Nevis Physical Planning and Development Control Regulations, 2021

NEVIS PHYSICAL PLANNING AND DEVELOPMENT CONTROL REGULATIONS, 2021

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SAINT CHRISTOPHER AND NEVIS

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STATUTORY RULES AND ORDERS

ISLAND OF NEVIS

No. of 2021

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The Minister of Physical Planning and Development Control in exercise of the powers conferred upon him by Section 54 of the Nevis Physical Planning and Development Control Ordinance, Cap. 6.01(N) and all other powers thereunder enabling him makes the following Regulations:

PART 1
PRELIMINARY

Citation

1. These Regulations may be cited as the Nevis Physical Planning and Development Control Regulations, 2021.

Interpretation

2. (1) In these Regulations-

"Ordinance" means the Nevis Physical Planning and Development Control Ordinance Chapter 6.09(N); and

"Regulations" mean the Nevis Physical Planning and Development Control Regulations.

(2) Unless the contrary intention appears, words or terms used in these Regulations shall have the same meaning as used in the Nevis Physical Planning and Development Control Ordinance.

PART 2
TYPES OF DEVELOPMENT PERMISSION

Types of development permission

3. (1) The Director of Physical Planning may grant development permission as follows:

(a) concept consideration and acceptance; and

(b) detailed development permission.

(2) Notwithstanding the grant of concept consideration approval, a developer shall not commence development operations until detailed development permission has been granted.

(3) An application for concept consideration and acceptance should be submitted in the form set out in Schedule 1 and be accompanied by a Project Proposal.

(4) An application for detailed development permission shall be submitted to the Director of Physical Planning within 24 months of the acceptance of the concept or such longer period as may be specified at the concept consideration and acceptance stage.

(5) Where an EIA has been requested, an application for detailed development permission shall be submitted to the Director of Physical Planning within 24 months of the acceptance of the EIA or such longer period as may be specified at the acceptance stage of the EIA or as may be authorised by the Director of Physical Planning in any particular case and shall be -

(a) in accordance with Part 6; or

(b) in the case of sub-divisions in accordance with Part 5.

(6) (a) Where the Director of Physical Planning grants detailed development permission, the applicant has a period of -

i. twelve months from the date on which permission is granted to commence construction;

ii. thirty six months after development has commenced or such other period as may be prescribed in the notice granting permission to complete the development.

(b) If construction has not commenced within the period specified in sub-regulation 3(6)(a)(i), written permission from the Director of Physical Planning must be sought before commencement.

(c) If construction fails to be completed in 36 months in accordance with sub-regulation 3(6)(a)(ii), the developer or applicant must request an extension of time from the Director in writing.

Project Proposal

4. (1) A Project Proposal shall be submitted along with the application for concept consideration and acceptance.

(2)The Project Proposal shall describe the components of the project and should include, but not be limited to:

I. Detailed description of the type of development;

II. Phasing of development;
III. Social, physical, economical, and environmental benefits;
IV. Waste disposal;
V. Landscaping;
VI. Drainage;
VII. Costing and market analysis;
VIII. Infrastructure;
IX. Detailed master plan;
X. Basic floor plan;
XI. Elevation drawing; and
XII. Any other necessary supporting information.

PART 3
GENERAL REQUIREMENTS

Documents to accompany application

5. (1) The following documents shall accompany an application for concept consideration for the development of land:

(a) documents required under section 17 of the Ordinance;

(b) the Project Proposal;

(c) Conceptual plans, drawings and other materials drawn by an engineer, architect or surveyor. These should include:

I. setback of buildings from the front, rear and side parcel boundaries, distances between buildings, setbacks from the septic system to the building and the parcel boundaries, setback from natural physical features and, for coastal zone developments the high water mark should be shown as well as the setback distances from the permanent vegetation line;

II. proposed onsite parking;

III. internal roadways and pathways;

IV. permeable and impermeable surfaces;

V. access to site;

VI. solid waste disposal area;

VII. existing structures to remain on site;

VIII. general layout of buildings denoting square footage;

IX. general layout of habitable units denoting square footage;

X. proposed height of buildings on site from the lowest point;

XI. drainage;

XII. proposed onsite utility connections; and

XIII. any other architectural representation that would depict as much as possible the proposed project.

(2) The following documents shall accompany an application for detailed development permission of land:

(a) documents required under sections 17 and 25 of the Ordinance;

(b) a certified copy of the document evidencing ownership of the land;

(c) where the applicant is not the owner of the land or is only part-owner of the land, a notarised letter signed by the owner or co-owner of the land stating that he or she has no objection to the development;

(d) a copy of the lease agreement, if applicable;

(e) a copy of the company register of directors, if the applicant is a company;

(f) a notarized Board Resolution of the company or organisation giving authority for the application to be made on its behalf;

(g) Grant of administration by a court of competent jurisdiction; and

(h) a photo identification of the applicant.

(3) The following documents shall accompany an application for detailed development permission for sub-division:

(a) documents required under sections 17, 22 and 25 of the Ordinance;

(b) a certified copy of the document evidencing ownership of the land;

(c) where the applicant is not the owner of the land or is only part-owner of the land, a notarised letter signed by the owner or co-owner of the land stating that he or she has no objection to the development;

(d) a copy of any lease agreement if applicable; and

(e) a copy of the company register of directors, if applicable;

(f) A notarized Board Resolution of the company or organisation giving authority for the application to be made on its behalf;

(g) Grant of administration by court of competent jurisdiction; and

(h) A photo identification of the applicant.

Payment of prescribed fees

6. The payment of fees for the processing of development applications shall be in accordance with the prescribed fees as set out in Schedule 3.

Examination of applications in relation to government land use policy

7. With the exception of the classes of applications set out in the third schedule of the Ordinance, all applications submitted for detailed development permission shall be examined by the Development Advisory Committee in relation to development plans currently in use or plans under preparation such as the Nevis Physical Development Plan, for the purpose of implementing Government land use policy.

PART 4
APPLICATIONS FOR DETAILED DEVELOPMENT PERMISSION FOR LAND

Application for detailed development permission for land

8. (1) An application for detailed development permission for land shall be made to the Director of Physical Planning in the manner set out in this Part.

(2) An application for detailed development permission for land shall be made in the forms set out in Schedule 1 and shall be accompanied by the following in triplicate:

(a) site plan to a legible scale;

(b) location plan to a legible scale;

(c) floor plans to a scale of :1/4 inch =1 foot or 1/8 inch =1 foot or 3/16 inch = 1 foot;

(d) foundation plan to scale of: 1/4 inch =1 foot or 1/8 inch =1 foot;

(e) North, South, East and West elevation plan to scale of:1/4 inch =1 foot or 1/8 inch =1 foot;

(f) roof plans;

(g) cross-sections plans;

(h) existing and proposed site profiles;

(i) septic system or sewerage disposals details; and

(j) complete title block.

(3) All measurements under sub-regulation (1) must be done in imperial.

