ANTIGUA AND BARBUDA

STATUTORY INSTRUMENTS

1996, No. 20

The Land Development and Control regulations made by the Minister under section 23 of the Land Development and Control Act Cap. 235.

Short title.

1. These Regulations may be cited as the Land Development and Control Regulations 1996.

Interpretation

2. In these Regulations unless the context otherwise requires —

"Act" means the Land Development and Control Act Cap. 235;

"advertisement", "agriculture", "application", "the authority", "building", "building operations", "development", "engineering operations", "land", "owner", "road", "sub-divide", "Town and Country Planner and Chief Town Planner" have the meanings assigned to them in the Act;

"apartment building" means a building which is used or intended to be used for human habitation as a residence for two or more families living in separate quarters;

"Building Code" means the Antigua and Barbuda Building Code;

"Building Guidelines" means the Antigua and Barbuda Building Guidelines;

"Central Urban Area" means the central area in any major urban area so defined in the Development Plan;

"condominium" means multi-units with individual ownership of single units;

"dangerous building" means any building which constitutes a danger to public safety or to the safety of the occupants or adjacent buildings and other property;

"development", subject to the provisions of section 8 (2)

other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land, or the segregation, division, or sub-division of any building or land whether or not any building, engineering or other operations have been carried out or are intended to be carried out for the formation of lots;

"Development Plan" means the Development Plan authorised by section 6 (3) of the Act to be prepared for Antigua and Barbuda;

"gross floor area" means the total area of floors of all storeys of the building including common halls, stairways, porches, overhanging balconies and the thickness of walls;

"hotel" means any building or group of buildings (including all structures appurtenant thereto or within the curtilage thereof) used or intended to be used for the accommodation of guests for gain or reward, wherein meals are provided by the hotelier;

"lodging" means building or buildings used or intended to be used for the accommodation of lodgers for gain or reward wherein meals are not provided by the lodging house proprietor;

"lot" means the parcel of land shown on the land register or in a deed as a piece or parcel of land or an official sub-division;

"Minister" means the member of Cabinet charged with responsibility for land development control;

"physical services" means the provision of roads and road access and the construction and specifications thereof, road drainage, site drainage, sewerage, electricity, telephone and water;

"planning permission" or "development permission" means permission granted pursuant to section 8 of the Act;

"Schedule" means a Schedule to these Regulations.

(2) Notwithstanding sub-section (1) the Town and Country Planner may authorise minor changes to the approved plans provided that such changes conform to the requirement of the Second Schedule.

Classification, description, use of buildings.

4. For the purposes of these Regulations, buildings shall be classified and described according to their intended use in the manner specified in the Building Code.

Appliations for planning permission.

5. (1) Subject to the provisions of regulation 8 of these Regulations, every person who desires to undertake a development project must obtain planning permission from the Authority before undertaking the development.

(2) For the purposes of paragraph (1) development projects shall be classified as follows —

(a) TYPE "A" Erection of a new building or other structure;

(b) TYPE "B" Major alteration or extension to a building;

(c) TYPE "C" Relocation or demolition of an existing building;

(d) TYPE "D" Sub-division development;

(e) TYPE "E" Installation of water closet or septic tanks;

(f) TYPE "F" Change in the use of a building or land;

(g) TYPE "G" Approval in principle, of a project;

(h) TYPE "H" Display of an outdoor advertisement;

(i) TYPE "I" Land reclamation.

(3) All applications for planning permission shall be submitted to the Authority in triplicate in Form 1 in the First Schedule.

(4) In addition to the application submitted under regulation 5 of these regulations applicants shall also submit further application forms for particular projects as shown hereunder —

(a) For TYPE "A" and TYPE "B" projects, Form 2 in the First Schedule shall be used;

(b) For TYPE "C" projects, Form 3 in the First Schedule shall be used;

(c) For TYPE "D" projects, Form 4 in the First Schedule shall be used;

(d) For TYPE "E" projects, Form 5 in the First Schedule shall be used;

(e) For TYPE "F" projects, Form 6 in the First Schedule shall be used;

(f) For TYPE "G" projects, Form 7 in the First Schedule shall be used;

(g) For TYPE "H" projects, Form 8 in the First Schedule shall be used;

(h) For TYPE "I" projects, Form 13 in the First Schedule shall be used.

Submission of plans.

6. (1) Each application for planning permission shall be accompanied by the required number and type of plans appropriate to the particular type of development project for which planning permission is sought.

(2) Three copies of the relevant plans shall be submitted with each application. These plans include the location plan, the site plan, the detail plan, the sketch plan and the sub-division plan; but the plans required for a particular type of development shall be those specified in the Form relating to that type of development.

(3) The information to be contained in a location plan, a sketch plan, a site plan, a sub-division plan, a detail plan and the scales to which these plans are to be drawn shall be as set out in the Second Schedule.

