DEPARTMENT OF PHYSICAL PLANNING AND ENVIRONMENT



DEVELOPMENT Applications

Quick Tips

INTRODUCTION

The Director, through the Department of Physical Planning and Environment is responsible for the processing and the determination of all development applications. This booklet briefly explains the application process and what is expected of applicants for different development types as set out by the Planning Ordinance[1] and Planning Regulations.[2]

MISSION To develop and implement a comprehensive and integrated planning system that will establish the direction and framework for effective developmental planning and promote balanced growth and efficient resource utilization in achieving sustainable development on the island of Nevis.

VISION The development of a planning process, that ensures the sound development of land, safety of settlements, preservation and monitoring of valued environmental resources, and a planning system that is embraced by all.

VALUES

- Improve and maintain our stakeholder partnership.
- Having good service relationships.
- Continue to be courteous and responsive in our interaction with the public.
- Strive to continually improve the manner in which we perform.
- Having a sustainable approach to development.

(1)Planning Ordinance - The Nevis Physical Planning and Development Control Ordinance Cap 6.09N
(2)Planning Regulations - Nevis Physical Planning and Development Control Ordinance Cap 6.04N

Functions

- Implement Forward Planning through the preparation of physical planning instruments and studies in the interest of promoting the sustainable use of land, to include environmental research, land use and zoning plans, physical development standards and guidelines.

- Implement development control to provide guidance and development activities and methodology by ensuring their consistency and conformity with development regulation as well as approved planning standards and guidelines.

- Co-ordinate the spatial planning function in government and devise strategies for implementing an integrated spatial planning system.

- Promote policies, strategies and programs to enhance the protection, conservation and the sustained development and management of the island's natural and environmental resources, including the monitoring of environmental quality, conservation and preservation of critical environmental areas.

- Encourage compliance with national and international agreements that are binding on the island of Nevis.

- Guide development applications to promote environmentally prudent use of land.

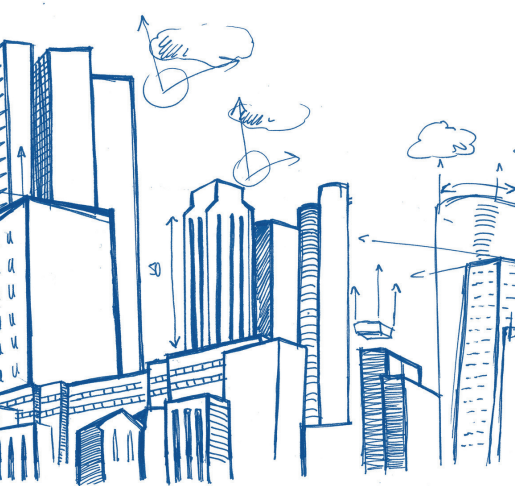
- Provide a platform for which Geographic Information can be shared between government agencies, NGO's and the public.

LEGAL FRAMEWORK

The Department of Physical Planning is governed primarily by The Nevis Physical Planning and Development Control Ordinance Cap 6.09 (N).

Other legislation that guide the process of determination of applications include:

- Nevis Zoning Plan Ordinance Cap6.04 (N)
- Nevis Physical Planning and Development Control Regulations (2021)
- Saint Kitts and Nevis Building Regulations and Building Guidelines (2000)
- National Conservation and Environment Protection Act (1987)



Classes of Applications that may be determined by the Director

Third Schedule - Section 22 of the Planning Ordinance

Classes of applications that may be determined by the director include the following :

- Applications for construction, demolition, alteration, addition of timber frame buildings .
- Applications for the construction , alterations, demolition, addition or renovation of single family dwelling houses.
- Applications for the conversion of a single family dwelling house less than 3,300SqfT. to separate dwelling units.
- Applications for the change of use of buildings within the boundaries of Charlestown from residential to commercial use.
- Applications for the display of advertisements.

