

INFORMATION LEAFLET

**PLANNING PERMISSIONS
AND
BUILDING PERMITS**

Department of Environmental Planning
Falkland Islands Government

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PURPOSE OF GUIDANCE NOTES

This guidance note indicates whether a building permit or planning permission is required for certain developments in Stanley or in "Camp" (elsewhere in the Falkland Islands), how you can obtain the necessary permissions and where you can turn to for advice.

BUILDING PERMIT

A building permit is required for the erection or alteration of any building which is not specifically exempt, whether in Stanley or in Camp. This includes internal alterations that are non-structural. A building permit is also required if you propose to change the use of any building.

Certain classes of buildings are exempt from the Building Regulation requirements if they meet specified criteria. These include small garages for private dwellings and small extensions to buildings such as a porch or conservatory.

In the case of buildings which are large or are proposed for public, commercial and industrial use, you should also discuss your plans with the Chief Fire Officer (Tel: 27471) before submitting your application. The Building Regulations 1999 require these buildings to have fire precautions in accordance with the recommendations of the Chief Fire Officer.

ADVICE ON BUILDING PERMITS ETC

Advice on the need for building permits may be obtained from the Building Adviser (Tel; 27390).

PLANNING PERMISSION

In Stanley planning permission is required for most new building and engineering works. For instance, you would require planning permission to build a new house, to site a Portakabin (or similar prefabricated building), or to site a container.

Alterations and extensions to buildings may also require planning permission, but small extensions to houses and domestic buildings (garages, peat sheds etc) are often exempt..

Notes:

- 1) Stanley includes all land within 10 kilometres of the spire of Christ Church Cathedral and all land within 500 metres of the centre line of any public road; and
- 2) The following have been designated public roads under the Road Traffic Ordinance:-
 - a) Stanley Airport Road;
 - b) Stanley – Mount Pleasant Airport – Darwin Road
 - c) Stanley – Moody Brook Road;
 - d) all roads on the Cape Pembroke Peninsula
 - e) all roads within the Mount Pleasant complex;
 - f) the road from the Guard Room, Mount Pleasant Airport – the gates to the Naval Port, Mare Harbour;
 - g) the Port Louis Road (from the Mount Kent turn-off – the Port Louis gate).

In Camp planning permission is only required for particular developments and changes of use. For instance, you will require planning permission to provide tourist accommodation, to extract minerals, to operate scrap yards and to carry out certain industrial processes.

Most other forms of construction work or change of use do not require planning permission. For instance, planning permission is not required for the erection of agricultural buildings or new houses or for the carrying out of alterations and extensions to existing houses. But, remember you may not need planning permission but still need a building permit.

PLANNING ADVICE

Always contact the Environmental Planning Officer (Tel: 27390) for advice on whether planning permission is required for any development proposed by you and, if necessary, obtain the necessary permission before buying land or materials.

You are also advised to ensure that any agreement to purchase or lease property is subject to planning permission being granted for the development proposed.

TYPES OF PLANNING PERMISSION

If you do need planning permission, you will have to decide whether to submit an Outline Application or a Full Application for Planning Permission.

An Outline Planning Application is a means of seeking approval in principle for the erection of a building or group of buildings. If successful, an application for the approval of detailed plans must be made at a later date.

A Full Planning Application is the means of seeking planning permission for all types of development, including the erection of a building, particularly where:-

- 1) you are reasonably certain that there will be no objection in principle to the erection of a building, such as the erection of a house on a serviced housing plot:-
- 2) you are applying for something minor or non-controversial, such as a house extension; or
- 3) you have already had detailed plans of a building prepared.

FORMS AND PLANS

The application forms used by the Falkland Islands Government (FIG) are designed to allow you to make individual applications for outline planning permission, full planning permission or a building permit. You may also use it to make a combined application for full planning permission and building permit but not for a combined application for outline planning permission and a building permit.

If you require both full planning permission and a building permit, you can either apply for them at the same time or, if you prefer, you can apply for planning permission first and a building permit later. Whether you are making an individual or a combined application, you will need to submit three copies of the application form.

To apply for outline planning permission your completed application form should be accompanied by three copies of the site plan showing the location of the proposed development and the boundaries of the site. Planning permission may depend on the availability of suitable electricity and water supplies, adequate drainage provision and a proper means of access. If this information is available, it makes sense to show these details on the site plan.

To apply for full planning permission and or a building permit your completed application form should be accompanied by three copies of the following:

- 1) a site plan showing the general location of the proposed development;
- 2) a block plan, preferably at a scale of 1:500, showing the precise location of the proposed development, the boundaries of the site and the position of the access, water supply and drainage; and
- 3) detailed and properly dimensioned plans, sections and elevations of the proposed development (further advice on this matter is set out in the First Schedule to the Building Regulations 1999).

