2.
- POLICY I T5 All new developments having outdoor parking lots shall make use of green and or permeable parking surface techniques.

HOUSING

The STATIN 2011 Population Census revealed that there are one thousand two hundred and thirty six (1236) households with 1145 housing units in Islington. The housing units are predominantly single family detached units, the majority of which are in fair condition.

Based on the STATIN 2011 Population Census the density of the area is approximately 649 persons per square kilometers. Using the assumptions for land requirement of 1000 square metres per household for residential land provision, approximately 393,000 square metres or 39.3 hectares of land would be required to cater to the residential needs of the projected population by 2030.

- POLICY I H1 The local planning authority will ensure that adequate lands have been zoned to the amount of residential developments in areas where it is possible and is in accordance with the densities that are required to satisfy the relevant housing demand over the period.

FIFTH SCHEDULE, *contd.*

POLICY I H2

The following density ranges shall apply across the local planning area and may in relation to the physical conditions existing in the area, be varied by the planning authorities (See map No. 2):

- (a) density shall not exceed 75 habitable rooms per hectare (30 habitable rooms per acre) as indicated on Figure 1, with building heights not exceeding three (3) floors.
- (b) density shall not exceed 50 habitable rooms per hectare (20 habitable rooms per acre) as indicated on Figure 1, with building heights not exceeding two (2) floors.

POLICY I H3

Density shall not exceed 50 habitable rooms per hectare (20 habitable rooms per acre) in hilly areas and shall be in accordance with the Hillside Development Manual for Jamaica which have been developed for these areas.

POLICY I H4

Where retaining walls have to be constructed to prevent land slippage or erosion the local planning authority will not grant planning permission until approval has been obtained from the agency under whose portfolio such activities fall.

POLICY I H5

For structures, deep cuts in slopes should be retained and foundation depths should be customized to penetrate sound and stable substrata. The comments of the Mines and Geology Division will be required for development proposals in such situations.

The local planning authority will normally support the subdivision of land for use as homestead which will allow for the retention of economically viable agricultural plots in the sub-urban areas of the local planning area.

POLICY I H6

New housing development in the area will be supported where this is not in conflict with the agricultural potential of the land. In such cases, the residential use should be ancillary to the agricultural use.

A high voltage transmission line runs through the northern section of the local planning area. There has been concern about the possible detrimental health effects of electric and magnetic fields (EMFs) resulting from high voltage transmission lines. To ensure safety of all residents, development in this area may be restricted.

POLICY I H7

The planning authorities will not be minded to support any development within the reservation of the high voltage transmission lines.

FIFTH SCHEDULE, *contd.*

SOCIAL AMENITIES

The Islington Local Planning Area has the basic social amenities necessary for the enhancement and comfort living standards of the residents. These include churches, health centre, schools, community centre a post office and police station.

- POLICY I SA1 Planning permission will not be granted for any development that will eliminate or decrease any of the above mentioned social facilities but will support their use for a compatible one that will not detract from the original use.

Educational and Institutional

Education plays an essential role in promoting national well-being and the social, economic and cultural development of a locality. Basic, primary and high schools are located within the local planning area. However, these facilities should be upgraded and expanded as the need arises.

- POLICY I SA2 The local planning authority will identify suitable lands and grant permission for any development which will promote the improvement of educational facilities within the local planning area.

A Type II health centre provides services such as curative and preventative health services, antenatal and prenatal care to the residents in the local planning area.

- POLICY I SA3 The local planning authority will support the expansion and upgrading of the health facility as necessary.

Cemetery

There is no public cemetery located in the local planning area. Currently, residents use the public cemeteries located in Port Maria, Highgate or Richmond, local church cemeteries and also family plots. However, most of these are reaching capacity. The Authority will not support burials on residential lots and will reserve suitable lands for the establishment of a public cemetery within the local planning area. Alternative burial options will also be encouraged.

- POLICY I SA4 The local planning authority shall seek to identify suitable lands to establish a public cemetery within the Islington Local Planning Area and will discourage burials in family plots once developed.

- POLICY I SA5 The local planning authority will support the use of crematoria and other approved interment options provided that the relevant planning, health and environmental standards are met.

FIFTH SCHEDULE, *contd.*

URBAN ECONOMY

Commercial activities in the Islington Local Planning Area are limited to small grocery shops, bars and convenience stores located in a linear pattern along the main thoroughfare. There are two main commercial nodes located in the vicinity of the Police Station and the community centre. However, residents utilize services in other local planning areas such as Port Maria and Highgate. There is a need to provide a wider assortment of goods and service facilities for the long term development of the area.

POLICY I UE1 A variety of service, office and commercial establishments will be supported in areas zoned for such activities, provided that there will be no negative impacts on surrounding land uses.

POLICY I UE2 Compatible mixed uses along with light industrial enterprises will be supported at suitable locations with access to the necessary infrastructure and facilities.

The local planning authority will normally support the expansion and extension of buildings for the provision of goods and services where suitable. Lots may need to be amalgamated in order to satisfy the parking and other planning standards.

POLICY I UE3 Building heights for commercial and office use may not exceed 2 stories and must satisfy the relevant planning standards including setbacks from property boundaries to the satisfaction of the local planning authority.

POLICY I UE4 For commercial and office uses, the following standards shall apply:

- (i) buildings shall not normally exceed two (2) storeys in height. However, the authorities may consider a height of three (3) storeys in exceptional circumstances.
- (ii) buildings should adhere to a floor area ratio of 0.5
- (iii) plot coverage of no less 33¹/₃%.

POLICY I UE4 Proposals for improvements or extensions to facilities within the local planning area will normally be permitted once the required planning standards are satisfactory to the local planning authority.

Convenience shops are important in any community to support day to day needs which are not necessarily met at larger scale commercial centres. These establishments

FIFTH SCHEDULE, *contd.*

should be planned for and when located within a predominantly residential location, be ancillary to the residential use of the lot.

POLICY I UE5 Proposals for corner shops will be given consideration in appropriate locations in sub-urban areas or sub-divisions where such facilities are needed.

POLICY I UE6 Planning permission will normally be granted for commercial activities and other mixed uses along main roads where they are compatible with the existing developments and will not diminish the amenities of the area.

TOURISM

Due to its rich historical background linked to the Tacky Revolution and the Tacky Falls being located just outside the northern boundary of the local planning area, sections of the local planning area could accommodate bed and breakfast activities, which could serve to boost the economy of the area.

POLICY I TO1 Planning permission will be given for the development of villas and other resort accommodation in selected locations where they can conform with the policies and guidelines required for such developments and where they will not adversely affect the natural and physical environment of the area.

CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT

The Natural Environment

There are no forest reserves or any declared historic buildings or monuments located in the local planning area. However, the area boasts a rich historical background linked to the slave rebellion in 1790 led by the Coromantee Slave Tacky and rich natural resources such as a wide variety of flora and fauna that should be protected and conserved. There are also two waterfalls located just outside the northern boundaries of the local planning area; The Tacky Falls and the Kwamen Falls. The Tacky Falls is approximately 40 feet high with caves which lead to an underground lake.

POLICY I C1 No development will be allowed in areas identified as areas of outstanding landscape beauty, outdoor recreational potential, special historical interest and unique flora, and fauna which would conflict with the policies of this Order.

Sections of Islington Fall in both the Oracabessa/Pagee and the Wag Water Watersheds, which are areas that are prone to landslides, particularly in periods of

FIFTH SCHEDULE, *contd.*

heavy rainfall. Due the increased implication of climate change, conservation measures within the community and its immediate environs are important to prevent land degradation and loss of vegetation.

POLICY I C2 All rivers and streams will be preserved for domestic, agricultural and recreational purposes and the local planning authority will not grant permission within their reaches for any activity that will defeat this purpose unless the necessary precautionary measures for preservation are included. Policy SP RE3 also applies.

POLICY I C3 The planning authorities will ensure that environmentally sensitive or vulnerable areas are reserved as natural areas and greenbelt preserves for recreation whenever possible and used as open space buffers between incompatible land uses.

The Built Environment

There are currently no sites or buildings within the town that have been listed as historic by the Jamaica National Heritage Trust.

POLICY I C4 The local planning authority will not grant planning permission for any development which would adversely affect the character and appearance of this or any other building or site deemed historic by the relevant authority.

WASTE TREATMENT AND DISPOSAL

Sewage Disposal

There is no central sewerage system in the Islington Local Planning Area. Traditionally, sewage is disposed of onsite by means of absorption pits. Septic tanks are subsequently used along with absorption pits as the main method of disposal. The relevant authorities have become stringent with regards to the management of waste and sewage and there is a concerted effort to have sewage treated at least to a secondary level.

POLICY I WT1 No permission will be granted for new developments or extensions unless the sewage treatment facilities proposed will treat the sewage to at least a secondary level or 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.

FIFTH SCHEDULE, *contd.**Solid Waste Disposal*

The STATIN 2011 Population Census showed that approximately fifty seven (57%) of residents have their garbage collected by the National Solid Waste Management Authority but there are still approximately thirty eight 38% of residents who burn the majority of their solid waste. Methods of recycling should be introduced along with a repository in a central location as this would diminish the amount of waste being disposed of indiscriminately.

POLICY I WT2 The indiscriminate and unsatisfactory disposal of solid waste will not be encouraged and the local planning authority will support establishment of physical facilities that will aid in the routine collection and recycling of such waste.

WATER SUPPLY

Approximately fifty one percent (51%) of residents within the local planning area have access to piped water to their homes while the remaining residents use stand pipes, catchments and other water sources. However, due to the location and the terrain, some residents do not benefit from this resource. Water is therefore provided privately either by catchments or tanks.

The existing water supply system needs to be improved and maintained, to ensure adequacy of the water system as population grows and water demand increases.

POLICY I WS1 The local planning authority while issuing policies and guidelines to protect natural water sources from contamination will encourage the necessary works which will be needed to be put in place to ensure access of piped water to all residents.

FIFTH SCHEDULE, *contd.*

APPENDICES

APPENDIX 1

GENERAL GLOSSARY

In these Appendices—

“advertisement” means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction, and without prejudice to the foregoing provision includes any hoarding or similar structure used or adapted for use for the display of advertisements, and references to the display of advertisements shall be construed accordingly;

“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; (See also Third Schedule—Part 5—for the explanation of certain terms used in the pursuit of agriculture and for which planning permission is required).

“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 strata development in which the units in the building are located above each other, the roof of one unit being the floor of the one above, and having shared entrances and other essential facilities and services and with shared facilities provided for dwelling units;

“bad neighbour” means use that has a seriously detrimental effect on the locality in terms of noise, traffic or disturbance to people living near it;

“building” in relation to outline permission does not include plant or machinery or a structure or erection of the nature of plant or machinery;

“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;

FIFTH SCHEDULE, *contd.*APPENDIX 1, *contd.*

“climate change” means any significant change in the measures of climate lasting for an extended period of time and includes major changes in temperature, precipitation, or wind patterns, among others, that occur over several decades or longer.

“climate change adaptation” means anticipating the adverse effects of climate change and taking appropriate action to prevent or minimize the damage they can cause, or taking advantage of opportunities that may arise.

“climate change mitigation” means human intervention to reduce the human impact on the climate system; such as strategies to reduce greenhouse gas sources and emissions and enhancing greenhouse areas that absorbs carbon dioxide.

“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 and determined by multiplying the floor area by the height;

“curtilage” means the ground which is used for the comfortable enjoyment of a house or other building and is an integral part of the same although it has not been marked off or enclosed in anyway.

“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;

“growth centre” means Local Planning Area;

“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; (See Appendix 11).

“habitable structure” means any structure primarily intended to be used for living, sleeping, eating or assembly purposes including but not limited to residences, multi family dwelling, apartments, churches, food facilities and industrial building;

“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”;

“local planning area” means growth centre;

FIFTH SCHEDULE, *contd.*APPENDIX 1, *contd.*

“mixed—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;

“node” are mixed-use communities or areas of activity for residential living in an area and for people in nearby communities;

“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;

“permitted development” means the classes of development which may be undertaken without requiring planning permission as this is deemed to be granted by the Development Order;

“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 except in special circumstances;

“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;

“retail warehouse” means a single storey warehouse or industrial type building with adjacent surface parking for the sale of products displayed and stored in one and the same area and where the sale of food products is not more than forty per cent (40%) of the principal use;

“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;

“shop” means a building used for the carrying on of any retail trade or retail businesses wherein the primary purpose is the selling of goods by retail or for any other purpose appropriate to a shopping area;

FIFTH SCHEDULE, *contd.*APPENDIX 1, *contd.*

“sinkhole” means a natural depression or hole in the surface topography caused by the removal of soil or bedrock, often by water. Sinkholes form naturally when water, drainage patterns are changed and new water diversion systems are developed. However, some sink holes have been correlated to land-use practices, especially from ground water pumping, construction and poor development practices;

“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 37.16 metre square (400 square feet); (See Appendix 11);

“structure” means anything constructed or erected with a fix or permanent location on the ground or requiring a fixed location on the ground or attached to something having a fixed location on the ground such as buildings, platforms, swimming pools, sheds, boundary walls, fences, radio towers etc.;

“sub-urban” means a residential area located on the outskirts of a town or built up section of a local planning area;

“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;

“urban” means a built up area of town with a local planning area;

“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.

FIFTH SCHEDULE, *contd.*APPENDIX 1, *contd.*

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.

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 means—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 Local Planning Areas

The town of Port Maria is the parish capital and the main commercial and administrative centre which provides goods and services to the parish of St. Mary. Annotto Bay and Highgate are the next major towns with numerous commercial activities and service facilities located within these centres.

Development policies and guidelines have been prepared for all the Local Planning Areas listed below:

1. Port Maria
2. Annotto Bay
3. Highgate
4. Oracabessa
5. Gayle/Lucky Hill
6. Retreat
7. Islington

FIFTH SCHEDULE, *contd.*

APPENDIX 3

Schedule of Declared National Sites and Monuments

St. Mary has a rich heritage with several monuments and historical sites. The following have been listed as Declared National Sites and Monuments in St. Mary by the Jamaica National Heritage Trust:

NATIONAL SITES AND MONUMENTS	DATE DECLARED
Buildings of Architectural and Historic Interest	
Firefly Hill (Noel Coward's House)	31/12/1992
Harmony Hall Great House	03/04/2003
Quebec Estate	01/12/2005
Wentworth Estate	11/02/1993
Forts and Naval and Military Monuments	
Fort Haldane	19/06/2000
Historic Sites	
Rio Nuevo Battle Site	13/05/1999
Rio Nuevo Taino Site	01/12/2005
Public Buildings	
Old Court House (Port Maria Civic Centre)	02/05/1996
Statues and Other Memorials	
Claude Stuart Park	02/05/1996
PROTECTED NATIONAL HERITAGE SITES	DATE DESIGNATED
Historic Sites	
Four Sites at Woodside—One/Long Bubby Susan, St. Gabriel's Anglican Church (Old Anglican Church), "Arawak" (Taino) Steps and Daddy Rock Scotts Hall Maroon Site	23/04/2015
Natural Sites	
Castleton Botanic Gardens	31/12/2009

Source: www.jnht.com

FIFTH SCHEDULE, *contd.*

APPENDIX 4

Sites of Architectural or Historical Interest

The list of sites and buildings which follow indicate areas of particular beauty or having historic, archaeological significance. It is not a complete inventory of all significant sites and structures in the parish but gives an indication of what should be preserved in the carrying out of permitted development works and in the absence of intended development to be conserved. The local planning authority may, after consultation with the Jamaica National Heritage Trust and on the advice or direction of the Authority, add to this list. Should any item cease to exist the local planning authority may after consultation with the Trust and with the express consent of the Authority, remove such item from the list.

Sites and buildings of architectural or historic interest are as follows:—

- (a) Annotto Bay Baptist Church
- (b) Holy Trinity Anglican Church
- (c) Fort Oracabessa
- (d) Brimmer Hall Great House
- (e) Prospect Great House
- (f) Galina Lighthouse

APPENDIX 5

Schedule of Beaches along the St. Mary Coast

LOCATION	TYPE OF BEACH
Boscobel	Fishing and Bathing
Oracabessa (James Bond Beach)	Fishing and Bathing
Oracabessa (Fishermans/Murdock Beach)	Bathing
Robins Bay	Fishing
Robins Bay	Bathing
Annotto Bay	Fishing and Bathing
Annotto Bay (Marking Stone Beach)	Bathing
Rio Nuevo	Fishing and Bathing
Port Maria(Pagee)	Fishing
Port Maria(Pagee)	Bathing
Stewart Town	Fishing and Bathing
Dover	Fishing
Tower Isle (Reggae Beach)	Bathing
Fosters Cove	Fishing and Bathing

FIFTH SCHEDULE, *contd.*

APPENDIX 6

CAVES IN ST. MARY

COORDINATES (JAD 2001)			
NAME OF CAVE	LOCATION	JAD2001E	JAD2001N
Back Neckie Cave	Nutfield	768111	684289
Davis Cave	Lucky Hill	750111	683289
Dog Hole	Rock Spring	758011	678189
Dry Grounds Cave	Rock Spring	757711	678289
Idlewilde Caves	Oracabessa	759611	695189
Jacota Hole	Retreat	747611	694089
Lucky Hill Pen Cave	Lucky Hill	746018	686520
Lucky Hill Pen Pot	Lucky Hill	746033	686489
Lucky Hill Pen Sink	Lucky Hill	746051	686467
Magga Dog Hole	Rock Spring	757811	677989
Man Cave	Rock Spring	758011	678389
Peyton's Cove Cave	Robins Bay	770111	686289
Pottinger Cave	Halifax	748211	682889
Rock Spring Caverns	Pear Tree Grove	757711	677789
Rock Spring Hole 2	Pear Tree Grove	757611	677389
Three Hills Cave	Retreat	745511	692889

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 Roads	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 Reser- vation	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 in subdivisions in the Order Area 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: these are the main roads within a residential area and would normally be used as bus routes or as denser traffic routes through residential areas.
- (d) Arterial Roads: these are the main roads normally through the city or linking parts of the city (and would be equivalent to the National Works Agency Class A Road).

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 flat)	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 parking space for each 2 of the first 40 rental sleeping units; 1 additional space for every 3 rental sleeping units thereafter. In addition 1 employee parking space for each 10 guest rooms plus 1 for each 4.5m ² of public dining room. 1 coach parking space per 50 bed spaces in hotels.
Villas	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 full-time members of staff.
Civic Administration Building, Office Building, Librarians	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, Supermarkets	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 1 for each 16 of gross floor area. (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 and Bars	1 space per 2 square metres of public floor area.
Games Buildings, Public or Exhibition Halls	1 space per 3 staff members plus 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 ² of floor area in assembly rooms with movable seats or 1 space per 6.5 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 1 space; 20 spaces or more—a minimum of 5% of the total number of spaces.

FIFTH SCHEDULE, *contd.*APPENDIX 8, *contd.*

Type of Development	Minimum Number of Vehicle Parking Spaces Required
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. One (1) for each 4600 square metres thereafter.

FIFTH SCHEDULE, *contd.*

APPENDIX 9

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 2.5m except where parking is provided at a lesser angle to the aisle than 90 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	—	5.48m.

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 10

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 its curtilage 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 1120 sq. m.

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 10, *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 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 in apartment buildings are regarded as habitable rooms except for kitchen and bathroom, landing stairs, passages and storerooms not exceeding 6.5 sq. m. are also excluded. However, the size of a bedroom in a multi-family building such as an apartment should not exceed 13.37 square metres. For every 9.29 square metres or part thereof that this is exceeded it will be counted as the number of habitable rooms that exist for density calculation purposes.

For studio units in Apartments the standard area shall be no more than thirty seven point one six (37.16) square metres in size including all facilities. Where the standard size has increased the application will be assessed as a one (1), two (2) or three (3) bedroom unit, as the case may be for each 9.29 square metres or part thereof with the relevant statutory requirements.

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.

FIFTH SCHEDULE, *contd.*APPENDIX 11, *contd.*

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.

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 dinning 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.

FIFTH SCHEDULE, *contd.*APPENDIX 11, *contd.*

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.

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 and those to be planted.

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

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.

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.

FIFTH SCHEDULE, *contd.*

APPENDIX 13

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;
- (e) if there is adequate information given concerning the proposed co-ordination with adjacent land and its development and services;
- (f) if the development conforms to the standards of amenity already established in the area which should not be less than that for the proposal;
- (g) if the proposal satisfies community needs by dedicating land of appropriate shape, slope and location at the minimum rate of 100 lots per hectare for the purpose.

FIFTH SCHEDULE, *contd.*

APPENDIX 14

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 on to the other, thereby minimizing the risks of accidents. Suggested visibility splays in relation to street type are listed below:

ROAD VISIBILITY SPLAYS AND SIDEWALKS RESERVATIONS

Road Type	Total Width (m)	Carriage Way (m)	SIDEWALK RESERVATION			Visibility Splay Angle (Degrees)	Splay Distance (m)
			Total (one side) (m)	Paved (m)	Planted (m)		
Service Road	9	6	1.5	—	—	45	1.8
Estate Road	12	6	3.3	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

Sidewalk Reservations (Shoulders)

- Sidewalk reservations 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 sidewalk reservations 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 sidewalk reservations should be properly grassed and maintained, because if they are not, storm water may enter the road base and affect the stability of the road.

