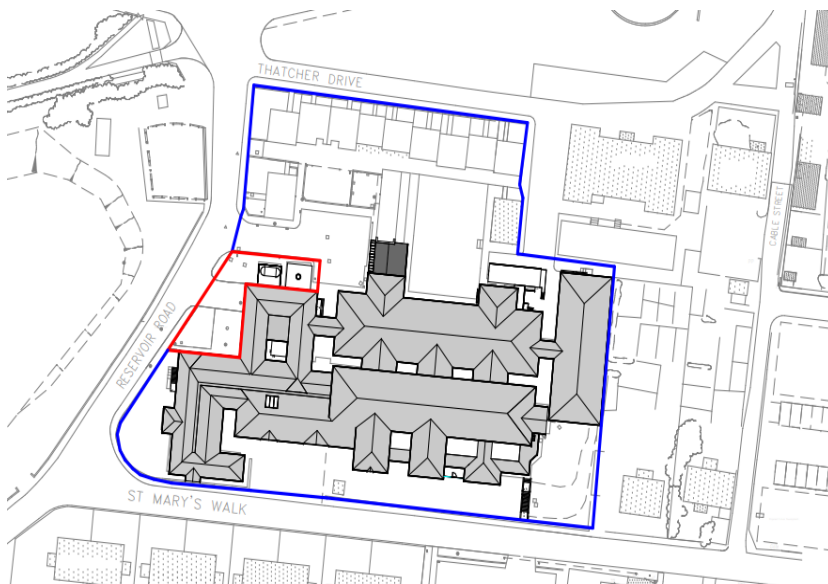




Planning Information Note One

Applying for Planning Permission and Building Permits



**Planning and Building Services
Falkland Islands Government June 2021**

Applying for Planning Permission and Building Permits

There are two different types of permissions, which you may need for any building works or for the change of use of a site. When needed, you need both permissions before starting any development.

Firstly, you may require **planning permission**. Planning permission is required for most development (including buildings, extensions, mobile homes, engineering works and changes of use) if a site is:

- Within 10km of the spire of the Cathedral; or
- Within 500m of a public road (the designated public roads outside of Stanley are Stanley to MPA, Stanley to Goose Green (ending at the old cemetery), Stanley to the Estancia turn-off and Stanley to Port Louis gate).

There are 'permitted development' rights within these areas, for example for certain extensions and outbuildings - you will not need to make a planning application if these rights apply. Please see **Planning Information Note Three - Permitted development: Residential** or contact us for further information.

Outside of these areas, in most of Camp, the Islands and on West Falkland there are much greater 'permitted development' rights. For example, you do not usually need to make a planning application for the erection of a new dwelling, the extension of a dwelling or the erection of any building or enclosure for purposes connected to the enjoyment of a dwelling in these areas.

Some development and changes of use will still require a planning application, including most uses connected with tourism, general industry, mineral workings and scrapyards. Please contact us for further information.

The main purpose of planning permission is to allow consideration of the impact of a development on its surroundings taking in to account the policies and designation of land for different uses in the Falkland Islands Development Plan 2015. Matters such as the appearance, the effect on the living conditions of neighbours and the parking impacts are also considered when a decision is made.

Secondly a **building permit** is required for the erection or alteration of any building, including internal alterations and changes of use. There are some exceptions such as for certain outbuildings for houses, please contact us for advice on this. For building permits the same requirements apply for Stanley and for Camp. This means that development which does not require planning permission may still require a building permit.

The main purpose of a building permit is to make sure that the development has been undertaken in a safe way, for example with regard to the standard of construction and fire safety.

Making an Application

Application forms can be obtained by contacting us or through our Falkland Islands Government Planning & Building Services [Facebook](#) page.

You can apply for planning permission and a building permit on the same form. If you require help to complete the form please contact us.

You can apply for different types of planning permission:

Full planning permission – this means that you provide all the details of a proposal now and if permission is given you do not need to make another application, although you may need to submit further details if they are required by any conditions attached to the planning permission.

Outline planning permission – this type of application is to establish whether or not a development is acceptable in principle. If permission is granted you will then have to make another application for the approval of the details, known as the ‘reserved matters’.

You cannot apply for outline planning permission for a change of use – this will always require a full planning application.

For an outline application you can just outline a site on a plan and provide no other details, or you can provide some details such as the siting of the development and/or the means of access.