APPLICATIONS FOR DETAILED DEVELOPMENT PERMISSION FOR LAND

Section 8-26 of the Planning Regulations

Building Plans

- Site plan and Location plan with legible scale
- Floor plans (1/4 inch = 1 foot or 1/8 inch = 1 foot or 3/16 inch = 1 foot)
- Foundation plans to scale (1/4 inch = 1 foot or 1/8 inch = 1 foot)
- North, South, East and West Elevation plan to scale (1/4 inch = 1 foot or 1/8 inch = 1 foot)
- Roof Plans and Cross section Plan
- Existing and proposed site profiles
- Septic system or sewage disposals details
- Complete title block



Site Plan

Site Plan shall show the following:

- Location of the proposed building on the site.
- Location of existing building on the site (if applicable).
- Building setbacks (front, rear, back and side parcel boundaries).
- Vegetation line and high water mark setback distances for coastal development.
- Fronting roads with names and widths.
- Location of driveways and parking areas.
- Water and sanitary drainage systems.
- North point
- Functional points of vehicular access.
- Boundaries and dimensions of parcel lines.
- The position of the proposed development in relation to site boundaries or setbacks.
- Position of other existing buildings or structures on the site in relation to the proposed development and site boundaries.
- Intended use of proposed and/or existing developments.
- Access arrangement and interface with the main road.
- Position and height of all mature trees on site.
- Big boulders
- Existing and proposed drainage pattern.
- Existing and proposed drainage contours and sediment control measures.
- Location of nearby natural physical features.
- A dimensional and functional parking layout.
- Location of fencing
- Location of septic tank, soakaway, leach field or wastewater management system.
- Location and sizing of grease traps for commercial buildings where necessary.
- Location of utility connections.

Floor Plan

Floor Plan shall show the following:

- Existing and proposed floor plan or use and all rooms which must be properly labeled and dimensioned.
- Where existing walls are to be demolished, they must clearly be shown.
- Where the cross section has been taken from
- Columns.
- Windows, doors and finish schedule.

Location Plan

Location Plan shall show the following:

- The position of the lot and parcel in relation to the adjoining lots and, if possible a copy of the Index Map.
- Adjacent properties
- Existing roads and named roads and buildings .
- Any prominent landmark in close proximity.
- How the site will be accessed and where there is a legal right of way this shall be clearly indicated.
- A clearly marked north point
- Airport location if the site is within two nautical miles of the airport.

Elevation Plan

The elevation plan which shall be clearly labeled and dimensional shall show the following:

- Accurate elevations of all visible sides of the building showing details of following :
  i. Windows and doors
  ii. Building materials and , , style
  iii. Type of illumination
  iv. Existing and proposed , slope of land
  v. Any other relevant details
- Existing and proposed elevations.
- Elevations which are to be changed or modified.
- The total building height and building to the apex; height from floor to bottom of window, floor to top of window, and floor to top of ring beam.
- The finished floor elevation in relation to the ground level.

Roof Plan

Roof Plan shall show the following :

- Materials
- Guttering
- Downspouts or rainwater leader locations
- Slopes of roofs

Roof Framing Plan

Roof Framing Plan shall include the following:

- Labelling and size of roofing members
- Spacing of roofing members
- Size of roof overhang

Concrete Roof Plan

Concrete roof plan shall include:

- Roof reinforcement plan, including reinforcement size and spacing information.
- Thickness of the concrete slab

Cross-Section Plan

The cross-section plan shall show the following:

- The total building height
- The building height to the eave
- Typical exterior walls with description of specific components and dimensions.
- At least two sections extending through the limits of the development which shall be superimposed over actual existing land slope.
- Depth of the foundation

Contour Plan

- Appropriate scales or intervals not less than 6 feet with confirmatory heights as supportive evidence.
- Existing contours and the proposed contours.

Site Profile

- A site profile shall be mandatory for any application for detailed development permission for all sites except for land that has a slope of less than 30°.
- A licensed land surveyor is responsible for the preparation of the site profile.
- Retaining walls shall be limited to 12 feet high
- Where a retaining wall of more than 12 feet is proposed, the application shall be accompanied by an engineer's report

Plumbing Plan

The Plumbing Plan should include :

- Plumbing system , including size of water lines.
- Location of shut-off valves
- Water storage and catchment details.
- Size and location of pumps, location and details of grease trap.
- Size and slope of sewer pipes, details of septic tanks and soakaways.
- Location of inspection boxes

Electrical Supply and Communication Distribution Plan

The electrical design is guided by the National Fire Protection Association (NFPA70®) and the National Electrical Code ® (NEC®).