(4) No public officer who is a member of the Authority or employed on the staff of the Authority shall prepare any plan for an applicant which is to be used in connection with an application for planning permission under the Act.

(5) Every plan which accompanies an application for planning permission shall be legibly signed by the maker thereof and shall have his full address.

Notices.

7. (1) An applicant shall serve notices on the persons specified in sub-paragraph *(c)* under the following circumstances —

(a) If the applicant is not the owner of the land he shall serve a notice on the owner of the land concerning his proposed development.

(b) Where a tenant (other than a tenancy of less than one year) is occupying the land, the applicant shall serve notice on the tenant to inform him of the proposed development.

(c) If the development is in the opinion of the Authority likely to be a potential nuisance or inconvenience to tenants, adjacent property, owners, the neighbourhood or the General Public, the applicant must serve notices on the tenants and adjacent property owners and shall cause a notice to be published on three occasions in a newspaper circulating in the State as may be designated by the Authority.

(2) Copies of notices served, including newspaper notices, shall be sent to the office of the Authority to be filed with the application.

(3) No application may be approved earlier than fifteen working days after the required notices are served or published as the case may be.

(4) The form of notices required to be served pursuant to these Regulations shall be in Form 9 and Form 10 in the First Schedule as the circumstances may require.

(5) For the purposes of sub-paragraph *(c)* of paragraph (1) of this Regulation "a potential nuisance or inconvenience" includes excessive noise, smoke, odours, fire hazards, health hazards or any other matter of a similar nature.

Exemptions.

8. An application for planning permission is not necessary for the following types of development —

(a) Land to be developed for agricultural purposes or for forestry, including buildings necessary for such development.

(b) Improvements to the interior of a building which does not involve structural changes.

(c) Garden huts (other than garages) and not used for human habitation.

(d) Alteration or extension of an existing residential house of the class referred to in Regulation 5 (2) *(b)* provided that the total amount of new floor area does not exceed one-third of the total area of the house prior to enlargement.

(e) Moveable buildings such a tents, trailers, and vans.

(f) Minor construction such as walks.

Fees payable for planning permission.

9. (1) Where the Authority has decided to grant an application for planning permission it shall, subject to paragraph (2) issue its approval to the applicant in writing in Form 11 in the First Schedule.

(2) Before the Authority issues its approval as required by paragraph (1) it shall inform the applicant that he must first pay into the Treasury the appropriate fee (which the Authority shall specify), and produce his receipt to the Authority for inspection.

(3) The fees payable for planning permission shall be those set out in Form 12 in the First Schedule.

Authority to supply forms.

10. All Forms required for application under the Act shall be supplied by the Authority for a fee as the Authority shall determine by notice published in the *Gazette*.

Reasons for refusal to be given.

11. (1) Where, pursuant to section 12 of the Act, the Authority refuses to grant planning permission to an applicant, or grants in such permission subject to the conditions or limitations, it shall at the same time give the applicant its reasons in writing for so refusing or for imposing conditions and limitations.

(2) The applicant shall be notified of the result of his application in the manner prescribed in Form 11 in the First Schedule with such variations as the circumstances of each case may require.

Appeals.

12. (1) Where the Authority refuses to grant planning permission or grants such permission subject to conditions or limitations, the applicant may, pursuant to section 13 of the Act, and within three months after such refusal has been received by him appeal to the Minister against such refusal, conditions or limitations and in his appeal shall set out the grounds upon which the appeal is based.

(2) Four copies of each appeal shall be shall be prepared, three of which shall be sent to the Minister and the fourth to the office of the Authority.

13. An application for development of shore-line and sub-merged lands shall be subject to the conditions contained in Part A in the Third Schedule. Shore-line and submerged lands.

14. The conditions relating to the development of reclaimed land shall be as set out in Part B in the Third Schedule. Reclaimed lands.

15. The conditions relating to landscaping in a development project shall be as set out in Part C in the Third Schedule. Landscaping provisions.

16. The requirements of these Regulations relating to set-backs shall be as specified in Part D in the Third Schedule. Set-backs.

17. The conditions relating to roads and road junctions in connection with a project for the development of land shall be as set out Part E in the Third Schedule. Roads and road junctions.

18. The conditions relating to plot ratios and frontages in connection with a permit to develop land shall be those set out in Part F in the Third Schedule. Plot ratios and frontages.

19. The conditions governing the heights of buildings for the erection of which planning permission has been sought shall be as set out in Part G in the Third Schedule. Heights of buildings.

20. The conditions required for the supply of water and for the disposal of sewerage and garbage in relation to a development project shall be as set out in Part H in the Third Schedule. Water supply, sewerage and garbage disposal.

21. Provisions for the supply of electricity to a development project shall be as set out in Part J in the Third Schedule. Electricity.

22. Provisions shall be made in a development project for the parking of vehicles and shall be as set out Part K in the Third Schedule. Parking.

