



GOVERNMENT OF BERMUDA

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**Department of Planning**

*Dame Lois Browne-Evans Building, 58 Court Street, Hamilton HM 12, Bermuda  
Phone: (441) 295-5151 Fax: (441) 295-4100*

**Our Reference:** P0339-22  
**Your Reference:** 21-087

**6 April 2023**

**Brunel Ltd.**

Dear Sir/Madam,

Application Number: P0339-22

Description: Proposed Events Lawn with Soak Away, 8 ft. High Chain Link Fence with Privacy Screening and Access Gate, 4 ft. High Safety Chain Link Fence Along Events Lawn Cliff Edge with Associated Landscaping, Proposed Public Parking Amenity with Access onto South Road and Associated Works and Landscaping.

Applicant: Bermuda Housing Corporation

Location: Southlands Park, Area West of 60 South Road, Warwick

The above application for Final Approval, received on 30 November 2022, was considered by the Development Applications Board.

**On 5 April 2023, the DAB resolved to refuse the application for the following reasons:, **subject to the following conditions;****

1. Insufficient and erroneous information has been submitted which does not allow the Board to make a fully informed assessment of the proposed development, contrary to Policy APC.3, Chapter 5 of the Bermuda plan 2018.
2. The proposal is in conflict with policy WDR.3, Chapter 20 of the Bermuda Plan 2018 given that the Board has no discretion to approve any of the proposed development within a Woodland Reserve Conservation Area.
3. The proposal is in conflict with policy PAR.4(2)(a), Chapter 16 of the Bermuda Plan 2018 given that the proposed events lawn and associated development is not essential to the maintenance, conservation, enhancement or enjoyment of the Park.
4. The proposal would be highly detrimental to the natural and visual quality of the Woodland Reserve Conservation Area by virtue of the loss of high-quality of native and endemic trees, contrary to policy PAR.4(2)(c), Chapter 16 and the Objectives of Chapters 16 and 20 of the Bermuda Plan 2018.
5. Proposed access onto the public road does not achieve the minimum requirements set out by policy TPT.11, Chapter 12 of the Bermuda Plan 2018 and the proposed disabled, bike and electrical vehicle parking has not been optimally located within the site, to the detriment of the safe movement of traffic and pedestrians and contrary to policy TPT.4, Chapter 12 of the Bermuda Plan 2018.
6. The proposed use of chain-link fencing would be detrimental to the natural character and appearance of the site, contrary to policies DSN.31(c), Chapter 9 and PAR.4(2)(d), Chapter 16 of the Bermuda plan 2018.

### **Document and Plans**

All planning documents, including stamped plans, are available online from the Department of Planning Customer Self Service portal at <https://planning.gov.bm>. Search by the reference number provided above and look in the Attachments section.

### **Important Information Regarding this Refusal**

#### Appeals

This Board's decision, and/or any condition herein, may be appealed to the Minister responsible for Planning. The time frame for filing an appeal is within 21 days of being notified of the decision. If this planning/subdivision approval, or any condition of approval is appealed, the approval is suspended until the Minister responsible for Planning determines the appeal.

Yours faithfully,



Larry Williams  
for the Director of Planning