If you do want any of the details approved as part of an outline permission you cannot change them in the follow up reserved matters application. You may therefore prefer to show ‘indicative details’ so that it is possible to see how a development could fit on a site, but with all the firm details to be considered in the follow up reserved matters application.

Before an outline planning permission is approved we need to be sure that the development specified could fit on a site. For example, if you want outline permission for three houses on a site it would be helpful to have at least an indicative plan of how they may fit in.

Reserved matters planning application – if you have outline planning permission you cannot start a development until you have permission for all of the reserved matters as well. You will therefore need to make sure that they have all been ‘ticked’ on either your outline or your reserved matters application.

Building permit – a full planning application and a reserved matters planning application can be a joint application for a building permit as well.

Fees and Plans

All applications need to be accompanied by relevant plans and the application fee (unless exempt).

A list of fees can be found on our [Facebook](#) page, in **Planning Information Note Seven - Fees** or you can contact us direct.

All plans must be drawn to scale of either 1:10, 1:20, 1:50, 1:100, 1:200; 1:250; 1:500; 1:1000, 1:1250 or 1:2500.

If a proposal relates to a designated/listed historic building or is for a significant development in the Conservation Area you will also need to submit a Heritage Statement. The form for this is on our [Facebook](#) page or you can contact us direct.

Outline planning application – as a minimum, if all detailed matters are reserved for future consideration, you just need to submit a scaled plan with the site of the development outlined in red and sufficient detail to show where the site is. Any other land owned by the applicant (but not included in the development site) should be outlined in blue.

Full and reserved matters applications – in addition to the site plan described above these should include plans to show how the development would be laid out on the site (including the provision of any parking), floor plans and full elevations of any buildings or other additions. If the site is not flat the details should show the level/height of the proposals in relation to their surroundings. If there would be any significant level changes then sections/levels drawings will be required to demonstrate the existing and the proposed levels of the plot and buildings.

If your proposal is for a change of use or a complex development then it is advisable to include supporting information with your application. For example, this may include written information about how a use would operate, the maximum staff numbers and hours of operation. When assessing a planning application consideration has to be given to the *maximum potential impact* of a proposal at any time in the future, not just to how it may operate at first.

Environmental Impact Assessments (EIA's) – proposals with the potential to have a significant impact on the environment may require an EIA to be submitted with an application. Usually this is for major development only and is unlikely to be required for housing or office development

which is broadly in accordance with the Development Plan allocation. If you are unsure as to whether or not an EIA is required you can ask for an informal screening opinion, please contact us for further advice.

Building permit application – in addition to the plans required for a full planning application you also need to submit a foundation plan and full construction details.

What happens when an application is submitted

Checking – the submissions will be checked and you will be contacted if we do not have the necessary details to validate the application. The correct fee (which is non-refundable) must also be paid before an application can be validated. **An application will not be progressed until it is valid.** Further information may be required once a thorough assessment has taken place but this will not happen until an application is valid.

Validation – once an application is valid the applicant (or agent if there is one) will be sent an acknowledgement letter. For planning applications neighbours are sent consultation letters and the application is listed in the Penguin News. Other parties are also advised of the application, such as the Public Works Department and the Fire Service. The application details are also posted on our [Facebook](#) page.

Consideration – once consultations are completed most applications are approved under delegated powers, by the Planning Officer or the Building Advisor. However certain planning applications are reported to the Planning and Building Committee for a decision. These include:

- very significant and/or large-scale applications;
- any application which would be contrary to the Development Plan;
- any application to which an objection has been received;
- any application which is recommended for refusal;
- any application for works to a designated (listed) building.

All building permits for development in Camp also need to be reported to the Planning and Building Committee for a decision.

Planning and Building Committee – this is a public meeting usually held on the first Wednesday of the month in the Liberation Room at the Secretariat. The Committee is made up of two MLA's and up to 5 Lay Members. FIG Officers also attend but cannot vote. The Officer's present the application to the Committee and then the applicant and any objectors can speak for up to three minutes each if they wish to do so (prior notice of the meeting is given to relevant parties). The Committee then discusses the proposal and makes a decision.

Decision – once a decision is made, either under delegated powers or by the Committee, a formal decision notice is sent to the applicant/agent. Usually all decisions on planning applications are made within eight weeks of validation although delegated decisions are usually made much more quickly.