23. In an area set apart for the development of residences the provisions set out in Part L in the Third Schedule shall apply. Residential density.

24. No building shall be erected on any site or in position on any plot if the erection on the site, or in that position, of a building of the Location of buildings.

class proposed to be erected is considered by the authority to be, or likely to become —

(a) prejudicial either to the economy or to the amenities of Antigua and Barbuda;

(b) a menace to the health of either the occupant of the building or the public;

(c) undesirable for any other sufficient reason.

Protection against harmful matter and flooding.

25. The plot on which it is intended to erect a building shall be free from harmful or offensive matter and shall be in such condition as to prevent any harmful effects occurring either to the building or any of its occupants or the general public as a result of ground water lying on the surface of the ground or of flood water.

Access.

26. Every building shall be provided with suitable and safe access from at least one door to a public road. The access shall be a cleared open area and depending on the purpose for which the building is intended shall provide a means of egress for occupants and a means of entrance for fire fighting, trash removal and deliveries of material.

Foundations.

27. The foundations of every building shall be in accordance with the Building Code and,

(a) be so designed and constructed as to sustain and transmit to the ground the combined dead load of the building and the imposed vertical and lateral loads in such a manner that the pressure on the ground shall not cause such settlement as may impair the stability of the whole or any part of the building,

(b) be taken down to such depth, or be so designed and constructed as to safeguard the building against damage by swelling or shrinkage of the subsoil.

Strength.

28. Every part of the structure of a building, shall be capable, either alone or in combination with the rest of the structure, of safely sustaining and transmitting the dead load, imposed loads, and the horizontal and inclined forces to which it may be subjected without exceeding the appropriate stress limits for the materials of which it is constructed and without undue deflection.

Reducing danger from fire.

29. (1) For the purpose of reducing the danger of the outbreak of fire in a building, and having regard to the risk inherent in the use for which a building or part thereof is intended, the size of the building and its proximity to other buildings, every building and its several parts shall be so designated and constructed as to —

(a) reduce sufficiently the risk of ignition of any part of the building and the spread of fire within the building to other buildings.

(b) withstand the effects of fire for a sufficient period to avoid such collapse of the building as would increase the risk of the spread of fire.

(2) Every building shall be so designed and constructed that in the event of an outbreak of fire in the building, every person therein may leave the building and its precincts in safety.

(3) All heat and flame producing appliance in a building together with their necessary accessories, shall be so constructed and installed as to prevent the ignition of any combustible material which may be placed against the surface of any wall, or other part of the building enclosed or adjacent to the appliance.

Ventilation.

30. Every building and its several compartments shall be adequately ventilated having regard to the use for which the building and its individual compartments are intended. An adequate amount of open space shall be provided at the front and back of every building and on any side which includes a door, window, or other opening.

Lighting.

31. Every building and its several compartments shall be provided with adequate means of lighting with natural light having regard to the use for which the building and compartments are intended.

Resistance to the transmission of heat.

32. For every building used or intended to be used for human occupation, the external walls, the roof or the roof in conjunction with the ceiling of the topmost storey, and the floor nearest the ground, shall be of such material and be so constructed as to offer adequate resistance to the transmission of heat from the outside of the building to the inside, and from the inside of the building to the outside.

Resistance to the transmission of sound.

33. Every building shall be sufficiently protected against the transmission of sound from adjoining buildings or from adjoining

parts of the same building, according to the use for which building is intended.

Resistance to moisture.

34. In every building, floors, walls, buttresses, columns and shafts shall be so constructed as to prevent the passage of moisture from the exterior to the inner surface of any storey of the building in such a manner as would likely to affect human health, or damage any part of the building.

Termite resistance.

35. In every building, the lowest floor and ground floor (if not the lowest floor) shall be constructed to resist the intrusion of termites.

Resistance to weather.

36. The roof and external walls of every building, alone and in conjunction with each other, shall be sufficiently weatherproof for the purpose of which the building is intended, having regard to the degree of exposure of any particular part.

Durability.

37. The several parts of every building including fittings and installations shall be constructed of materials of sufficient durability for the conditions to which they will be subjected and, where necessary, protected in such a way that the durability of the materials is not impaired. All electrical wire shall be new and all electrical materials and fittings shall be approved for the intended use and location by recognized authoritative agency, and installed in accordance with the recommendations of the agency.

Departure from Regulations.

38. The Authority may with the approval of the Minister permit a departure from these Regulation in the public interest or in order to prevent undue hardship in any particular case.

Building standards.

39. The conditions relating to building standards shall be as set out in the Fourth Schedule.

Commencement of development.

40. Notwithstanding the above regulations no work shall commence by a developer unless the following conditions are met —

(1) The developer shall not commence development until he has applied for and been issued with a development permit by the Authority — Form 14 applies.

(2) Each phase of development must be inspected and approved by the Authority. A commencement certificate as found in Form 15 apples.