Site plan

9. The site plan shall show the following:

(a) the location of the proposed building on the site;

(b) the location of existing buildings on the site;

(c) building setbacks:

(i) from the front, rear and side parcel boundaries;

(ii) from the septic system to the building and the parcel boundaries;

(iii) all setbacks shall be measured to the most protruding element of the building; and

(iv) for coastal zone developments, the high water mark should be shown as well as the setback distances from the permanent vegetation line;

(d) the fronting roads giving their names and widths;

(e) the location of driveways and parking areas;

(f) the water and sanitary drainage systems;

(g) the north point;

(h) functional points of vehicular access;

(i) boundaries and dimensions of parcel lines;

(j) the position of the proposed development in relation to the site boundaries or setbacks;

(k) the position of other existing buildings or structures on the site in relation to boundaries of the site and the proposed development;

(l) the purpose for which any building on the site is used and for which any proposed building on the site is intended to be used;

(m) access arrangements and interface with the main road;

(n) the position and height of all mature trees on site (e.g. any tree greater than 6 inches in diameter, including rare species or endangered plant and animal species);

(o) location of big boulders;

(p) existing and proposed drainage patterns;

(q) existing and proposed contours and sediment control measures;

(r) location of nearby natural physical features (e.g. ghauts, ponds, sand dunes, wetlands, cliffs, ridgelines etc.);

(s) a dimensioned and functional parking layout;

(t) location of fencing;

(u) location of septic tank soakaway, leach field or wastewater management system;

(v) location and sizing of grease traps for commercial buildings where necessary; and

(w) location of utility connections (water, electricity etc.).

Location plan

10. (1) The location plan shall show:

(a) the position of the lot and parcel in relation to the adjoining lots and, if possible a copy of the Index Map;

(b) adjacent properties;

(c) existing roads and named roads and buildings;

(d) any prominent landmark in close proximity;

(e) how the site will be accessed and where there is a legal right of way this must be clearly indicated;

(f) a clearly marked north point; and

(g) airport location if the site is within two nautical miles of an airport.

(2) In special circumstances the Director may require a topographical survey.

Floor plan

11. The floor plan shall show the following:

(a) existing and proposed floor plan or use and all rooms which must be properly labeled and dimensioned;

(b) where existing walls are to be demolished, they must clearly be shown;

(c) where the cross-section has been taken from;

(d) columns; and

(e) windows, doors and finish schedule.

Elevation plan

12. The elevation plan which shall be clearly labeled and dimensioned. shall show the following:

(a) accurate elevations of all visible sides of the building showing details of:

(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;

(b) existing and proposed elevations;

(c) elevations which are to be changed or modified;

(d) the total building height and building height to the apex; height from floor to bottom of window, floor to top of window, and floor to top of ring beam; and

(e) the finished floor elevation in relation to the ground level.

Roof plan

13. The roof plan shall show the following:

(a) materials;

(b) guttering;

(c) downspouts or rainwater leader locations; and

(d) slope of roofs.

Roof framing plan

14. Roof framing plan shall include:

(a) labelling and size of roofing members;

(b) spacing of roofing members; and

(c) size of roof overhang,

Concrete roof plan

15. Concrete roof plan shall include:

(a) roof reinforcement plan, including reinforcement size and spacing information; and

(b) thickness of the concrete slab.

Cross-section plan

16. The cross-section plan shall show the following:

(a) the total building height;

(b) the building height to the eave;

(c) typical exterior walls with description of specific components and dimensions;

(d) at least two sections extending through the limits of the development which must be superimposed over actual existing land slope; and

(e) depth of the foundation.

Concrete strength

17. Concrete strength for all structural elements shall be specified.

Electrical supply and communication distribution plan

18. An electrical supply and communication distribution plan shall be prepared as follows:

(1) All electrical and communication sections must be shown on the plans. Sections includes power, light, main panel distribution, communication endpoints and security endpoints.

(2) Power, light and main panel distribution should be illustrated on separate pages for clarity.

(3) This section is guided by the National Fire Protection Association (NFPA 70®) and the National Electrical Code® (NEC®).

(4) Electrical and communication systems should include:

(a) Electrical and communication layout plans showing electrical outlet and switches, Ground Fault Circuit Interrupter (GFCI) protected outlets;

(b) conduit type and sizes and conduit fill capacity;
(c) number of wires in conduit and wire gauges;
(d) single line diagram showing service entrance setup;
(e) electrical legends providing symbol information;
(f) main distribution (panel sizes, circuit numbers and locations and breaker sizes for each circuit)
(g) electrical outlets, switch, communication endpoints and /security endpoints.

(5) The electrical designs of all commercial, industrial, institutional or buildings of public assembly must be certified by an electrical engineer.

(6) Electrical designs for residential buildings over 2000 sq. ft. must be certified by an electrical engineer or certified electrical technician.

(7) Electrical Designs shall be guided by National Fire Protection Association NFPA 70®, National Electrical Code® (NEC®).

Plumbing plan

19. The Plumbing Plan should include:

(a) plumbing system, including size of water lines;

(b) location of shut-off valves;

(c) water storage and catchment details;

(d) size and location of pumps, location and details of grease trap;

(e) size and slopes of sewer pipes, details of septic tanks and soak aways; and

(f) location of inspection boxes.

Septic system or sewerage disposal details

20. (1) Where a sewerage treatment plant is being proposed, it must be accompanied by details of the:

(a) type;

(b) capacity and quantities;

(c) means of disposal of final effluent; and

(d) maintenance schedule.

(2) Where a septic tank and soak away system is being proposed, it must be accompanied by the following details;

(a) dimensions of the height, length and width;

(b) structural details; and

(c) plan view and sections showing sanitary tee.

Contour plan

21. (1) A contour plan shall be submitted and shall be at the appropriate scales or intervals but not less than 6 feet with confirmatory spot heights as supportive evidence in the application.

(2) The drawings shall reflect existing contours and the proposed contours.

Completed title block

22. (1) The completed title block shall contain the following:

(a) the project name and location;

(b) the name and address of the person(s) responsible for the preparation of the documents;

(c) the seal and certification for each design professional involved with the project, where applicable;

(d) the name of the client or owner and date of the drawing; and

(e) the revision number and current date, if applicable.

(2) The seal and certification under sub-regulation (1) may be applied electronically or by legible rubber stamp.

Site profile

23. (1) 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°.

(2) The existing and proposed site profile shall include features in the plan view and key site sections shall be prepared by a licensed land surveyor approved by the Department of Physical Planning.

(3) Retaining walls shall be limited to 12 feet high.

(4) Where a retaining wall of more than 12 feet is proposed, the application shall be accompanied by an engineer's report.

Water supply and drainage systems

24. The water supply and drainage systems must be shown on the plans.

Certification of structural designs

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

Charlestown Conservation Area

26. (1) Development within the Charlestown Conservation Area should maintain a cultural and historic appearance. These developments must consider historic preservation guidelines as outlined in documents such as "Preserving Charlestown's Heritage" Cambers (1999)".

(2) Within the Charlestown Conservation Area, there is a presumption against the use of concrete for roofing solution. However, where this material is used the appearance of the roofing solution should conform to preservation guidelines.

(3) The use of shipping containers for commercial, residential, industrial and institutional activities are not permitted.

PART 5
APPLICATIONS FOR DETAILED DEVELOPMENT PERMISSION FOR SUB-DIVISIONS

Application for development permission for sub-division

27. (1) An application for detailed development permission for a sub-division shall be made to the Director of Physical Planning in the manner set out in this part.

(2) An application for detailed development permission for a sub-division shall be made in the prescribed form and shall be accompanied by three sets of the following drawings:

(a) a location plan;

(b) a topographical and land feature survey;

(c) road layout;

(d) land use; and

(e) sub-division layout.

Plans and layouts

28. (1) Plans and layouts for applications for detailed development permission for sub-divisions shall be submitted to the Director of Physical Planning as follows:

(a) 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;

(b) plans must show the road access to each building lot as well as connections with existing streets and roads on adjoining subdivisions or on adjoining un-subdivided property;

(c) plans shall be drawn to a scale sufficiently large to facilitate accurate checking;

(d) 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;

(e) 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.

(2) The final survey plan shall be compared with the approved layout plan for conformity.