- All electrical and communication sections shall be shown on the plans. Sections include power, light, main panel distribution, communication endpoints and security endpoints.

- Electrical and communication systems shall have the following:
  i. Layout plans showing electrical outlet and switches
  ii. Conduit type and sizes
  iii. Number of wires in conduit and wire gauges.
  iv. Single line diagram
  v. Electrical legends
  vi. Main distribution
  vii. The electrical outlets, switch, communication endpoints and/ security endpoints.
- Power, light and main panel distribution should be illustrated on separate pages for clarity.

- The electrical designs of all commercial, industrial, institutional or buildings of public assembly shall be certified by an electrical engineer.

Septic System or Sewage Disposal Details

- Where a sewage treatment plant is being proposed, it must be accompanied by the following details:
  i. Type
  ii. Capacity and quantity
  iii. Means of disposal of final effluent
  iv. Maintenance schedule

- Where a septic tank and soakaway system is being proposed, it shall be accompanied by the following details :
  i.Dimensions of the height, length and width
  ii.Structural details
  iii.Plan view and sections showing sanitary tee.

Completed Title Block

- The project name and location
- The name and address of the person(s) responsible for the preparation of the documents.
- The seal and certification for each design professional involved in the project. Where applicable, under sub-regulation, this may be applied electronically or by legible rubber stamp.
- The name of the client or owner and date of the drawing.
- The revision number and current date, if applicable.

Certification of Structural Designs

Structural designs for all building types more than 2000 ft^2 should be certified by a structural or civil engineer.

Water Supply and Drainage

The Water Supply And Drainage Systems Shall Be Shown On The Plans.

Charlestown Conservation Area

- Development within the Charlestown Conservation Area should maintain a cultural and historic appearance. Development shall be guided as outlined in approved documents such as "Preserving Charlestown's Heritage" (1999).
- Within the Charlestown Conversation Area, there is a presumption against the use of concrete for roofing solution. Where this material is used, the appearance of the roofing should conform to preservation guidelines.
- The use of shipping containers for commercial, residential, industrial and institutional activities are not permitted.




HYUNDAI









APPLICATIONS FOR DETAILED DEVELOPMENT PERMISSION FOR SUB-DIVISIONS

Part 5 Section 27-32 of Planning Regulations

Application for planning application for detailed sub-division shall be accompanied by:

- A location plan
- A topographical and land feature survey
- Road layout
- Land use
- Sub-division layout

Plans and Layouts

- Plans and layout for applications for detailed sub-divisions must be submitted as follows:

i. Where it is desired to construct more than one building on any area of land, a sub-division plan must first be submitted to the Director for approval.

ii. Plans shall show road access to each building lot as well as connections with existing streets and roads.

iii. Plans shall be drawn to a scale sufficiently large to facilitate accurate checking.

iv. A sub-division plan shall be accompanied by a location plan showing existing sub-divisions in the vicinity and name of the owners of land adjoining the proposed sub-division.

v. A sub-division plan shall show to the satisfaction of the Director of Physical Planning, position of roads, road reserves, cross drainage structures, roadside drainage and the construction specifications of each road buildable areas and setback lines.

- The final survey plan shall be compared with the approved layout plan for conformity.

Location Plan

The location plan shall show the following :

- Existing landmarks
- Other sub-divisions in the vicinity and surrounding land uses.
- Adjoining parcel numbers and names of owners and land adjoining the proposed sub-division.

Land Use

- Existing and proposed land use layouts shall clearly indicate the purpose for which various lots are to be used, including:
  i. Residential (distinguishing between single family and multi-family)
  ii. Commercial
  iii. Community Facility
  iv. Parks and Open spaces or land for communal purposes
  v. Agricultural area
- An application for sub-division approval of ten or more lots or of more three acres shall:
  i. Allocate in one or more areas not less than 5 per cent of the total area for open space to provide for recreational facilities.
  ii. Where the land has a sea frontage, the allocated areas shall include a minimum of 5 per cent of the sea frontage.