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 6.1m (20ft) with parking bays being 5.5m by 2.5m (18 feet by 8 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

GUIDELINES FOR HOTEL DEVELOPMENT

Density

The density for hotel development will be calculated on the basis of the number of guest rooms or habitable rooms per hectare. A guest room is a hotel bedroom together with bathroom and all the ancillary accommodation normally necessary in a resort hotel.

Dwelling 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 dwelling houses or resort apartments will range from a low of 37.5 habitable rooms per hectare to a high of 75 habitable rooms per hectare along the coastal areas depending on the level of infrastructure available, and a maximum of 75 habitable rooms per hectare 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 (7.5hra) in environmental sensitive coastal areas to a maximum of 37.5 guest rooms per hectare (15hra) in other coastal and inland areas, depending on the level of infrastructure available.

FIFTH SCHEDULE, *contd.*APPENDIX 16, *contd.*

The ground cover will be 15 per cent maximum and the plot ratio 15 per cent maximum for densities at 18.5 guest rooms per hectare and 20 per cent for both at 37.5 guest rooms per hectare.

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 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.

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 will not be allowed to exceed three stories in height plus pitched roof if desired subject to a ridge height of 12m (40 ft.) above mean sea level. However, in areas where the hotel is to be located on parcels of land exceeding 4.0 hectares in area higher buildings may be allowed. 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 will be encouraged along the undeveloped coastal areas outside of the built up areas.

Setbacks

Setback from the high water mark should be in conformity with the guidelines in figure 5 as the terrain and other conditions along the coast differ. No building should be located within 12 metres of a road boundary and side boundaries should be a minimum of 3.7m for buildings up to three floors. An additional 1.5m is to be added for each extra floor in excess of three floors. 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, design and landscaping.

FIFTH SCHEDULE, *contd.*APPENDIX 16, *contd.**Site Planning Considerations*

Development must satisfy the requirements for ground cover, plot area ratio, floor area 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 so that it is in conformity with allowable densities in the area.

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.

APPENDIX 17

Advertisement Guidelines

The display of advertisements, whether illuminated or not, can have a considerable impact on visual amenities. This is evident along main roads in rural areas and on buildings and open spaces in urban areas. The local planning authority will therefore pay particular attention to the siting of advertisements to ensure that the character of the country side, individual buildings and streets are not adversely affected.

Signs will be controlled in accordance with the Control of Advertisements Regulations 1978.

Applications will be considered in respect of the amenity and public safety and the following guidelines which have been adapted from the Lambeth Draft Unitary Development Plan (1992) will apply:

A. General Considerations

1. Regard will be paid to the general characteristics of the locality—existing advertisements in the locality will be disregarded in assessing its general characteristics.
2. Advertisements should respect the scale of the buildings or sites in which they are displayed, together with the surroundings.
3. Displays at high levels will normally be resisted, particularly where they affect long range visibility.

FIFTH SCHEDULE, *contd.*APPENDIX 17, *contd.*

4. Advertisements will be considered in respect of public safety.
5. The painting of walls as advertising space will not be allowed rather, the use of free standing boards will be encouraged where possible.

B. Residential Areas

1. Advertising is generally out of place in any predominantly residential locality and will normally not be allowed.

C. Commercial Areas

1. All displays must be in scale with the particular building on which they are located and must not conceal any architectural features.
2. A display must not be unduly dominant and the most important criterion will be the overall visual effect upon the entirety of the building and its surroundings.
3. Advertisements must be properly organized and clutter will be resisted.

D. Declared Buildings and Structures

1. Special consideration will be given to advertisements on or adjoining buildings of architectural or historic interest.
2. Internally illuminated box signs will normally be resisted

E. Conservation Areas

1. Advertisements will be expected to preserve or enhance the character of Conservation Areas.
2. Signs should normally be located at fascia level and should not damage original mouldings or brackets. Size, design and method of illumination will be carefully controlled.

F. Illumination

1. Illuminated advertisements will be considered in respect of amenity and public safety
 - (i) Public Safety

Regard will be given to possible danger to users and operators of road transport particularly where:—
- (a) The means of illumination is directly visible from the transport system;
- (b) The colour of the signs may cause confusion with traffic signals or other means of direction;

FIFTH SCHEDULE, *contd.*APPENDIX 17, *contd.*

- (c) Brightness could result in glare, dazzle or distraction.
 - (ii) Amenity
 - (a) the illumination of advertisements at high levels with long range visibility, will not normally be permitted;
 - (b) flashing or intermittent signs will not normally be permitted.

G Unauthorized Advertisements and removal of Displays

The local planning authority will take action to secure the removal of unauthorized displays or advertisements which are being displayed with “deemed consent” where it is satisfied that this is necessary to remedy a substantial injury to the amenity of a locality or a danger to members of the public.

H Hoardings and Poster Boards

Advertisement hoardings either free-standing or attached to buildings are generally considered to be unacceptable as permanent features of the street scene, as they detract from the townscape. They will normally be resisted unless they can be advantageously used to screen unsightly building sites on a temporary basis pending development.

I Blinds and Awnings

1. In conservation areas, permission will only be granted for retractable blinds which have no adverse impact on the street scene.
- 2.. On listed buildings, blinds will only be permitted where they do not adversely affect the architectural or historic interest of the building.
3. Blinds above the first floor sill level will only be permitted in exceptional circumstances.
4. Where blinds are unsuitably designed, mounted or located, the local planning authority will take appropriate action to remove them.
5. Very bright fluorescent, glossy or metallic finish blinds will not be permitted on listed buildings and in conservation areas.

Source:—Lambeth Environmental Services, 1992. Draft Unitary Development Plan, Courtney House, London.

FIFTH SCHEDULE, *contd.*

APPENDIX 18

Agricultural Land Use Classification System

For agricultural purposes land is classified into the following categories related to agricultural use.

Class I

This is land which is level with deep fertile soil and no factors limiting its use for agriculture.

Class II

Land which is suitable for cultivation with moderate limitations such as slope, inter-fill soils or poor drainage

Class III

Land suitable for cultivation with strong limitations by one or more of the following factors:

- Steepness or slope
- Infertile soils
- Poor drainage

Class IV

Land that is of marginal use for cultivation due to one or more of the factors listed above

Class V

This is land that is not suitable for cultivation due to adverse soil factors. It is usually steep land that should be used for forestry or fruit trees.

The classification system is of a general nature and in some instances may not be specific enough for detailed planning. Note should also be made of the fact that a classification could be improved by removing one or more limiting factor(s).

Care should therefore be taken in the interpretation of agricultural land use and when in doubt, reference should be made to the Ministry of Agriculture.

FIFTH SCHEDULE, *contd.*

APPENDIX 19

MINIMUM LOT SIZES FOR SINGLE FAMILY RESIDENTIAL
DEVELOPMENT

The minimum lot areas for detach, duplex or semi-detach dwelling with ground level access shall be subject to satisfactory arrangements for the disposal of sewage and general amenities as follows:

- (a) Detach House:
 - (i) Regional Centres
 - Minimum of 325.15m² for internal lots
 - Minimum of 418 m² for corner lots.
 - (ii) Sub Regional Centre
 - Minimum of 371.6 m² for internal lots
 - Minimum of 464.5 m² for corner lots
 - (iii) Rural Towns
 - Minimum of 4645m² for internal lots
 - Minimum of 557.4m² for corner lots
 - (iv) Rural Areas (Lots outside the above)
 - A minimum of 1011.75 m²
- (b) Semi-detached or duplex house (for each half) falling under (i) and (ii) above minimum of 278.7m² for internal lots minimum of 371.6m² for corner lots.
- (c) The minimum size of lots may be reduced for housing schemes where the layout indicates that this can be done and the required amenities and utility services are available to satisfactorily support the level of development proposed.
- (d) The minimum lot width for detach housing in all areas should be minimum of 12.19m and 10.7 m for each half of a semi detach house.
- (e) Generally the ratio of lot width to length should not exceed 2 to 5, that is, the width of the lot should not be less than 40% of the length.

Minimum lot sizes for Town House and Apartment Development

In most areas where this type of development is allowed the minimum lot size is 0.2 hectares (1/2 acre) depending on the physical character of the area.

FIFTH SCHEDULE, *contd.*

APPENDIX 20

GENERAL CONSIDERATIONS FOR THE SETBACK OF SELECTED BUILDINGS

The following guidelines are suggested for the minimum setback of selected buildings from property boundaries or existing building unless otherwise indicated in the Order:

- (a) Residential Development:
 - (i) Single Family detached and duplex houses.
 - side yard where provided should not be less than 1.2m per floor for single and multi-storey buildings.
 - Rear yards should not be less than 1/3 the height of the building or 3m whichever is greater. -Front yard should be a minimum of 6m.
 - (ii) Multifamily Development (Apartments and Town Houses) under normal circumstances the setback for apartments is as follows:
 - side yards should be 1.5m per floor from property boundary.
 - A minimum of 14.9m from the rear or 2/3 the height of the building, whichever is greater is recommended.
- (b) Apartments are guided by different densities depending on the area in which they are located. The densities control the heights of the buildings and eventually the setbacks. In all situations the setback from the roadway will be guided by the height and width of the road and should not be less than 21.0m from the road centre line. For the other guidelines please see appendix 11 and figure 1.
- (c) Commercial and office developments – In addition to the guidelines provided below for commercial and office development refer to Sectoral and General Development Policies and the Appendices of this order:
 - (i) Minimum setbacks from property boundaries for Commercial development:
 - Buildings located within business centres on lots identified for commercial use may be constructed with zero lot line subject to the provision of parking and other required standards to the satisfaction of the planning authority.
 - Where commercial development adjoins lots identified for or currently used for residential purposes, the structure must be setback at least 3 meters from that boundary.

FIFTH SCHEDULE, *contd.*Appendix 20, *contd.*

(ii) Minimum setbacks from property boundaries for Office development:

—Buildings located within business centres on lots identified for office use may be constructed with zero front lot line subject to the approval of the road authority, the provision of parking and other required standards to the satisfaction of the planning authority.

—Where compatible office development is contemplated for infill development in residential areas:

- Rear – minimum of 6 meters.
- Side yards—at least 3 meters or a minimum of 15% of the width of the lot.

(d) Institutional—Setbacks for the schools and churches should be:

—1.5m from the side property boundary per floor

—3m from the rear property boundary

—6m from the front property boundary

—all measurements should be taken from the face of the building to the property boundary unless otherwise specified.

—the height of the buildings should not exceed two (2) floors from ground level for single family detached and duplex building. Basement may be located below ground level depending on the contour of the land.

—the setbacks from any lot line may be increased by the planning authority in order to protect the privacy and visual amenities.

—Site coverage should not exceed fifty percent (50%). Refer to Appendix 11 and Figure 1 for guidelines for other uses.

FIFTH SCHEDULE, *contd.*

APPENDIX 21

HILL SIDE DEVELOPMENT GUIDELINES

Residential Densities and Lot Sizes

(1) In calculating densities only areas that are developable will be included. Scarp slopes, steep sided gullies, unstable hillsides, cliff faces, steep slopes exceeding 30 degrees will not be considered.

(2) In general, the developable area on a hill side site shall be contiguous (boundaries are in contact and not scattered throughout the site). If the site is to be used for multi-family the size of the lot should be a minimum of 0.8 hectares (2 acres).

(3) Areas that are within the developable zone, but falls outside the contiguous developable area shall be included as part of the total developable area only if that portion of the site is accessible and of a minimum size of 0.2 hectares (0.5 acre) for single family development and 0.8 hectares (2 acres) for multi-family development.

(4) Where the hillside is to be used for development and straddles all slope gradient categories, the average slope shall be used to determine residential zoning density.

(5) In order to determine zoning density, the slope category within the developable portion of the land will be used as the guideline for residential densities. Tables 8.1 through to 8.3, of the hillside development manual for Jamaica prepared and published by the Mines and Geology Division provides recommended guidelines in this regard and should be consulted.

(6) Slopes in excess of 30 degrees or unstable or active slopes on which development is proposed shall not be considered or used for residential purposes.

(7) Ecological formations which are normally problematic for construction e.g. shales, colluvial soils and some non-limestone rock slopes shall be included from class 3 slopes (steeply sloping). These may be reviewed on a case by case basis.

(8) Subdivision roads with circular/rectangular cul-de-sacs shall have minimum lot frontages of 8 metres for class 1, slope, 10 metres for class 2 slope and 14 metres for class 3 slopes provided that the back boundary is at least 3.5 times the length of the frontage (see fig 8.2 in the Hillside Development Manual for Jamaica).

Slope Steepness

(1) Development will be permitted on slopes up to 30 degrees (58% slope) and may be allowed in areas above under extraordinary circumstances subject to special conditions e.g. non-residential type development such as cellular towers.

FIFTH SCHEDULE, *contd.*APPENDIX 21, *contd.*

(2) Areas with the potential for landslides, erosion and debris flood with slope gradient in excess of 26 degrees (50% or 1:2 slope) should have extraordinary provisions that would allow developments to proceed with minimal disturbance.

(3) Where vehicular access to a hillside property becomes problematic due to steep slope or deep, vertical cuts (75m) from main access road, developments may not be permitted if access cannot be provided or it is clearly demonstrated that this can occur without great difficulty.

Development on Colluvium Slopes

(1) Colluvial slopes should be avoided for large scale development as they are highly unstable and prone to landslide and erosion and approval will only be given where it is proven that such development can proceed without having any negative impacts.

(2) Deep foundation should be used for building structures on colluvial soils, unless it can otherwise be demonstrated that an alternative suitable foundation design is acceptable to the authority.

(3) Excavated soils on these slopes should not be used as fill for load bearing purposes, but be used only for landscaping or other non-load bearing purposes.

Development in Limestone Karst

(1) Where sink holes and depressions are being used for storm water discharge they should be prevented from blockage using trash rack or other devices where possible.

(2) During site preparation for development sinkholes, depression or cavities should not be covered or buried but left open. A professional assessment should be made of these cavities.

(3) No development shall take place above, or in close proximity to caves or caverns unless the safety of the development can be ensured.

(4) Where possible runoff from roofs and impervious areas on site should be captured and dispersed to adjacent designated areas (vegetation buffers, sinkholes, depression, soak away etc. where it will not negatively affect other activities.

(5) Detention areas such as catch basins, soak away pits or other flood control devices to reduce peak flow, shall be constructed on hillside areas to reduce storm water run-off which, where possible, can be conveyed to landscaped on-site or off-site areas.

FIFTH SCHEDULE, *contd.*APPENDIX 21, *contd.**Visual Impact*

(1) Developments should not be designed to dominate the hillside but to blend with the natural features and achieve harmony between natural and built environment, such as vegetation, wildlife habitat etcetera.

(2) Natural features should be conserved and buildings sited so as to allow screening to minimize intrusiveness of the development.

(3) Buildings should be designed to conform to the natural topography and characters of the site in order to reduce bulk and mass.

(4) Architectural styles that are viewed as massive and bulky should be avoided and the stepping of foundations and roofs with the natural slope will be encouraged.

Note: The above information is extracted from the Hillside Development Manual for Jamaica prepared by the Mines and Geology Division, Hope Gardens, Kingston 6 and which should be consulted for more detailed information and guidelines relating to hillside development. The Mines and Geology Division should also be consulted in the preparation of any development application relative to this activity.

APPENDIX 22

COMMUNITY PLANNING

As a standard of the requirement for community facilities in neighborhoods of different sizes the following facilities shall be provided:

Development of 200 to 600 dwelling units—

- o Shops e.g. grocery, pharmacy *etc.*
- o A primary school including basic school (unless existing in immediate vicinity).
- o Communal areas (including parking, sidewalks, commercial space, park and play areas).

Development of 601 to 1000 dwelling units—

- o A primary school, basic school/day care centre.
- o Commercial areas of 10 square metres per family including covered and open areas, parking, petrol station *etc.*
- o Communal areas including parking spaces, access roads, sidewalks, park and play area.

FIFTH SCHEDULE, *contd.*APPENDIX 22, *contd.*

Development of 1001 to 3000 dwelling units—

- o Adequate educational facilities for the anticipated school age population
- o Space for commercial, cultural and social activities at the rate of approximately 10 square metre per family.
- o A small administrative centre e.g. government office.
- o Communal areas including parks, playgrounds, parking spaces, sidewalk *etc.*
- o A church
- o A sport field

APPENDIX 23

GUIDELINES AND STANDARDS FOR THE ESTABLISHMENT OF LIQUID NATURAL GAS (LNG) REGASIFICATION TERMINAL FACILITIES

Regasification of Liquid Natural Gas (LNG) is a system that allows the reconversion of the fuel into gaseous phase, thereby enabling its supply to various consumption points such as houses, towns, factories, large industrial areas and other end users. The LNG is received at the Regasification Terminal where the process takes place and where it is common for these facilities to have storage tanks.

The introduction of industrial scale natural gas for fuelling power plants in Jamaica will therefore require the construction of Natural Gas/Liquefied Natural Gas specific handling; storage and distribution infrastructure in the island. An LNG satellite plant is one of the most common components used to facilitate the use of Natural Gas by new consumers. The development must guarantee the stability, safety and permanence in the supply of natural gas. In addition, the development of the natural gas sector must be designed and operated to comply with Jamaica's environmental policies, legislations, regulations and standards. It will be necessary to develop a regulatory framework in order to meet the minimum environmental health, safety and quality standards to receive, store and supply fuel.

1. Guidelines—

- (i) the natural gas flows from the plant to the consumers in the gaseous phase by pipelines. The routing of such pipeline must be clearly identified by the installation of signs on the ground. Concrete or metallic posts with an identification plate must be installed in compliance with the following requirements:

—each post must be distinctively visible from their immediate neighbour.

FIFTH SCHEDULE, *contd.*APPENDIX 23, *contd.*

—the maximum distance between each post must be 200 meters.

- (ii) the depth of the trench where the gas pipeline is to be buried must be more than 0.8metres from the top of the soil to the upper side of the pipe. When the pipeline crosses any other underground infrastructure, the depth must be increased to at least 1.4 meters. In case of rocky terrain these figures could be reduced in 10cm to decrease the cost of excavation.
- (iii) the pipe must be laid on a sand bed and covered also with sand to avoid damages in the burial process. The rest of the trench may be back filled with the excavated material if this is soft and without sharp edges instead of sand.
- (iv) the routing must maintain regulated distances from other infrastructure and services, which exists in the area. These include for example electrical cables, fiber optic cables, telephone lines, water conduits and drainage networks. The minimum distance from the routing must be 0.4 metres except for electrical cables which must be maintained at a distance of 1 meter. If it is not possible to maintain this distance, mechanical protection elements must be installed between them.
- (v) when the gas pipeline is in proximity to an overhead power line with metallic towers, the distance to the towers must be at least 5 meters. In addition, a detailed dedicated report assessing the influence between both installations must be prepared.

The Site—

- (i) the LNG Company must own the property or have an agreement in place for using the plot of land for this purpose for the minimum period of 20 years.
- (ii) the land on which the LNG satellite plant or Regasification Terminal is to be constructed must be flat, with a minimum gradient to avoid the formation of puddles from rain. The design of slopes and trenches is to be carried out to take this into account.
- (iii) a control center, warehouse and other auxiliary buildings are necessary in the construction and operation of a Storage and Regasification Terminal and the erection of these must conform to the Planning and Building Laws of Jamaica.
- (iv) provisions must be made for the effective management of waste generated during the operations and maintenance of the facility. It will be necessary for the segregation of different types of waste such as waste oils and oily rags used during maintenance.

FIFTH SCHEDULE, *contd.*APPENDIX 23, *contd.*

- (v) Aesthetic impacts must be assessed with considerations given to the efficient use of land and the aesthetic impact on the surroundings being taken into account.
- (vi) All LNG storage tanks must be equipped with some form of secondary containment with the height and thickness necessary to ensure that all leaks or spills are effectively contained. This may take the form of impoundment or bounded areas which must be separated from the tank by at least 1.5 meters to permit access of a person. The impounding area of every tank must be constructed with a volume that is equal to that of the tank. The distance between two walls must be at least 4 meters to allow vehicular traffic.
- (vii) The plant must be located in an isolated area . Safe distances from other facilities and setback limits must be taken into account in the design of the facility to avoid transmitting accidental fires to other equipment. It will also be necessary to maintain distances between equipment and property lines to respect the requirements of restricted covenants imposed on the land and adjacent to the lands.

2. Standards—

These are intended to ensure that the plant is functionally and aesthetically compatible with adjacent users:

Access

- (i) site access must be exclusive for the installation from the nearest road and must be designed for tanker trucks with a length in excess of 15 meters.
- (ii) site access must permit the movement and circulation of two trucks simultaneously and space must be available for manoeuvring and positioning the trucks to connect to the tanks.
- (iii) a metal fence or building walls must be installed around the plant to restrict the access of non-authorized persons. Access should only be through a secured gate entrance with permission being required from a control centre to open the gate and all entrances and exits being recorded.

Parking

- (i) a parking area for other vehicles must be constructed in an area that does not disturb the operations of the cistern trucks, and, be made available for staff and visitors and be in accordance with the standards set out in this Order.

FIFTH SCHEDULE, *contd.*APPENDIX 23, *contd.*

- (ii) the parking area must not disturb pedestrian and vehicular traffic entering and exiting the plant.

