

TRIBUNAL SUBMISSION

LITTLE CAYMAN INTERIM PLANNING CONTROLS

Presented by Sustainable Cayman

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This submission sets out a structured planning rationale for interim controls on Little Cayman. It draws on existing statutory duties, historical planning recommendations, and current national policy frameworks to demonstrate that a time-limited interim planning policy is a lawful and proportionate mechanism pending adoption of a full Development Plan under PlanCayman. The evidence presented focuses on practical planning tools that reduce uncertainty, align with national frameworks, and support long-term stewardship of the island.

1. UNESCO nomination context

Little Cayman's marine environment forms part of a proposed UNESCO World Heritage nomination. UNESCO designation does not itself create legal protection; it recognises sites where effective management systems are already in place across both marine and terrestrial areas.

Nomination credibility depends on functioning terrestrial planning safeguards. Without defined development parameters, the integrity of the nomination is weakened.

UNESCO recognition also requires continuity of management beyond electoral cycles. Governance structures must demonstrate long-term stability and sustained commitment. Clear terrestrial planning safeguards therefore underpin nomination credibility and governance stability.

Little Cayman's tourism identity is complementary to Grand Cayman and Cayman Brac, centred on low-density, nature-based experience. Maintaining that distinct character requires development to

align with ecological capacity. Achieving UNESCO status would also demonstrate delivery of the Cayman Islands Environmental Charter commitment to “*care for the environment for the benefit of present and future generations.*”

1.1 Sustainable Development and Economic Integrity

UNESCO World Heritage status is not solely a conservation designation. It is granted on the basis that sites are effectively managed and that development is compatible with long-term protection of Outstanding Universal Value. Sustainable development is therefore embedded within UNESCO’s operational framework.

International experience indicates that well-managed World Heritage sites can support stable, higher-value tourism economies where visitor numbers are aligned with ecological capacity. For example:

The *Galápagos Islands* maintain strict visitor quotas and biosecurity controls, contributing to a premium eco-tourism model with regulated access and high per-visitor value.

The *Seychelles* applies conservation-led tourism management in outer islands, integrating visitor caps with biodiversity protection to sustain long-term economic resilience.

In each case, economic benefits are contingent upon effective planning, environmental safeguards, and regulatory clarity. Recognition alone does not generate sustainable growth; management integrity does.

For Little Cayman, terrestrial planning safeguards are therefore not only an environmental requirement but also a prerequisite for credible, sustainable economic development aligned with UNESCO standards.

2. Historical Continuity (1991 Plan)

In 1991, a locally led Little Cayman Development Plan formally identified the need for an interim planning policy to protect the island’s character and environment while a comprehensive development plan was prepared. That interim step was never implemented.

The plan was developed by Little Cayman community leaders, including Captain Charles Kirkconnell (Chair), Captain Mabry Kirkconnell (Vice Chair), and Karen McNamara (Executive Secretary). The committee included members drawn from across the island community and public service; Charles Adams, Guy Banks, John Palmer, Sam McCoy, Gladys Howard, Linton Tibbetts, James Ryan, Rudi Slezer and Gina Ebanks-Petrie (now Director, Department of Environment). Revisiting an interim planning approach reflects continuity with this local leadership and unfinished work, rather than introducing a new policy direction.

3. Legal and Policy Framework

3.1 Planning and Health & Safety Duties

Under s.5(1)(b) of the Development and Planning Act, planning decisions must secure the “health, safety and welfare” of the community. On a small island such as Little Cayman, this duty necessarily encompasses flood risk, storm resilience, infrastructure capacity, and the protection of natural systems that provide coastal defence and environmental stability.

The National Conservation Act, the Climate Change Policy (2024–2050), and related national frameworks reinforce this obligation by recognising ecosystems as critical natural infrastructure. Interim planning controls are therefore consistent with existing statutory duties rather than introducing new regulatory concepts.

Effective planning also requires coordination between terrestrial land-use decisions and marine conservation oversight to maintain overall site integrity.