Road Layout

A proposed road layout shall show the following ;

- Access to each building lot
- Connections with existing roads on adjoining properties.
- The means of access to the development site.
- Any public easement
- The road location in relation to any public road.
- Road dimensions
- Road gradient
- Road reserves
- Public beach access and parking where the land has sea frontage.
- Road profiles and cross sections including:
  i.Existing and proposed road profiles.
  ii.Centre line stationing and cross sections.
  iii.Finished levels of roads
- Common driveways
- Driveway gradients
- Sight lines and splays shall be provided at all junctions and intersections.
- Where possible, pedestrian access.
- The location and description of any existing or proposed easements and roads.

Topographical and Land Feature Survey

A topographical and land feature survey shall provide contour values, vegetation line and where applicable, the vegetation line and high water mark.

ASSESSMENT REPORTS

Part 6, Section 33-39 of Planning Regulations

Where the Director of Physical Planning determines that an assessment is required to be submitted as part of the development process, the applicant shall prepare a report in a format as outlined by the Director of Physical and Planning. The following assessment may be requested:

- Environmental Impact assessment
- Heritage assessment report
- Pollutant Assessment
- Landscape statement and visual impact assessment
- Structural assessment report
- Traffic Impact Analysis

OTHER REQUIREMENTS

Part 7, Section 40-54 of Planning Regulations

Height of Buildings

- The maximum permitted height of a building in Nevis shall be in Table 1, Schedule 2 of the planning regulations.
- The height of a building with a gabled or hip roof shall be the vertical distance measured from the lowest curb level of the finished building site to the apex and in the case of buildings with flat roofs, the vertical distance from the lowest curb level to the highest point of the roof excluding cornices, parapet walls or railings.

Density of Building

- The density of a development in Nevis shall be in accordance with the planning regulations.
- The minimum lot size of a multi-family building or condominium development, may be reduced at the discretion of the Director of Physical Planning.

Setbacks

The following are the requirements for setbacks:

- All setbacks within Charlestown shall be decided by the Director of Physical Planning.
- No land adjacent to the waterfront shall be developed by the erection of a building unless the lot is at least one hundred and twenty (120) feet in mean distance, measured from the high water mark and perpendicular to the road reserve.
- No buildings other than ancillary buildings, shall be closer than 120 feet to the high water mark at any point.
- Setbacks shall be in accordance with Table 2, Schedule 2.

Provision for Parking

- Parking must be provided on the individual lot or in a nearby location for all public, commercial, industrial and residential buildings in new developments in accordance with column 2, Table 1, Schedule 2.
- The minimum size of a parking space for each vehicle shall be 8ft. x 18ft.

Reclaimed Land

- Reclaimed land for any form of development shall have a minimum height of 8ft. above the high water mark after completion.
- The shape of reclaimed land shall avoid square lines and sharp angles that may alter natural water flow.

Water Supply

The supply to a building shall be provided as follows:

- A building which is intended for human habitation shall be provided with a cistern or rainwater catchment and a storage facility having a minimum capacity of 1000 gallons per $100ft^2$ of roof catchment area where there is no public supply and a minimum of 500 gallons per $100ft^2$ where there is a public supply.
- Storage tanks should be able to withstand hurricane force winds and should not detract from the aesthetics of the area.
- A building which is intended for multi-family dwelling, must be constructed with a cistern having minimum capacity of 1000 gallons per every $100ft^2$ of roof catchment area.
- All buildings forming part of a detailed subdivision development must be constructed with a cistern having a minimum capacity of 1000 gallons per $100ft^2$ of roof catchment where there is no public supply and a minimum of 500 gallons per $100ft^2$ where there is a public supply.
- In commercial and industrial use, wastewater containing chemicals shall not flow into any ghaut, mangrove, pond or sea.