Setbacks

- (i) the minimum safety distances from tanks to property lines will be 0.7 times the container diameter, but not less than 30 meters.
- (ii) no overhead or underground facility or public service infrastructure must cross the LNG Plant.

Installation

- (i) the lighting system must be adequate to ensure safety when operations are being done in the plant. This should be maintained at a minimum of 20 lux, in general and 200 lux in the discharge area.
- (ii) a water supply for fire protection system must be provided, except where there is a justification for it being unnecessary or impossible to be installed. Such justification will have to be approved by the Local Authority.
- (iii) for LNG storage capacity greater than 450 m³, a water system may be installed to water the high part of the tanks to avoid fire. If the plant does not have access to a regular water supply it must be equipped with a water reservoir that can deliver 2 hours of water supply at a sufficient rate of 3 litre/min/m² in case of fire.
- (iv) an odourisation system must be installed to odorize the natural gas before it leaves the plant.
- (v) the plant must be equipped with extinguishers in the tank zone and in the vaporizer zone and this should be done in association with the Fire Department.

Landscaping

- (i) landscape proposals prepared by a Landscape Architect showing a scheme of hard and soft landscaping should be submitted along with the application for the proposed development.
- (ii) the design must include a landscaped open area, 3 meters wide along the property boundary,
- (iii) landscaping including trees or shrub planting and suitable screening surrounding the plant may be required to integrate the facility into the local environment.

FIFTH SCHEDULE, *contd.*APPENDIX 23, *contd.**Drainage*

- (i) rain Water in the impoundment areas must be extracted by pumps or holes in the wall which must be closed immediately after the water is removed.
 - (ii) hazardous waste must be confined and managed in compliance with the facility's approved Risk Prevention Plan and the storage areas must not be directly or indirectly connected to the public drainage systems.
 - (iii) waste water from the washing of equipment and sewage disposal, must meet NEPA's and the health authorities guidelines and standards for sewage and effluent discharge.
3. Site Planning Considerations—
- (i) the site plan must make provision for horizontal and vertical tank installations. The applicant must access and justify the impact on the landscaping for the chosen tank configuration
 - (ii) the most suitable and efficient design must be selected in connecting the gas pipeline to the plant at the consumption point.
 - (iii) proposals for the installation of STORAGE and REGASIFICATION TERMINAL must include an Environmental Impact Assessment done in accordance with the requirements of the Natural Resources Conservation Authority. This should include assessment of the site for the potential for negative impact on water, soil and air for potential impacts on flora and fauna, the human society within the sphere of influence and any other potential impacts on the environment. The assessment must also include recommended mitigation techniques for the cited impacts. Preventative and protective measurements must be incorporated into the assessment along with a proposal for future assessments.
4. Safety Considerations—
- (i) the main hazard is due to the flammable nature of the LNG and the NG which both burn when exposed directly to an ignition process. Fire protection systems must be designed to protect all the processes and areas at the facilities.
 - (ii) if there is a leak without the incidence of ignition then the natural gas will be diluted by the air. Therefore a safety area around the facility that allows for sufficient dilution of the natural gas must be established to minimize any effects a leak may have on other surrounding infrastructure.

FIFTH SCHEDULE, *contd.*

LIST OF 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)	Minimum Green Spaces Required within Net Plot Area (%)
RESIDENTIAL (Maximum Habitable Rooms per Hectares)				
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
75—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
COMMERCIAL				
General Commercial in Business Centres	1.00	50	2	20
OFFICE				
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

FIFTH SCHEDULE, *contd.*

NOTE:

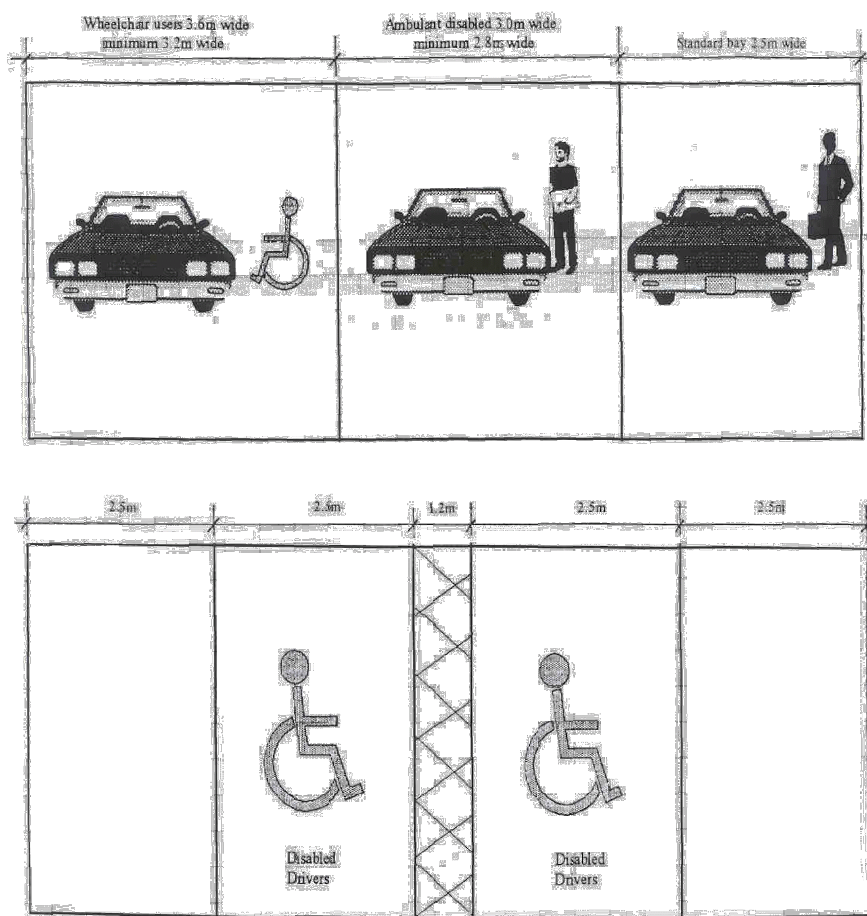
1. Floor area ratio and height of a building will be used to control the quantity of floor space proposed by a development. This is necessary to avoid the over development of a site which could result in excessive strain on the infrastructure in an area.
2. It is not necessary that all the developments 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.

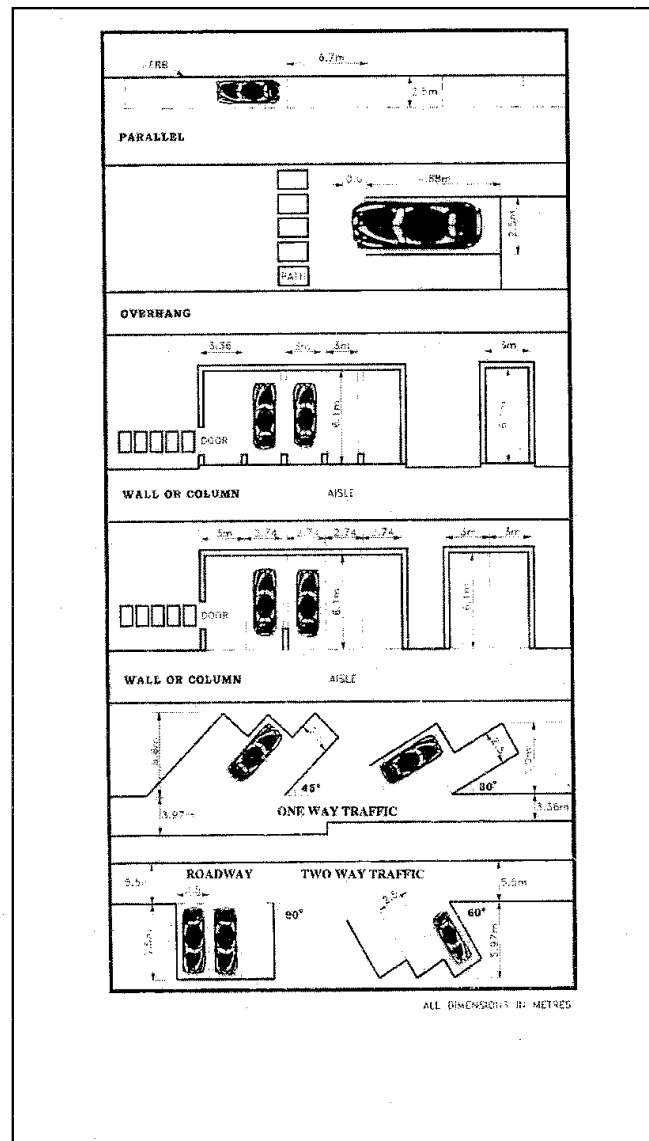


Where adjacent spaces are reserved for disabled drivers, an access area 1.20m wide may be marked on the ground to indicate that cars should be parked to either side. This will allow for access on one side to the driver's door of a car, and on other to the passenger's door. Car parking spaces for use 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

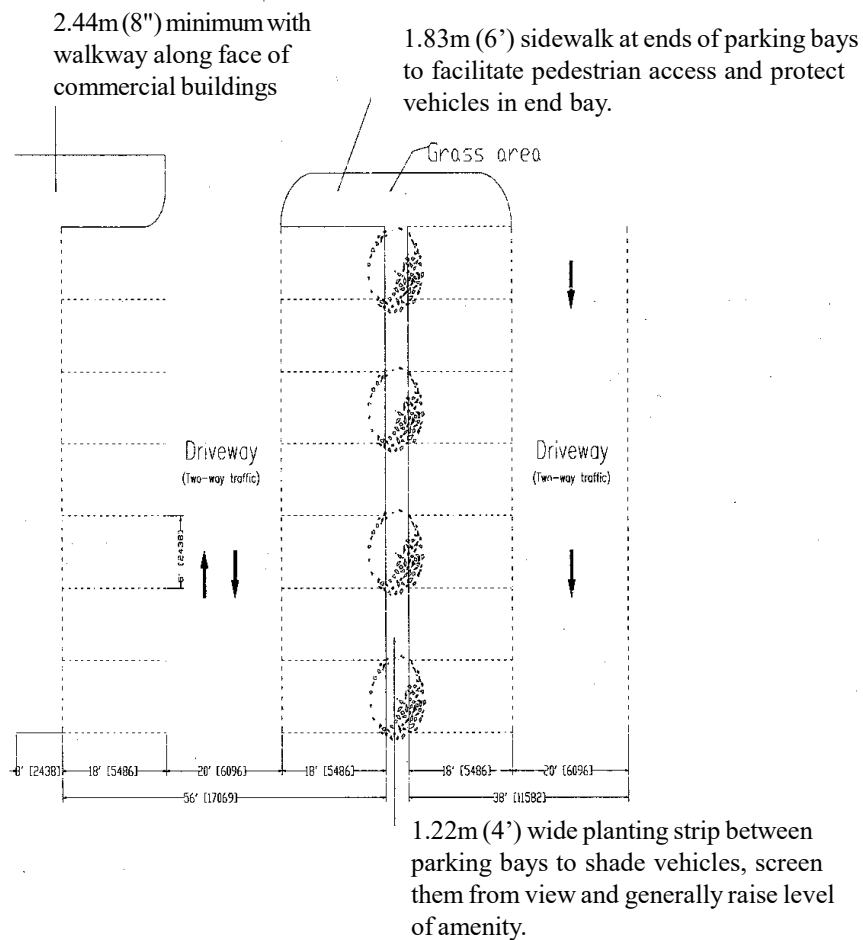
PARKING LAYOUT



FIFTH SCHEDULE, *contd.*

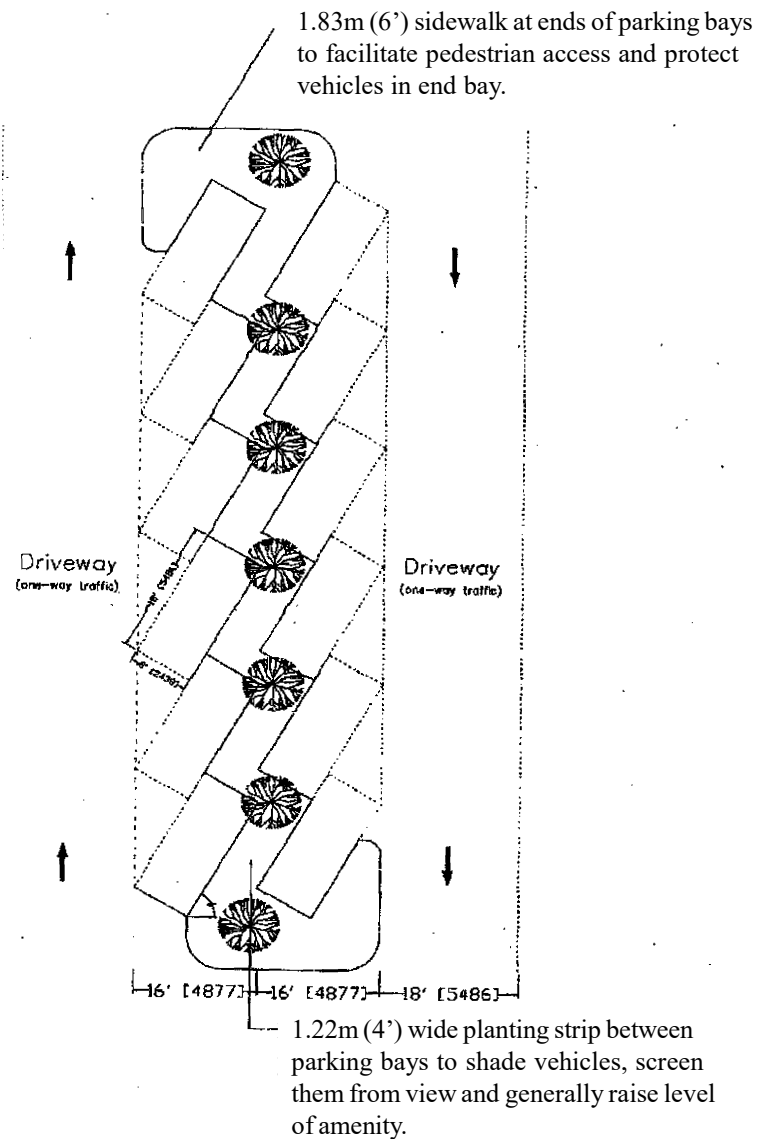
FIGURE 4

PARKING STANDARDS

90 degrees—*Angled parking design Showing Landscaping*

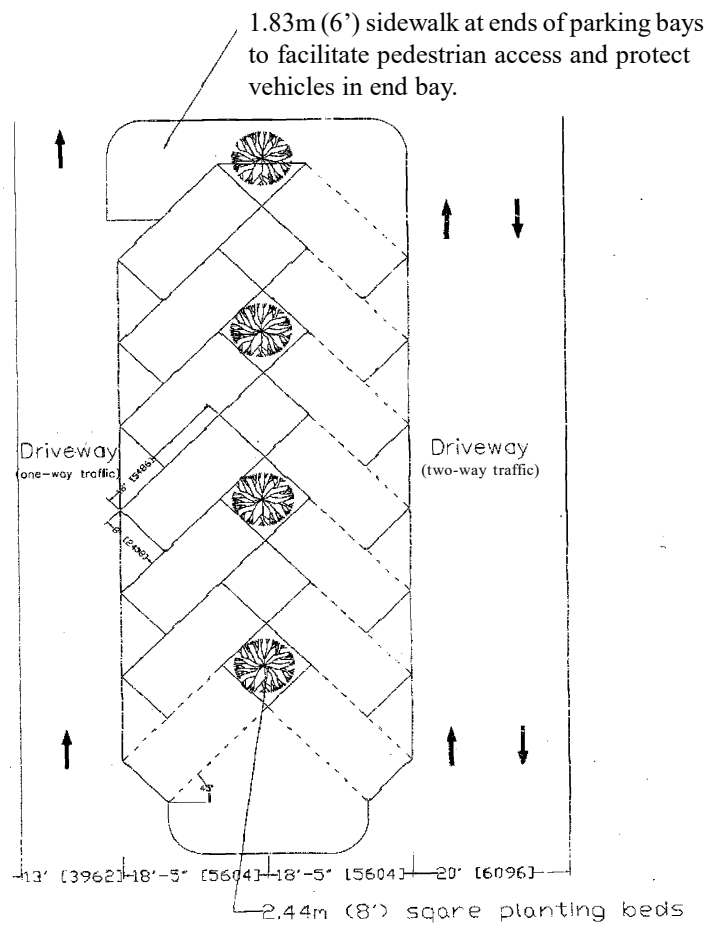
FIFTH SCHEDULE, *contd.*

PARKING STANDARDS

60 degrees—*Angled parking design (double bay) Showing Landscaping*

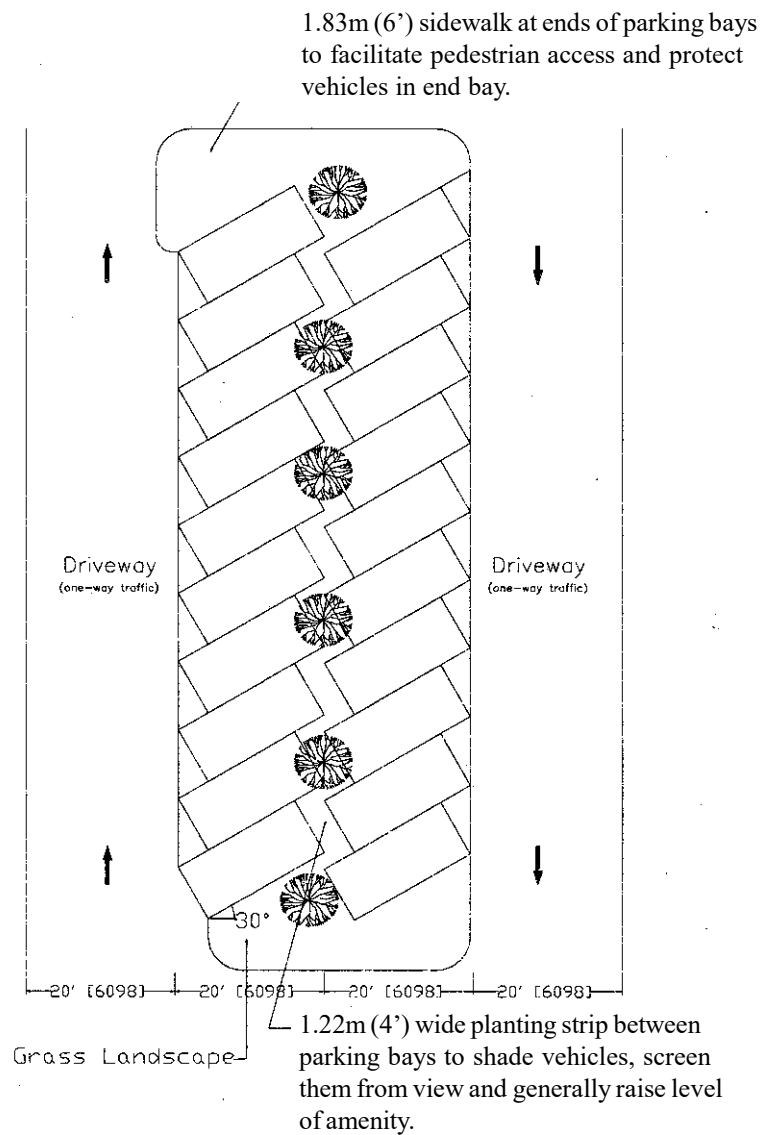
FIFTH SCHEDULE, *contd.*

PARKING STANDARDS

45 degrees—*Angled parking design (double bay) Showing Landscaping*

FIFTH SCHEDULE, *contd.*

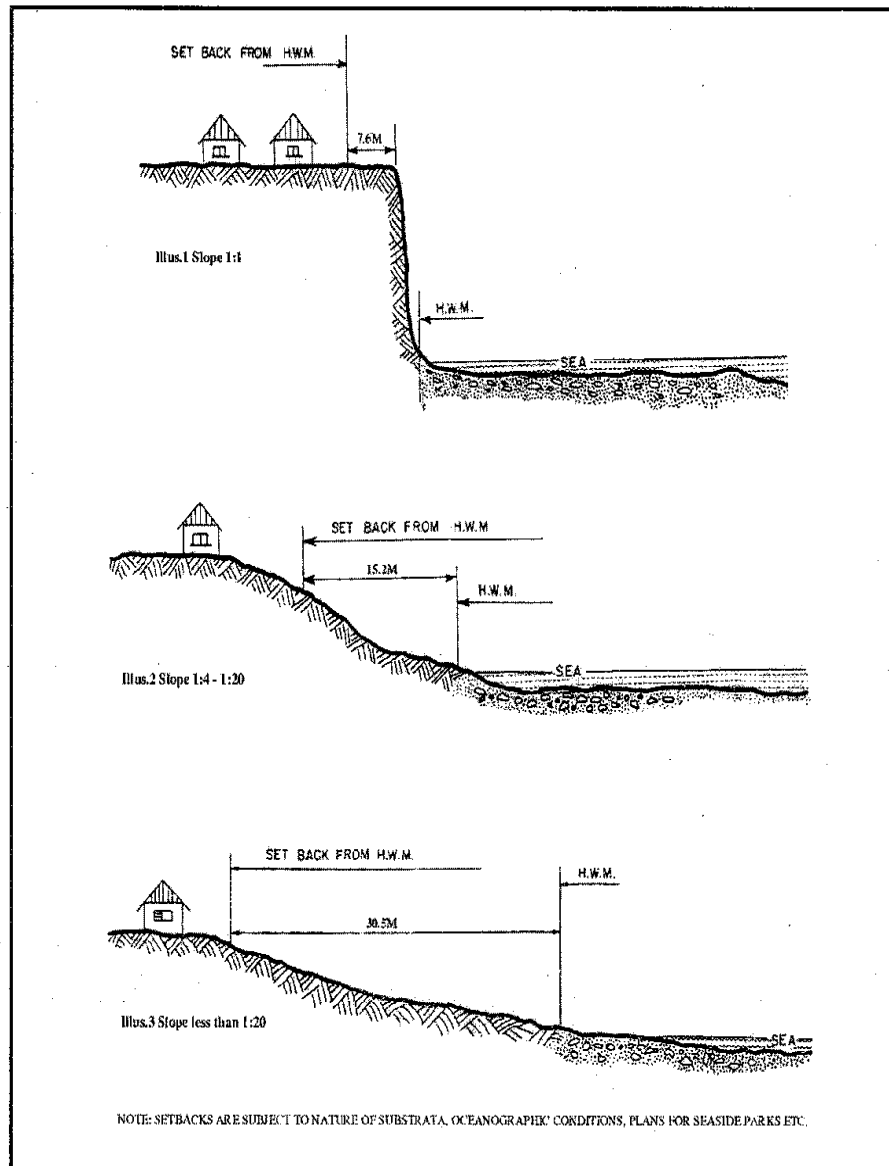
PARKING STANDARDS

30 degrees—*Angled parking design (double bay) Showing Landscaping*

FIFTH SCHEDULE, *contd.*

FIGURE 5

SETBACKS FROM HIGH WATERMARK



FIFTH SCHEDULE, *contd.*

LIST OF ABBREVIATIONS

AB	Annotto Bay Local Planning Area
C	Conservation of the Natural and Built Environment
CA	Control of Advertisements
E	Energy Conservation
GL	Gayle/Lucky Hill Local Planning Area
GD	General Development Policies
GH	Guys Hill Local Planning Area
HG	Highgate Local Planning Area
H	Housing
I	Islington Local Planning Area
LPA	Local Planning Area
M	Minerals
O	Oracabessa Local Planning Area
OBJ	Objectives
PFS	Petrol Filling Station
PM	Port Maria Local Planning Area
R	Retreat Local Planning Area
RAP	Rural Area Policies
RE	Rural Economy
SA	Social Amenities
SP	Sectoral Policies
SUE	Sub Urban Economy
TELE	Telecommunication
TO	Tourism
T	Transportation and Traffic
UC	Undeveloped Coast
UE	Urban Economy
WT	Waste Treatment and Disposal

