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PRESS RELEASE

Bermuda National Trust Appeals the Decision to Approve PLAN-0082-19

The Bermuda National Trust has appealed the decision of the Development Applications Board to approve a large six-storey quarry on Judkin Lane (planning application PLAN-0082-19) and has received great support from both the Bermuda Audubon Society and BEST.

The proposal for a quarry, and that of an enormous house proposed in same location under a separate application, will have significant detrimental effects on a pristine natural area including three of our properties which we are charged to protect: two Nature Reserves, HT North and Mangrove Lake, that support many endangered species, and a wooded property with a house – the old Hamilton Parish Post Office - that today accommodates two residences. This proposal poses an unacceptable risk to the tenants' safety and quality of their lives and would have a harmful effect on the Reserves.

As a charity with the primary goal of preserving the island's built heritage and building methods, we in no way object to the quarrying of slate and we have much sympathy for members of the public who have been unable to acquire slate to repair their houses after Hurricane Humberto. However, we have been informed, as has the Government, that the owners of a historic slate quarry, not 300ft away from this site, offered that their quarry, in an unobtrusive location, be reopened to meet the current need – as it was in 2014 following Hurricanes Fay and Gonzalo – but to our knowledge, the owners did not receive a response or the proposal given the appropriate consideration.

We objected to this application for the following reasons:

- The proposal is for a six-storey quarry accessible only from a private driveway that is the only access to two of our residences;
- The site has permission only for a 1,000sqft house on the site of an existing ruin that necessitates no significant excavation;
- The site is designated by the 2018 Bermuda Plan entirely for conservation and the proposal is in no way compatible with this or the surrounding natural environment;
- An application, PLAN-0023-19, that has not been decided yet, for a 6,000+sqft house (12,000+sqft including hard landscaping) was erroneously presented to the Board as a fait accompli; we and a host of other concerned neighbours and conservation groups have objected to the house and its inappropriate scale and massing – not one house in the area exceeds 2,000sqft;

- This type of commercial and industrial process is **only** permitted in a development area, which this site is not;
- The Conservation Management Plan for the site was seriously flawed, provided no opportunity for public input, and inexplicably was given the go ahead, facilitating the deforestation of the entire Woodland Reserve on a steep and highly visible hillside;
- The clearing of this woodland encroached onto our property and removed a significant section of National Trust protected woodland;
- The applicant did not comply with the conditions of Planning and the Conservation Management Plan;
- The fact that no protected woodland remained onsite (due to the above) was perversely used as grounds to approve the development;
- The site was subject to an outstanding Planning Enforcement complaint as the owner misused the site's Agricultural Reserve to store industrial equipment;
- Allowing Judkin Lane, a very narrow and curving single-track lane, for the use of heavy vehicles for an intense industrial process is not only environmentally unsound but poses a real threat to other road users;
- The real impact of traffic was not adequately presented to the Board;
- The application was not advertised as normal, nor were the details clear, meaning that many of the neighbours and other concerned conservation bodies were denied their right to provide input;
- We submitted our objection on the deadline on the afternoon of Wednesday, October 23, and the Board approved the application less than 48 hours later – meaning that its contents and concerns could not have possibly been given the proper scrutiny, analysis or consideration;
- The impact of noise, vibration, dust, traffic, air quality and runoff on our residences, neighbours and on the Nature Reserves HT North and Mangrove Lake and the wildlife they sustain was not established;
- The quarry will have an unacceptable impact and pose a threat to safety of the residents of one of our houses; 40ft from the garden of two small children;
- The operation licence will not mitigate the impact of noise, vibration etc. on our residences;
- The noise assessment submitted with the application is for a different property so has no bearing on this application as it is for a completely different site in a different environment;
- The applicant recently operated another quarry that was subject to stop orders and a retroactive planning application for quarrying in Woodland Reserve and this was not presented to the Board; -conversely the operation of the proposed quarry, PLAN-0082-19, was represented to the Board as an operation that would be carried out in an orderly manner and for a limited duration;

- The dismissal of the visual impact as being only 'temporary' is wrong. No dwelling will be able to obscure a six-storey quarry and the scarring of this important prominent hillside will be an eyesore to the public forever.



Figure 1 Shocking picture of the deforestation of protected woodland on the lot in spring this year



Figure 2 - View from Mangroville of Mangrove Lake - both will be detrimentally impacted by the proposals