

**S.I. 89 of 2023****PHYSICAL PLANNING ACT, 2021***(Act 55 of 2021)***Physical Planning (Control of Development of Land) Regulations, 2023****Arrangement of Regulations****Regulations**

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**SCHEDULES:****Schedule 1** - Form of application for permission to develop land**Schedule 2** - Checklist For Planning Application**Schedule 3** - Application Form For Minor Works**Schedule 4** - Form for Public Consultation Comments**Schedule 5** - Application Form for Conceptual Approval of Development**Schedule 6** - Revocation or Modification Orders Notices**Schedule 7** - Preservation Orders

**S.I. 89 of 2023**

## PHYSICAL PLANNING ACT, 2021

**Physical Planning (Control of Development of Land) Regulations, 2023**

In exercise of the powers conferred by Part IV of the Physical Planning Act, 2021, the Minister of Land Use and Housing makes the following Regulations —

**Citation**

1. These Regulations may be cited as Physical Planning (Control of Development of Land) Regulations, 2023.

**Application for permission to develop land**

2.(1) An application to the Authority for permission to develop land made pursuant to section 36 of the Act shall —

- (a) be made in writing in the form specified in Schedule 1 and shall include the particulars required to be supplied by such form and be accompanied with —
  - (i) a location plan sufficient to identify the land to which the application relates;
  - (ii) contain such other plans and drawings as are necessary to describe the development which is the subject of the application;
  - (iii) have such additional number of copies of the form referred to in paragraph (i) and the plans and drawings referred to in subparagraphs (ii) as may be required by the Authority; and
  - (iv) if, the application for a commercial or industrial development, have photograph of the notice board of the proposed development posted at the nearest boundary beacon on the proposed development site, facing any road or road reserve;

- (v) the notice board referred to under subparagraph (iv) shall.
- (b) be visible to onlookers and shall —
  - (i) provide the subject of the proposal; its siting and height; the site plan to a scale of 1:500 or 1:1000 and elevations, shall state the name of the construction company if possible and the name of the developer;
  - (ii) be not less than 1.2 meters by 1.2 meters and of a legible font that fits the size of the notice;
  - (iii) show the proposed development foot print and parcel boundary beacons as pegged out on site and photographs thereof be submitted to the Authority as part of the application;
- (c) as required by section 37, the architect, engineer, surveyor or draughtsman shall place a copy of the notice board as per subparagraph (iv) in the district or regional office, in consultation with the District Authority, together with photographic evidence of the pegged out site and notice board taken to the closest boundary beacons;
- (d) the developer must submit the Planning Application in accordance with the Checklist as per Schedule 2; a
- (e) such fees as may be prescribed.
- (f) the Agent and developer shall sign a declaration form accordingly

(2) The Authority may, in addition to the matters specified in subregulation (1), require the applicant, in writing, to furnish further information in respect of an application for permission to develop land as it may require to enable it to determine that application.

### **Application for minor works**

3. Development of any class specified in Schedule 3 to these regulations shall be considered as Minor Works and a developer shall apply in the manner and form as provided by the Authority.

### **Public consultation**

4.(1) Where in the opinion of the Authority a proposed development is necessary to be subject to the process of public consultation, the —

- (a) developer in collaboration with the District Authority shall undertake a door-to-door survey the radius of which the coverage area shall be determined by the Authority depending on the type of activity proposed;
- (b) the developer shall place a site notice on the boundaries of the development site advertising the proposal and making a call for representations;
- (c) the developer shall send scoping letters in collaboration with the District Authority to all the neighbours within the radius specified by the Authority under sub regulation (1) (a);
- (d) Authority shall also specify depending on the type of proposed activity the mode of public consultation which may include —
  - (i) stakeholder meetings;
  - (ii) one-to-one interviews;
  - (iii) roundtable discussions;
  - (iv) public meetings;
  - (v) seminars or workshops;
  - (vi) focus groups;

- (vii) public surveys;
- (viii) written submissions; or
- (ix) web forums.