If you are applying for a building permit, you should include a description in writing of the materials to be used. You may also need to provide more detailed plans and sections to show the proposed method of construction. Application forms may be obtained from the Environmental Planning Department and site or block plans from the Design Office, Public Works Department, Ross Road, Stanley.

PREFERRED CONSTRUCTION DETAILS

In order to provide assistance to people who intend to prepare drawings for submission with applications for Planning Permission and Building Permit this department can supply copies of standard construction details. These are also available on our website www.epd.gov.fk. These detailed drawings show how certain elements of a building should be built. These details may be used in addition to the floor plans and other drawings that are required.

The following details are available free from the Environmental Planning Department;

1. Timber framed external walls
2. Notching and drilling of timber joists for services
3. Insulation and ventilation of a pitched roof
4. Provisions for oil or kerosene burning appliances up to 45kw
5. Provisions for solid fuel burning appliances (peat) up to 45kw
6. Concrete strip foundations for single-storey dwellings
7. Siting of oil storage tanks
8. Lintels in external timber framed walls
9. Separation between side of building and boundary to limit fire spread
10. Insulation of pipes to prevent frost damage
11. Portacabin for use as dwelling
12. Automatic smoke detectors and alarms in dwellings
13. Staircases
14. Requirements for oil storage tanks
15. Danger from carbon monoxide poisoning
16. Garage
17. Portacabin for use as Garage
18. Container
19. Portacabin for use as store
20. Roof truss
21. Portacabin for use as store with pitched roof
22. Guide to plan drawing

Further advice and drawing assistance is always available. If you would like detailed drawings of any other common building element then please ask.

AVAILABILITY OF SERVICES AND PERMITS TO DIG

Your application may include the need to provide electricity, water and drainage services and it is your responsibility to ensure that these are available. You should consult the necessary departments of PWD to confirm availability of these services for your project. You should also obtain written consent from PWD and Cable and Wireless prior to carrying out excavations in

order to prevent damage to underground pipes and cables. If you cause damage to buried services and have not obtained the relevant permission then you will be liable for the cost of remedial work.

LAND OWNERSHIP CERTIFICATE

If you are applying for planning permission, you or your agent must complete the Land Ownership Certificate on the reverse side of the planning application form.

You must obtain the owner's consent in addition to obtaining Planning permission before you carry out development on land that you do not own.

If you do not own all the land which you propose to develop, you must also fill in the Notice to Owners (a small green form) and send it to the owner.

If the land is owned by FIG, you may simply enclose the completed Notice with your application. FIG as the owner will normally require you to arrange a formal written agreement which will be separate from the Planning Permission and you should contact FIG Attorney General's Chambers for further information.

WHAT HAPPENS TO MY APPLICATION

Once you have made your application it is assessed to determine whether it is satisfactory. It may be necessary to ask you to provide further drawings or other information and if so we will contact you. Your application is also checked by other FIG departments and you may be asked for further information to suit their requirements.

Your application will then be considered either by The Planning and Building Committee or by the Environmental Planning Department. As a general rule applications of a routine nature may be approved by officials of the Department, but more complex applications will be decided by the Committee.

Inadequacy of applications

If your application does not contain sufficient information to enable proper assessment it will be returned to you. You will be notified of the reasons why your application is unsatisfactory and you should attend to this before you reapply.

Note that acceptance of your application as satisfactory does not guarantee approval.

Applications that do not have adequate drawings or adequate specification will be returned as unsatisfactory.

Once your application is considered it may either be approved unconditionally, approved with conditions, or refused. You will be notified of the decision in writing and if you are not satisfied with this decision you may appeal within a specified time. You must take note of any conditions that are attached to the approval to ensure that you adhere to them. If you fail to comply with a condition you may be penalised.

CAUTIONARY NOTICE

You are also advised:-

- 1) that you should not start building work or change the use of a building or land until you have received the necessary permissions; and
- 2) that approval of an outline planning application does not allow you to start building works straight away. You must first obtain approval of your detailed plans and, where necessary, a building permit.
- 3) You must not change or deviate from the approved drawings after you have obtained permission. The details shown on the approved drawings are important and if you change or omit something then your building may not be acceptable. It is very common to use a

different material from that shown on the drawing but the new material may not be adequate. These variations may not always result in problems and may be acceptable, but you should always consult with the Building Adviser or Environmental Planning Officer first, to avoid costly mistakes.

- 4) In some cases changes may be approved without further action, but in others it may be necessary to obtain a new Planning Permission or Building Permit.