Location plan

29. The location plan shall show the following:

(a) existing landmarks;

(b) other sub-divisions in the vicinity and surrounding land uses; and

(c) adjoining parcel numbers and names of owners of land adjoining the proposed sub-division.

Topographical and land feature survey

30. The topographical and land feature survey must provide the contour values and where applicable the vegetation line and high water mark.

Road layout

31. (1) A proposed road layout shall show the following:

(a) access to each building lot;

(b) connections with existing roads on adjoining properties;

(c) the means of access to the development site;

(d) any public easement;

(e) the road location in relation to any public road;

(f) road dimensions;

(g) road gradient;

(h) road reserves;

(i) public beach access and parking where the land has sea frontage;

(j) road profiles and cross sections including:

(i) existing and proposed road profiles

(ii) centre line stationing and cross sections, and

(iii) finished levels of roads;

(k) common driveways;

(l) driveway gradients;

(m) sight lines and splays must be provided at all junctions and intersections;

(n) where possible, pedestrian access; and

(o) the location and description of any existing or proposed easements and roads.

Land use

32. (1) Existing and proposed land use layouts shall clearly indicate the purpose for which various lots are to be used, including:

(a) residential (distinguishing between single family and multiple families);

(b) commercial;

(c) community facility;

(d) parks and open spaces or land for communal purposes; and

(e) agricultural area.

(2) An application for sub-division approval of ten or more lots or of more than three acres shall:

(a) allocate in one or more areas not less than 5 per cent of the total area for open space to provide for children's playground, recreation areas and other similar facilities; and

(b) where the land has a sea frontage, the allocated areas must include a minimum of 5 per cent of the sea frontage.

PART 6
ASSESSMENT REPORTS

Environmental impact assessment

33. Where the Director of Physical Planning determines that an Environmental Impact Assessment (EIA) is required to be submitted as part of the approval process for development permission, the applicant shall prepare a report in a format as outlined by the Director of Physical Planning.

Heritage assessment report

34. (1) Where, based on the historic value of the site, the Director of Physical Planning determines that a Heritage Assessment Report is required as part of the application approval process for development, the Heritage Assessment Report shall be included in the Environmental Impact Assessment.

(2) The Heritage Assessment Report shall include the following:

(a) available literature, if any;

(b) field evaluation, including drawings showing the precise historic features on or adjacent to the development;

(c) justification for the proposed development;

(d) a summary assessment of the likely impact of the development on any Heritage Resource;

(e) proposals for mitigation measures; and

(f) Cost benefit analysis of heritage site alteration.

Pollutant assessment

35. Where a proposal for development permission is likely to generate pollutants such as noise, dust, noxious fumes, or chemical runoff, the application shall be accompanied by a Pollutant Impact Assessment and shall include the following information:

(a) details of the impact of the pollutant that will be generated; and

(b) mitigation measures.

Landscape statement and visual impact assessment

36. (1) Where the Director of Physical Planning determines that a landscaping plan is required to be submitted with an application for development permission, the applicant shall prepare a Landscape and Visual Impact Assessment which is to be submitted as part of the Environmental Impact Assessment.

(2) The Landscape and Visual Impact Assessment shall include the following:

(a) the proposed finish levels or contours;

(b) permeable and impermeable surfacing materials;

(c) minor artefacts;

(d) planting plans, species, sizes and density;

(e) vehicle and pedestrian access and circulation;

(f) long-term maintenance and management details;

(g) details of disposal of excavation material;

(h) retention of the existing vegetation as far as practicable; and

(i) a comprehensive remediation plan where requested by the Director of Physical Planning.

Structural assessment report

37. Where an applicant is seeking development permission to add more weight to an existing building and the Director of Physical Planning considers that it may not be structurally sound, the applicant shall submit a structural engineer's assessment.

Traffic impact analysis

38. Where the Director of Physical Planning determines that a traffic impact analysis is required with an application for development permission,

the applicant shall prepare a traffic impact analysis report and submit to the Director of Physical Planning. This shall include:

(a) identification of any traffic issues associated with access from the site to the existing transportation network;

(b) an outline of solutions to potential problems identified in paragraph (a);

(c) impact on road safety;

(d) impact of traffic noise;

(e) peak period traffic volumes and congestion levels at intersections;

(f) existing parking supply and demand in the vicinity of the proposed development;

(g) existing and proposed public transport services in the vicinity of the proposed development;

(h) parking provisions appropriate to the development in accordance with Schedule 2;

(i) safety and efficiency of internal road layout, including service and parking areas;

(j) impact of generated traffic on the streets in the development area; and

(k) safety and efficiency of access between the site and the study area road network.

Qualifications of person preparing environmental impact assessment

39. A person undertaking an Environmental Impact Assessment or any part thereof to be submitted to the Director of Physical Planning, must possess a minimum requirement of a Bachelor's of Science Degree in environmental science, or a Bachelor's of Science Degree in any other related fields with a minimum of 5 years' experience in an environmental related fields.

PART 7
OTHER REQUIREMENTS

Height of buildings

40. (1) The maximum permitted height of a building in Nevis shall be in accordance with column 6, Table 1, Schedule 2 of this regulation.

(2) The requirement under sub-regulation (1) may be relaxed at the discretion of the Director of Physical Planning.

(3) 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

41. (1) The density of a development in Nevis shall be in accordance with column 3, Table 2, Schedule 2.

(2) 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

42. (1) The following are the requirements for setbacks:

(a) all setbacks shall be measured to the most protruding element of the building;

(b) all setbacks within Charlestown shall be decided by the Director of Physical Planning;

(c) 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;

(d) no buildings other than ancillary buildings, shall be closer than 120 feet to the high water mark at any point; and

(2) The requirements in sub-paragraphs (c) and (d) may be relaxed at the discretion of the Director of Physical Planning having regard to the Coastal Development Setback Guidelines in "Preserving Charlestown's Heritage", Cambers (1999) as well as any other material considerations.

(3) Setbacks shall be in accordance with Table 2, Schedule 2.

Provision for parking

43. (1) 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.

(2) The minimum size of a parking space for each vehicle shall be 8 ft. x 18 ft.

Reclaimed land

44. (1) Reclaimed land for any form of development shall have a minimum height of 8 ft. above the high water mark after completion.

(2) The shape of reclaimed land shall avoid square lines and sharp angles that may alter natural water flow.

Roads and road junctions

45. (1) Roads and road junctions shall be laid out as follows:

(a) for junctions and intersections there must be:

(i) a sight line; and

(ii) visibility triangles on internal sub-division roads, which should be formed by cutting off the corners of lots by measuring 15 ft. along the respective lot boundaries from their point of intersection and joining the two points so determined.

(b) where appropriate, provision shall be made for the continuation of principal streets to adjoining sub-divisions or their proper projection when the adjoining property is not sub-divided and where necessary, the Director of Physical Planning may also require continuation of such minor streets for extension of utilities and for access to adjoining properties;

(c) there shall be no reserve strips across streets or roads controlling access to streets or properties, except where control of such strip is definitely placed under conditions approved by the Director of Physical Planning ;

(d) where a fence or wall is being erected it shall be erected at a minimum of 4 feet away from the edge of the carriage-way in order to allow for the construction of sidewalks and any utilities or drainage and where this is not practical the Director of Physical Planning may specify otherwise;

(e) in reference to cut and distance from nearby roads or properties to avoid undermining;

(f) an adequate radius must be provided for every cul-de-sac road in accordance with the OECS Infrastructural Guidelines;

(g) proposed streets shall intersect one another within 20 degrees of the perpendicular for a distance of 100 ft. from the point of intersection of the road reserves; where this is impractical because of the gradient of the land the Director of Physical Planning may approve alternative proposals;

(h) service roads for rear access to commercial development in a commercial zone shall be provided in all business and industrial areas and should not be less than 18 ft. wide;

(i) in industrial areas the swept path of junctions should be adequate to allow the passage of articulated vehicles;

(j) the points of access onto a major road shall be held to a minimum as far as practicable and whenever possible not be less than a quarter-of-a-mile apart;

(k) the construction of roads shall be to standards adopted by the Public Works Department.