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) The Saint Mary Municipal Corporation
- (2) Housing Agency of Jamaica
- (3) Jamaica National Heritage Trust; 79 Duke St. Kingston
- (4) Ministry of Agriculture and Lands; The National Minerals Policy (2nd Draft for discussion Purposes August 2006)
- (5) Ministry of Tourism and Sports; Master Plan for Sustainable Tourism Development
- (6) Ministry of Labour and Social Security; Statistical Bulletin 2002
- (7) National Environment And Planning Agency; Development and Investment Manual, Volume 1 Section 1- Planning and Development—Chapter 2.
- (8) National Environment and Planning Agency
- (9) The Water Resources Authority
- (10) The National Land Agency; Topographic Base Maps and Land Parcels
- (11) National Solid Waste Management Authority; 61 Half Way Tree Rd.; Kingston 10.
- (12) Office of the Prime Minister; Development Planning Unit
- (13) The Planning Institute of Jamaica; Economic and Social Survey of Jamaica and various other publications.
- (14) The National Works Agency
- (15) Members of Staff; Social Development Commission, St. Mary.
- (16) The Statistical Institute of Jamaica (STATIN); Statistical Data (including Enumeration Districts)
- (17) The Town and Country Planning Authority; the Town and Country Planning (St. Mary Coast) Confirmed Development Order, 1963.
- (18) The Mines and Geology Department

FIFTH SCHEDULE, *contd.*

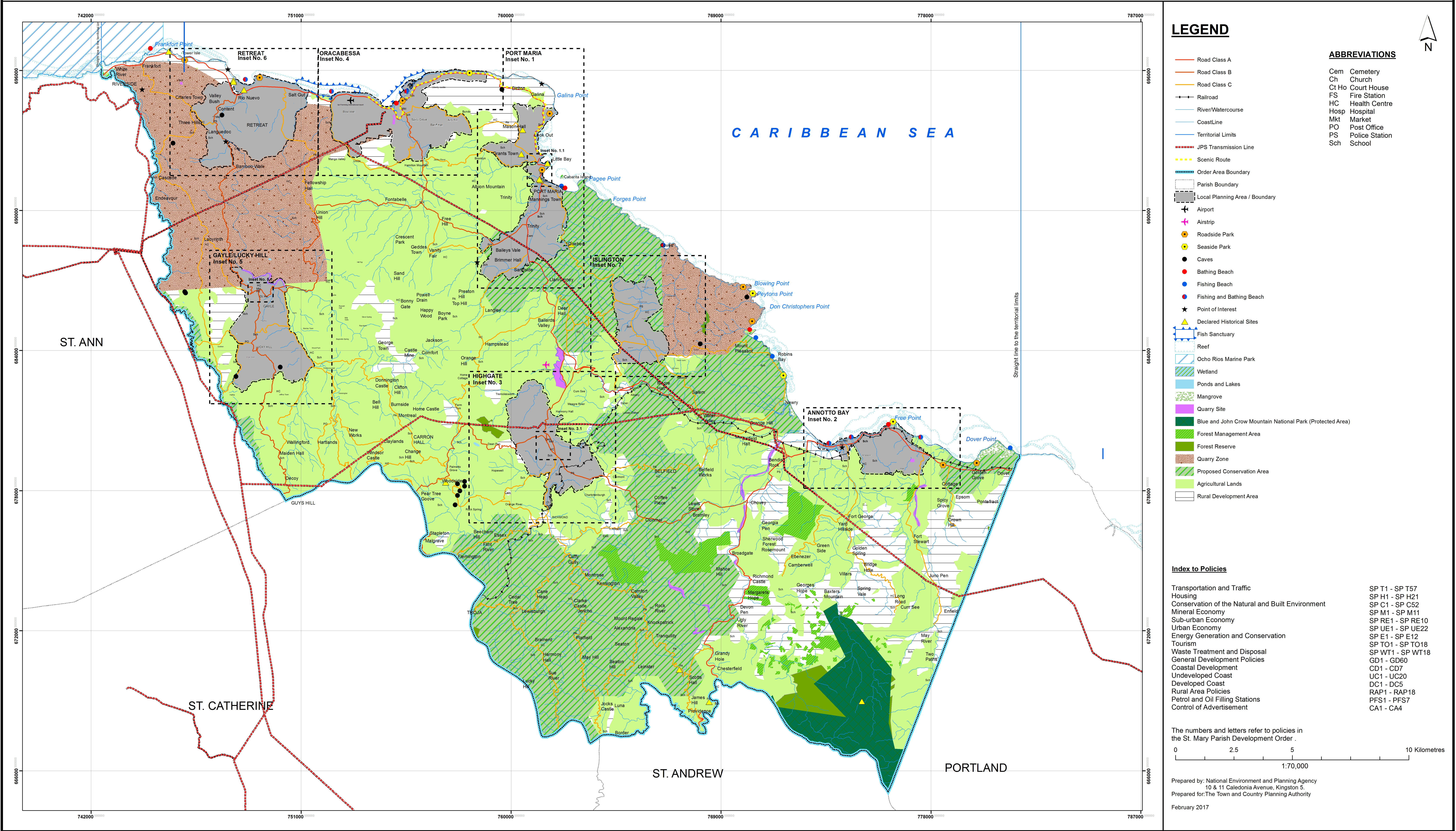
- (19) The Community Based Organization and other Stakeholders in the Parish of St. Mary.
- (20) Energy Efficiency in Jamaica – Report from Global Energy Workshop, United States Energy Association (USEA) and United States Agency for International Development (USAID) – March 6 – 13, 2010.

Dated at 10 Caledonia Avenue, Kingston 5, this 4th day of July, 2017.

DANVILLE WALKER, O.J., J.P.
Chairman
Town and Country Planning Authority.