(3) The Authority shall issue a completion certificate to the developer provided the development meets with the approval of the Authority for which a completion certificate applies — Form 16 applies.

41. The Land Development (Interim Control) Regulations are hereby repealed.

Repeal of Interim Regulations No. 17 of 1977 (Cap. 235).

FIRST SCHEDULE

Form 1 **r.5(3)**

To:

(do not write in this space)

Development Control Authority
P.O. Box 895, St. John's Antigua.

Application No.....
Date Received.....
Date Prcessed.....

Application for Development permission

(All applications and supporting data must be submitted in triplicate)
(To be filled out by all applicants)

I/We hereby apply for permission to carry out the development described in this application and on the enclosed drawings.

Name of Applicant: (Print).....
Address of Applicant:.....

Types of Development permission requested: (more than one type may be requested for the same project)

....."A"	Erection of a new building(s) or other structure(s)
....."B"	Major alteration or other extension to a building(s)
....."C"	Relocation or demolition of an existing building(s)
....."D"	Subdivision development
....."E"	Installation of water closet and/or septic tank
....."F"	Change of use of a building(s)
....."G"	Approval in principle of a project
....."H"	Display of an outdoor advertisement
....."I"	Land reclamation

.....

Name and address of architect or designer (if any)

.....

Name and address of contractor or builder (if known)

.....

Name and address of agent (if any)

I certify that, to the best of my knowledge, the information submitted in this application is correct.

.....

Signature of Applicant.

(Place an "x" on the appropriate line)

Present land use: Agri.__ Res.__ Com.__ Indus.__

Other (specify).....

Proposed land use: Agri.__ Res.__ Com.__ Indus.__

Other (specify).....

Type of construction intended:.....

Size and number of building(s) proposed:.....

.....

Size and number of building(s) existing.....

.....

Indicate whether the following are available to the property

Electricity__ Water__ Telephone__ Other (specify).....

Project starting date:.....

Project completion date:.....

If project is to be completed in phases indicate starting date and completion date of each phase:—

.....

Indicate interest in the land: Owner__ Prospective owner__

Tenant__ Prospective tenant__ Other (specify).....

If Owner provide evidence of land title.....

If Tenant state unexpired term of lease and the name and address of owner.....
.....

If Prospective Tenant/Owner give name and address of owner.
.....

Give a brief description of the project and include any roads and utility details (use otherside of page).....

Form 2 **r.5(4)(a)**

Types "A" and "B"

To be filled out only for construction; alteration; or extension Applications Types "A" and "B"

1. Proposed design capacity (occupants) for total structure

   .....

2. State the proposed source of water and electricity

   .....
   .....
   .....

3. Describe the proposed method of sewage removal. (If septic tank is to be installed, state type, capacity, method of ventilation, and system of drainage).

   .....
   .....
   .....
   .....

4. Describe the proposed method of waste removal (other than sewage).

   .....
   .....
   .....

Form 3 **r.5(4)(b)**

Type "C"

To be filled out only for Application to relocate or demolish a Building Type "C"

1. Describe the method by which the project will be accomplished including safety precautions to be taken and how pedestrian or vehicular traffic problems (if any) will be handled.

.....
.....
.....
.....

2. Three copies of location plan and site plan must be submitted with the application.

3. (For buildings to be relocated) Describe the proposed method of sewage removal. (If a septic tank is to be installed, state type, capacity, method of ventilation, and system of drainage).

.....
.....
.....
.....

4. (For buildings to be relocated) Describe the proposed source of water and elecricity.

.....
.....
.....

5. (For buildings to be relocated). Describe the proposed method of waste removal (other than sewage)

.....
.....
.....
.....

Form 4 r.5(4)(c)

Type "D"

To be filled out for Applications for Subdivision Development Type "D"

1. PROPERTY
   - (i) Name of property/subdivision.....
   - (ii) Name of street.....
   - (iii) Name of village/town.....
   - (iv) Name of Parish.....
   - (v) Title registration.....
2. ALLOTMENT
   - (i) Total area of land being subdivided.....acres/sq.ft.
   - (ii) No. of lots proposed.....
   - (iii) Lot sizes.....
   - (iv) Indicate lot numbers to be used for each of the differing purposes.....
     .....
   - (v) Total area of open space.....
3. AMENITIES AND UTILITIES
   - (i) Nearest educational facilities and levels.....
   - (ii) Nearest commercial facilities.....
   - (iii) Nearest recreational facilities.....
   - (iv) Nearest industrial facilities.....
   - (v) Type of industry(s) (specify).....
4. STATEMENTS

   Describe plans for financing the required infrastructure.....
   .....
   .....
   .....
   .....
   .....