(2) The Director of Physical Planning may regulate points of access to all roads including the frequency, standard and design of junctions.

(3) The Director of Physical Planning may determine points of access from properties onto roads and may prohibit the erection of any building or construction which might cause obstruction to traffic in the adjacent street.

(4) Where it is determined that the standards in sub-regulation (2) and (3) are impractical because of the gradient and functionality of the land, the Director of Physical Planning may approve alternative proposals.

Road reserves

46. (1) Road reserves shall be made up of a carriageway which shall be 16ft. to 24ft. plus a minimum of 4 ft. on each side.

(2) No building or structure shall be erected within the road reserve.

(3) At least four (4) feet of all road reserves should be allocated for the purposes of the installation of utilities. Where reserves do not exist, the Nevis Island Administration reserves the right to utilize up to four (4) feet of the adjoining property for the installation of utilities.

(4) The existing pathways of any ghaut shall not be impeded by the development in any way.

(5) The development buffer distance from the edge of a ghaut shall be no less than 16 feet and may be increased if it is deemed necessary by the Director of Physical Planning.

(6) The only forms of development permitted within the ghaut buffer are engineered access routes.

(7) All ghauts are to be surveyed wherever a survey is required under these regulations.

(8) Ponds shall not be filled in except by permission of the Director of Physical Planning.

(9) The development buffer distance from the edge of a pond shall be 30 ft. from the edge.

Water supply

47. The water supply to a building shall be provided as follows:

(a) 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 100 ft^2 of roof catchment area where there is no public supply and a minimum of 500 gallons per 100 $ft.^2$ where there is a public supply;

(b) a building which is intended for multi- family dwelling, must be constructed with a cistern having a minimum capacity of 1000 gallons per every 100 ft^2 of roof catchment area;

(c) All buildings forming part of a detailed subdivision development must be constructed with a cistern having a minimum capacity of 1000 gallons per 100 ft^2 of roof catchment area where there is no public supply and a minimum of 500 gallons per 100 $ft.^2$ where there is a public supply;

(d) storage tanks should be able to withstand hurricane force winds and should not detract from the aesthetics of the area;

(e) the developer of any habitation shall be required to submit proposals acceptable to the Director of Physical Planning for a complete supply and distribution water system, whether or not a treated supply is available the cost of which shall be borne by the developer;

(f) in commercial and industrial use, wastewater containing chemicals shall not flow into any ghaut, mangrove, pond or the sea.

Sewerage

48. The means of sewerage disposal shall be provided for as follows:

(a) a building which is intended for human habitation or commercial or industrial 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, except in areas designated by the Director of Physical Planning where comprehensive sewerage systems are available or a technical waste facility is of such type as to require special treatment before discharge to a sewer or the environment;

(b) if required, the percolation tests shall be carried out when it is planned to use absorption pits or septic tanks with soak ways or land drains to dispose of the sewage, and 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) soakaways shall be used where sub-surface conditions allow and they shall never be used where there is a likelihood of contaminating underground water supplies and fresh water lenses;

(ii) the percolation criteria to be used in determining whether soakaways 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 of less than 1inch 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; and

(v) as soil types vary 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.

(c) the effluent from a septic tank must drain through a soak pit or subsurface drainage tile field of appropriate capacity located no less than 10 ft. from any dwelling or commercial or industrial building or the plot boundary;

(d) the buildings' sewers and septic tank must be so located that the drainage system may eventually be connected to a main sewerage system; and

(e) the developer of a sub-division shall be required to submit proposals acceptable to the Director of Physical Planning for a sewerage system which can satisfactorily serve that sub-division; the cost of any such proposals will be borne by the developer;

(f) the size requirement for soak aways should conform with Table F-3, Section F6.7 of the Saint Kitts and Nevis Building Regulations 2000 – Building Guidelines.

Garbage disposal

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

(a) 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;

(b) the Director of Physical Planning shall require a sub-division developer to provide a garbage collection and disposal service where it is practicable;

(c) the developer shall make provision for the reservation of disposal area and for access for removing garbage; and

(d) commercial and industrial developers shall bear the responsibility of providing their own means of garbage disposal.

Storage of hazardous materials

50. 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

51. 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 and agricultural area. All public facilities should have signs indicating the managing authority as well as any other pertinent information.

Publicity of application for detailed development permission

52. Where a notice is publicised by an applicant pursuant to section 26 of the Ordinance, the details of the application must be advertised by the applicant at his 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.

Completion of building

53. (1) Completion of a building for any approved development must be within thirty-six months of the date of the permit or such period as may be authorized by the Director of Physical Planning.

(2) Where the building is not completed in accordance with sub-regulation (1), the permit will be deemed to have lapsed.

Certificate of Completion

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

SCHEDULE 1

Concept Consideration
Application

FOR OFFICE USE ONLY

	DEPARTMENT OF PHYSICAL PLANNING AND ENVIRONMENT **MAIN STREET** **CHARLESTOWN, NEVIS** ***Tel: 469 5521 ext. 6302, 5078 Email: physical.planning@niagov.com / nevplan@yahoo.com***	***Date received***	
		Application #	
		Application fee & Receipt #	
		Approved	
		Refused	

APPLICATION FOR CONCEPT CONSIDERATION

This form is authorized under PART IV – SECTION 17 the Nevis Physical Planning and Development Control Ordinance, *Chapter 6.09 (N) (As Amended).*

THREE copies of this form, proposal documents (see below outline), masterplan and other drawings specified must be submitted.

PLEASE COMPLETE THIS FORM IN BLOCK CAPITALS

1. Full Name and Address of Applicant(s)

Name.....
Address.....
.....
Tel # ..... Fax #..... Email: .....

2. Name of Development

.....
.....

3. Name and address of agent (if applicable) to whom correspondence should be sent

Name.....
Address.....
.....
Tel #..... Fax #..... Email: .....

4. Land Ownership Type

☐Title ☐Registered Deed ☐Registered Lease ☐ Notarized Letter from Owner

☐ Registered M.O.T ☐Other (please specify) _____

Please note: All sections of this form must be completed. 1

Concept Consideration
Application

5. Class and Location of Development:
Class: ☐ Residential ☐ Transportation ☐ Institutional ☐ Public Buildings ☐ Commercial ☐ Industrial ☐ Agricultural Project Location: ……

6. If current application is a resubmission, indicate if previous application was:
☐ Withdrawn ☐ Refused

7. Type of Development - indicate whichever apply:	
☐ Building Development	☐ Earthworks
☐ Coastal Development	☐ Ghaut Works
☐ Retaining Wall	☐ Other (please specify) _____

8. Please state:
Existing Land Use:……..
Proposed Land Use:…….

9. Development Lot Size
Area of Land to be Developed..... ft.^{2} / Acre

10. Expected duration of works:
Commencement …….
Completion ……

11. If vegetation removal is involved:
▪ Please indicate area on site plan Total area ….…… ft.^{2} / Acre
▪ Give approximate quantity of vegetation to be removed…….

