



BERMUDA

BELMONT HILLS GOLF CLUB, HOTEL AND VILLAS (WARWICK PARISH)  
SPECIAL DEVELOPMENT ORDER 2002

BR 46 / 2002

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The Site

In exercise of the power conferred upon the Minister by section 15(2)(a) of the Development and Planning Act 1974, and all the powers him hereunto enabling, the following order is hereby made:

Citation

- 1 This Order may be cited as the Belmont Hills Golf Club, Hotel and Villas (Warwick Parish) Special Development Order 2002.

Interpretation

- 2 (1) In this Order-  
“the Act” means the Development and Planning Act 1974;

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“the applicant” means Belmont Hills Development Limited, a company registered under the Companies Act 1981 on 26th April 2002;

“Building Official” means the Director of Planning;

“conditions” means conditions specified in paragraphs 3(2) and 4(2);

“the development” means the development referred to in the planning application and more particularly described in the First Schedule;

“the planning application” means the application for planning permission for the development made by the applicant, numbered P0517/02 and dated 21st June 2002, and the accompanying drawings numbered A.O, S.1 to S.7, H.1 to H.7, R.1 to R.19, A1.1 to 1.4, A2.1 to 2.3, A3.1 to 3.3, B.1 to B.5, X.1, X.2, 1.1 to 1.4, IL.1 and L.1 prepared by Entasis Architecture and submitted on behalf of the applicant;

“the site” means the land described in the Third Schedule;

“the subdivision” means the subdivision of land referred to in the subdivision application and more particularly described in the Second Schedule;

“the subdivision application” means the application for planning permission to subdivide land made by the applicant, numbered S0049/02 and dated 25th June 2002, and the accompanying drawings numbered 1101 and 1800 prepared by Surveying Services Ltd. and submitted on behalf of the applicant.

(2) Subject to sub-paragraph (1), any expression used in this Order that is also used in the Act has the meaning assign to it in the Act.

#### Planning Permission

3 (1) Subject to the conditions specified in sub-paragraph (2), planning permission is granted by this Order for the development of the site.

(2) The conditions referred to in sub-paragraph (1) are as follows:

- (a) an application for a building permit shall be submitted to, and shall be approved by, the Building Official prior to the commencement of any construction work;
- (b) the application for a building permit shall comply with the requirements of the Bermuda Building Code 1998 and with any directions given by the Chief Fire Officer in respect of fire protection and the Chief Environmental Health Officer in respect of public health;
- (c) access to the site during all phases of construction and on completion of the development shall be restricted to the existing points of access from Harbour Road and Middle Road;
- (d) access to the site from Ravello Garden Lane shall be restricted to emergency vehicles only and, for the purposes of such restriction, during all phases of construction and on completion of the development, a suitable

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- emergency barrier shall be erected and maintained within the boundary of the site at the point of access from Ravello Garden Lane;
- (e) the points of access from the site to Harbour Road and Middle Road shall be designed and bell-mouthed to the satisfaction of the Ministry of Works and Engineering in accordance with the standards specified in paragraph 8.7(1) of the Bermuda Plan 1992 Planning Statement;
  - (f) all hard-surfaced roadways and parking areas, and the junctions of the access roads with Middle Road and Harbour Road, shall be designed and graded to drain, retain and dispose of all storm water run-off within the curtilage of the site, and to avoid any storm water run-off onto Middle Road, Harbour Road or any neighbouring property;
  - (g) the number of car parking spaces along the "realigned existing road" and the "proposed lane" shall be reduced in accordance with the standard specified in paragraph 9.4(1)(a)(ii) of the Bermuda Plan 1992 Planning Statement, and the surplus parking spaces shall be landscaped and planted;
  - (h) continuous pedestrian access shall be provided through the site from Middle Road to Harbour Road utilising the right of way along the eastern boundary of the site;
  - (i) prior to the submission of an application for a building permit for the 120-room hotel, the applicant shall submit for the review of the Ministry of the Environment detailed drawings and site cross sections to illustrate the appearance of the northern elevation, as viewed from the public road, and details of the landscaping and planting to be carried out between the hotel and Middle Road for the purpose of assessing and ameliorating the visual impact of the building as seen from the public road;
  - (j) the minimum setback of the hotel development shall be 80 feet from Middle Road as defined by paragraph 15.64 of the Bermuda Plan 1992 Planning Statement; and
  - (k) the applicant shall endeavour to bring forward the proposed phase four development of the 120-room hotel such that it precedes or is constructed simultaneously with the phase three development of 37 residential villas.