(2) The survey undertaken under subregulation (1)(a) shall be developed in a way to get the views, concerns, objections or proposals from the public within the determined development radius.

(3) Any member of the public may inspect the development application free of charge at the district administration at which the intended development is planned and to provide any comments on the proposed development plans in writing within 14 days upon lodgement of the development plans with the Authority.

(4) For the purposes of sub-regulation (3), the comments on the development plans shall be made in the form specified under Schedule 4.

### **Procedure for dealing with application**

5.(1) The Authority shall, not later than 7 days after the receipt of an application under regulation 2, send to the applicant an acknowledgement thereof.

(2) The Authority may, by a direction in writing addressed to the applicant, require to be produced to an officer of the Authority, such evidence in respect of an application for permission to develop land made to the Authority, as the Authority may reasonably call for, to verify any particulars of information given to it.

(3) The Authority shall notify an applicant of its decision not later than 90 working days after the date of receipt of the application by the Authority, or of such extended period as may be agreed upon in writing between the applicant and the Authority.

(4) A notice under sub-regulation (3) shall state the decision of the Authority and where the Authority decides to refuse permission or approval

to develop land or grant such permission or approval subject to conditions, shall contain a statement of the reasons for the decision; and

(5) The time limit provided for in subsection (3) shall run from the time that complete documents and all information required by the Authority to determine the application are received by the Authority.

### **Matters to be taken into consideration when dealing with an application**

6. When dealing with an application for permission to develop land, the Authority shall —

- (a) have regard to the land use plans and national land use plans in force, and other relevant laws in so far as material to such application;
- (b) consult with any relevant authority or person; and
- (c) comply with the directions of the Ministry responsible for Environment with respect to any development or activities requiring the authorization of such Ministry under the provisions of the Environment Protection Act, 2016.

### **Application for conceptual approval of development**

7.(1) A person may, before making an application under regulation 2, make an application to the Authority for the conceptual approval of a proposed development.

(2) An application under subregulation (1) shall be made in writing in the form specified in Schedule 5 and shall be accompanied by —

- (a) a location plan sufficient to identify the land to which the application relates, in a legible scale;
- (b) such other plans and drawings, in a scale to be specified by the Authority, as are necessary to describe the development

which is the subject of the application, including a location plan, a topographical plan where necessary, an elevation plan, a floor plan and conceptual drawings;

- (c) such additional number of copies of the application form and the plans and drawings referred to in paragraphs (a) and (b) as may be required by the Authority; and
- (d) such fees as may be prescribed.

(3) All documents required to be submitted to the Authority when making an application under this regulation, including the application form and all relevant plans and drawings, may be submitted to the Authority online or in physical copies.

(4) The Authority may, by a direction in writing addressed to the applicant, require to be produced to an officer of the Authority, such evidence in respect of an application made under sub-regulation (1), as the Authority may reasonably call for, to verify any particulars of information given to them.

(5) The Authority shall notify an applicant, in writing, of the outcome of an application under this section, not later than 30 working days after the date of receipt of the application by the Authority.

- (6) A notice under sub-regulation (5) shall state —
- (a) any matters in favour of permission being granted for the proposed development;
  - (b) any matters which may render the grant of permission for the proposed development unlikely;
  - (c) conditions which should be fulfilled on a subsequent detailed application for permission to develop land to be considered favourably.

(7) Notwithstanding the giving of notice to an applicant under sub-regulation (6), —

- (a) no such development shall be carried out without the permission of the Authority granted pursuant to an application made this regulation respect of such development; and
- (b) the Authority may in granting permission for the development pursuant to an application under regulation 3, impose conditions subject to which such permission is granted, which were not specified in the notice under subregulation 6.