3.2 Climate, Infrastructure and Land-Sea Linkages

Ecosystem services provide natural infrastructure: Mangroves, reefs, and wetlands function deliver flood defence, carbon storage, fisheries nursery habitat, and cultural value. The **Development and Planning Act s.5(1)(b)** requires planning decisions to secure the “health, safety and welfare” of the community. The **Climate Change Policy (2024–2050)** recognises these habitats as “critical natural infrastructure”.

Little Cayman’s terrestrial and marine systems are ecologically interconnected. Land-use decisions directly influence reef health, lagoon water quality, and coastal stability. Local climate risks — including sea-level rise, storm surge pathways, and coastal flooding — are directly relevant to development decisions.

Development capacity is further constrained by limited water supply, waste management, energy generation, and emergency access. Interim planning parameters provide a mechanism to ensure that development intensity reflects these physical and infrastructural limits.



Figure 2: Wetland systems provide flood attenuation, nursery habitat, and carbon storage.

3.3 Application of Existing Law

Hierarchy of law: An interim planning policy would clarify how existing planning, conservation, and climate legislation applies to Little Cayman pending adoption of a full Development Plan. It would define lawful development parameters without altering the hierarchy of law.



Figure 1: Natural coastal systems on Little Cayman illustrating dune and mangrove buffers relevant to setback and nature-based planning standards.

4. Governance Gap and Interim Policy

4.1 Strategic Planning Uncertainty

Department of Environment correspondence confirms that preparation of the Environmental Impact Assessment Terms of Reference for the Edward Bodden Airfield has been paused pending broader strategic assessment. No updated Terms of Reference have been issued since mid-2025.

At the same time, while Little Cayman has been referenced as a potential early candidate for an island-specific Development Plan under PlanCayman, statutory preparation, consultation, and adoption of such plans are inherently multi-year processes and subject to prioritisation and resourcing. Adoption within a defined timeframe cannot be assumed.

In the absence of adopted island-specific controls, development decisions continue. Incremental approvals — particularly in relation to residential intensity and housing scale — create cumulative impact risk and potential alteration of island character before a Development Plan is finalised.

This constitutes a clear governance timing gap.



Figure 4: Existing airfield footprint and surrounding land-use context.

4.2 Interim Planning Framework

In the absence of adopted island-specific controls, development decisions continue. A time-limited interim planning policy provides a lawful and proportionate response to this timing gap.

The framework should:

- Be expressly time-limited, not exceeding five years;
- Be subject to periodic review;
- Automatically lapse upon adoption of a Little Cayman Development Plan or submission of a UNESCO nomination dossier demonstrating effective terrestrial safeguards, whichever occurs first.

The purpose is transitional, not permanent.

The interim framework would establish defined development parameters reflecting Little Cayman's ecological sensitivity, infrastructure constraints, and established cultural character. It would consolidate existing statutory duties into measurable planning standards, reduce discretionary inconsistency, and prevent cumulative impacts during the transition period.

The interim period would also allow development standards to be applied and assessed prior to finalisation of a long-term Development Plan.

4.3 Landowner certainty

Clear, published interim planning controls would provide predictability for landowners and developers.

Defined parameters reduce ad hoc decision-making, minimise delay and dispute, and ensure that investment decisions are made against transparent standards rather than evolving case-by-case interpretation.

Interim controls therefore protect both environmental integrity and private certainty during the transition to a full Development Plan.

5. Specific Planning Measures

5.1 Development Standards

An interim planning policy should set out clear, measurable development standards applicable to Little Cayman during the transition period.

These may include:

- A no-net-loss requirement for habitat and ecosystem function; (mimics UK BNG approach).
- Minimum coastal setbacks and vegetated buffers to reduce hazard risk and preserve public access;

- Architectural and design parameters reflecting Little Cayman’s established scale, materials, siting patterns, and cultural character, consistent with PlanCayman objectives and any applicable heritage or character zoning provisions;
- Cumulative impact assessment for multiple small-scale developments;
- Infrastructure capacity alignment, ensuring development intensity reflects available water, waste, and energy systems;
- Biosecurity safeguards to prevent introduction of invasive species;
- Visitor caps introduced so that access to sensitive sites are subject to quotas and guided visitation.
- Application of nature-based solutions as the preferred approach for coastal protection measures which prioritise natural systems such as mangroves, dune vegetation, and reef restoration. Hard coastal defences should only be permitted where nature-based approaches have been properly assessed and demonstrated to be unworkable, recognising the documented impacts of hard structures on coastal erosion and shoreline stability in Grand Cayman.