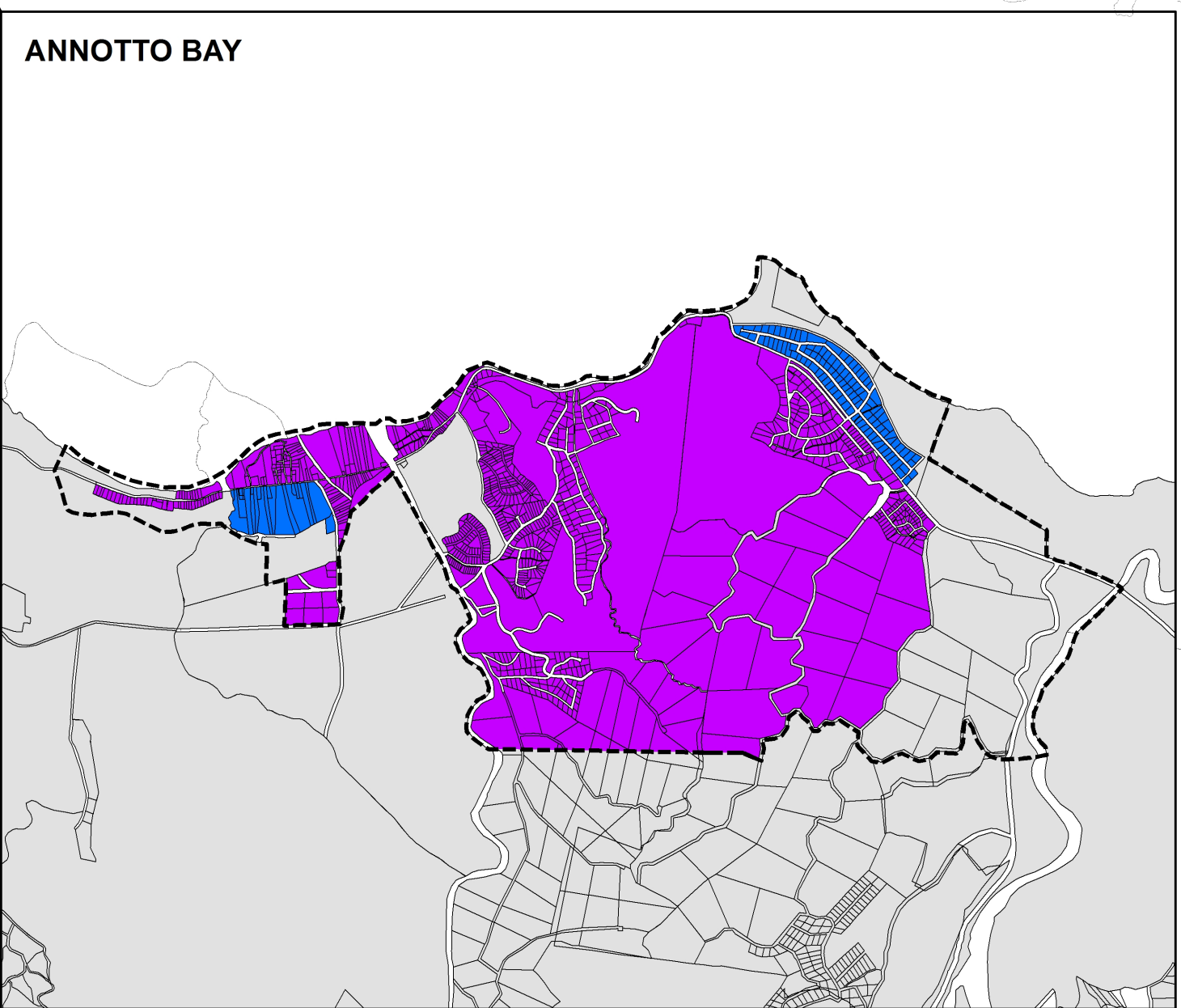
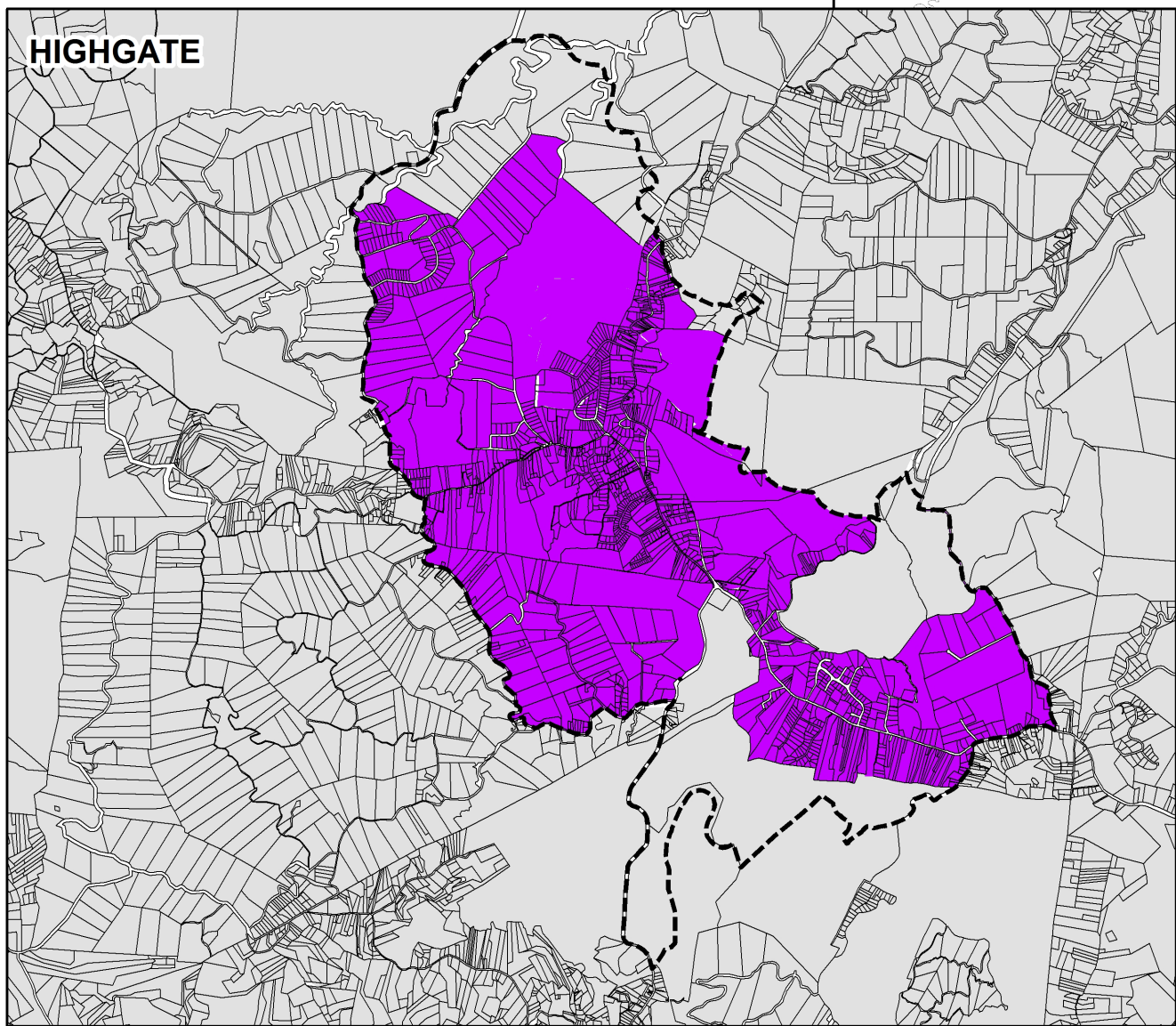
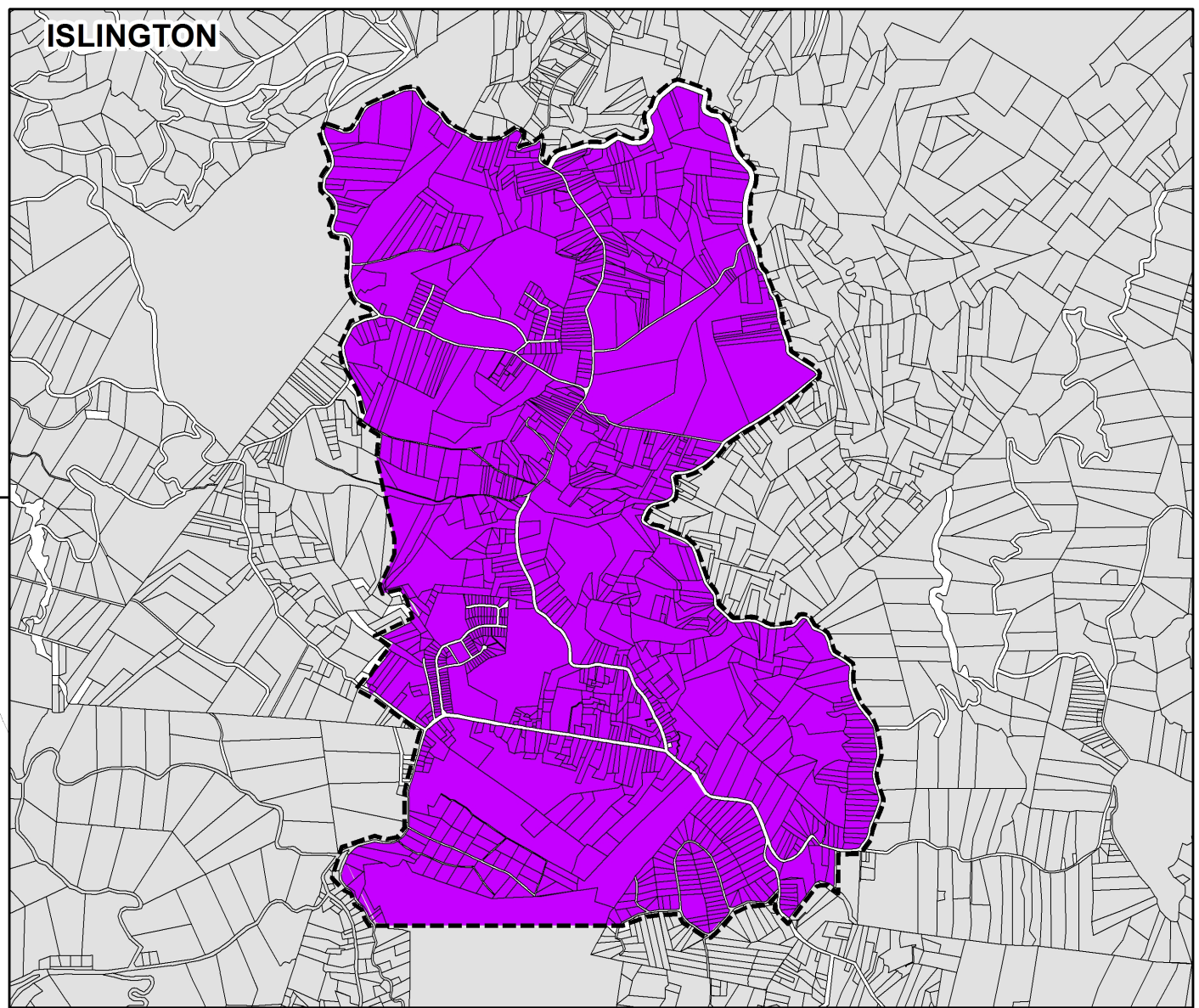
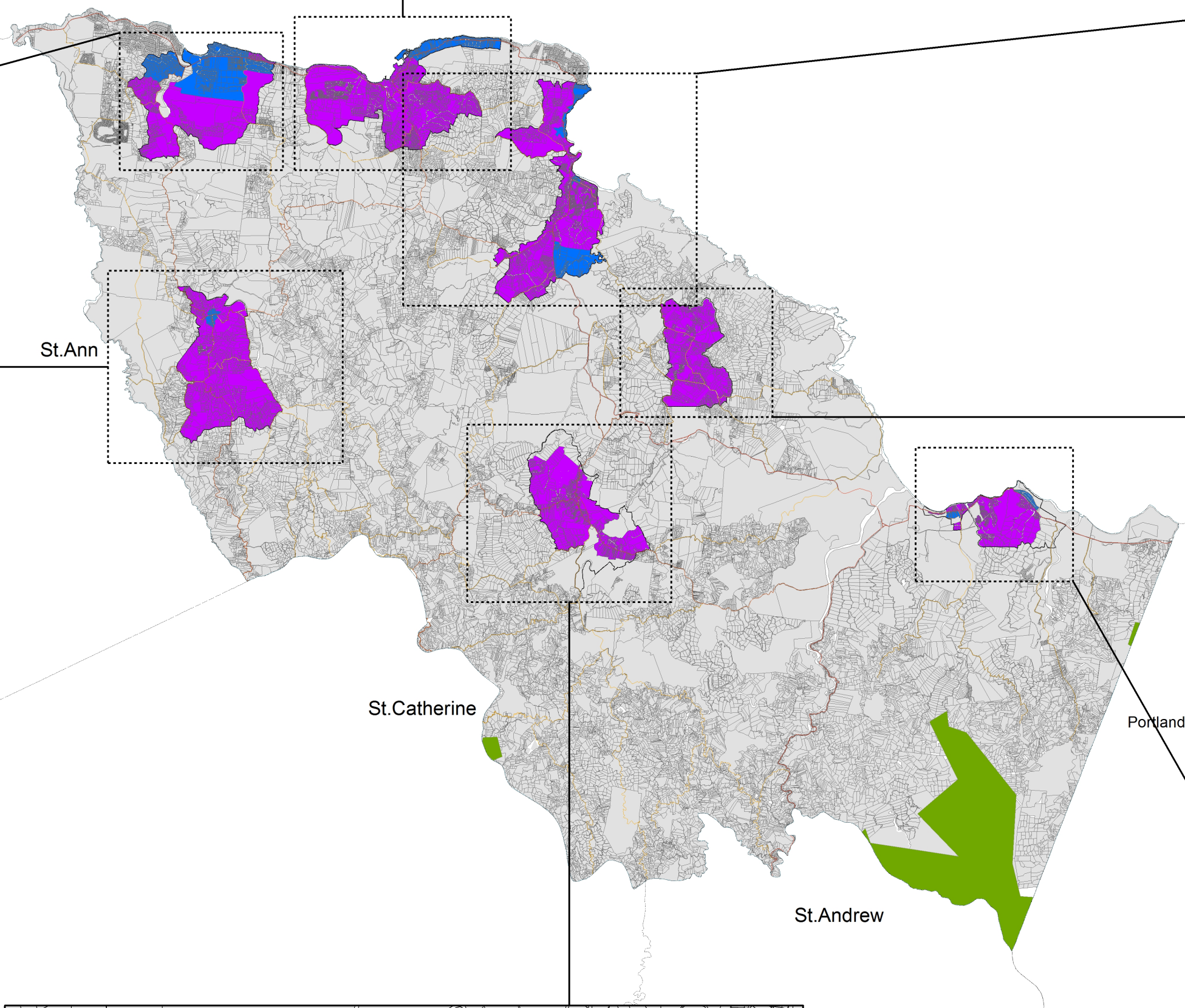
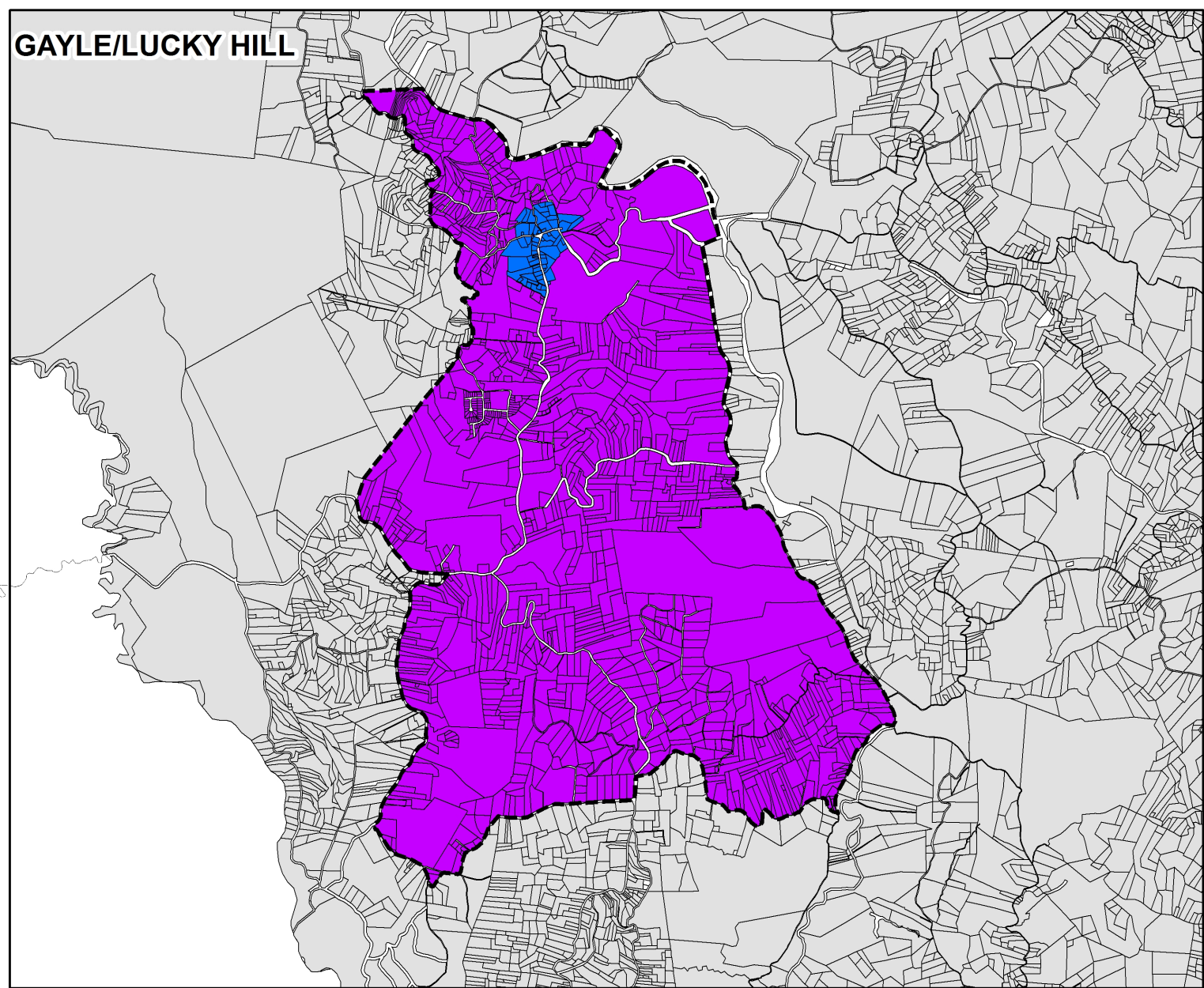
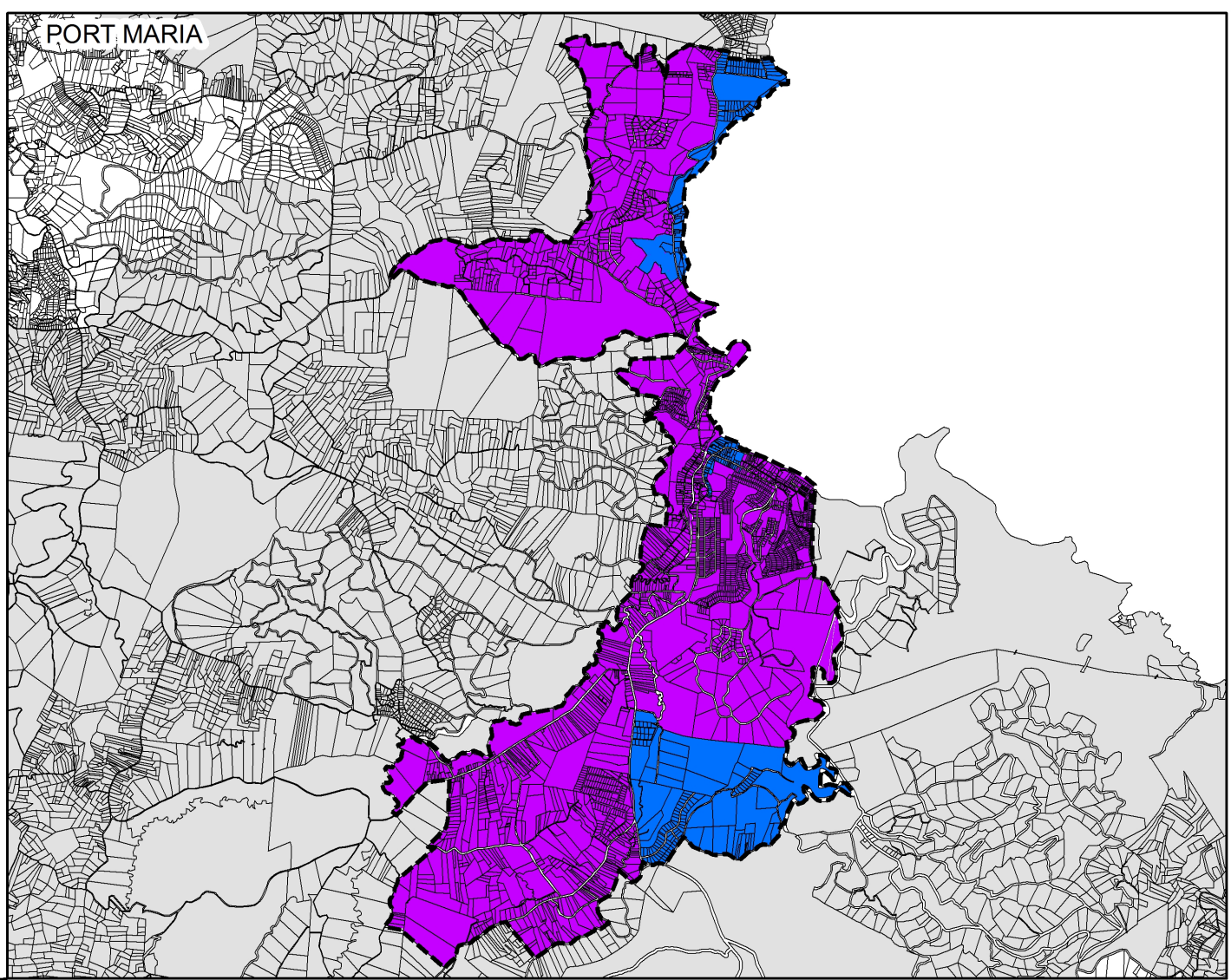
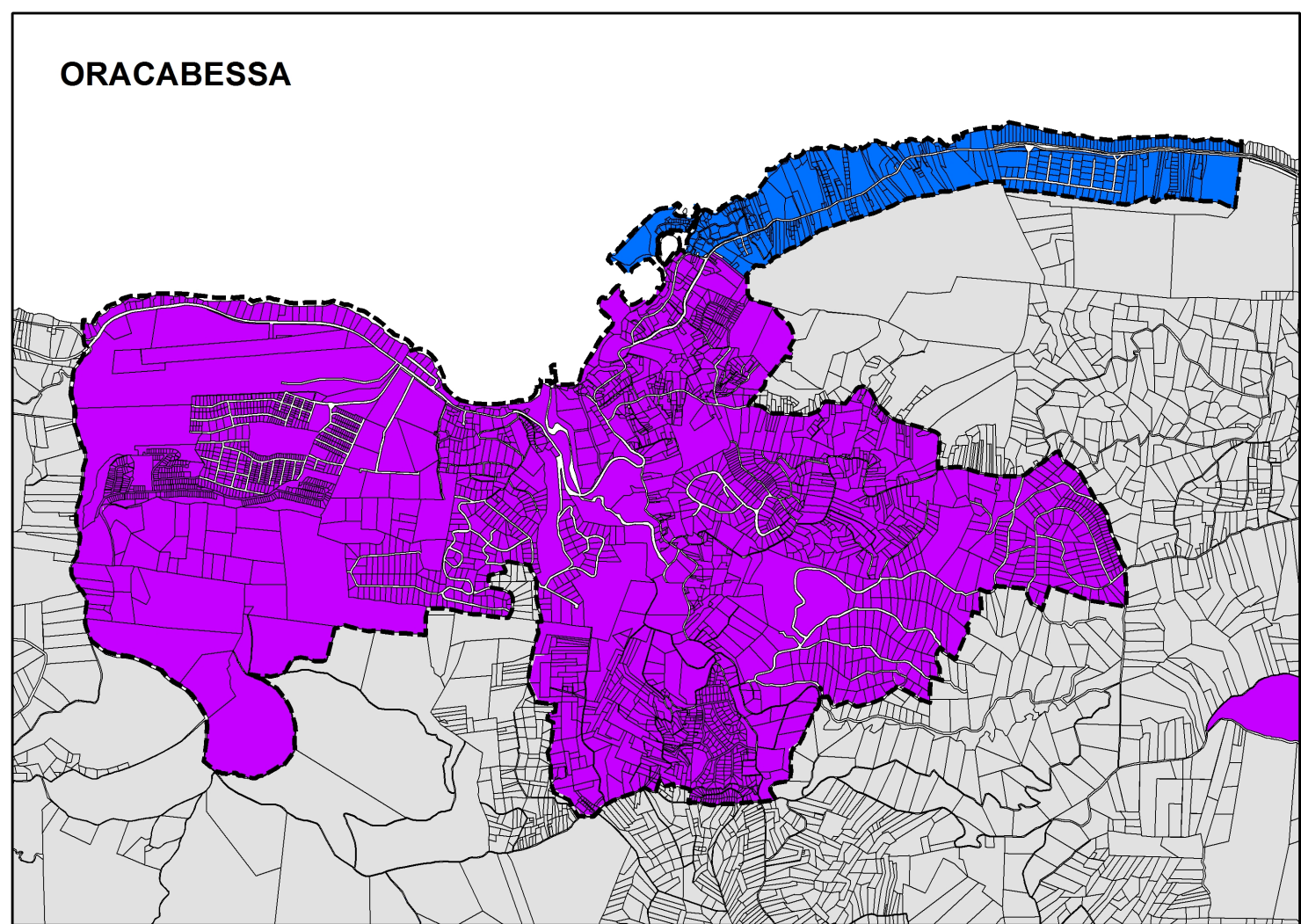
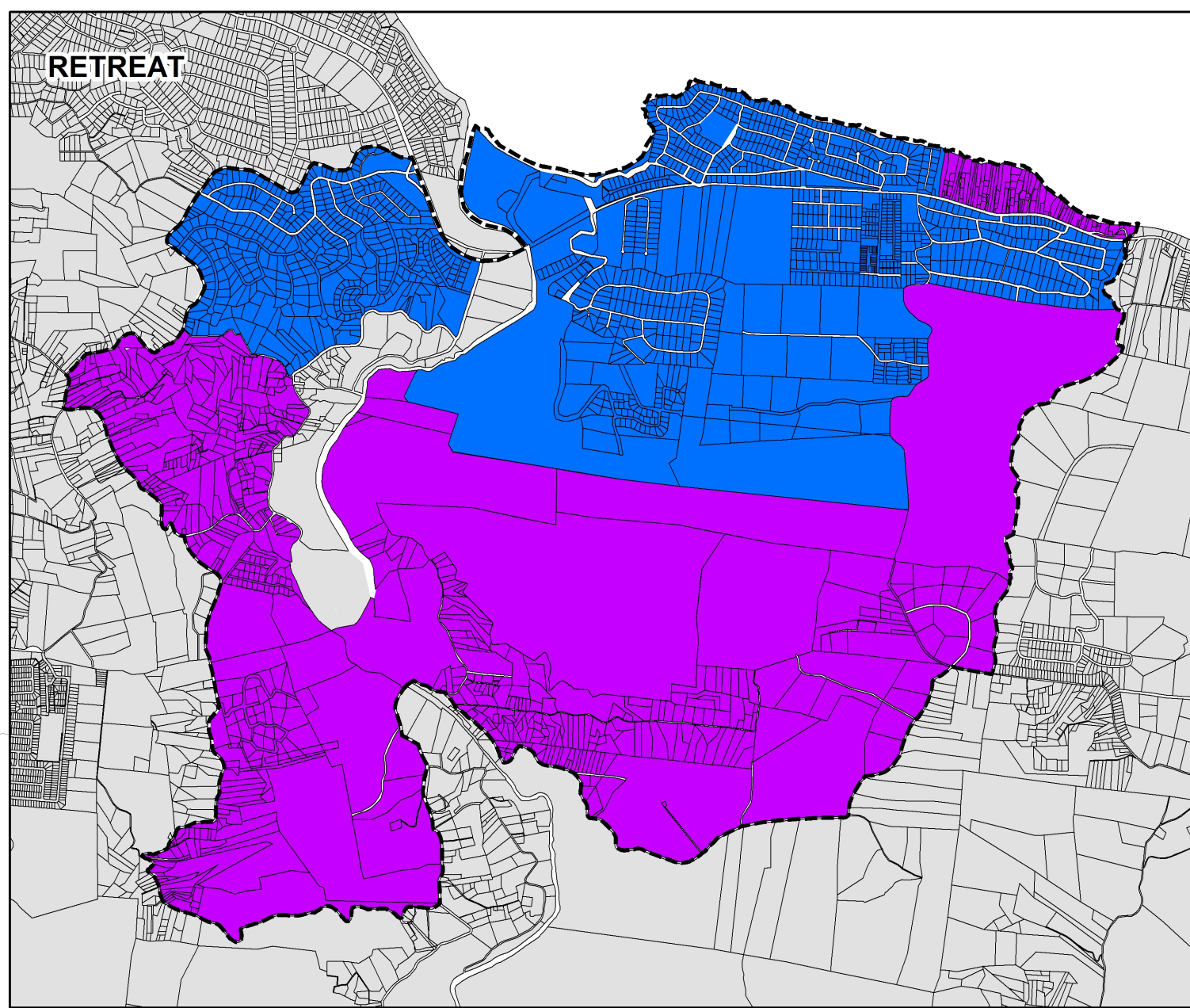
ST. MARY PARISH DEVELOPMENT ORDER

MAP 1



ST. MARY PARISH DEVELOPMENT ORDER

DENSITY MAP (Map 2)



LEGEND

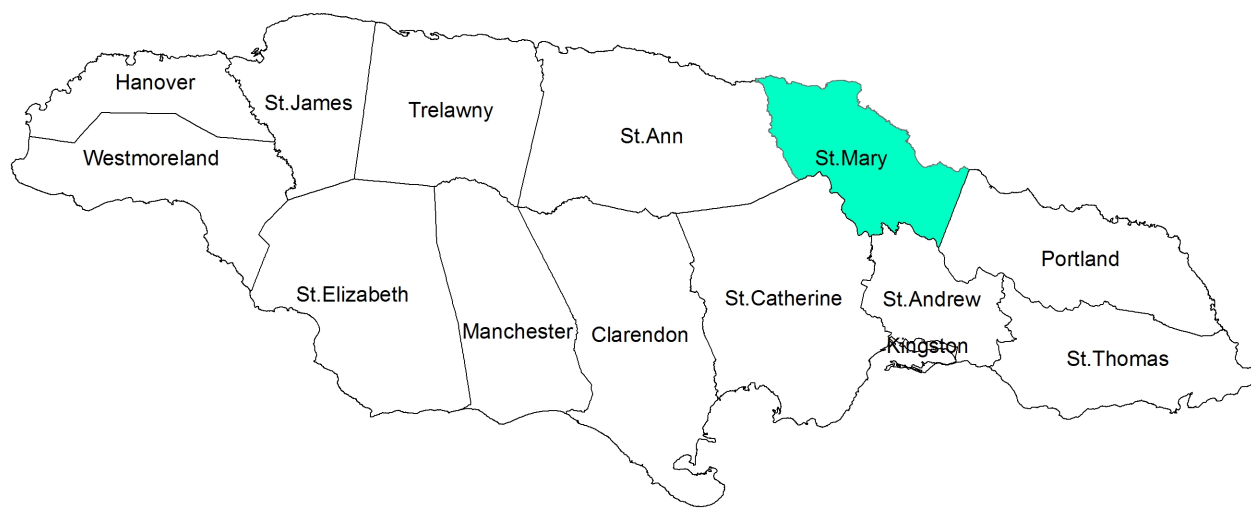
- Road Class A
- Road Class B
- Road Class C
- Parish Boundary
- Order Area Boundary
- LPA Boundary
- Parcel Boundary
- Forest Reserve

DENSITY

- 125 Habitable Rooms Per Hectare (50 per acre)
- 75 Habitable Rooms Per Hectare (30 per acre)
- 50 Habitable Rooms Per Hectare (20 per acre)



INSET



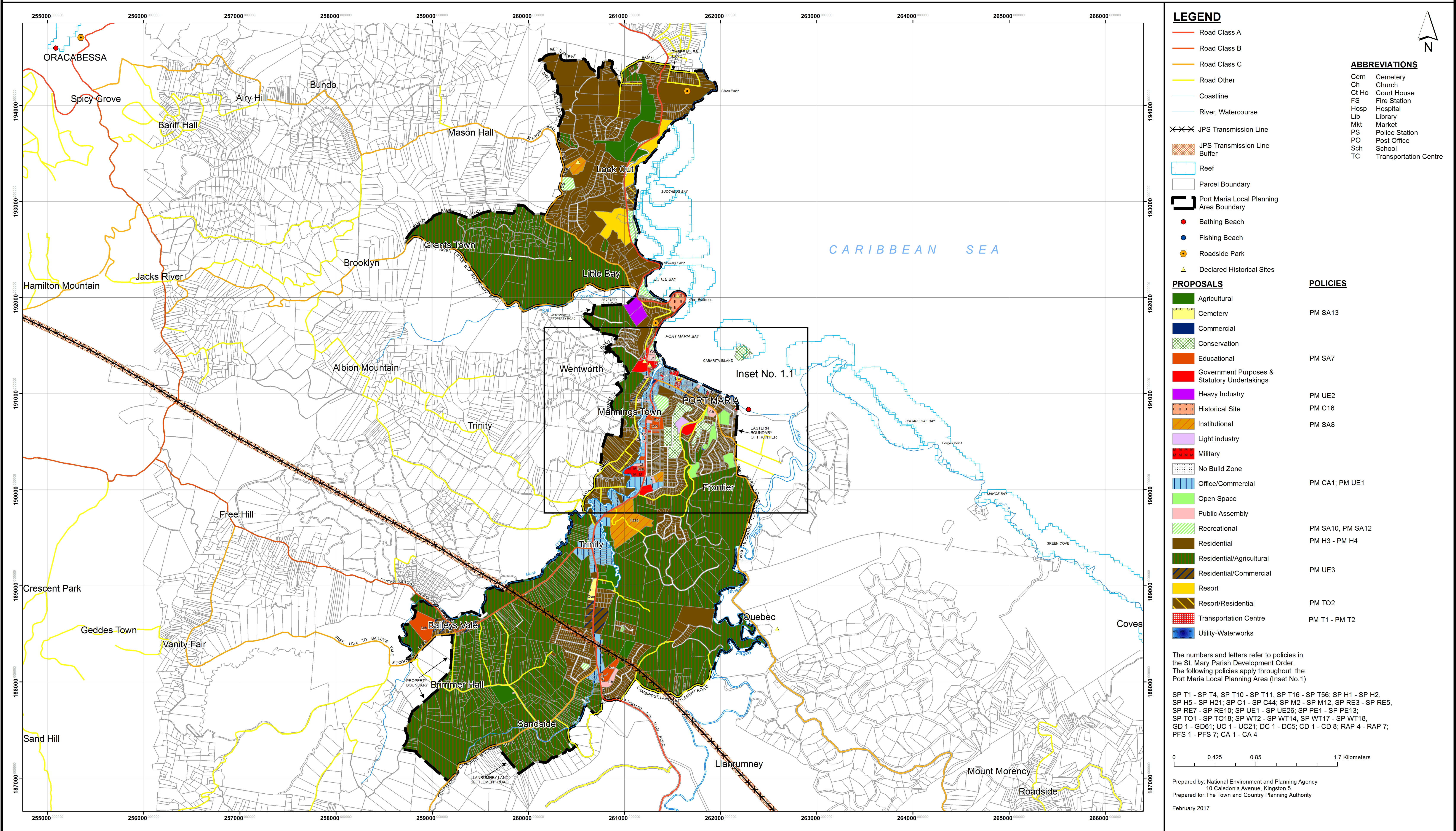
Hillside policy guidelines are applicable in areas of steep slope.