12. Indicate type of septic solution
…… …… …… ……

13. **COASTAL WORKS:**
Give details…… …… …… …… …… …… …… …… …… …… …… …… …… …… …… …… …… …… ……

15. **DECLARATION OF APPLICANT**
I _____ Declare that: (print name) The information contained in this application, attached schedule, attached plans and specifications, and other attached documentation is true to the best of my knowledge. **Signature of applicant**:_____ **Date:** _____ dd/mm/yyyy

FOR ADDITIONAL INFORMATION, PLEASE CONTACT OUR OFFICE Department of Physical Planning and Environment Main Street, Charlestown, Nevis, W.I.
Tel: (869) 469 5521 Ext., 2040, 2106 email: nevplan@yahoo.com

FOR OFFICE USE ONLY

	DEPARTMENT OF PHYSICAL PLANNING AND ENVIRONMENT **MAIN STREET** **CHARLESTOWN, NEVIS** ***Tel: 469 5521 ext. 6302, 5078*** ***Email: physical.planning@niagov.com / nevplan@yahoo.com***	***Date received***	
		Application #	
		Application fee &	
		Receipt #	
		Approved	
		Refused	

DETAILED DEVELOPMENT PERMISSION

BUILDING PERMIT APPLICATION

This form is authorized under *PART IV – SECTION 17 the Nevis Physical Planning and Development Control Ordinance, Chapter 6.09 (N) (As Amended).*

Applicant (s): Mailing Address: Tel(H): Tel(M) Email:	Agent: Mailing Address: Tel(H): Tel(M) Email:
Brief Project Description :	Project Location: Project Estimated Value: $

Project Type	Structure	Existing Building	New Construction	Existing & New Total
☐ (01) New Structure ☐ (02)Addition ☐ (03)Change of Use ☐ (04) Structural Renovation ☐ (04) Other _____	Height of Structure From Existing Grade:	ft.	ft.	ft.
	Number of Bedrooms:			
	Number of Bathrooms:			
	Lot Size	sq.ft	sq.ft	sq.ft

Proposed New Building or Addition	**Size once completed**
Basement	**ft.**
Ground Floor (full floor above ground)	**ft.**
First Floor	**ft.**
Second Floor	**ft.**
All other floors	**ft.**
Garage	**ft.**
Total	**ft.**

Fencing Included: ☐ *YES* ☐ *NO*
(Fence completion condition same as building)

Water Supply

Government Main	☐
Cistern	☐
Storage Tank	☐
Other	

Setbacks (Distance of Building to Property Lines)

Structure	Front	Right Side	Left Side	Rear
Existing:	ft.	ft.	ft.	ft.
Proposed:	ft.	ft.	ft.	ft.

Building material type

Concrete	Wood	Steel frame	Other
☐	☐	☐	☐ _____

Declaration of Applicant

1. I _____ declare that: (print name)
2. I _____ declare that: (print name)

The information contained in this application, attached schedule, attached plans and specifications, and other attached documentation is true to the best of my knowledge.

Signature of applicant:_____ Date:_____
dd/mm/yy

Signature of applicant:_____ Date: _____
dd/mm/yy

FOR ADDITIONAL INFORMATION, PLEASE CONTACT OUR OFFICE Department of Physical Planning, Natural Resources and Environment Main Street, Charlestown, Nevis, W.I.
Tel: (869) 469 5521 Ext., 2040, 2106 email: nevplan@yahoo.com

Structure Placement
& Demolition Application

FOR OFFICE USE ONLY

	DEPARTMENT OF PHYSICAL PLANNING AND ENVIRONMENT **MAIN STREET** **CHARLESTOWN, NEVIS** ***Tel: 469 5521 ext. 6302, 5078 Email:*** ***physical.planning@niagov.com / nevplan@yahoo.com***	***Date received***	
		Application #	
		Application fee & Receipt #	
		Approved	
		Refused	

DETAILED DEVELOPMENT PERMISSION

STRUCTURE PLACEMENT AND DEMOLITION APPLICATION FORM

Three copies must be submitted.

This form is authorized under PART IV – SECTION 17 the Nevis Physical Planning and Development Control Ordinance, *Chapter 6.09 (N) (As Amended).*

1. **Applicant's Name**: …….. **Date of Application**: ……...

Address :…….

Contact Number: ……..…… **E-mail** ……

2. **Ownership Document**

- ☐ **Title** ☐ **Registered Deed** ☐ **Registered Lease** ☐ **Registered MOT** ☐ **Notarized Letter from Owner**
- **Other**_____

3. **Application for -** ☐ **Structure Placement** ☐ **Demolition**

Structure Placement – produce site plan/site layout in relation to survey of ownership document

1. **Type of structure** ……..…
2. **Approximate age of structure** …….
3. **Building/ structure floor space (sq. ft.)** ……..
4. **Proposed new location of Structure** ……..
5. **Describe the proposed use of the structure to be placed at site location**

……

……

……

6. **Would a sewage system be constructed onsite?** ☐Yes ☐No

If **YES**, sewage system details and relevant plumbing plans are required but not limited to:-

- Proposed location of sewage system and structure to be placed
- Setback distances between proposed structure (s) to the placed, sewage systems and site boundaries

If NO, give proposed sewage disposal solutions ……...

…….

7. **Describe how building will be removed and place:**

……..……

DEMOLITION

1. **Type of building** ……..
2. **Type of material** ……..
3. **Approximate age of building** ……..
4. **Building floor space (sq. ft.)** ……...
5. **No. of floors** ……
6. **Description of building including prior use** ……..

……..

.

7. **Scheduled Demolition: Start Date ___/___/___ Completion Date ___/___/___**
8. **Describe how building will be demolished (bulldozer, crane, etc.):**

……

……

Declaration of Applicant

I _____ declare that: (print name)

The information contained in this application, attached schedule, attached plans and specifications, and other attached documentation is true to the best of my knowledge.

Signature of applicant: _____ Date:
dd/mm/yy

FOR OFFICE USE ONLY

	DEPARTMENT OF PHYSICAL PLANNING AND ENVIRONMENT **MAIN STREET** **CHARLESTOWN, NEVIS** ***Tel: 469 5521 ext. 6302, 5078 Email:*** ***physical.planning@niagov.com / nevplan@yahoo.com***	*Date received*	
		Application #	
		Application fee & Receipt #	
		Approved	
		Refused	

DETAILED DEVELOPMENT PERMISSION

FENCING APPLICATION FORM

Three copies must be submitted.

This form is authorized under PART IV – SECTION 17 the Nevis Physical Planning and Development Control Ordinance, *Chapter 6.09 (N) (As Amended).*

1. **Applicant's Name:** …….. **Date of Application** : ……
   Address: ……
   Contact Number: …… **e-mail** ……
2. **Ownership Document**
   - ☐ **Title** ☐ **Registered Deed** ☐ **Registered M.O.T** ☐**Registered Lease** ☐ **Notarized letter of Permission**
     ☐ **Other ……**
3. **Location of Project** ……

FENCING - All site boundaries must be visible

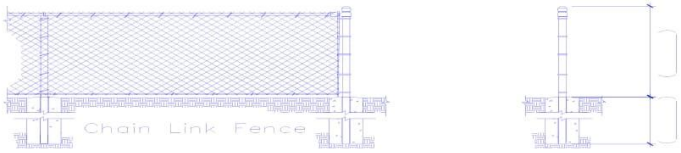
1. **Width of road in front of Lot** ……..
2. **Type of Fence** ……...
3. **Height of Fence** ……
4. **Area to be fenced, please indicate on survey plan.**
5. **If partial fencing please indicate which sides of the property to be fenced**
   ☐ **Front** ☐ **Rear** ☐ **Right Side** ☐ **Left Side**
6. **Indicate setback from boundary to fence. _____ Front _____Back**
   _____Right Side _____Left Side
7. **Any other additional fencing or feature on property**

……

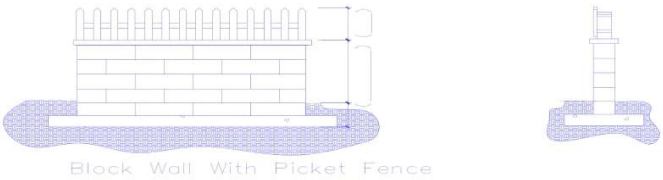
……..

