GOVERNMENT OF BERMUDA

Department of Planning

Development Applications Board Minutes

Minutes of a meeting held on Wednesday, 21 October, 2026 at 8:45 AM in person, Department of Planning Boardroom, 44 Church Street West.

PRESENT:

Board Members:
Alice Lightbourne (Chair)
Wayne Dill (Deputy Chair)
Patrick Cooper (Corp. of Hamilton)
N. Garon Dowling (Corp. of St.George)
Danielle Foote (Bermuda Fire and Rescue Service)
Kevin Grant
Sean Tucker
Ricardo Graham-Ward

Technical Officers:
Paul McDonald (Assistant Director)
Dolores Vazquez (Senior Planning Officer)
Matthew Trott (Planner)

APOLOGIES:

Lisa DeSilva
Curtis Williams
Shabion Postlethwaite

MATTERS ARISING AND ACTIONS FROM PREVIOUS MEETING:

None

APPLICATIONS:

Bermuda

1. P0244-25

Applicant: EQC Prime Holdings Ltd C/o Equilibria Capital Management Ltd.
Location: 112 Pitts Bay Road
Pembroke, HM08
Description of Proposal: New floating boat docks
Date Received: September 09, 2025
Planner: Dolores B. Vazquez

Discussion: The Technical Officer presented the application with a recommendation of approval.

A Board member noted it is unclear if the measurements of boat noted in Condition 3 relate only to hull length or the length overall of each boat and therefore recommend that the condition specify that the dimensions relate to 'LOA', or length overall.

No additional questions or comments were posed by the Board.

The Board resolved to approve the application, subject to the following conditions:

1. The development hereby permitted shall begin before the expiration of 3 (three) years from the date of this permission.

2. A building permit shall be in force prior to the commencement of any building operations. The development hereby approved shall not be brought into operation until a Certificate of Completion and Occupancy has been issued.

3. The hereby approved dock shall be registered with the Department of Marine and Ports who will issue a current decal which must be displayed prior to the issuance of a Certificate of Completion and Occupancy.

4. Prior to the issuance of a building permit, the applicant shall reach an agreement with the Department of Public Lands and Buildings - Estates Section regarding the leasing of the foreshore area where encroachments are proposed. Either a copy of the executed lease, or a letter from the Department of Public Lands and Buildings outlining their agreement to lease, shall be provided with the submission of a building permit application.

5. The maximum capacity of the floating dock is 6 vessels. The maximum vessel LOA (length overall) for the western berth is 40' with the other 5 berths 30'.

Devonshire

2. P0262-26

Applicant: Kathryn Shaw
Location: 23 Poinciana Road
Devonshire, DV08
Description of Proposal: Proposed Three Bedroom Dwelling, Entrance Pillars 4-Foot-High (Max), New Rock-Cut 3-Foot-High (Max) height and Driveway.
Date Received: September 22, 2026
Planner: Yolanda Bashir-Paige

Discussion: The Technical Officer presented the application with a recommendation of approval.

A Board Member asked for clarification on the extent of the setback encroachment to the estate road. The Technical Officer confirmed that it is sited 13 feet away and that there are other properties in the area that encroach into the minimum setback.

No additional questions or comments were posed by the Board.

7 Board Members voted in favour of approval, with 1 voting for refusal.

The Board resolved to approve the application, subject to the following conditions:

1. The development hereby permitted shall begin before the expiration of 3 (three) years from the date of this permission.

2. A building permit shall be in force prior to the commencement of any building operations. The development hereby approved shall not be brought into operation until a Certificate of Completion and Occupancy has been issued.

3. In order to ensure that the proposed development is of an appropriate scale, no part of the hereby approved pillars (and entrance gate) and rock cut shall exceed 4 feet and 3 feet above final grade. In the interest of visual amenity, the hereby approved walls shall be constructed of Bermuda stone, faced with Bermuda stone or plastered, rendered and finished, prior to the issuance of a Certificate of Completion and Occupancy.

4. A Certificate of Completion and Occupancy shall not be issued until all plantings/works of the hereby approved landscaping plan have been completed. All plantings shall be maintained thereafter and, if any trees or shrubs shown on the approved plans to be planted or retained are removed, die or become seriously diseased or damaged within 3 years of issuance of the Certificate of Completion and Occupancy, they shall be replaced by trees and shrubs of similar size and species or an alternative as approved, in writing, by the Department of Planning.

5. In order to avoid the discharge of surface water onto the (Poinciana Road/estate road), provision shall be made for the control and disposal of storm water within the curtilage of the application site. Such measures shall be provided prior to the issuance of a Certificate of Completion and Occupancy

6. In accordance with Policies GRE.7 and AGR.7 of the Bermuda Plan 2018, the Agricultural Reserve boundary shall be surveyed and marked at 10-foot intervals, with suitable rigid protective fencing installed 2 feet from the surveyed boundary prior to commencement of any site works and maintained throughout construction. No excavation, grading, filling, storage of soil, materials or equipment, vehicle access, parking or other construction-related activities shall occur within the Agricultural Reserve unless authorised through a Conservation Management Plan approved by the Department of Planning in consultation with DENR-TCS. All works shall comply with the agricultural protection measures shown on the approved plans to ensure the protection and preservation of agricultural land and topsoil.