5. ACCOMPANYING DOCUMENTS
   - (i) Site Investigation report
   - (ii) Location Plan (see Second Schedule Part 1)
   - (iii) Site Plan (see Second Schedule Part 3)
   - (iv) Subdivision Plan (see Second Schedule Part 4)
   - (v) Land Title
   - (vi) Other documents
6. Three copies of a location plan and a subdivision plan must be submitted with the application and any other information requested by the Authority.

Form 5

Type "E"

To be Filled out if the Application is limited to the Installation of a Water Closet(s), or Septic Tank(s), or other forms of sewage disposal systems.

1. For Water Closet(s), provide three copies of a sketch showing the location of the water closet(s), the method of venting, and the sewer or septic tank connection.

2. For septic tanks, provide three copies of a sketch showing the location of the septic tank(s) and drainage system with respect to the building and property lines, the design, capacity, method of ventilation, and the estimated number of persons which the tank will serve.

3. Any other information requested by the Authority.

Form 6 r.5(4)(e)

Type "F"

To be filled out for Applications for the Material Change in the use of a Building Type "F".

1. If the change does not involve any major alteration, three copies of a floor plan indicating how the space will be assigned, should be submitted.

2. If the change in use involves major alterations, Form 2 should be filled out and submitted.

Form 7 r.5(4)(f)

Type "G"

To be filled out only for Applications for Approval in Principle

1. The following information shall be submitted in type "G" applications—

(i) floor plan
(ii) sections
(iii) front elevation
(iv) location plan
(v) site plan
(vi) proof of land ownership

2. An Environmental Impact Assessment report shall also be submitted and any other information requested by the Authority for example—

(i) percolation test
(ii) engineers report
(iii) site investigation report

3. All applications are to be submitted in triplicate.

Form 8 **r.5(4)(g)**

Type "H"

To be fille out only for Application for the display of an Outdoor Advertisement Type "H".

Submit in triplicate a sketch plan showing the location of the proposed advertisement display, and a sketch showing the design. Both sketches need only to be of sufficient accuracy for the Authority to understand where the display will be located, its structural safety, and the kind of appearance it will present.

Form 9 **r.7(4)**

Notice

(For service on owners, tenants and owners and tenants of adjacent lands.)

To: .....

TAKE NOTICE that I/We Am/Are Applying to the Development Control Authority for a permit to be granted under the Land Development and Control Act. You may inspect the application and accompanying papers at the Development Control Authority's Office. If you wish to make any coments about the application, you may do so in writing to the Authority within 15 days of receipt of this notice.

Address of the Authority: .....
Name and address of the Applicant: .....
Particulars of the proposed development: .....
.....
.....
.....
.....

Signature of the Applicant and date: .....

Form 10

Notice for publication in newspaper date

Land located at:.....

TAKE NOTICE that I/We, Am/Are applying to the Development Control Authority under the Land Development and Control Act.

for a permit to:.....

Dated this.....day of.....19.....

Signature of Applicant.....

Form 11 **r.9 & 11(2)**

(For official use only)

From: The DEVELOPMENT CONTROL AUTHORITY

To .....

.....

With reference to your application for development permission, No....., dated .....19....., the following decision has been made:

..... Your application has been approved subject to the conditions checked below:

..... That work will substantially commence within two years of the date of this notice.

..... That the Authority will be notified of the date that work actually begins.

..... That the Authority will be notified of the date that sewer lines and/or septic tank are installed but not covered.

..... That the Authority will be notified of the date that the building is ready for occupancy.

..... That the work will be carried out in accordance with the Antigua and Barbuda Building Code as applicable.

..... Other conditions (see attached explanation)

..... Your application is returned herewith for the following reasons:

.....

.....

.....

.....

.....

..... Your application has been disapproved for the following reasons:

.....

.....

.....

.....

.....

FOR THE DEVELOPMENT CONTROL AUTHORITY.....

Signature

Form 12 **r. 9(3)**

Fees Payable for Planning Permission

ALL APPLICATION FORM AND HANDOUTS	$5.00 PER SET
ON SUBMISSION OF APPLICATION NON-REFUNDABLE	$30.00
PERMIT FOR EACH NEW BUILDING: (I) Less than 500 sq. ft. in gross floor area (II) 500-1000 sq. ft. in gross floor area or part thereof (III) Over 1000 sq. ft. in gross floor area or part thereof	 $50.00 $200.00 $0.50 per sq. ft.
PERMIT FOR ALTERATION OR EXTENSION	$1.00 per sq. ft. of gross floor area of the addition or alteration
PERMIT FOR RELOCATION	$100.00
PERMIT FOR RECLAIMED LAND	$200.00 per acre or part thereof
PERMIT FOR DEMOLITION: (I) Less than 500 sq. ft. (II) Over 500 sq.ft.	 Nil $0.50/sq. ft.