Choose one of the following fencing option

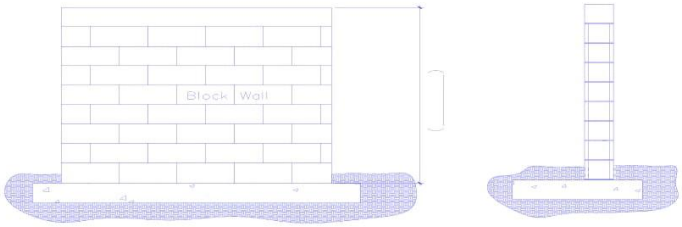
(A)



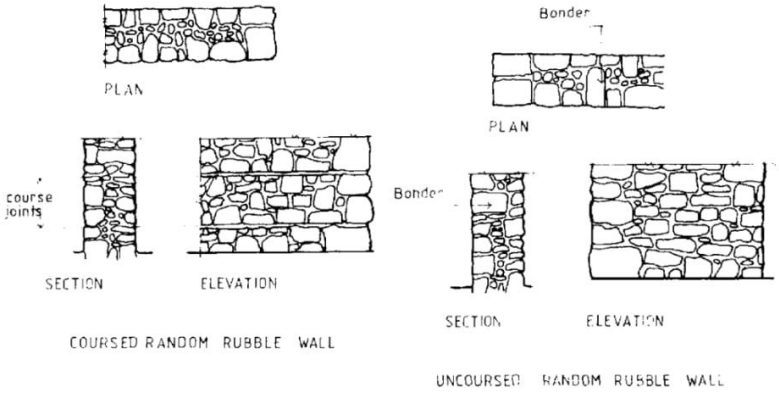
(B)



(C)



(D)



Declaration of Applicant

I _____ declare that: (print name)

The information contained in this application, attached schedule, attached plans and specifications, and other attached documentation is true to the best of my knowledge.

Signature of applicant:_____ Date:
dd/mm/yy

Mining Works Application

FOR OFFICE USE ONLY

	DEPARTMENT OF PHYSICAL PLANNING AND ENVIRONMENT **MAIN STREET** **CHARLESTOWN, NEVIS** ***Tel: 469 5521 ext. 6302, 5078 Email: physical.planning@niagov.com / nevplan@yahoo.com***	***Date received***	
		Application #	
		Application fee & Receipt #	
		Approved	
		Refused	

DETAILED DEVELOPMENT PERMISSION

MINING WORKS APPLICATION FORM

Three copies must be submitted.

This form is authorized under PART IV – SECTION 17 the Nevis Physical Planning and Development Control Ordinance, *Chapter 6.09 (N) (As Amended).*

1. **Applicant's Name:** …….. **Date of Application**: ……...

Address: …….....

Contact Number: …… **E-mail** .....

2. **Ownership Document**

☐ **Title** ☐**Registered Deed** ☐**Registered MOT** ☐**Registered Lease** ☐**Notarized letter from owner**

Other_____

MINING WORKS

3. Location of proposed development…….....

Existing land use ……..…….

Intended use of land: …….....

4. Type of Mining Development -:

☐Marine / Coastal ☐In land

5. Type of mining method to be implemented

☐Underground Mining ☐Open Surface (pit) Mining ☐ In-situ Mining ☐Placer Mining

☐Strip mining ☐Quarrying ☐ Dredging

6. Type of mining operations / resource

☐Oil and Gas Extraction ☐Coal Mining ☐Metal Ore Mining

☐Nonmetallic mineral mining & quarrying ☐Mining support activities

Give brief details of proposed site works to be carried out

……

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

Declaration of Applicant

I _____ declare that: (print name)

The information contained in this application, attached schedule, attached plans and specifications, and other attached documentation is true to the best of my knowledge.

Signature of applicant: _____ Date:
dd/mm/yy

Earth Works & Land Clearing
Application

FOR OFFICE USE ONLY

	DEPARTMENT OF PHYSICAL PLANNING AND ENVIRONMENT **MAIN STREET** **CHARLESTOWN, NEVIS** ***Tel: 469 5521 ext. 6302, 5078 Email: physical.planning@niagov.com / nevplan@yahoo.com***	***Date received***	
		Application #	
		Application fee & Receipt #	
		Approved	
		Refused	

DETAILED DEVELOPMENT PERMISSION

EARTH WORKS & LAND CLEARING APPLICATION FORM

Three copies must be submitted.

This form is authorized under PART IV – SECTION 17 the Nevis Physical Planning and Development Control Ordinance, *Chapter 6.09 (N) (As Amended).*

Applicant's Name: …….. **Date of Application**: ……

Address:…….....

Contact Number: …… **E-mail:** ……..

1. **Ownership Document**

☐ **Title** ☐ **Registered Deed** ☐**Registered Lease** ☐**Registered MOT** ☐ **Notarized letter from owner**

Other_____

2. **Application for -** ☐ Earthworks ☐ Land Clearing

EARTH WORKS

3. A site plan and scope of works proposal are required for rock placement and coastal engineering works.

A. Class and Location of Development:

Class of development: …….....

Location of development: ……...

Area of Land to be Developed..... ft^2 / Acre

B. Type of Development - indicate whichever apply:

☐ Land Retaining Wall	☐ Site Earthworks	☐ Marine Groyne /Jettie
☐ Land Revetment	☐ Coastal Revetment	☐ Ghaut / Water Course Revetment
☐ Sea Wall	☐ Other (please specify) _____	

C. Proposed building material to be used

☐ Reinforced concrete ☐ Rocks ☐Aggregate Fill ☐Other……

Earth Works & Land Clearing
Application

D. Give Details of Proposed Site Works to be Carried out

……
……
……
……
……

LAND CLEARING

A. Class and Location of Development:
Intended used of land: …….....
Location of development……....
Landwill be - ☐ Completely cleared ☐Partially Cleared
If partially cleared, give approximate quantity of vegetation to be removed ……. ft.^{2} / Acre
Does the site to be cleared contain large fruit trees or trees of cultural significance? – ☐Yes ☐No
If **Yes**, large fruit trees and trees of cultural significance should be maintained in accordance with the advice of the Director of Physical Planning.
Is the property adjoined by any water features? ☐Yes ☐No
If **Yes**, vegetative buffer must be maintained in accordance with the advice of the Director of Physical Planning.
B.
Existing Land Use: ……
Reason for land clearing -
☐ Property maintenance ☐ Agricultural land preparations ☐ Building site preparation
☐ Property fencing ☐ Other _____

Declaration of Applicant

I _____ declare that: (print name)

The information contained in this application, attached schedule, attached plans and specifications, and other attached documentation is true to the best of my knowledge.

