



FALKLAND ISLANDS

Planning (General) Regulations 1991

(S.R. & O. No. 7 OF 1991)

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FALKLAND ISLANDS

Planning (General) Regulations 1991

[DATE OF COMMENCEMENT: 1ST MARCH 1991]

In exercise of my powers under section 117 of the Planning Ordinance 1991 (No 7 of 1991) I make the following Regulations —

PART I INTRODUCTORY

1 Citation

These Regulations may be cited as the Planning (General) Regulations 1991.

2 Interpretation

In these Regulations—

"building" does not include any plant or machinery or a structure or erection of the nature of plant or machinery;

"Building By-laws" . . .

[S. 37(a)/Ord. 9/14/w.e.f. 13/11/14.]

"combined application" means an application at one and the same time for planning permission and for approval of plans under the Building Regulations 1999;

[Revision w.e.f. 31/07/2017]

[S. 37(b)/Ord. 9/14/w.e.f. 13/11/14.]

"the Ordinance" means the Planning Ordinance 1991;

[Revision w.e.f. 31/07/2017]

"outline planning permission" means planning permission for the erection of a building, subject to a condition requiring the subsequent approval of the Committee with respect to one or more reserved matters, that is to say-

- (a) siting;
- (b) design;
- (c) external appearance;
- (d) means of access;
- (e) the landscaping of the site.

PART II PLANNING AND APPLICATIONS

3 Application for planning permission

(1) Subject to the following provisions of this regulation, an application for planning permission shall-

- (a) be made on a form provided by the Planning Officer;
- (b) include the particulars specified in the form and be accompanied by a plan which identifies the land to which it relates and any other plans and drawings and information necessary to describe the development which is the subject of the application.

(2) Three copies (including the original) of the form and of the plans and drawings submitted with it shall be delivered to the Secretary of the Committee except that where the application is a combined application four copies shall be so delivered.

(3) In the case of an application for outline permission the applicant does not need to give details of any proposed reserved matters.

(4) An application-

- (a) for renewal of planning permission previously granted for development which has not yet begun;
- (b) for renewal of planning permission where a time limit was imposed under section 40(1)(b) or (3) of the Ordinance (limit of duration of planning permission) or on the grant of outline planning permission;
- (c) under section 43(1) of the Ordinance (an application for the variation of a condition subject to which the planning permission was granted) or section 44(1) of the Ordinance (an application for permission to retain buildings or works or continue the use of land without compliance with a condition),

shall be made in writing and give sufficient information to enable the previous grant of planning permission and the condition in question to be identified.

(5) Paragraph (4)(a) and (b) shall also apply, with all necessary modifications where the applicant has the benefit of a deemed grant of planning permission under Schedule 4 of the General Development Order (planning permission deemed to be granted in respect of certain plans approved by the former Committee) and seeks planning permission-

- (a) to carry out the development so as to substantially complete it after 28th February 1993 or wholly complete it after 28th February 1995;
- (b) to carry out the development so as to commence it after 28th February 1993.

4 Combined applications

(1) Subject to the following provisions of this regulation, a person who seeks planning permission to carry out development consisting of or including the construction or alteration of a building or structure for which he is required also to obtain approval under the Building Regulations, may if he wishes, apply for such approval at the same time as he applies for planning permission and may do so by complying with the provisions of regulation 4.

[S. 38/Ord. 9/14/w.e.f. 13/11/14.]

(2) A combined application cannot be made for outline planning permission and approval under the Building Regulations.

[S. 38/Ord. 9/14/w.e.f. 13/11/14.]

(3) Where a combined application is made and the application for planning permission falls to be decided by the Governor or is referred to the Governor for decision the Committee shall decide the application for approval under the Building Regulations as if the application were an application for such approval only and shall not defer their decision in relation to it until the decision of the Governor on the application for planning permission is known.

[S. 38/Ord. 9/14/w.e.f. 13/11/14.]

5 Directions by the authority

(1) In this regulation,

"the authority" means the Committee, in every instance but includes the Governor where the application falls to be decided by him or is referred to him for decision.

(2) The authority may direct an applicant in writing to-

- (a) supply any further information and, except in the case of an outline application, plans and drawings necessary to enable the application to be determined; or
- (b) provide any evidence reasonably necessary to verify any particulars or information given by the applicant.

PART III ENVIRONMENTAL IMPACT STATEMENTS

6 ...

[S. 18/Ord. 14/15/w.e.f. 24/12/15.]

7 ...

[Revision w.e.f. 31/07/2017]

8 Fees for services

(1) The applicant must pay, on application for any service or any permission listed in the first column of the Schedule, the corresponding fee set out in the second column of the Schedule.