Appeals - The decision notice gives details of how to appeal if a planning application has been refused or if you disagree with any of the conditions which have been included on the approval. Only the applicant/agent can appeal, not third

parties such as anyone who has objected to an application. An appeal must be made to the Governor (in Executive Council) within 28 days of the date of the decision, using a form which can be obtained from the Clerk to the Legislative Assembly, Gilbert House, Stanley.

Building permits – for joint applications the building permit will not usually be assessed until after planning permission is granted (as if planning permission is refused the development cannot go ahead). The Building Advisor assesses the submissions under the Building Regulations 1999 (as amended).

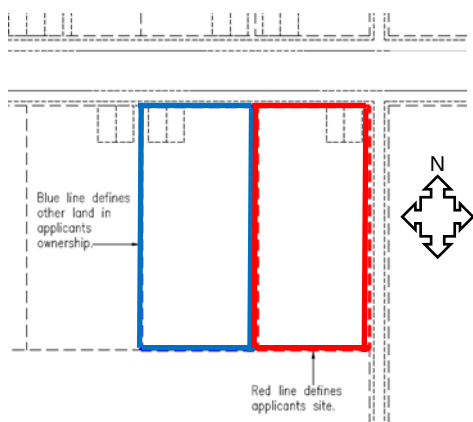
The permitting process usually takes 6-8 weeks depending on the amount of information provided with the application. The information submitted for a building permit is different to that needed for a planning application, such as the additional requirement for foundation and framing details. A building permit can be granted with or without conditions or can be refused. For more detailed information on the Building Regulations please see Building Information Note One.

Changes after a decision has been made

If you wish to change your plans after they have been approved you will need to submit revised plans to show the changes. If the changes are minor we may be able to agree them by letter. If they are not minor or they could result in a different impact on your neighbours you will need to make a new application for the development. Please contact us for further advice.

Example extract of a location plan

- street names and the number/names of adjacent plots should be shown to ensure the exact location of the site is clear
- the scale should be given, such as 1:500
- a north point should be included on the plan



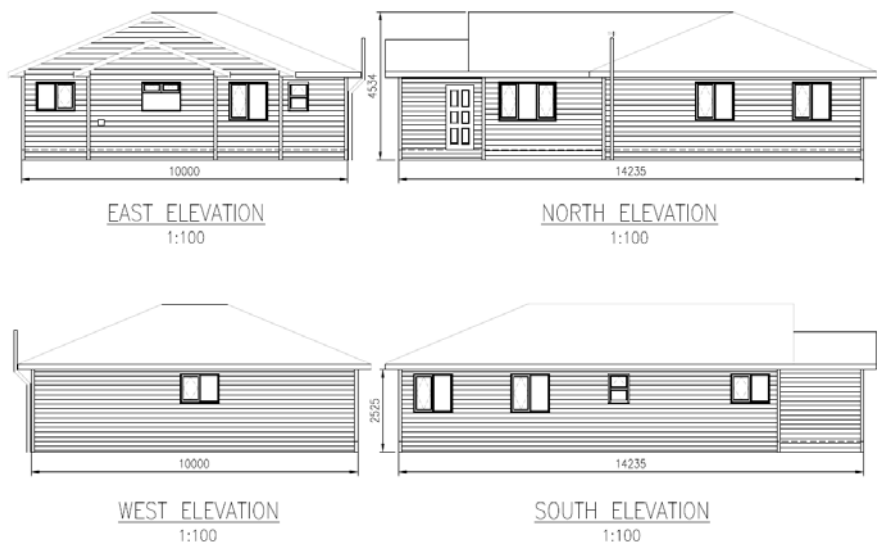
Example of a site plan (scale 1:200)



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Example floorplan and elevations



Falkland Islands Government Planning and Building Services Information Notes

Note 1: Applying for Planning Permission and Building Permits provides information on how to apply and what happens when you do.

Note 2: How Planning Applications are Decided provides information on what will be taken in to account when a decision is made on a planning application.

Note 3: Permitted Development: Residential provides information on permitted development rights (development which does not require a planning application) for residential properties in Stanley and in Camp.

Note 4: Listed Buildings and Structures provides a list of designated (listed) buildings with associated advice.

Note 5: Listed Buildings and Structures: An Owner's Guide provides more detailed advice for owners of designated (listed) buildings.

Note 6: Stanley Conservation Area: A Guide to Development provides advice on what is taken in to account and is likely to be acceptable in the Conservation Area.

Note 7: Application Fees sets out the fees for different application types.

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**Forms and guidance are also available on the Falkland Islands
Government Planning and Building Services [Facebook](#) page**