Such standards would provide transparent criteria for permitting decisions and reduce discretionary inconsistency.

5.2 Specific Species Protection

- **Sister Islands Rock Iguana (SIRI) (Schedule 1, NCA):** Interim planning controls can support species protection through habitat buffers, nesting site safeguards, and seasonal restrictions consistent with s.17 Conservation Plans.
- **Sea Turtles:** The Sea Turtle Species Conservation Plan (DoE/NCC) sets out beach setbacks, lighting controls, and seasonal restrictions; interim policy can embed these safeguards in permitting.
- **Mangroves:** Mangroves are covered by a Species Conservation Plan; an interim policy should require buffers and no net loss of ecological function.
- **Blue Iguana (precedent):** The NCA s.17 recovery programme shows how habitat mapping and exclusion zones can be applied.
- **Additional point: Existing conservation practices demonstrate** lawful use of targeted planning safeguards to protect critical habitat while longer-term measures are developed.

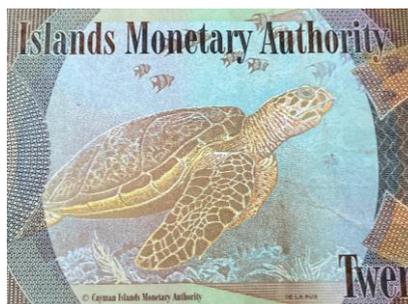


Figure 3: Critical habitat areas relevant to NCA Schedule 1 protections.

5.3 Visitor Management

Visitor management measures should align development intensity and visitor access with ecological capacity indicators.

6. International Precedents

Relevant examples of interim planning policies and controls

Belize

Belize applied interim zoning controls through its Integrated Coastal Zone Management framework while final statutory plans were developed. These interim measures constrained dredging and mangrove clearance and guided permitting decisions pending adoption of the full ICZM Plan.

Relevance to Cayman: A regional precedent with similar ecosystems (e.g. mangroves and reefs). Shows how interim zoning can protect habitats while statutory plans are pending.

Turks & Caicos

During revisions of its National Physical Development Plan, Turks & Caicos implemented transitional development control orders and coastal setback policies. These measures provided legal continuity and reduced ad hoc approvals while formal planning instruments were updated.

Relevance to Cayman: Caribbean UK Overseas Territory with similar governance hierarchy. Demonstrates how to apply lawful interim directives under planning law.

Galápagos (Ecuador)

The Galápagos Islands implemented biosecurity protocols and visitor quotas as interim management measures to protect biodiversity pending longer-term regulatory refinement. These safeguards were integral to maintaining UNESCO site credibility.

Relevance to Cayman: UNESCO precedent; strong parallel for Little Cayman's nomination credibility.

Seychelles

Seychelles introduced visitor limits and conservation-led access controls in sensitive outer islands. Interim caps and guided access requirements were used to align tourism activity with ecological capacity.

Relevance to Cayman: Small, multi-island state with heavy reliance on tourism. Demonstrates how interim visitor management can sustain livelihoods while safeguarding biodiversity.

7. Recommendations Sought

The Tribunal is respectfully invited to recommend:

- Adoption of a time-limited interim planning policy for Little Cayman within a defined timeframe not exceeding six months;
- Schedule 4 statutory designation of identified critical habitats under the National Conservation Act;
- Integration of biosecurity safeguards into development permitting;
- Establishment of a visitor management framework linked to ecological capacity indicators.

This submission does not seek to halt development on Little Cayman. It seeks the adoption of defined, time-limited planning controls consistent with existing statutory duties and historical planning intent. The proposed interim framework provides legal clarity, reduces uncertainty, and supports the orderly transition to a full Development Plan under PlanCayman.

This proposal reflects continuity not only in planning policy but in community sentiment. Over decades, Little Cayman residents and Caymanians more broadly have expressed a consistent desire to safeguard the island's scale, character, and natural systems while allowing appropriate development. An interim planning framework honours that long-standing local intent and provides structured expression to values repeatedly articulated across generations.