Planning Permission to subdivide Land

4 (1) Subject to the conditions specified in sub-paragraph (2), planning permission is granted by this Order for the subdivision.

(2) The conditions referred to in sub-paragraph (1) are as follows:

- (a) applications submitted for planning permission for the development of the hereby approved residential lots shall comply with the residential development regulations of a Residential 2 Development Zone as specified in paragraph RSD.2 of the Bermuda Plan 1992 Planning Statement;

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- (b) all utility service, including television relay cables, shall be placed underground prior to the completion of the development of any of the hereby approved lots;
- (c) applications submitted for planning permission for the development of the hereby approved lots shall include a comprehensive landscape scheme prepared in accordance with the provisions of paragraph 6.13 of the Bermuda Plan 1992 Planning Statement;
- (d) the hereby approved residential lots whether conveyed as vacant lots or developed lots shall be available for purchase by Bermudians only; and
- (e) the 0.13 acre vacant lot adjacent to Harbour Road, or such larger lot as may be agreed with the Ministry of Transport, shall be voluntarily conveyed to the Bermuda Government for the purpose of providing a public car park to serve the Belmont ferry stop.

Saving

5 For the avoidance of doubt, it is hereby declared that nothing in this Order grants planning permission for any matters of development for which planning permission is required, apart from any matter for which planning permission has been granted by paragraphs 3 and 4.

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FIRST SCHEDULE

(paragraph 2(1))

THE DEVELOPMENT

1. The development of the Belmont Hills golf club, residential units, residential villas, hotel and ancilliary facilities on the former Belmont Hotel site.
2. The construction of 37 villas in one-storey and two-storey buildings in the following configuration-
  - (a) 11 detached, single-storey residences with garages, covered patios and pools with a gross floor area of approximately 3,000 square feet (type B);
  - (b) 14 detached, one and part-two-storey residences with covered patios and pools with a gross floor area of approximately 1,650 square feet (type A1);
  - (c) 4 detached, one and part-two storey residences with covered patios and pools with a gross floor area of approximately 1,850 square feet (type A2); and
  - (d) 8 semi-detached residences in four one and part-two storey buildings with covered patios and pools with a gross floor area of approximately 1,650 square feet per unit (type A3).
3. The conversion of the existing hotel structure, with a gross floor area of approximately 713,000 square feet, to accommodate 40 apartments (66 bedrooms) on five floors, and a golf clubhouse, restaurant, kitchen, pro shop, changing rooms, administration and operational facilities on the ground floor.
4. The conversion of the lower floor of the existing hotel structure to accommodate a golf cart storage area with ancillary office, mechanical and storage space, and a covered parking area for residents and visitors.
5. The construction of a gymnasium, swimming pool and pool terrace.
6. The construction of a 120-room four and five-storey hotel building with a gross floor area of approximately 72,000 square feet, with ancillary facilities and operational space, underground parking and an outdoor swimming pool and terrace.
7. The construction of a 7,500 square foot maintenance building, a reverse osmosis/irrigation building, a sewage collection and soil treatment plant, transformer vault and gazebo.
8. The development of an internal system of roadways and associated parking areas, a network of footpaths and private and communal outdoor living spaces and landscaped grounds.

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SECOND SCHEDULE

(paragraph 2(1))

THE SUBDIVISION

1. The creation of five separate and vacant residential building lots (numbered 2-6) of 0.42 to 0.54 acres in size and a 12 foot wide right of way from Longford Road to lot 2.
2. The creation of a 0.13 acre vacant lot (numbered 1) adjacent to Harbour Road to be voluntarily conveyed to the Bermuda Government to provide a car parking area to serve the Belmont ferry stop.

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THIRD SCHEDULE

(paragraph 2(1))

THE SITE

ALL THAT LAND in the Parish of Warwick having an area of 85.40 acres (34.56 hectares) shown outlined in red on drawing number L.1 accompanying the planning application.

Made this 8th day of August 2002

Minister of the Environment