PERMIT FOR SUBDIVISION DEVELOPMENT:	
(I) For the first 5 acres	$30.00 per quarter acre
(II) Between 5 and 20 acres	$80.00 per additional acre
(III) For over 20 acres	$90.00 per additional acre or part thereof
PERMIT FOR CHANGE OF BUILDING USE	$50.00
APPROVAL IN PRINCIPLE	$30.00
DISPLAY OF OUTDOOR ADVERTISEMENT	$8.00/per sq. ft.

Form 13 **r.5(4)(h)**

Land Reclamation

Type "I"

To be filled out only for applications for Land Reclamation

Type "I"

1. Location (Block, Parcel no.).....
2. Acreage of the area.....
3. Highest Point of the land.....
4. Existing soil type.....
5. Type of fill material proposed.....
6. If soil, where do you intend to acquire it from.....
7. Quantity of material to be used for reclamation.....
8. Elevation of land after reclamation.....
9. Proposed landscaping provisions.....
10. Proposed use of land after reclamation.....
11. Proposed time of commencement of development of the reclaimed land.....

.....

Accompanied Documents

i Location Plan
ii Topo Map
iii Environmental Impact Assessment Report by a competent professional
iv Engineers Report
v Land Title
vi Percolation Test

Form 14 **r. 40 (1)**

Development Permit

DEVELOPMENT CONTROL AUTHORITY

A permit for.....development at.....for
Type Location

application.....is hereby granted to.....
No Owner

on this the.....day of.....19.....

This permit is valid until.....19.....and should be posted on the property away from the influences of sunlight and rain.

.....
Town and Country Planner

Form 15 **r. 40 (2)**

Commencement Certificate

DEVELOPMENT CONTROL AUTHORITY

The Development Control Authority is hereby granting.....
Name

permission to commence with the next phase of development.....at
Phase

.....with respect to application.....from the
Location No

.....19.....
Date

.....
Town and Country Planner

Inspection will be done in accordance with the Building Code prior to and during:

(1) Setting out

(2) Foundation before Concreting

(3) Floor Slab

(4) Structural Frame and Roof

(5) Ring Beams Casing and Reinforcement

(6) Plumbing and Drains

(7) Electrical Work in association with the Electrical Inspector

(8) Other Inspections to be made as the Owner, Builder or Director may reasonably require

(9) Special Inspection of all Mechanical Installations

(10) Final Inspection

The builder is required to give the Authority 48 hours notice prior to the commencement of each of the above phases.

Form 16 **r. 40 (3)**

Completion Certificate

DEVELOPMENT CONTROL AUTHORITY

This is to certify that.....has successfully
Name
complied with the Authority's requirements for development at.....
Location
application.....on.....day of.....19.....
Number Date
These premises are eligible for.....

.....
Town and Country Planner

(a) Human use and occupancy
(b) Land development (reclaimed land)
(c) Erection of outdoor advertisement.

Second Schedule

PLANS

PART 1

Location Plan

1. Where it is available, a copy of the Directorate of Overseas Survey Map must be used as the basis for the Location Plan. These maps are available for most areas of the island and are obtainable at the Land Registry Office or the office of the Authority.

2. The location plan should be drawn to a scale of:

   For towns at 1:2500
   For villages and rural areas, at least 1:5000

3. The location plan must show the name and locations of existing roads and fixed and easily identifiable points such as streams, road junctions, bridges and nearby houses.

PART 2

Sketch Plan

A sketch plan is an informal drawing, usually in pencil. As long as the sketch clearly shows the information required, it may be made on any kind or size of paper and to any scale.

PART 3

Site Plan

1. At the option of the applicant, site plans may be drawn to a scale of either:

   1:200 (or 1" to 20') or
   1:500 (or 1" to 40')

2. The Site Plan must show:

   (i) The area, boundaries, and principal dimensions of the land.

   (ii) The location of existing buildings on the land and on the lands immediately adjacent.

   (iii) The location and spread of any existing mature trees on the land.

(iv) The location of any proposed new building and the relevant dimensions of appropriate setbacks.

(v) Such contours or spot elevations as are necessary for determining the grade of any proposed road and for the proposed drainage.

(vi) Location and width of existing and proposed means of access including roads adjacent to the property.

(vii) Location of septic tank, soak pit and any other sanitary drainage systems.

(viii) The proposed landscaping plan.

(ix) Any land reserved for public access or public use,.

(x) Where an alteration or extension to an existing building is applied for, any parts of the existing building to be demolished must be clearly indicated and distinguishable from the new construction.

(xi) Water catchment facilities.

PART 4

Sub-Division Plans

1. The scale of subdivision plans shall be at least:

For sub-divided areas of ½ acre or more 1:1250
For sub-divided areas of less than ½ acre, 1:200

2. The sub-division plan must show:

(i) All relevant physical features in relation to the proposed development such as water courses, rock outcrops, trees, swamps, and existing buildings, roads, and walks.

(ii) Such contours or spot elevations that are necessary for determining the grade of any proposed road and for proposed drainage.

(iii) The boundaries, area, and principal dimensions of the land.