Garbage Disposal

The means of garbage disposal shall be provided for as follows:

- A householder, tenant, hotel or apartment building owner, shall be responsible for providing his own garbage bin with a suitable cover which must be suitably protected against being knocked over.
- The Director of Physical Planning shall require a sub-division developer to provide collection and disposal service where it is practicable.
- The developer shall make provision for the reservation of disposal area and for access for removing garbage.
- Commercial and industrial developers shall bear the responsibility of providing their own means of garbage disposal.

Sewage Disposal

The means of sewage disposal shall be provided for as follows:

- A building which is intended for human habitation or industrial or commercial use shall be provided with a waterborne sewerage system draining to a septic tank or more sophisticated treatment facility of accepted design, approved by the Director of Physical Planning wherever possible.
- If required, the percolation tests shall be carried out when it is planned to use absorption pits or septic tanks with soak aways or land drains to dispose of the sewage. The approval of the Director of Physical Planning for the use of such systems will depend on the percolation rates found using the following criteria:

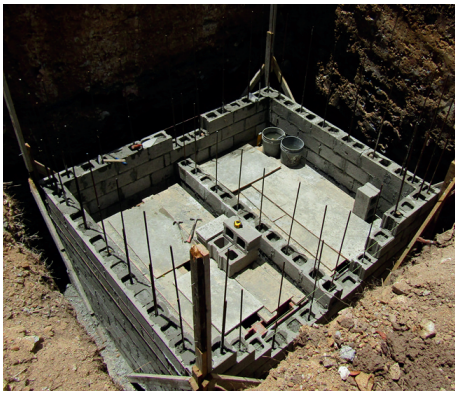
i. Soak aways shall be used where sub-surface conditions allow and they shall never be used where there is a likelihood of contaminating the underground water supplies and fresh water lenses.

ii. The percolation criteria to be used in determining whether soak aways can be efficient in a given area is based on the rate of absorption of liquid waste and the area of the absorption surface.

iii. Soils with absorption rates less than 1 inch in thirty minutes are unsuitable for soakaways.

iv. The absorption area required shall be based on the effective vertical wall area of the pit, and no allowance shall be made for the pit bottom or the area above the inlet.

v. As soil types wary widely and the size of the pit depends on the type of soil and the volume of effluent to be absorbed, a test shall be carried out at each building site or at the discretion of the Director of Physical Planning.





- The effluent from a septic tank must drain through a soak pit or subsurface drainage tile field of appropriate capacity located no less than 10ft from any dwelling or commercial or industrial buildings or the plot boundary.
- The developer of a sub-division shall be required to submit proposals acceptable to the Director of Physical Planning for a sewerage system.
- The size requirement for soakaways should conform with Table F-3, Section F6.7 of the Saint Kitts and Nevis Building Regulations 2000- Building Guidelines.

Storage of hazardous materials

Where hazardous materials are being stored, the Director of Physical Planning will apply the provisions as set out by the Nevis Solid Waste Management Authority Ordinance, 2021.

Proposed Land Use

Plans and Layouts shall clearly indicate the purpose for which various lots are to be used, such as residential (distinguishing between single family and multiple family), commercial (specifically identifying special uses such as service station, etc. where possible) , industrial, school sites, parks, agricultural area. All public facilities should have signs indicating the managing authority as well as any other pertinent information.

Certificate of Completion

Upon completion of a development erected in accordance with the approved plans and conditions, and being inspected by a Building Inspector, the Director of Physical Planning shall issue a certificate of completion stating that the development was completed in accordance with the approval granted.



DEVELOPMENT ADVISORY COMMITEE

Section 6 of the Planning Ordinance

The Director of Physical Planning and Environment must not determine an application of the second and fourth schedule without the advice of the Development Advisory committee comprise of the follows.