7. A Certificate of Completion and Occupancy shall not be issued until all plantings/works of the hereby approved Conservation Management Plan have been completed, topsoil has been preserved in accordance with Condition 6, and the Department of Environment and Natural Resources has confirmed, in writing, that it has inspected the site following notice of completion. All plantings shall be maintained thereafter and, if any trees or shrubs shown on the approved plans to be planted or retained are removed, die or become seriously diseased or damaged within 3 years of issuance of the Certificate of Completion and Occupancy, they shall be replaced by trees and shrubs of similar size and species or an alternative as approved, in writing, by the Department of Planning.

Paget

3. P0357-25

Applicant: Nicholas Ingham
Location: 86 Harbour Road
Paget, PG02
Description of Proposal: New Driveway Access off Harbour Road; Partial Removal of Water Catchment and Tank; New Water Tank. Retaining Walls 7-foot-High (Max), Tiered Rockcuts with Planter Beds 12-Foot-High (Max). Concrete Basement and Main Floors. Proposed Conversion of Basement to Storage/Garage. New Bedroom Wing, Outdoor/Dining Areas. Covered Balcony with External Stair Access. (Listed Building)
Date Received: January 07, 2026
Planner: Yolanda Bashir-Paige

Discussion:

The Board resolved to defer the application for the following reason(s):

The Technical Officer presented the application with a recommendation of approval.

A Board Member queried the width of the driveway and whether a drain will be required. Technical officers advised the width exceeds 20 feet and drainage is already in place.

A Board Member queried the form of the part of the site where the rock cut is proposed. Technical officers advised that this part of the site exists as a steep planted hill.

A Board member queried the acceptability of the provision of lawn space within the Woodland Reserve rather than trees. Technical Officers advised that trees were, instead, being planted in a part of the site which falls outside of the Woodland Reserve, which is considered to be an appropriate compromise.

A Board Member queried the width of the terraces of the proposed rock cut. Technical Officers advised that the total width is 6 feet, to incorporate a 4-foot-wide planting pit, with a 1-foot-high lip to contain soil. A Board Member raised concerns that this rock cut design is unlikely to work in practice for structural reasons and recommended that the application be deferred to allow consideration of a revised rock cut design, which should increase width of shelves and width of facing rock.

No additional questions or comments were posed by the Board.

The Board voted to defer the application, allowing the applicant to reconsider the design of the rockcuts.

Sandys

4. P0175-26

Applicant: Ministry of Housing and Municipalities
Location: 8 Cochrane Road
Sandys, MA01
Description of Proposal: Proposed Three 3-Storey Residential Buildings for Cochrane Road - Victoria Place II Village Comprising 12 Two-Bedroom and 24 Three-Bedroom Units (36 Total) With Associated Infrastructure, Parking (53 Cars / 50 Bikes), Landscaping, New Access to Cochrane Fox Road, Playground, and Communal Waste Facilities.
Date Received: June 19, 2026
Planner: Dolores B. Vazquez

Discussion: The Technical Officer presented the application with a recommendation of approval.

No questions or comments were posed by the Board.

The Board resolved to approve the application, subject to the following conditions:

1. The development hereby permitted shall begin before the expiration of 3 (three) years from the date of this permission.

2. A building permit shall be in force prior to the commencement of any building operations. The development hereby approved shall not be brought into operation until a Certificate of Completion and Occupancy has been issued.

3. In order to avoid the discharge of surface water onto the public road, provision shall be made for the control and disposal of storm water within the curtilage of the application site. Such measures shall be provided prior to the issuance of a Certificate of Completion and Occupancy

4. In order to provide for the safe flow of traffic, access details shall conform to the requirements of Policy TPT.11, Chapter 11 of the Bermuda Plan 2008 Planning Statement and shall ensure that, at the point of access onto the public road, sight lines for a minimum distance of 120 feet can be achieved in either direction from a point 6 feet back from the edge of the carriageway. The said measures shall be implemented prior to the issuance of a Certificate of Completion and Occupancy.

5. Parking and manoeuvring space for 53 cars and 50 cycles shall be established for use in accordance with Policies TPT.20 and TPT.25, Chapter 11 of the Bermuda Plan 2008 prior to the issuance of a Certificate of Completion and Occupancy and retained thereafter.

6. The private outdoor living space shown on the hereby approved plans shall be established for use in accordance with Policies DSN.15 and DSN.16, Chapter 8 of the Bermuda Plan 2008 Planning Statement, prior to the issuance of a Certificate of Completion and Occupancy.

7. The communal open space shown on the hereby approved plans shall be established for use in accordance with Policies DSN.18 and DSN.20, Chapter 8 of the Bermuda Plan 2008 Planning Statement prior to the issuance of a Certificate of Completion and Occupancy.

8. In the interest of visual amenity, the hereby approved walls shall be constructed of Bermuda stone, faced with Bermuda stone or plastered, rendered and finished, prior to the issuance of a Certificate of Completion and Occupancy.