(iv) At least one boundary must be connected tot he trigonometrical control station or alternately, to identifiable points of detail on the National Map Sheets (scale 1:5000).

(v) The dimensions and area of each proposed sub-divided lot.

(vi) The location of proposed buildings, if any.

(vii) The roads, walks, and utility services proposed to be made available to each lot.

(viii) The use to which each lot is proposed to be put, eg. residential, commercial or industrial purposes, or for churches, schools or parks. Residential lots shall be designated as high, medium, or low density (See Part L in the *Third Schedule).*

(ix) Any land reserved for public access or other public use.

(x) The proposed location of fire hydrants.

PART 5

Building Detail Plans

1. Building plans at customary scales to show:

(i) Floor Plan to a scale of —

1:100 (or 1/8" to 1') or

1:50 (or ¼" to 1')

To show:

— room sizes
— positioning of doors and windows
— materials used in construction
— thickness and structure of each wall
— size of closets

(ii) Elevations and Sections to a Scale of ¼" to 1' 0" or metric equivalent. For details scales should be ½" to 1' (1:20) to show:

— roof heights (floor to ceiling) and pitch
— height of floor above ground
— positioning of doors and windows

(iii) Foundation Plan to show:

— foundation layout and sizes of members
— type of soil on which the foundation will rest.

(iv) Structural Plan and detail design to a scale of ½" to 1' 0" to show:

— details of beams
— details of columns
— details of slabs
— details of all walls
— details of cisterns
— all reinforcement details
— roof design and construction details
— foundation details, piling etc.

(v) Plumbing plan to show:

— location of inspection boxes
— location and details of grease traps
— sizes and slopes of the pipes used in the sewer lines
— details of septic tanks and soakaways
— water storage and catchment details
— sizes of water lines
— location of shut-off valves
— sizes and location of pumps

(vi) Electrical plan to show:

—electrical layout
— amount of wires in conduit and wire gauges
— number of circuits
— size and location of panel

THIRD SCHEDULE

PART A

r. 13

Shoreline and Submerged Lands

1. Any application for development adjacent to the shoreline or on land which is wholly or partially submerged at some or all times, will require the following additional data and be subject to the following conditions:

(i) A written report by a competent professional person describing the prevailing environmental conditions including the ecology, hydrogeology, and water movements in relation to the land and adjacent properties.

(ii) A report containing the exact description of the land to which the application refers, including maps, photographs, topographic contours and sub-surface profiles in such detail as is appropriate to the scope and complexity of the land and the proposed development.

(iii) A report containing a complete description of the proposed development defining precisely the modifications, alterations and construction methods, with details of the procedures proposed for supervision and control of the proposed development.

2. No sand shall be removed from any land wholly or partially submerged, or being near to any beach without specific prior written approval of the Authority.

3. The applicant shall within six months of completion of the development to which this part applies submit to the Authority a report which will describe in detail the actual work carried out on the land, the movement of earth and the environmental conditions of the land including the properties adjacent to the land.

4. The provisions of Part D in this Schedule (which relates to set-backs) are also applicable to land to which this Part of this Schedule applies.

PART B

Reclaimed Land

1. A permit for the development of any reclaimed land shall include a condition that after completion of the development, the land shall have a minimum elevation of five feet above the high watermark.

PART C

Landscaping Provisions

1. An application to build or sub-divide will not be approved unless adequate landscaping provisions are shown on the application.

2. The landscaping provisions and conditions imposed by the Authority shall be such as to ensure that the clearing of mature trees and bushes is reduced to a minimum and that all planted material is maintained.

PART D

Setbacks from Boundaries

1. An application will not be approved unless the setting of the building or buildings is such that the set-backs are equal to or great that the minimum set-backs shown in paragraph 6 of this part of this Schedule.

2. All set-backs shall be measured from the nearest lot boundary to the wall, staircase, or balcony of the proposed building, whichever shall project the furthest.

3. Minimum set-backs in central urban areas and roof over-hangs in any area shall be controlled at the discretion of the Authority.

4. The set-back from lot boundaries shall afford space for maintenance, privacy, natural light, air to penetrate all windows, and to provide useful outdoor living.

5. With respect to land between a shoreline and a road:

   (i) No building shall be permitted unless the lot on which it is intended to stand is a least 150 feet in distance from the road to the mean shoreline measured from the high water market right angles to the nearest edge of the road right-of-away.

   (ii) No building shall be closer than 100 feet to the high water mark.

   (iii) Setbacks at cliffs shall be at the discretion of the Authority.

6. Unless specific exception is granted by the Authority all others set-backs shall be equal to or greater than those specified below:

PART D

Minimum Set-backs from the Front, Rear and Side Boundaries

Development Type	Single or Two Store			Three storeys or more Front, Rear and Side
	Front	Rear	Side	
Residential	20	10	10	To be determined
Resort Residential	25	10	10	by the Authority
Hotel	50	15	20	depending on the
Industrial	50	15	20	area and the type
Commercial	20	15	12	of development

PART E r. 17

Road and Road Junctions

Conditions shall be imposed by the Authority in permits for the development of land so as to facilitate present or future traffic flow as set out in the Antigua and Barbuda Building Code referred to in the Fourth Schedule.