- Permanent Secretary of Ministry as Chairman
- The Director of Physical Planning
- The Director of Public Works
- The Engineer/Manager of the Nevis Water Department
- An Environmental Health Officer
- The Manager of the Nevis Electricity Company Ltd.
- The Manger of the Nevis Housing and Land Development Corporation
- Public Officer as Secretary
- A Legal Counsel of the Nevis Island Administration

Publicity of an Application for Detailed Development Permission

Section 52 of the Planning Regulations

Where a notice is publicized by an applicant pursuant to section 26 of the Ordinance, the details of the application must be advertised by the applicant at his/her expense in at least one local newspaper in two consecutive issues, giving a period of fourteen days after final publication in which objections may be lodged with the Director of Physical Planning.

CLASSES OF APPLICATIONS THAT MUST BE PUBLICIZED

Fourth Schedule of the Planning Ordinance

- Applications for permission to carry out any development in connection with which an Environment Impact Assessment is required.
- Applications for permission to demolish, renovate or alter a listed building, in whole or in part.
- Applications for permission to carry out mining or mineral processing operations.
- Applications for permission for development of an auto-repair shop, garage or gasoline station.
- Applications for permission to develop a welding or metal fabrication shop.
- Applicants for permission to construct buildings or for the use of land for the purposes of a casino, gambling hall, recreation club, liquor shop, bingo hall, music hall, dance hall, theatre, cinema or sports hall.
- Applications for permission to develop a sewage treatment or disposal plant.
- Applications for permission to deposit, store, or otherwise deal with toxic or hazardous wastes.
- Applications for permission to develop manufacturing process which will involve either directly or as waste, the production of toxic or other hazardous substances.
- Applications for permission to construct buildings or for use of land for the purpose of fish farming, animal husbandry, processing of fish, plucking of poultry or as a slaughterhouse.

FREQUENTLY ASKED QUESTIONS

01. WHAT DEVELOPMENTS REQUIRE PERMISSION?

Development Permission is necessary for any developments including any form of demolition, construction and renovation for both Residential and Non-Residential lot types.

02. WHAT HAPPENS IF I DON'T APPLY FOR THE NECESSARY PERMITS?

There are penalties that can be enforced when an Individual/ Company is found to be in breach of the Ordinance and Regulations. The penalties can range from either large monetary fines and/ or imprisonment.

PLANNING OFFENCES AND PENALTY FEES

(SEE FEE SCHEDULE, SCHEDULE 3 OF THE PLANNING REGULATIONS

Proceeding to the next stage of development without approval from a Building Inspector - $500
Undertaking development without planning permission - $ 1000
Proceeding with works after issuance of a Enforcement Notice - $3000
Proceeding with works after issuance of a Stop Notice - $4000

If a building is completed without receiving approval, a certificate of occupancy would not be issued. If no application is made, an enforcement notice or stop notice may be issued with instructions to cease works and/or apply for permission.

FREQUENTLY ASKED QUESTIONS

In cases where the stop notice and enforcement notice aren't complied with the Director of Physical Planning reserves the right to take legal action to cause the developer to comply with such notices.

03. WHO CAN APPLY?

Any person intending to develop land (or his agent) can apply for permission.

04. HOW DO I APPLY FOR DEVELOPMENT PERMISSION?

Applicants must submit a completed application form along with proof of ownership, detailed drawing plans and pay the prescribed application fee.

05. WHAT IS THE APPLICATION COST?

There is a processing fee of $60, which is required to be paid by the applicant. After the application has been processed there is a separate fee, which is the application cost. This cost is determined by the class of development and the size of the proposed structure. See Schedule 3 of the planning regulations for the detailed fee schedule.

CLASS	NEW DEVELOPMENT
Detailed Residential	Single: $0.30 per Sqft Multi-Family /Apartment: $0.40 per Sqft.
Detailed Tourism	$0.60 per Sqft.
Detail Commercial	$0.50 per Sqft

FREQUENTLY ASKED QUESTIONS

06. HOW LONG DOES IT TAKE TO DETERMINE AN APPLICATION ?

The planning ordinance allows for 90 days to determine an application. However, if all requirements are met determination can be made in as little as two weeks, for a single family residential building design

07. HOW LONG DOES APPROVAL LAST ?

- If permission of land development is not taken up within 12 months of approval, it lapses.
- If the development is not completed within the 36 months after it commences, it lapses.

CONTACT US

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