0 5 10 20 Kilometers

Prepared by: National Environment and Planning Agency
10 & 11 Caledonia Avenue, Kingston 5.
Prepared for: The Town and Country Planning Authority
February 2017

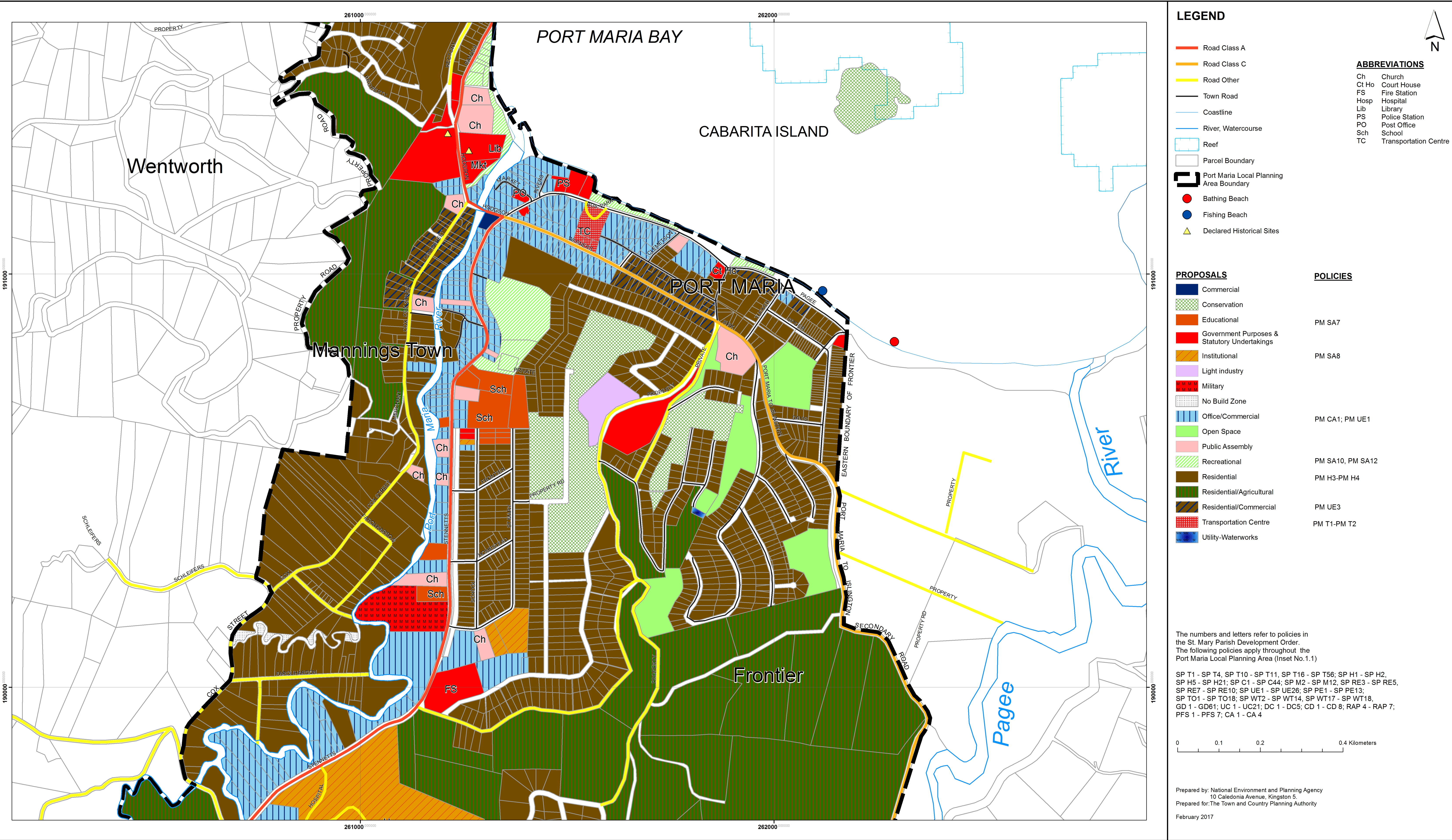
ST. MARY PARISH DEVELOPMENT ORDER

PORT MARIA LOCAL PLANNING AREA LAND USE PROPOSALS (Inset No.1)



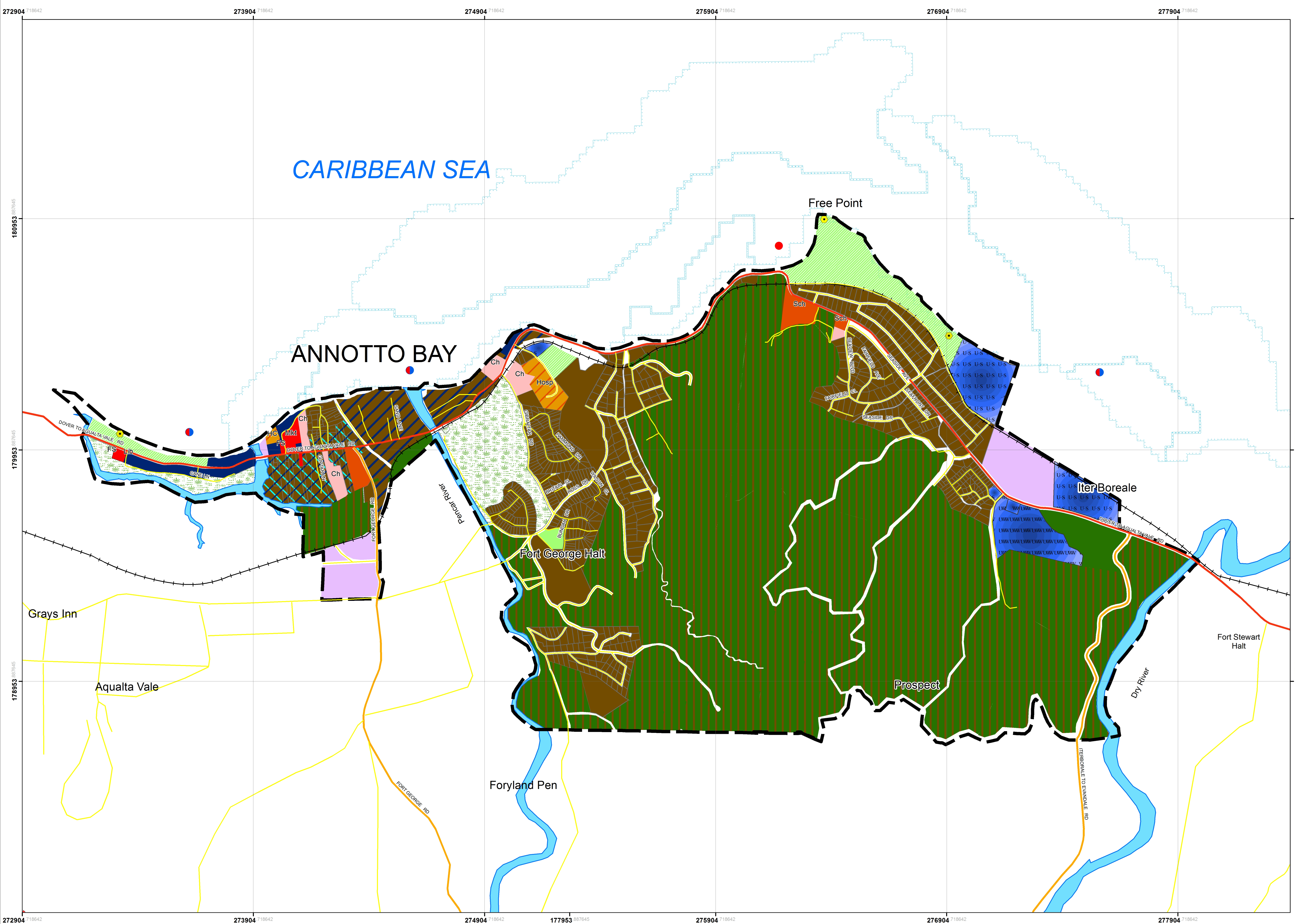
ST. MARY PARISH DEVELOPMENT ORDER

PORT MARIA LOCAL PLANNING AREA LAND USE PROPOSALS (Inset No.1.1)



ST. MARY PARISH DEVELOPMENT ORDER

ANNOTTO BAY LOCAL PLANNING AREA LAND USE PROPOSALS (Inset No. 2)



LEGEND

- Road Class A
- Road Class B
- Road Class C
- Road Other
- Railway
- River/Watercourse
- Reefs
- Parcel Boundary
- Annotto Bay LPA Boundary
- Bathing Beach
- Fishing and Bathing Beach
- Seaside Park

ABBREVIATIONS

- | | |
|-----|----------------|
| Ch | Church |
| HC | Health Centre |
| Lib | Library |
| PS | Police Station |
| PO | Post Office |
| Sch | School |
| FS | Fire Station |

PROPOSALS

- Agriculture
- Commercial
- Commercial/Office/Residential
- Educational
- Institutional
- Light Industry
- Open Space
- Public Assembly
- Government Purposes & Statutory Undertakings
- Recreational
- Residential
- Residential/Agricultural
- Residential/Commercial
- Utility - Sewage
- Utility - Waterworks
- Wetlands

POLICIES

- | |
|---|
| AE UE 11 |
| AB H 9 - H12 |
| AB UE 12 - 13 |
| AB C 3 - C4; AB UE 12 - UE 13; AB SA 8 - SA 9 |
| AB H9 - H12 |

The letters and numbers refer to policies in the Draft St. Mary Parish Development Order. The following policies apply throughout the Annotto Bay Local Planning Area Inset No. 2

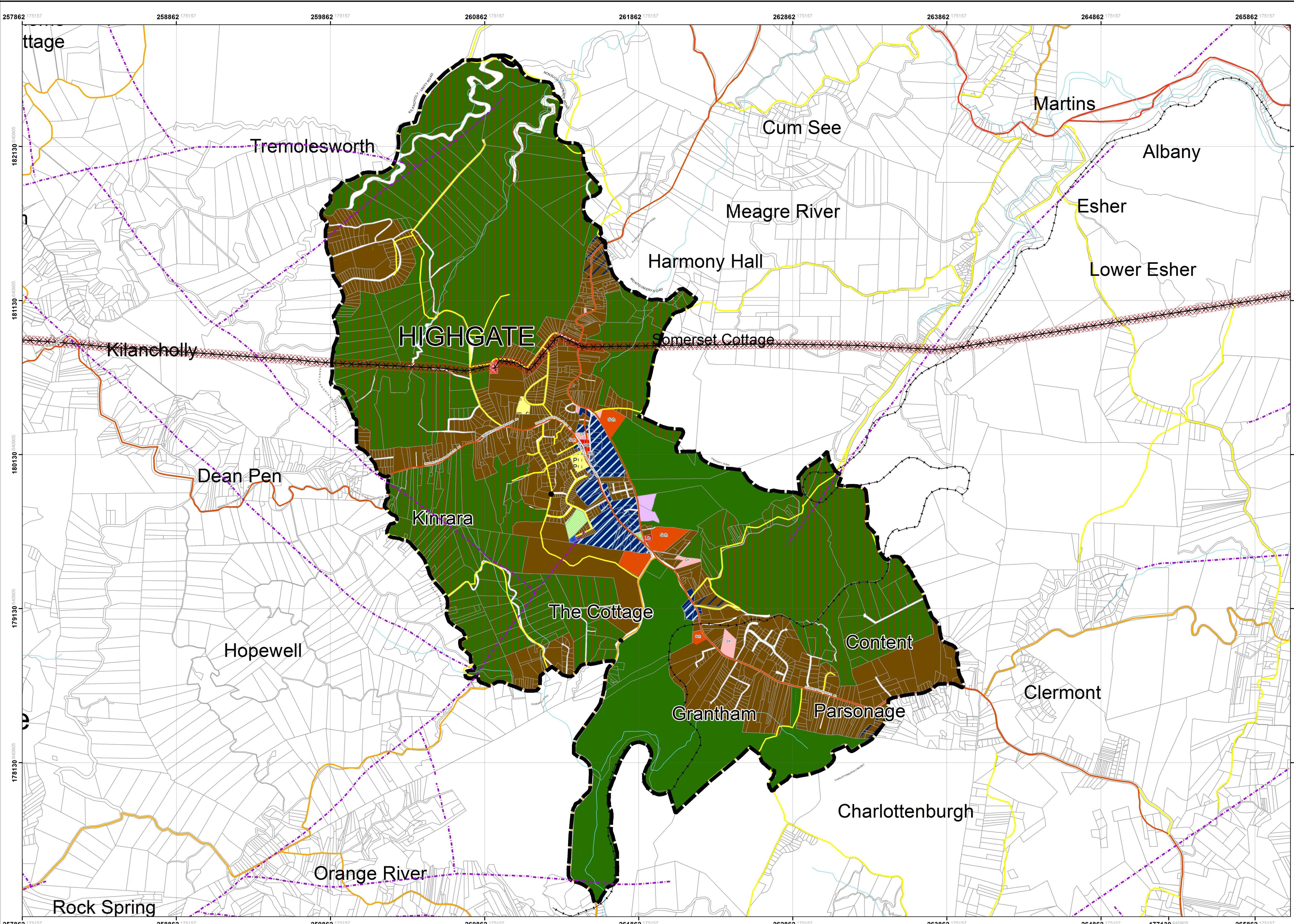
SP T1 - SP T 57; SP H1 - SP H 20; SP C 1 - SP C 44;
SP RE 1 - SP RE 10; SP UE 1 - SP UE 22;
SP TO 1 - SP TO 18; GD 1 - GD 52; UC 1 - UC 21;
DC 1 - DC 5; RAP 1 - RAP 18

0 0.225 0.45 0.9 Kilometer
1:8,000

Prepared by: National Environment and Planning Agency
10 & 11 Caledonia Avenue, Kingston 5.
Prepared for: The Town and Country Planning Authority
February 2017

ST. MARY PARISH DEVELOPMENT ORDER

HIGHGATE LOCAL PLANNING AREA LAND USE PROPOSALS (Inset No. 3)



LEGEND

- Road Class A
- Road Class B
- Road Class C
- Road Other
- Railroad
- River/Watercourse
- Fault Lines
- JPS Transmission Line
- JPS Transmission Line Buffer
- Parcel Boundary
- Highgate LPA Boundary

ABBREVIATIONS

- | | |
|-----|----------------|
| Ch | Church |
| HC | Health Centre |
| Lib | Library |
| PS | Police Station |
| PO | Post Office |
| Sch | School |
| FS | Fire Station |

PROPOSALS

- Agriculture
- Commercial
- Educational
- Government Purposes and Statutory Undertakings
- Light Industry
- Office/Commercial
- Open Space
- Public Assembly
- Private Cemetery
- Public Cemetery
- Residential
- Residential/Agricultural
- Residential/Commercial
- Recreational
- Utility- Sub Station
- Utility-Sewage

POLICIES

- H SUE1 - H SUE4
- H SA5 - H SA8
- H UE1 - H UE5
- H SA9
- H SA9
- H H1 - H H5
- H SA2

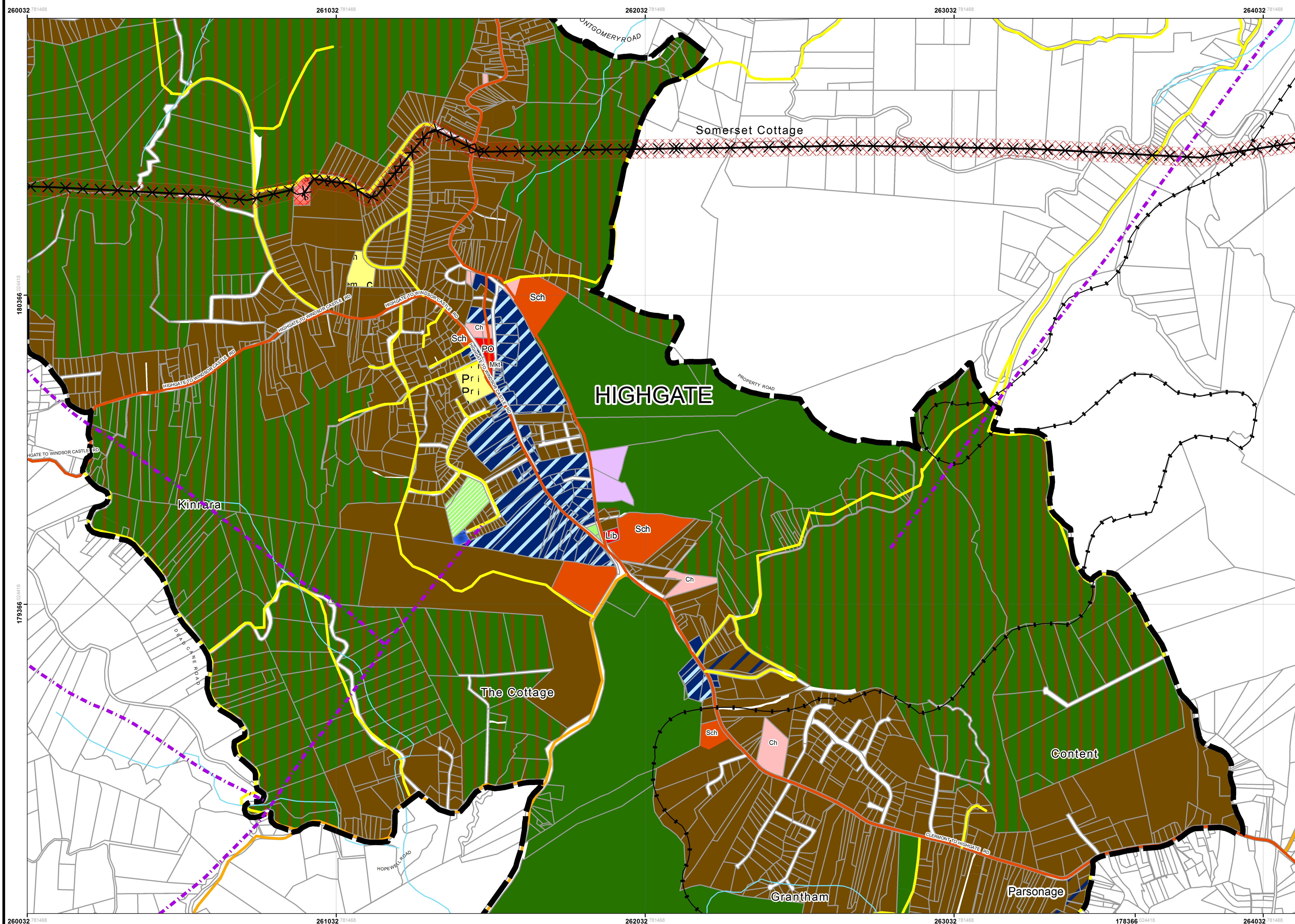
The letters and numbers refer to policies in the Draft St.Mary Parish Development Order. The following policies apply throughout the Highgate Local Planning Area Inset No. 3