PART F r. 18

Plot Ratios and Frontages

1. No permit for the development of land will be granted by the Authority where the building proposed would result in the plot ratios becoming exceeded.

2. The plot ratios referred to in paragraph 1 are as follows:

Plot Ratios for Developments in Specific Locations

Location	Area of Plot	To Gross Floor Area
Central Urban	1	to 1.50 (max.)
Industrial	1	to 0.70 (max)
Residential	1	to 0.33 (max.)
Other	To be determined by the Authority based on the location, function, and other circumstances	

PART G r. 19

Heights of Buildings

1. An application for a permit will not be granted unless the height of any proposed building complies with the provisions of the Antigua and Barbuda Building Code referred to in the Fourth Schedule.

2. The height of a building with a roof (other than a flat roof) shall be the vertical distance between the average ground level around the perimeter of the building , and the average roof height from eaves to peak.

3. The height of a building with a flat roof shall be the vertical distance between the average ground level around the perimeter of the building and the highest point of the roof parapet walls, railings and other external decoration.

5. The maximum height of a building shall be:

Area	MAXIMUM HEIGHT
Central Urban	4 Storeys or 48 ft.
Other areas outside the central urban area	3 Storeys or 36 ft.
Special areas	Will be considered by the Authority on the basis of function of the proposed building, amenity and conformity with the existing physical environment.

PART H r. 20

Water Supply, Sewerage and Solid Waste

1. The applicant shall submit proposals for systems for the supply of clean water, for the sewerage of the development, and where practicable, the provision for solid waste collection and disposal. Such proposals shall conform to environmental health standards established by the Central Board of Health and those of the Authority.

2. Every building intended for human habitation, or in which human beings are to be employed shall be designed with suitable sanitary facilities to provide for a sewerage system of drainage to a septic tank or more efficient treatment facility of a design to be approved by the Authority.

3. Every building in which solid, liquid or any gaseous, emissions and any other waste issued which, in the opinion of the Authority, may be detrimental to the environment of the neighborhood, shall provide a system of disposal satisfactory to the Authority.

PART J r. 21

Electricity

1. The applicant shall submit a proposal to show that electricity main cables will be available to serve the development (or substantiate that no electricity is needed), before the development is used or any building occupied.

2. The Authority will not approve the construction of any development unless the plans include adequate information on the location and construction of utilities acceptable to the Authority.

3. The developer should discuss the proposals with the Antigua Public Utilities Authority in the early stages of the conceptual design of the development.

PART K r. 22

Parking

1. Provision shall be made within the boundaries of the sites or on other near by land in the ownership or under the control of the applicant for the parking of customers' vehicles in accordance with the provisions of the Antigua and Barbuda building code referred to in the Fourth Schedule.

2. The minimum size of each parking space shall be 8 feet by 18 feet.

3. Vehicular Parking within Site Boundaries:

Proposed Development	Minimum number of parking spaces required
Apartment buildings and Condo miniums	1 space per two units
Churches, cinemas and other buildings for public use	1 space for 20 seats
Clubs and restaurants	1 space for 120 sq. ft of gross floor space
Hotels and lodgings	1 space per 4 bedrooms
Industrial buildings	1 space per each 15 employees
Offices	1 space per each 3 employees
Residential Development	1 space per unit
Retail stores	1 space for each 300 sq ft. of gross floor area
Clinic/Doctor's office (private)	3 for each practitioner
Hospitals	1 for each 6 beds.

4. Parking in urban areas will at the discretion of the Authority.

PART L r.23

Residential Density

1. Residential density is the measure of the residential development on a specified site or within a specified geographic area.

2. In an area allocated for the development of residences an application for development permission will not be granted unless:

   (a) the lot on which the house is proposed to be built has a minimum size as indicated below for the corresponding area density as designated by the Authority as follows—

(i)	High Density	4,400 sq. ft (single dwelling)
(ii)	Medium Density	7,300 sq.ft (single dwelling)
(iii)	Low Density	14,500 sq.ft (single dwelling)

   (b) The lot on which the house is proposed to be built has a minimum road frontage of 40 feet.

3. The minimum lost size for a condominium, semi-detached house or a apartment building shall be at the discretion of the Authority.

FOURTH SCHEDULE

A person wishing to undertake any development operations as defined in the Land Development and Control Act shall comply with such standards as may from time to time be published by the Minister as the Antigua and Barbuda Building Code and the Antigua and Barbuda Building Guidelines as authorised by section 23 of the Land Development and Control Act.

Made this 27th day of June 1996.

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