Signature of applicant: ……_ _____Date: ……..
dd/mm/yy

Subdivision Application

FOR OFFICE USE ONLY

	DEPARTMENT OF PHYSICAL PLANNING AND ENVIRONMENT **MAIN STREET** **CHARLESTOWN, NEVIS** ***Tel: 469 5521 ext. 6302, 5078 Email: physical.planning@niagov.com / nevplan@yahoo.com***	***Date received***	
		Application #	
		Application fee & Receipt #	
		Approved	
		Refused	

APPLICATION FOR SUBDIVISION

This form is authorized under PART IV – SECTION 17 the Nevis Physical Planning and Development Control Ordinance, *Chapter 6.09 (N) (As Amended)*.

THREE copies of this form, specified drawings and all relevant documents must be attached.

PLEASE COMPLETE THIS FORM IN BLOCK CAPITALS

1. Full Name and Address of Applicant(s)

Name..... .....

Address.....

.....

Tel # ..... Email.....

2. Name and address of Agent (if applicable)

Name.....

Address.....

.....

Tel #..... Email .....

3.Land Ownership Type

☐ **Title** ☐**Registered Deed** ☐**Registered MOT** ☐**Registered Lease**

☐ **Notarized Letter from Owner**

Other (please specify) _____

4. Class and Location of Development:

Class:

☐ Hotel & Tourism ☐ Industrial ☐ Agricultural ☐ Residential ☐ Commercial

Project Location.....

5. Subdivision details

a. Total area of land to be subdivided :_____acres/ft^2

a. Number of lots proposed:_____

b. Lot sizes range from :_____acre/ft^2 (minimum) to _____acre/ft^2 (maximum)

c. Area and location of open/recreational space to be provided for community use.

Area_____ Lot number _____

6. Please state:

a. Existing Land Use:

☐ Agriculture ☐ Vacant
☐ Residential ☐ Commercial
☐ Industrial ☐ Other (please specify)_____

b. Proposed Land Use:

☐ Agriculture ☐ Vacant
☐ Residential ☐ Commercial
☐ Industrial ☐ Other (please specify)_____

c. **State the number of existing buildings and the use(s).**

_____
_____
_____

7. Amenities and Utilities

a. **Electricity Supply** Existing: ☐ Public ☐ Private ☐ Not available
Proposed: ☐ Public ☐ Private

b. **Domestic water supply** Existing: ☐ Cistern ☐ Well ☐ Public supply to house
☐ Public stand pipe ☐ Not available
☐ Other (please specify)_____

Proposed: ☐ Cistern ☐ Well ☐ Public supply to house
☐ Public stand pipe ☐ Other (specify)_____

c. **Telephone Service** Existing: ☐ Yes ☐ No
Proposed: ☐ Yes ☐ No

d. **Sewerage** Existing ☐ Septic Tank ☐ Pit Latrine
☐ Packaged plant ☐ Not available
Other (specify)_____

Proposed ☐ Septic Tank ☐ Pit Latrine ☐ Packaged plant
Other (specify) _____

f. Distance to nearest educational facility

Day care centre (name)_____miles
Pre School (name)_____miles
Primary School (name)_____miles
Secondary School (name)_____miles

g. **Nearest Health Centre (name)** _____ miles

ROAD DETAILS

Is there an existing road within the subdivision area ☐ Yes ☐ No

If yes, please provide the following information

Road Type:

☐ Asphalt ☐ Concrete ☐ Other (please specify)_____

Dimensions

_____ Width of Carriage Way _____ Width of sidewalk/verge

PHYSICAL FEATURES

Are any of the following physical features on or bordering proposed site?

☐ Ghaut/Watercourse ☐ Fruit trees ☐ Historical ruin(s)

☐ Other significant land features _____

*If any of the above feature exists, please indicate on the subdivision plan

8. I hereby state that all information submitted in this application is true and accurate.

Applicant(s): 1.....
Print name
.....
Signature
2 .....
Print name
.....
Signature

Date: .....

***Note:** *A valid government issued ID is required of owner/authorized agent.*
Only original certified/true copy of the registered ownership document will be accepted.

SCHEDULE 2
Table 1

Table of Standards*						
Type	**Parking**	**Density**		**Minimum Lot Size**	**Site Coverage (%)**	**Maximum Building Height**
Residential						
Single Family	2 spaces per dwelling unit	Low	2 units per arce	21780 ft²	40	Up to 35ft
		Med	7 units per acre	6200 ft²		
Multi-family/Apartments/ Condominiums	1.25 For each individual unit; (whether of one, two or three bedrooms) and 1 one for studio units.	Low	N/A	21780 ft²	50 (where utilities are already provided 40 (all other cases)	Up to 50ft.
		Med	10 units per 0.5 acre	5500 ft²		
Resort Residential	2 for each individual unit.	3 units per acre		14500ft²	25	Up to 35ft.
Hotel Zone	1 for each 3 bed-rooms plus 1 for each 50 ft² of public dining area.	20 bed rooms per acre		-	-	Up to 100ft.
Commercial						
Offices	1 for each 500 sq. ft. gross floor area inclusive of corridor, toilets, circulation spaces etc.	-		-	40-50 outside of Town Centre 75-100 in Town Centre	Up to 35ft in Town Centre Up to 50ft. in areas outside of Town Centre
Retail shops	1 for each 250 sq. ft. of gross floor area	-		-	40-50 Outside of Town Centre 75-100 in Town Centre	Up to 35ft in Town Centre Up to 50ft. in areas outside of Town Centre
Marina	1 space per 5 slips				-	-
Restaurant, Bar, Deli, Fast Food, Club	1 for each 50 sq. ft. of public dining area.	-		-	40-50 Outside of Town Centre	Up to 25ft.
Cinema, place of assembly, theatre	1 for each 5 seats	-		-	75-100 in Town Centre	Up to 35ft.
Mixed-use building, Malls	1 for each 250 sq. ft. gross floor space.	-		-	40-50 Outside of Town Centre 75-100 in Town Centre	Up to 40ft.
Civic and Institutional						

Library, Gallery Museum	1 space for each 700 sq. ft. of gross floor area	-	-	40-50 75-100 in Town Centre	Up to 35ft.
Public Service Buildings (Fire, Police Station)	1 space per employee	-	-	40-50 75-100 in Town Centre	
Schools (Primary, secondary	1 space per employee	-	-	40-50 75-100 in Town Centre	
Day Care/Pre school	1 space per employee	-	-	40-50 75-100 in Town Centre	
College/University	1 per employee + 1 per every 5 students	-	-	40-50 75-100 in Town Centre	Up to 40ft.
Clinic(Medical/dental/Veterinary)/Doctors Office	4/practitioner	-	-	40- 50 75-100 in Town Centre	Up to 35ft.
Church	1 space per 5 persons	-	-		Up to 35ft.
Funeral Home	1 space per 500 sq. ft. of gross floor area	-	-	40-50 75-100 in Town Centre	Up to 30ft.
Hospitals, Nursing Homes	1.5 spaces per bed	-	-	40-50 75-100 in Town Centre	Up to 40ft.
Industrial					
Industrial (Light)	3 spaces per building up to 2000 sq. ft.	-	-	40-50	Up to 35 ft.
Industrial (heavy)	5 spaces per building up to 5000 sq. ft.	-	-	40-50	Up to 40ft.
Warehouse/Storage	1 for each 1000 sq. ft. of gross floor area	-	-		Up to 40ft.

