

## GUIDE FOR OUTLINE PLANNING PERMISSION

### 1. Legal provisions

The Local Government Act 2003 and the Town and Country Planning Act 1954 have been amended through the Additional Stimulus Package (Miscellaneous Provisions) Act 2009 (Act No. 1 of 2009) to provide for the issue of an Outline Planning Permission (OPP) by local authorities prior to the submission of an application for a Building and Land Use Permit.

The Town and Country Planning Act (as amended) defines an Outline Planning Permission as being “a permission for the development of land sought from a local authority at an early stage and irrespective of whether a Building and Land Use Permit is to be granted or not and before any substantial costs are incurred in relation to the development of the land.”

The law also provides that an Outline Planning Permission issued by the local authority shall:

- (a) be valid for a period of 12 months; and
- (b) not authorize the holder to start work on the land to which the application relates until and unless a Building and Land Use Permit is issued.

### 2. How to apply for an Outline Planning Permission?

- (i) Fill in Application Form OPP;
- (ii) Comply with the notification procedures where required;
- (iii) Submit the following documents:
  - (a) copy of title deeds
  - (b) survey plan (if available)
  - (c) copy of ID card of applicant
  - (d) owner’s consent + copy of ID Card of owner if applicant is not the owner

- (e) a precise location plan to the scale of 1:25,000
- (f) where relevant, a context plan to the scale of 1:25,000 showing all uses within a radius of 500m
- (g) where relevant, a contour plan of the site
- (h) a site plan to the scale of 1:100 showing existing uses, indicative layout with setbacks, indicative parking layout and indicative vehicular access points
- (i) development brief including plot coverage, indicative floor area and indicative building heights
- (j) other documents/clearances relevant to the development,
- (k) plate notification certification/newspaper publication/copy of legal notice.

(iii) Pay a processing fee of Rs 500.

### 3. Notification Procedures

An applicant shall complete the notification procedures at the time of applying for an OPP if such procedures are required at the time an application for Building and Land Use Permit is made for that activity.

### 4. Reserved Matters

The applicant for an Outline Planning Permission shall state the precise particulars of the reserved matter/s that shall be included in the application for a Building and Land Use Permit. The reserved matters shall include:

- (a) aspects of a building or place which affect the way it looks, including the external appearance of the development – (siting and architectural and structural design);
- (b) accessibility to all routes leading to and within the site, as well as the way they link up to other roads and pathways outside the site;
- (c) the improvement or protection of the amenities of the site and the area and the surrounding area, including, if any, planting trees or hedges as a screen (landscaping);

- (d) buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development;
- (e) information on the bulk of the development, including the height, width and length of each proposed building;
- (f) Environment Impact Assessment, Traffic Impact Assessment, Land Conversion Permit, Preliminary Environmental Report; and
- (g) notifications procedures.

5. **Processing of OPP Application**

- (i) An effective date will be given and application registered if all required information has been submitted.
- (ii) The application will be determined within 10 working days as from the effective date and the applicant will be informed accordingly.
- (iii) If the application relates to a development of land, construction of a building or extensive alterations, additions or repairs to an existing building, on a mountain reserve or river reserve or along a motorway, or for use as a night club, private club or place of public worship, or for the carrying on of any activity licensed under the Gambling Regulatory Authority, the approval of the Minister would have to be obtained. The time limit of 10 working days would not apply for such applications.
- (iii) Any person aggrieved by the decision of the Permits & Business Monitoring Committee may appeal to the Town & Country Planning Board within 21 days as from the receipt of notification.

Date: 21 October 2010