Interim controls represent a proportionate and prudent governance measure to address the island's ecological sensitivity, infrastructure constraints, and ongoing strategic planning uncertainty. The Tribunal is respectfully invited to consider these recommendations in that context.



Sustainable Cayman

Find us on Social Media:



 www.sustainablecayman.org

 info@sustainablecayman.org

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Annex: Continuity Between the 1991 Little Cayman Development Plan and Current Policy Frameworks

This annex is provided to acknowledge and respect the locally led planning work undertaken for Little Cayman in 1991, and to illustrate how its unfinished intent can now be addressed using modern policy tools.

The 1991 Little Cayman Development Plan was developed by a committee of respected Little Cayman community leaders and public servants. It recognised, at that time, the need for interim planning measures to safeguard the island’s character and environment while a comprehensive development plan was being prepared. That interim step was never implemented.

More than three decades later, Little Cayman remains without island-specific planning controls, despite the introduction of national policies and legislation that now provide clearer mechanisms to support environmental stewardship, climate resilience, and sustainable development.

This annex does not propose new policy concepts. Instead, it demonstrates continuity between the intent of the 1991 plan and today’s planning, environmental, energy, climate, and sustainable tourism frameworks. The accompanying crosswalk table shows how long-standing local recommendations can be met through existing statutory and policy instruments during the transition to a full Development Plan.

The purpose of this annex is to situate current discussions within a lineage of local leadership, prudence, and foresight, and to highlight that the question before decision-makers is how a locally endorsed interim approach can now be implemented using available statutory tools.

Crosswalk: 1991 Little Cayman Development Plan → Current Policy Framework

1991 Plan Intent	What the 1991 Plan Sought	Status Since 1991	Modern Policy / Legal Tool	How a Modern Interim Planning Policy Responds
Immediate interim planning policy	Protect Little Cayman while a comprehensive plan was prepared	Never implemented	Planning Act / Development & Planning Act	Provides time-limited development controls pending full PlanCayman adoption
Safeguard island character	Maintain scale, landscape, architectural form and cultural identity	Incremental erosion through ad-hoc and inconsistent decisions	PlanCayman objectives and heritage planning provisions	Applies clear, island-specific parameters on scale, siting, and design consistent with local character and national planning intent

Protect sensitive habitats	Avoid irreversible loss of wetlands, reefs, and coastal systems	Partial protection through sectoral laws	National Conservation Act (NCA)	Ensures habitat considerations are embedded early in planning decisions
Balance livelihoods and nature	Support sustainable economic activity without environmental degradation	Tension persists	Sustainable Tourism Policy / UNESCO guidance	Aligns tourism scale with ecological capacity and long-term viability
Avoid reactive decision-making	Replace case-by-case approvals with coherent policy	Ad-hoc approvals continue	Climate Change Policy 2024–2050	Integrates climate resilience and risk reduction into planning controls
Provide certainty for residents and landowners	Clear expectations for development	Ongoing uncertainty	Planning guidance and policy statements	Reduces disputes and delays through published standards
Prevent cumulative impacts	Consider combined effects of small developments	Historically under-addressed	Strategic Environmental Assessment principles	Allows cumulative impacts to be assessed during interim period
Respect local leadership	Decisions shaped by Little Cayman voices	Historical intent not carried forward	Public interest duty under planning law	Reaffirms locally led recommendations from 1991
Protect endemic species habitat	Avoid development in critical areas	Species plans developed later	NCA s.17 Species Conservation Plans	Supports species protection through spatial planning safeguards
Maintain public access and safety	Protect coastlines and shared spaces	Variable outcomes	Coastal setback policies / climate risk guidance	Uses buffers and setbacks to reduce hazard and preserve access
Enable UNESCO credibility	Demonstrate long-term stewardship	Nomination in progress	UNESCO Operational Guidelines	Shows functioning terrestrial and marine management systems
Use policy as a bridge, not a ban	Interim controls pending full plan	Bridge never built	PlanCayman rollout timeline	Fills governance gap without freezing development