NOTE

1. ***Reference Table 3-3 (Areas and Heights) – St. Christopher (St. Kitts) and Nevis, Building Regulations, 2000.***
2. ***Buildings above 35ft should be equipped with fire extinguishing and sprinkler systems.***
3. ***Building height should follow with existing building height in surrounding area.***
4. ***Building height does not include pedestals for churches or parapet walls.***

Table 2

Setback Requirements			
Land Use	**Setback (ft)**		
Residential	Front	Rear	Side
Single family dwelling	20	16	6 (one storey)
Multi-family/ condominium/apartments	20	20	12 (two storey)
Hotel/Resort Residential	20	20	12
Commercial (except Cat. A area)	Front	Rear	Side
Marina	-	16	16
Restaurant, Bar, Deli, Fast Food, Club	15	16	10
Cinema, other places of assembly	15	16	12
Civic and Institutional	Front	Rear	Side
Schools (all types)	15	16	12
Public Service Buildings (Fire, Police Station)	15	16	12
Clinic(Medical/Dental/Veterinary)/ Doctors Office, Funeral homes	15	16	12
Hospitals, Nursing Homes	Subject to evaluation	Subject to evaluation	10
Industrial (except Cat. A area)	Front	Rear	Side
Industrial (Light)	15	16	15
Industrial (heavy)	30	30	25

NOTE:

5. ***All coastal setbacks should be taken from a permanent vegetation line.***
6. ***The Director of Physical Planning may give consideration for setback variation in Charlestown.***
7. ***Because of the nature of the coastline and the local conditions of the Island of Nevis, over-the-water structures are not encouraged. If, however, such developments were to be proposed, then appropriate coastal dynamic and risk analysis by an approved engineer should be undertaken.***
8. ***Layout of buildings MUST make provision for parking onsite plan.***

SCHEDULE 3

NEVIS ISLAND ADMINISTRATION
Ministry of Communication & Works Public Utilities & Post,
Physical Planning, Natural Resources & Environment
Liburd Yard, Main Street, Charlestown, Nevis
Tel: (860) 469-5521 ext 2025, Fax: (869) 469-0096
Email: planningministry@yahoo.com

FEE SCHEDULE **Nevis Physical Planning & Development Control Ordinance, Chapter 6.01 (N) (As Amended)**	
CLASS	**DEVELOPMENT APPLICATION FEES**
1. Application fee (Non-refundable)	$60.00
2. Proposal review fee (Concept Consideration)	$300.00 (to be paid on submission)
3. EIA	Limited $2000 Full $5000 (to be paid on submission)
4. Environmental Statement	$1000 (to be paid on submission)
5. Placement of prefab/built structure	$90
6. Demolition	$90
7. Fencing	$100
8. Land Clearing	Up to one acre - $75; each additional acre or part thereof $50.00 (for clearing that is not in preparation for construction)
9. Driveway connection to road	$150
10. Sporting Fields (Tennis Courts, etc.)	$1000
11. Swimming Pool construction	Private Residence $500; Hotel/Guest houses $1000
12. Re-stamping of approved Plans*	$80
13. Stamping of NEVLEC Forms*	$20
14. Review of unofficial submission*	$60
15. Redesign/revision of an approved plan*	$0.30 per square foot
16. Overseas Architect	$500
17. **Photocopying**	**$1.00 per page Black and white (letter 8.5 x 11 or legal 8.5 x 14)**
	$2.00 per page Black and white (Tabloid 11 x 17)
	50 cents per page (Planning Documents)

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NB: '*' - None refundable application fee does not apply.

CLASS	SUBDIVISION	NEW DEVELOPMENT	MODIFICATION/ALTERATION/ADDITION	CHANGE OF USE
18. Detailed Residential i. Single family	Up to 10,890 sqft: $75.00 per lot	Single: $0.30 per sqft	Same as new development	Residential to Commercial = $550.00 Residential to Institution = $500.00 Residential to Light Industrial = $300.00 Single Family to Multi-family = $500.00 Multi-Family to Tourism = $1500.00
ii. Muli-family/Apartments	More than 10,890 sqft: $85.00 per lot	Multi/apartment: $0.40 per sqft		
19. Detailed Tourism i. Hotel/Resort ii. Guesthouse, iii. Inn iv. Hostel v. Villa/Condo/Town houses **vi.** etc	N/A	$0.60 cents per sqft	$0.60 per sqft	Tourism to any other use class = $1,000.00
20. Detailed Commercial i. Supermarket ii. Grocery store iii. Convenience store	Up to 10,890 sqft: $80.00 per lot	$0.50 per sqft	$0.50 per sqft	Commercial to residential= $300.00

iv. Office v. Liquor store & rum shop vi. Beauty parlor vii. Eatery viii. Clothing store ix. Pharmacy x. Nursery xi. Bakery etc	More than 10,890 sqft: $90.00 per lot			

CLASS	SUBDIVISION	NEW DEVELOPMENT	MODIFICATION/ALTERATION/ADDITION	CHANGE OF USE
21. Detailed Industrial i. Mechanic shop/garage ii. Wood working shop iii. Warehouse – household goods iv. Lumber yard v. CMU plant vi. Cellular base/antenna vii. Waste disposal facility viii. Waste treatment facility ix. Desalination plant x. Concrete batch-mixing plant xi. Quarry xii. Power plant xiii. Warehouse-toxic material xiv. Shipwright/boat building xv. Laundromat xvi. Metal work	Up to 10,890 sqft: $80.00 per lot More than 10,890 sqft: $90.00 per lot	$0.50 per sqft	$0.50 per sqft	Industrial to Commercial $300.00

etc				
22. Detailed Transport i. Parking lot ii. Bus terminal iii. Pier iv. Jetty v. Marina vi. Airport vii. Helipad viii. Bridge Etc.	N/A	$500.00 $1500.00 Piers and jetties - 5 meters or less: $250.00 Greater than five meters $100.00 for each additional meter	N/A $50.00 per metre	N/A
23. Coastal Defense Structures i. Groin ii. Breakwater iii. Bulkhead iv. Sea wall v. Artificial reefs etc	N/A	5 meters or less: $250.00 Greater than five meters $100.00 for each additional meter	$100.00 for ach meter to be altered or modified	N/A

CLASS	SUBDIVISION	NEW DEVELOPMENT	MODIFICATION/ ALTERATION/ ADDITION	CHANGE OF USE
24. Advertisement	N/A	For signs displayed on the same premises as the business being advertised: $150 Banners: $75.00 Non-profit – no charge Business name – no charge Institutional – 1 sign = no charge 2'x2' or less $50.00 2'x2' to 4'x4' = $150.00	$50.00	N/A

		4'x4' to 8'x4' = $300.00 8'x4' = $500.00 Approval period = 1 Year		
25. All other use class -Non-profit organizations -Institutional (churches, schools {public & private), medical facilities etc) NB. Public Schools = no charge	First five lots: $50.00 per lot Each additional lot: $60.00 per lot	3000 sqft or less: -$200.00 Greater than 3000 sqft but less than 6000 sqft: -$500.00 Greater than 6000 sqft add $100.0 for every 200 sqft	3000 sqft or less: 400.00 Greater than 3000 sqft but less than 6000 sqft: $800.00	From other use class: $200.00

FEE SCHEDULE **Nevis Physical Planning & Development Control Ordinance, Chapter 6.01 (N) (As Amended)**	
Details of Physical Planning Offence	**PENALTY FEES**
1. Proceeding with works after the issuance of a **Enforcement Notice**	**$ 3000.00**
2. Proceeding with works after the issuance of a **Stop Notice**	**$ 4000.00**
3. Proceeding to next stage of development without physical planning inspection and approval	**$ 500.00**
4. Undertaking development without planning permission	**$ 1000.00**

MADE BY the Minister of Physical Planning and Development Control this day of October, 2021.

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Hon Spencer Brand

Minister responsible for Physical Planning and Development Control