GD1, GD40 - GD41, GD45 - GD46, SPT19, SPT23, SP T26
SP T37 - SP T38, SP T47, SP T51 - SP T51 - SP T56, SP UE5 - SP UE7, SP C4,
SP C5, SP C28, SP C42, HT2 - HT5, HT7 - HT10, HS A4, HC1 - HC3

0 0.35 0.7 1.4 Kilometer
1:12,000

Prepared by: National Environment and Planning Agency
10 & 11 Caledonia Avenue, Kingston 5.
Prepared for:The Town and Country Planning Authority
February 2017

HIGHGATE LOCAL PLANNING AREA LAND USE PROPOSALS (Inset No. 3.1)








LEGEND

-
- Road Class A
 - Road Class B
 - Road Class C
 - Road Other
 - Railroad
 - River/Watercourse
 - Fault Lines
 - JPS Transmission Line
 - JPS Transmission Line Buffer
 - Parcel Boundary
 - Highgate LPA Boundary

ABBREVIATIONS

- | | |
|-----|----------------|
| Ch | Church |
| HC | Health Centre |
| Lib | Library |
| PS | Police Station |
| PO | Post Office |
| Sch | School |
| FS | Fire Station |

PROPOSALS

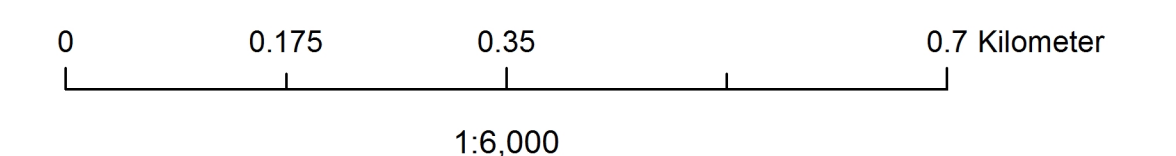
- | | |
|---|--|
|  | Agriculture |
|  | Commercial |
|  | Educational |
|  | Government Purposes and Statutory Undertakings |
|  | Light Industry |
|  | Office/Commercial |
|  | Open Space |
|  | Public Assembly |
|  | Private Cemetery |
|  | Public Cemetery |
|  | Residential |
|  | Residential/Agricultural |
|  | Residential/Commercial |
|  | Recreational |
|  | Utility- Sub Station |
|  | Utility-Sewage |

POLICIES

- H SUE1 - H SUE4
- H SA5 - H SA8
- H UE1 - H UE5
- H SA9
- H SA9
- H H1 - H H5
- H SA2

The letters and numbers refer to policies in the Draft St.Mary Parish Development Order.
The following policies apply throughout the Highgate Local Planning Area Inset No. 3.1

GD1, GD40 - GD41, GD45 - GD46, SPT19, SPT23, SP T26
SP T37 - SP T38, SP T47, SP T51 - SP T51 - SP T56, SP UE5 - SP UE7,
SP C4, SP C5, SP C28, SP C42, HT2 - HT5, HT7 - HT10, HS A4, HC1 - HC3



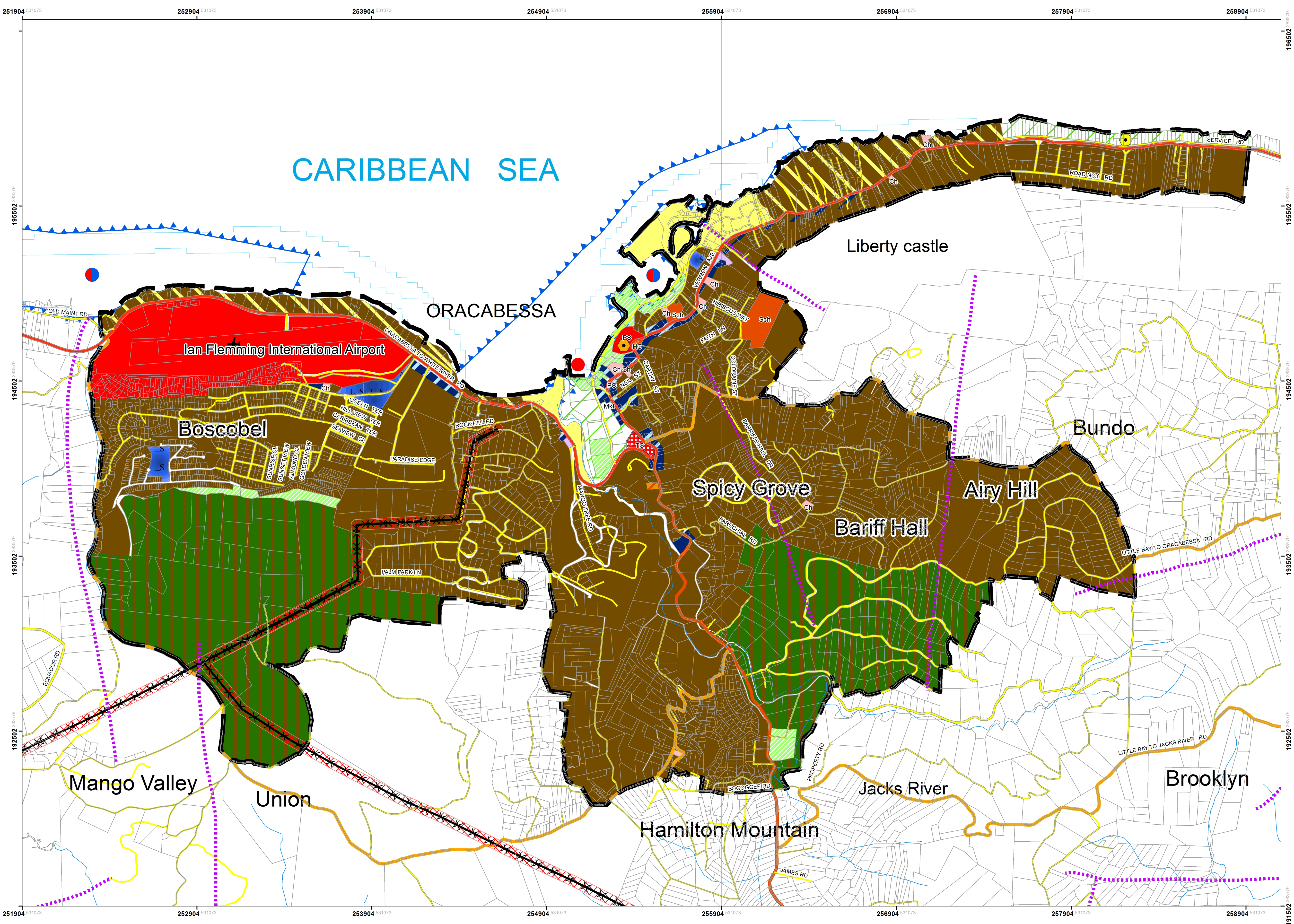
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February 2017

ST. MARY PARISH DEVELOPMENT PARISH ORDER

ORACABESSA LOCAL PLANNING AREA LAND USE PROPOSALS (Inset No. 4)



LEGEND

- Road Class A
- Road Class B
- Road Class C
- Road Other
- River/Watercourse
- Reefs
- Fish Sanctuary
- Faults
- JPS Transmission Line
- JPS Transmission Line Buffer
- Airport
- Roadside Park
- Seaside Park
- Bathing Beach
- Fishing and Bathing Beach
- Parcel Boundary
- Oracabessa LPA Boundary

ABBREVIATIONS

Ch	Church
HC	Health Centre
Lib	Library
PS	Police Station
PO	Post Office
Sch	School
FS	Fire Station

PROPOSALS

- Commercial
- Conservation
- Educational
- Government Purposes & Statutory Undertakings
- Light Industry
- Institutional
- Office
- Office/Commercial
- Public
- Recreational
- Residential
- Residential/Agrigultural
- Residential/Commercial
- Residential/Resort
- Resort
- Transportation Centre
- Utility - Pump Station
- Utility - Sewage

POLICIES

O UE1

O SA6 - O SA8

O E2

O SA10

O H4 - O H5

O UE3

P TO2

O T1, O T11 - O T13

The letters and numbers refer to policies in the Draft St.Mary Parish Development Order. The following policies apply throughout the Oracabessa Local Planning Area Inset No. 4

SP T1 - SP T4, SP T10 - SP T11, SP T16 - SP T61, SP H1 - SP H2, SP H5 - SP H21, SP C1 - SP C42, SP M2 - SP M12, SP RE3 - SP RE5, SP RE7 - SP RE10, SP UE1 - SP UE26, SP E1 - SP E13, SP TO1 - SP TO18, SP WT2 - SP WT14, SP WT17 - SP WT19, GD 1 - GD 8, GD 11 - GD 51, GD 59 - GD 61, UC 1- UC 21 DC 1 - DC 5, CD 1 - CD 8, RAP 4 - RAP 7, PFS 1 - PFS 7, CA 1- CA 4

0 0.3 0.6 1.2 Kilometer

1:10,500

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10 & 11 Caledonia Avenue, Kingston 5.

Prepared for: The Town and Country Planning Authority

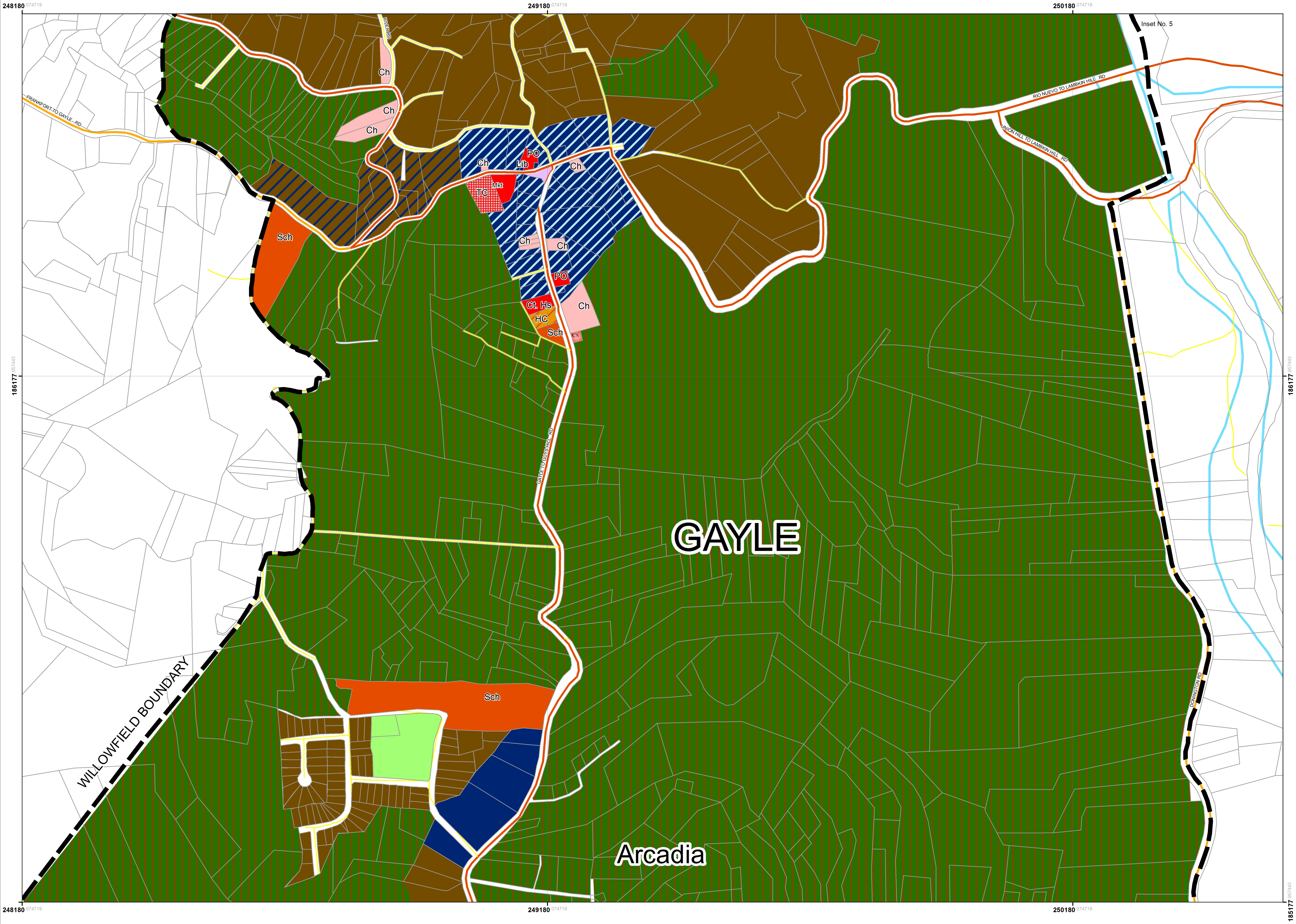
February 2017

GAYLE/LUCKY HILL LOCAL PLANNING AREA LAND USE PROPOSALS (Inset No. 5)



ST. MARY PARISH DEVELOPMENT ORDER AREA

GAYLE/LUCKY HILL LOCAL PLANNING AREA LAND USE PROPOSALS (Inset No. 5.1)



LEGEND

- Road Class A
- Road Class B
- Road Class C
- Road Other
- River/Watercourse
- JPS Transmission Line
- JPS Transmission Line Buffer
- Parcel Boundary
- Gayle Lucky Hill LPA Boundary

ABBREVIATIONS

Ch	Church
HC	Health Centre
Lib	Library
PS	Police Station
PO	Post Office
Sch	School
FS	Fire Station
TC	Transport Centre
Ct. Hs	Court House

PROPOSALS

- Agriculture
- Commercial
- Educational
- Government Purposes & Statutory Undertakings
- Institutional
- Light Industry
- Office/Commercial
- Open Space
- Public Assembly
- Residential
- Residential/Agricultural
- Residential/Commercial
- Transportation Centre
- Utility-Cell Site

POLICIES

GLH SA8 - GHL SA9
GLH H10 - GHL, C5

The letters and numbers refer to policies in the Draft St.Elizabeth Parish Development Order. The following policies apply throughout the Gayle/Lucky Hill Local Planning Area Inset No. 5.1

SP T3 - SP T 56; SP H1 - SP H 20, SP C 1 - SP C 42;
SP RE 1 - SP RE 10; SP UE 1 - SP UE 22;
SP TO 1 - SP TO 18; GD 1 - GD 52; UC 1 - UC 21;
DC 1 - DC 5; RAP 1- RAP 18

0 0.075 0.15 0.3 Kilometer
1:3,500

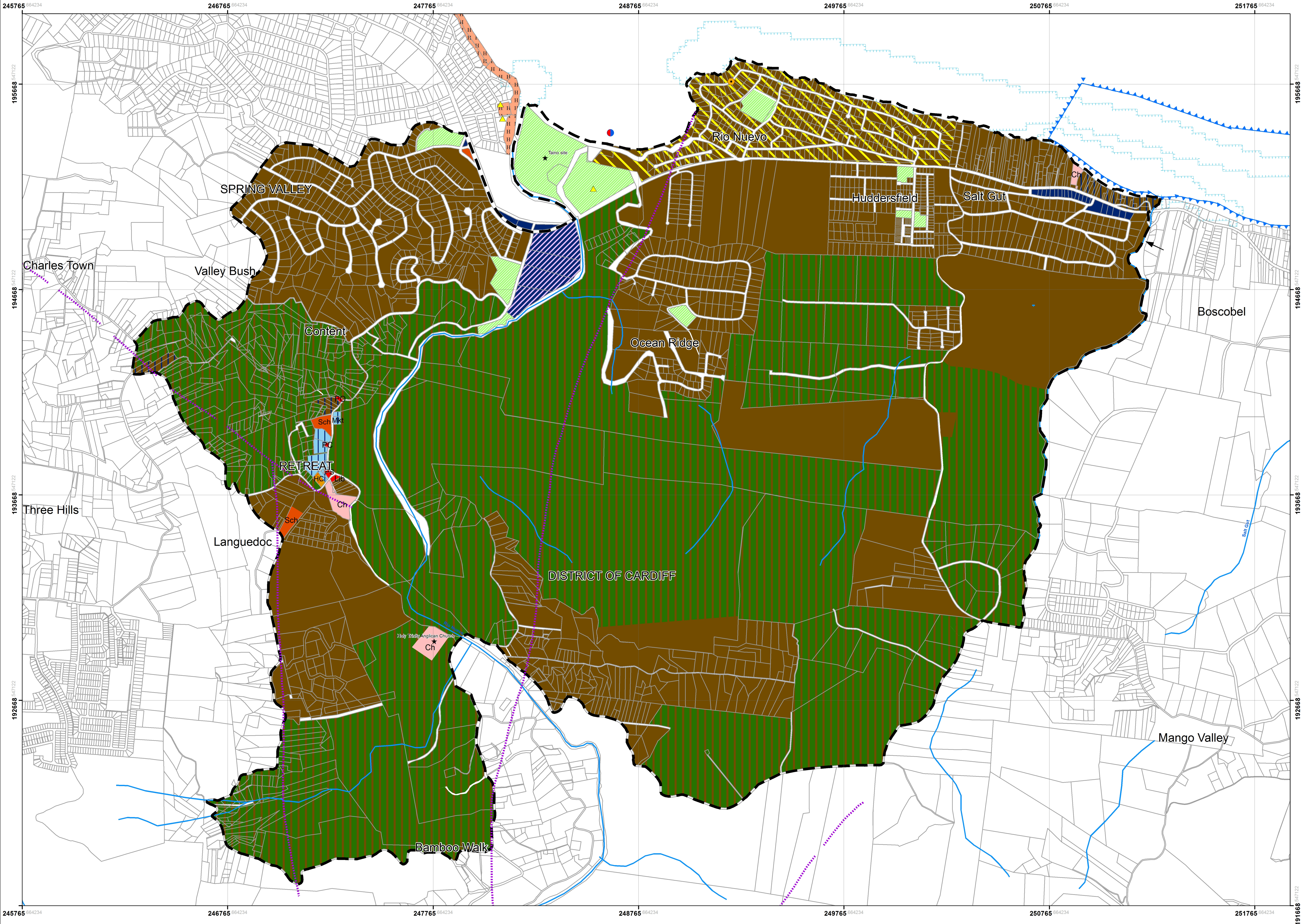
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Prepared for:The Town and Country Planning Authority

February 2017

ST. MARY PARISH DEVELOPMENT ORDER

RETREAT LOCAL PLANNING AREA LAND USE PROPOSALS (Inset No. 6)



LEGEND

- Road Class
- Road Class B
- Road Class C
- Road Other
- River/Watercourse
- Faults
- Fishing and Bathing Beach
- Declared Historical Site
- Point of Interest
- Roadside Park
- Reef
- Fish Sanctuary
- Parcel Boundary
- Retreat LPA Boundary

ABBREVIATIONS

- Ch Church
- HC Health Centre
- Lib Library
- Mkt Market
- PC Public Convenience
- PCR Parish Council Road
- PO Post Office
- PS Police Station
- Sch School

PROPOSALS

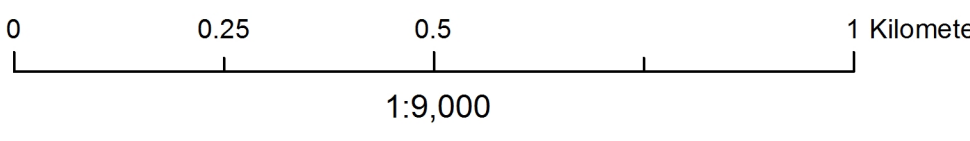
- Commercial
- Commercial/Light Industry
- Educational
- Government Purposes & Statutory Undertakings
- Historic Site
- Institutional
- Office/Commercial
- Public
- Recreational
- Residential
- Residential/Agricultural
- Residential/Commercial
- Resort/Residential

POLICIES

- R UE1
- R SA6
- R SA4 - R SA5
- R H1 - R H5, R H7
- R UE2 - R UE4, R TO1 - R TO4

The letters and numbers refer to policies in the Draft St. Mary Parish Development Order. The following policies apply throughout the Retreat Local Planning Area (Inset No. 6)