(2) Where an applicant submits an application under subregulation (1) together with an application for which a fee is payable under regulation 6(4) of the Building Regulations (S. R. & O No. 26 of 1999), the fee payable for both applications is as set out as a "joint application" in the Schedule at the portion of the second column corresponding to the relevant type of application set out in the first column.

[S. 29(a)/Ord. 5/15/w.e.f. 1/7/15.]

SCHEDULE

Fees for services under the Planning Ordinance

[S. 16/Ord. 5/16/w.e.f. 1/7/16; S. 26/Ord. 11/19/w.e.f. 1/7/19; Sch. Pt.B/Ord. 5/2023/w.e.f. 01/07/2023]

(regulation 8)

TYPE OF APPLICATION	FEE	
1. Application for demolition	Full application	£23.00
2. Mobile home park/temporary accommodation park (excluding proposals for individual mobile homes)	Outline	£54.00
	Reserved matters	£41.00
	Full planning	£82.00
	Building permit	£103.00*
	Joint application	£170.00*
	*Building permit only required if each unit is within 6m of another.	
3. Construction of buildings, structures or erections for use as residential accommodation (excluding mobile homes) - charge per unit	Outline application	£36.00
	Reserved matters application	£28.00
	Full planning	£54.00
	Building permit application	£73.00
	Joint application	£90.00
4. Subdivision of land for residential development	Outline planning	£23.00
	Reserved matters	£23.00
	Full planning	£34.00
5. Application by householderto enlarge, improve or alter an existing dwelling-house	Outline application	£18.00
	Reserved matters application	£13.00
	Full planning	£28.00
	Building permit application	£36.00
	Joint application	£45.00
6. Erection of garage within residential area over 108m ³ (cubic metres)	Outline planning	£23.00
	Reserved matters	£23.00
	Full planning	£34.00
	Building permit	£45.00
	Joint application	£67.00

7. Erection of buildings for non-residential uses (area less than 75sqm).	Outline application	£54.00
	Reserved matters application	£41.00
	Full planning	£82.00
	Building permit application	£108.00
	Joint application	£137.00
8. Erection of buildings for non-residential (area more than 75sqm)	Outline application	£182.00
	Reserved matters application	£137.00
	Full planning	£272.00
	Building permit application	£363.00
	Joint application	£453.00
Mixed Use Proposals	Fee as per component uses	
9. Infrastructure such as drainage, roads & accesses, power and water and laydown areas	Private residential for sites under 75sqm:	
	Outline planning	£28.00
	Reserved matters	£28.00
	Full planning	£54.00
	Building permit	£64.00
	Joint application	£97.00
	Other for sites over 75sqm:	
	Outline planning	£64.00
	Reserved matters	£64.00
	Full planning	£127.00
	Building permit	£142.00
	Joint application	£243.00
	Full planning	£54.00
	Renewal	£63.00
10. Siting of containers outside of container parks (other than for private domestic use)	Full planning	£54.00
	Renewal	£63.00
11. For permission to construct or maintain a car park	No fee if for individual dwelling	
	If for more than one dwelling:	
	Outline application	£23.00
	Full/Reserved matters application:	
	£29.00 where the area of gross car park space does not exceed 40 sq. m;	
(a) Residential	£34.00 where the area of gross car park space exceeds 40	

	sq. m but does not exceed 75 sq. m	
	Where the area of gross car park space exceeds 75 sq. m £57 for each 75 sq. m (or part thereof)	
(b) Industrial/Commercial	Outline application	£85.00
	Full / Reserved matters application:	
	£57 where the area of gross car park space does not exceed 75 sq. m	
	Where the area of gross car park space exceeds 75 sq. m £113.00 for each 75 sq. m (or part thereof)	
12. Operations connected with exploratory drilling for appraisal, extraction or export of oil or natural gas	£454.00 per 0.1 ha or the site Maximum	£33,265
13. For permission to place or assemble equipment in any part of any marine water for the purpose of fish farming	£113.00 per application	
14. For permission to engage in winning and working of minerals (excluding peat & calcified seaweed)	£229.00 per 0.1 ha of site (or part thereof) Maximum	£33,265
15. For permission to engage in winning and working of peat & calcified seaweed	£57.00 per application	
16. Change of use of a building for use as one or more dwelling-houses	£90.00 per each additional dwelling-house to be created by the development	
17. For permission to use, dispose of waste/storage of minerals	(a) use of land for disposal of refuse or waste materials or for the deposit of material remaining after minerals have been extracted from land. (b) the use of land for the storage of minerals in the open.	£57.00 per application £57.00 per application
18. For permission for any other change of use or building works	(a) Where the end use is residential or incidental to residential Building permit Joint application (b) Where the end use is commercial/industrial Building permit Joint application	£34.00 £34.00 £57.00 £68.00 £64.00 £113.00
19. Application to vary or remove a condition on an existing permission (or renew a permission)		£34.00
20. Planning searches		£23 per search