9. A Certificate of Completion and Occupancy shall not be issued until all plantings/works of the hereby approved landscaping plan have been completed. All plantings shall be maintained thereafter and, if any trees or shrubs shown on the approved plans to be planted or retained are removed, die or become seriously diseased or damaged within 3 years of issuance of the Certificate of Completion and Occupancy, they shall be replaced by trees and shrubs of similar size and species or an alternative as approved, in writing, by the Department of Planning.

10. The communal garbage storage area, as shown on the approved plans, shall be established in accordance with Policy DSN.21, Chapter 8 of the Bermuda Plan 2008 Planning Statement, prior to the issuance of a Certificate of Completion and Occupancy.

Smiths

5. P0120-26

Applicant: Kent Holder
Location: Lot 11 Earl's Lane, Smith's
Description of Proposal: Proposed Two-Storey Building for Self-Storage Units, 8-Foot High Chain-Link Fencing and Gates, 3-Foot High Chain-Link Fencing Atop Existing Rock Cut, Maximum 18-Foot High Rock Cut, Landscaping and Associated Works.
Date Received: May 11, 2026
Planner: Paul McDonald

Discussion: The Technical Officer presented the application with a recommendation of approval.

No questions or comments were posed by the Board.

The Board resolved to approve the application, subject to the following conditions:

1. The development hereby permitted shall begin before the expiration of 3 (three) years from the date of this permission.

2. A building permit shall be in force prior to the commencement of any building operations. The development hereby approved shall not be brought into operation until a Certificate of Completion and Occupancy has been issued.

3. The building permit application shall include drawings based on a recent topographical survey and stamped by a structural engineer in Bermuda to confirm their approval of the hereby approved rock cut.

4. Parking and manoeuvring space for 12 cars, of which one 1 space shall be dedicated for people with disabilities and 1 space shall be dedicated for electric vehicles and include a working charging point, one large vehicle and 15 cycles shall be established for use in accordance with Policies TPT.20 and TPT.22, Chapter 12 of the Bermuda Plan 2018 prior to the issuance of a Certificate of Completion and Occupancy and retained thereafter.

5. The use hereby approved is for self-storage units only and for no other use falling within Class 5, or any other Class, of the Development and Planning (Use Classes) Order 2022. An application for planning permission will be required for any other use.

6. A Certificate of Completion and Occupancy shall not be issued until all plantings/works of the hereby approved landscaping plan have been completed. All plantings shall be maintained thereafter and, if any trees or shrubs shown on the approved plans to be planted or retained are removed, die or become seriously diseased or damaged within 3 years of issuance of the Certificate of Completion and Occupancy, they shall be replaced by trees and shrubs of similar size and species or an alternative as approved, in writing, by the Department of Planning.

St. George

6. P0219-26

Applicant: Kofi Agyakwa-Duodu
Location: 89 Ferry Road
St. George's, GE01
Description of Proposal: Proposed Removal of Existing Roof and Replace with Bermuda Slate Roof.
Date Received: July 28, 2026
Planner: Matthew L. Trott

Discussion: The Technical Officer presented the application with a recommendation of approval.

A Board Member asked whether the chimneys would be impacted. It was confirmed that the chimneys are separate structures and there would be no reason to impact them.

No additional questions or comments were posed by the Board.

The Board resolved to approve the application, subject to the following conditions:

1. The development hereby permitted shall begin before the expiration of 3 (three) years from the date of this permission.

2. A building permit shall be in force prior to the commencement of any building operations. The development hereby approved shall not be brought into operation until a Certificate of Completion and Occupancy has been issued.

3. Prior to the issuance of a building permit, a photographic survey of the existing property shall be submitted to and approved, in writing, by the Heritage Officer of the Department of Planning.

4. A Construction Methodology Plan shall be submitted as part of the building permit application and approved by the Heritage Officer prior to the commencement of works. The plan shall demonstrate how the proposed works will be undertaken without causing detrimental impacts to the existing walls. The development shall thereafter be carried out in full accordance with the approved details.

Town of St. George

7. P0226-26

Applicant: Richard James
Location: 3 Victoria Road
Town of St. George, GE03
Description of Proposal: Proposed Demolition of Derelict Structure and Wall. Proposed Clearing of Site and Regrading to Create a New Storage Yard. Construction of a 13-Foot x 24 Foot Greenhouse, 8-Foot-High (Max) Fence with Barbed Wire and Screening Plants. Asphalt finish with Soakaways. (Retroactive)
Date Received: August 28, 2026
Planner: Matthew L. Trott

Discussion: Mr. Dowling declared a conflict and abstained from voting.

The Technical Officer presented the application with a recommendation of refusal.

No questions or comments were posed by the Board.

The Board resolved to refuse the application for the following reason(s):

1. The proposal would be detrimental to the residential amenity of neighbouring properties by virtue of the introduction of an industrial use within a Residential 2 zoned area, contrary to Policy RSD.42 (2) of Chapter 27 of the Bermuda Plan 2018.

ANY OTHER BUSINESS:

None

Alva Lightbourne

Chairman of the Development Applications Board

21 October 2027

Date