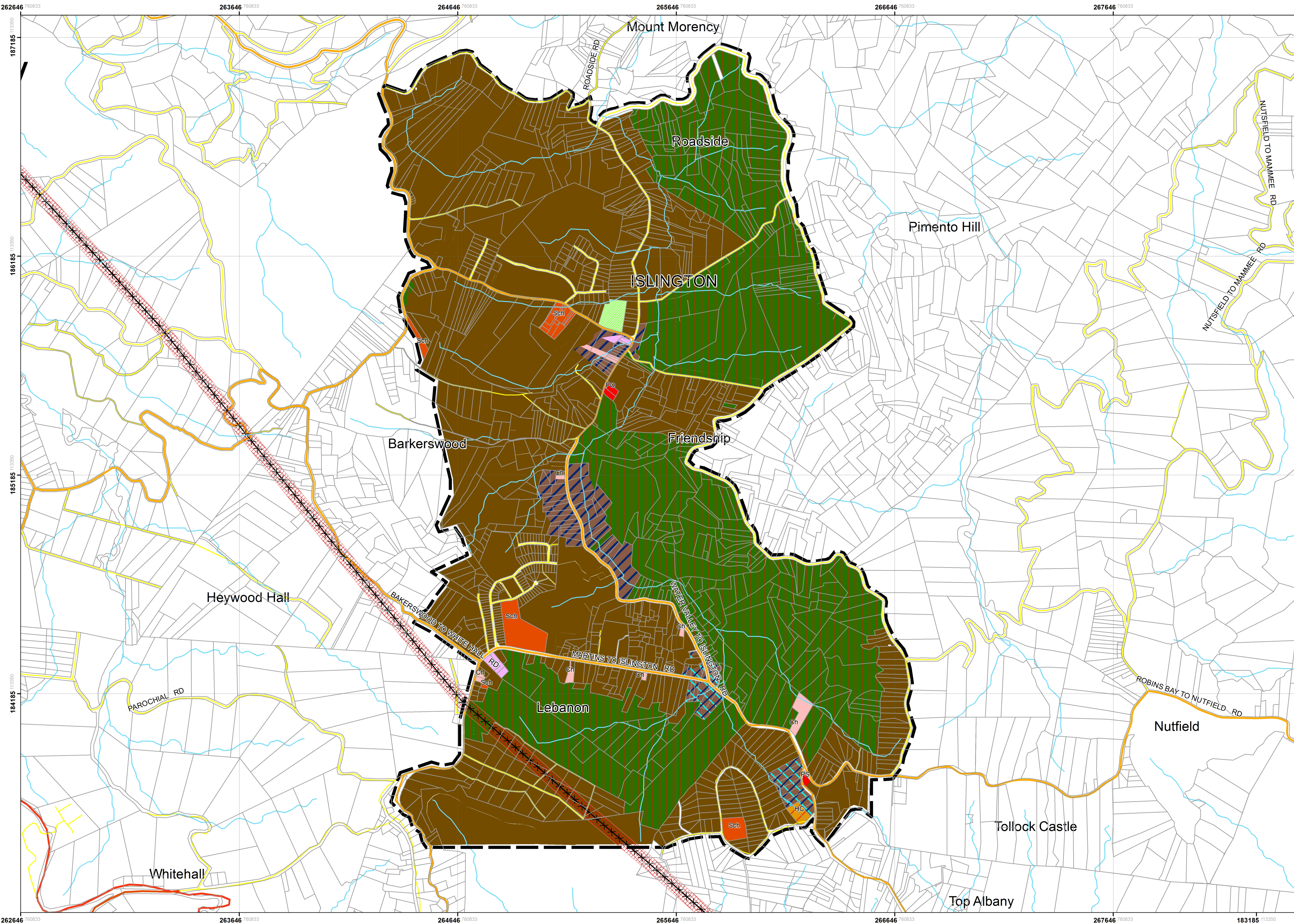
SP T1 - SP T3, SP T6 - SP T7, SP T10 - SP T12, SP T20, SP T33, SP T35, SP T53; SP C4 - SP C5, SP C19 - SP C21, SP C42 - SP C44, SP C46; SP TO1 - SP TO2, SP TO18; SP UE1, SP UE15
GD19 - GD23, GD25 - GD36, UC8 - UC12, UC19, DC1
R T1 - R T2, R C1 - R C8, R SA2, R SA4, R SUE1 - R SUE3



Prepared by: National Environment and Planning Agency
10 & 11 Caledonia Avenue, Kingston 5.
Prepared for: The Town and Country Planning Authority
February, 2017

ST. MARY PARISH DEVELOPMENT ORDER

ISLINGTON LOCAL PLANNING AREA LAND USE PROPOSALS (Inset No. 7)



LEGEND

- Road Class A
- Road Class B
- Road Class C
- Road Other
- River/Watercourse
- JPS Transmission Line
- JPS Transmission Line Buffer
- Parcel Boundary
- Islington LPA Boundary

ABBREVIATIONS

- | | |
|-----|----------------|
| Ch | Church |
| HC | Health Centre |
| Lib | Library |
| PS | Police Station |
| PO | Post Office |
| Sch | School |
| FS | Fire Station |

PROPOSALS

- Agriculture
- Commercial/Office/Residential
- Educational
- Institutional
- Light Industry
- Public Assembly
- Government Purposes and Statutory Undertakings
- Recreational
- Residential
- Residential/Agricultural
- Residential/Commercial

POLICIES

I UE2, I UE6

I H1 - I H5

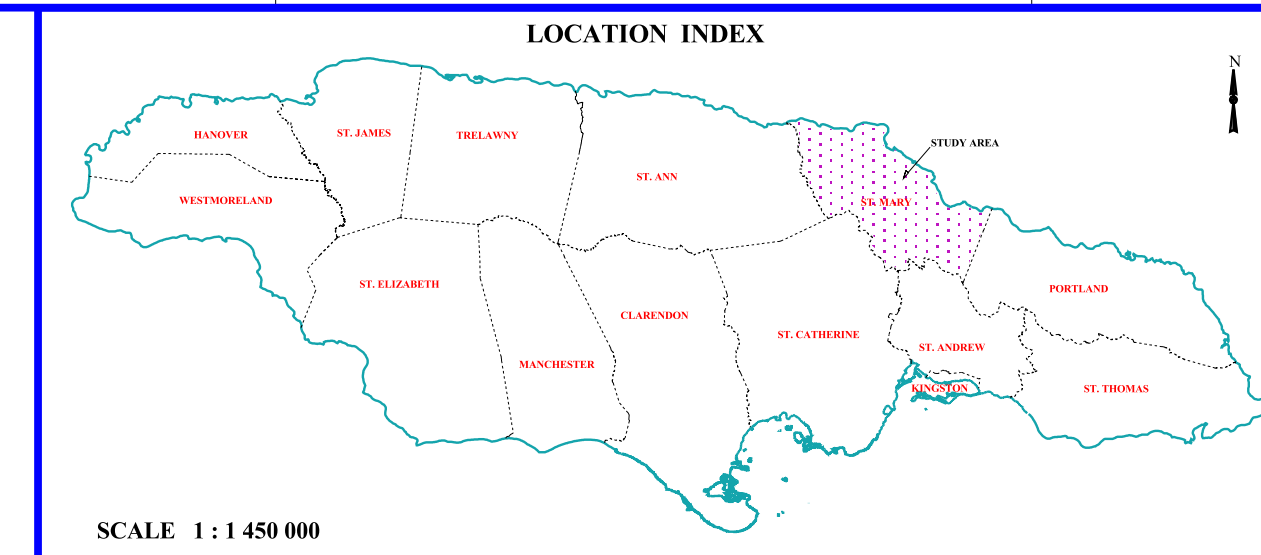
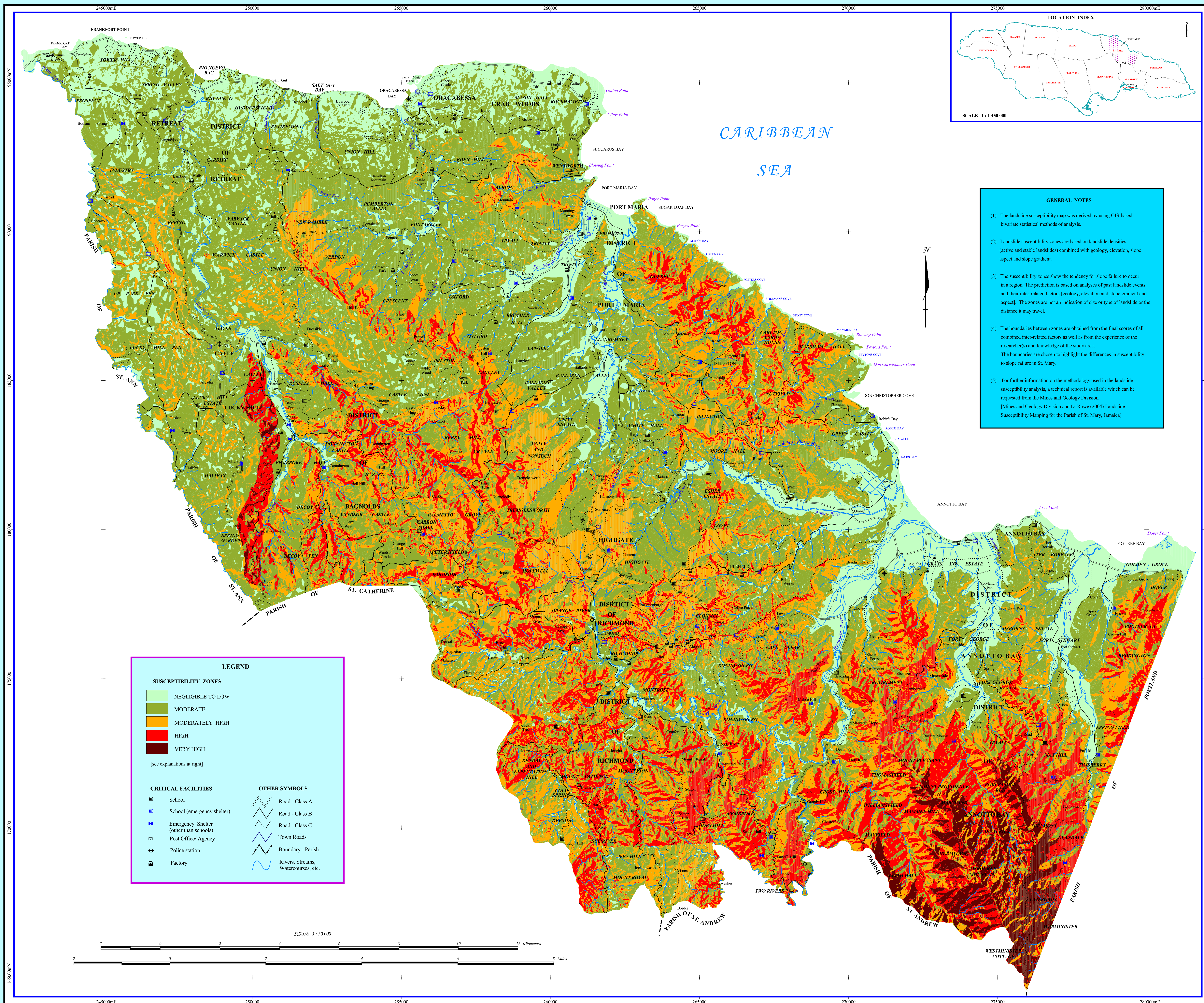
The letters and numbers refer to policies in the Draft St.Mary Parish Development Order. The following policies apply throughout the Islington Local Planning Area Inset No. 2

SP T3 - SP T 56; SP H1 - SP H 20, SP C 1 - SP C 42;
SP RE 1 - SP RE 10; SP UE 1 - SP UE 22;
SP TO 1 - SP TO 18; GD 1 - GD 52; UC 1 - UC 21;
DC 1 - DC 5; RAP 1- RAP 18

0 0.275 0.55 1.1 Kilometer
1:8,500

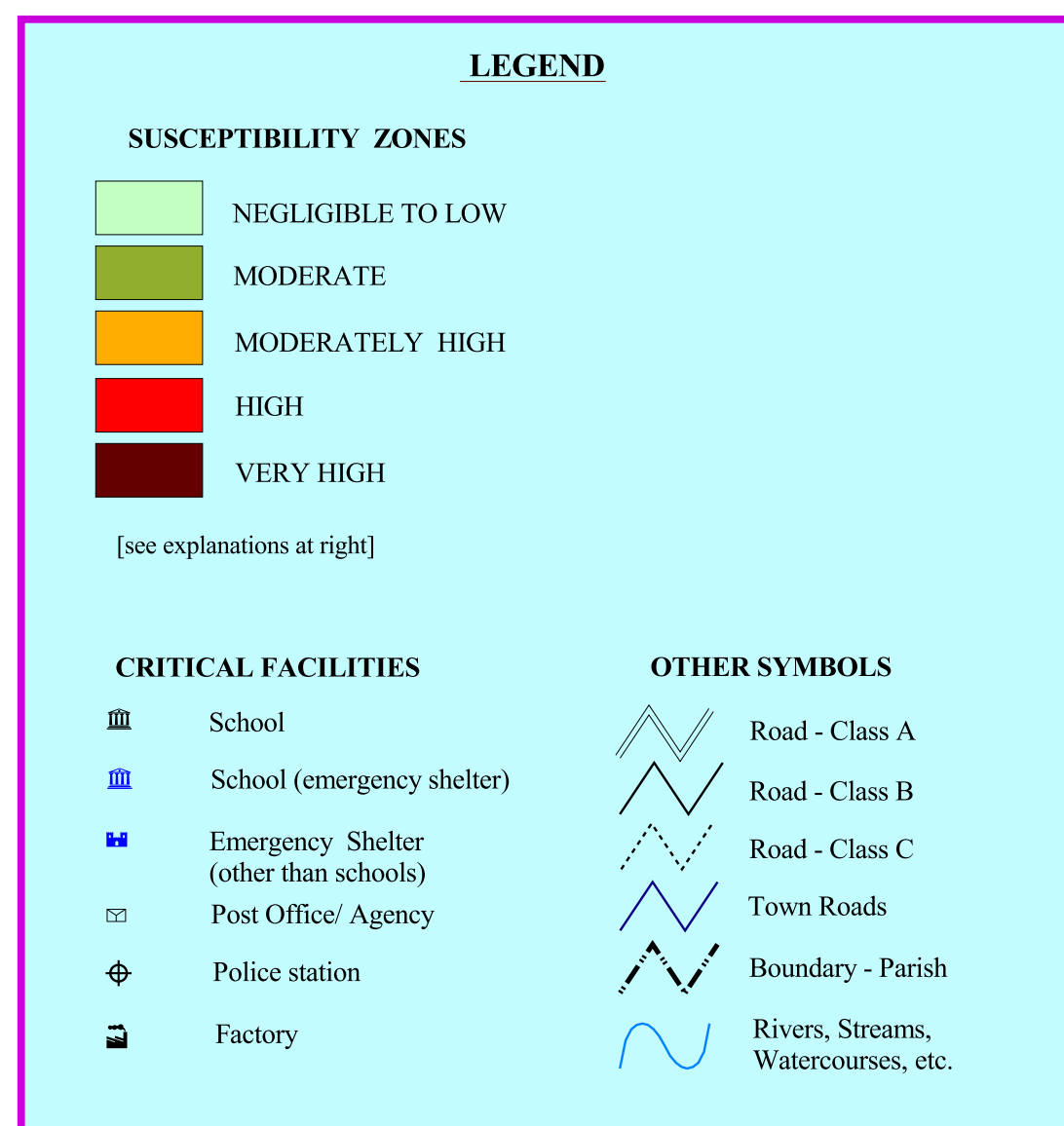
Prepared by: National Environment and Planning Agency
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Prepared for: The Town and Country Planning Authority
February 2017

LANDSLIDE SUSCEPTIBILITY MAP OF ST. MARY, JAMAICA



GENERAL NOTES

- (1) The landslide susceptibility map was derived by using GIS-based bivariate statistical methods of analysis.
- (2) Landslide susceptibility zones are based on landslide densities (active and stable landslides) combined with geology, elevation, slope aspect and slope gradient.
- (3) The susceptibility zones show the tendency for slope failure to occur in a region. The prediction is based on analyses of past landslide events and their inter-related factors (geology, elevation and slope gradient and aspect). The zones are not an indication of size or type of landslide or the distance it may travel.
- (4) The boundaries between zones are obtained from the final scores of all combined inter-related factors as well as from the experience of the researcher(s) and knowledge of the study area. The boundaries are chosen to highlight the differences in susceptibility to slope failure in St. Mary.
- (5) For further information on the methodology used in the landslide susceptibility analysis, a technical report is available which can be requested from the Mines and Geology Division.
[Mines and Geology Division and D. Rowe (2004) Landslide Susceptibility Mapping for the Parish of St. Mary, Jamaica]



EXPLANATION OF LANDSLIDE SUSCEPTIBILITY ZONES

NEGLIGIBLE TO LOW LANDSLIDE SUSCEPTIBILITY

Landslides are rare to non-existent in this zone; however, secondary landslide induced flood risk (flooding caused by water backed up behind a landslide barrier or dam in a river channel or, by the sudden release of water downstream when dam is breached) is possible, particularly in river valleys during intense rainfall and earthquake events. Areas in this zone cover 15 percent of the parish and are mainly located in the small flood plains of river valleys in the north east and on the lower elevations along the north coast.

MODERATE LANDSLIDE SUSCEPTIBILITY

Small-scale landslides including road cut and gully bank failures are expected to occur at any time, while large-scale failures can occur occasionally after intense rainfall or earthquake events. Small and large-scale developments of all types can be encouraged in this zone, however geological and geotechnical advice must be sought for large and "sensitive" developments. Simple slope stabilization and drainage measures are minimum recommendations for development of all types, particularly in areas of high surface drainage containing "clay-rich rocks, or having moderate to thick soil cover above bedrock. Contour farming practices should be encouraged for large-scale agricultural activity, particularly on steeper slopes. This zone covers 46 percent of the study area and can be identified throughout the parish (except in the south and southeast) in areas having gentle to moderate slopes or occasionally on steeper competent rock slopes.

MODERATELY HIGH LANDSLIDE SUSCEPTIBILITY

Small scale landslide activity can occur at any time while there is likely to be more frequent moderate to large-scale slope failures in this zone especially following intense rainfall and earthquake events. Geological factors begin to play a major role in promoting landslides, particularly on moderate slopes. Large and small scale developments can occur, but must be accompanied by site-specific geological/geotechnical studies. Sensitive developments will require detailed and critical analysis (including slope stability analysis) in order to be recommended. Proper drainage and erosion control and slope stabilization measures are strongly recommended for all types of structural and infrastructural works and large-scale agricultural development. With respect to the latter, measures should include proper contour farming practices. Roof runoff from buildings located on moderate to steep hillside, especially in clay-rich rocks must be controlled to minimize failures during high precipitation. Approximately 24 percent of the study area falls in this zone.

HIGH LANDSLIDE SUSCEPTIBILITY

Significant landslide activity is possible at all times following intense rainfall and earthquake events. All the prerequisites for landslide activity are present in this zone. All major infrastructure works should be avoided. In instances where small communities exist, there will be high exposure to landslide hazards and some interventions will be necessary from time to time. This zone covers 13 percent of the parish and is concentrated in the very steep hilly terrain in the south, with minor coverage in the centre and north of the parish.

VERY HIGH LANDSLIDE SUSCEPTIBILITY

Catastrophic landslides are possible at all times. All types of developments should be avoided. Communities located in this zone should be strongly encouraged to relocate. Approximately 2 percent of the study area falls within this zone.

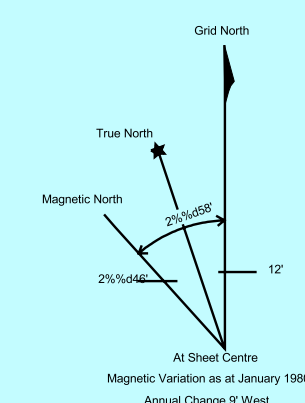
*** Sensitive Developments:** Any development that can have some major negative impact on the social and economic conditions of the parish if it becomes inoperable or inaccessible over a given period of time. Examples include Electrical Power Plants, Electrical Transmission and Cellular Telephone Towers, major arterial roads connecting large population centres etc.

*** Clay-rich Rocks:** This is a group of detrital sedimentary rocks, commonly clays, shale, mud rocks, siltstones and possibly marls. The rocks are generally weak and impermeable and often weather (naturally decompose) rapidly to form clay soil. These rocks and associated clay soil are widely distributed in the centre and the north-eastern section of the parish and host some of the largest population centres in the study area and contain fertile agricultural land.

DISCLAIMER

This map is not recommended to be used for site-specific purposes, but is intended as a guide to assist in physical development and natural hazard mitigation as well as the planning of civil engineering works. For site-specific studies, further geological/geotechnical advice should be sought particularly in the "moderate" to "very high" landslide susceptibility zones.

PREPARED BY: S. Bhalai, N. Harris
CONSULTATIONS: N. Harris, L. Williams, S. Bhalai
DIGITIZATION: S. Bhalai, A. Jones, D. Bassarugh
SPATIAL ANALYSIS: S. Bhalai



GRID: Jamaica Metre Grid (JAD 69)
PROJECTION: Lambert Conformal Conic
SPHEROID: Clarke 1866
UNIT OF MEASUREMENT: Metre
MERIDIAN OF ORIGIN: 77° West of Greenwich
LATITUDE OF ORIGIN: 18° North
FALSE EASTING: 250,000 m
FALSE NORTHING: 150,000 m

UNITED NATIONS DEVELOPMENT PROGRAMME
OFFICE OF DISASTER PREPAREDNESS AND EMERGENCY MANAGEMENT
MINES AND GEOLOGY DIVISION

DATE: May 2004. **MAP No:**

Map prepared by Mines and Geology Division for the Office of Disaster Preparedness and Emergency Management under the United Nations Development Programme funded 'Support to Community-based Disaster Management' project.