### **Procedures where Authority fails to notify**

**8.** Where an application for permission to develop land is made to the Authority and the Authority fails to notify the applicant of its decision within the period specified under regulation 5(3) or 7(5), —

- (a) the applicant shall notify the Board of the Planning Authority of such failure; and
- (b) if the Authority fails to notify the applicant of its decision within 14 days of receipt by the Board of a notice under paragraph (a), regulation 9 shall apply to the application as if the permission has been refused by the Authority and as if notification of their decision had been received by the applicant at the expiration of the period specified in regulation 5(3) or the extended period agreed upon by the applicant and the Authority, as the case may be.

### **Register of applications**

**9.(1)** The Authority shall keep a register pursuant to section 43 of the Act, containing the following information —

- (a) particulars of every application for permission to develop land made to the Authority including the name and address of the applicant, the date of the application and brief particulars of the development forming the subject matter of the application;



- (b) particulars of any direction given under the Act or these regulations in respect of the application;
- (c) the decision, if any of the Authority in respect of the application and the date of such decision;
- (d) the date and effect of any decision of the Appeals Board in respect of the application; and
- (e) the date of any approval given subsequent to an appeal referred to in paragraph (d), in relation to the application.

(2) A register kept pursuant to sub-regulation (1) shall include an index, so as to enable a person to trace any entry in the register.

(3) A register kept pursuant to sub-regulation (1) shall be —

- (a) kept at the office of the Authority;
- (b) available for inspection by the public at all reasonable hours.

### **Revocation and modification**

**10.(1)** Where the Authority considers that a permission to develop land should be revoked or modified on any of the grounds specified in section 44 of the Act, it shall give to the developer, and any person having an interest in the land to which the permission relates, a written notice —

- (a) stating its intention to revoke or modify the permission;
- (b) specifying the grounds for the proposed revocation or modification;
- (c) inviting the persons to which notice was given, to show cause, not later than 21 days of service of the notice, why the Authority should not revoke or modify the permission.

(2) A person on whom a notice is served under this regulation may make representations in writing or otherwise show cause to the Authority why the Authority should not revoke or modify the permission within 21 days of service of the notice.

(3) The Authority shall not revoke or amend a permission to develop land without considering any representations or submissions made under sub-regulation (2).

(4) The Authority may, revoke or modify a permission to develop land —

- (a) if no submissions or representations are made to the Authority under subregulation (2) within 21 days of service of the notice; or
- (b) if submissions or representations are made within that period of time, but the Authority after considering such submissions or representations considers that the permission should be revoked or modified.

(5) Where the Authority revokes or modifies a permission under subregulation (4), it shall, not later than 7 days after the date of the revocation or modification, give the persons a written notice under subregulation (1) stating —

- (a) that the permission has been revoked or modified and if modified the manner in which the permission has been modified;
- (b) the date on which the permission was revoked or modified; and
- (c) that such persons may appeal to the Appeals Board against such revocation or modification within 30 days after service of a notice under this sub-regulation.

### **Tree Preservation Order**

11.(1) A tree preservation order made pursuant to section 48 of the Act

shall specify the tree, groups of trees or woodlands to be preserved under the order and may in particular make provision for —

- (a) prohibiting, subject to any exemption made under the order, the cutting down, topping, lopping or willful destruction of trees without the consent of the Authority, which may be given subject to conditions;
- (b) securing the replanting, in such manner as may be specified by the order of any woodland area or part of such area that is felled in the course of forestry operations permitted by the order;
- (c) applying in relation to any consent under paragraph (a) and to applications for such consent, any of the provisions of the Act relating to permission to develop land and to applications for such permission, subject to such adaptations and modifications as may be specified in the order;
- (d) the payment by the Authority, subject to such exceptions and conditions as may be specified in the order, of compensation in respect of material damage or expenditure caused or incurred in consequence of the refusal of any consent required under the order or of the grant of any such consent subject to conditions.

(2) A tree preservation order shall not apply to the cutting down, topping or lopping of trees —

- (a) that are dying or dead or have become dangerous;
- (b) in compliance with any obligation imposed by any other written law; or
- (c) so far as may be necessary for the prevention or abatement of a nuisance.

## **Building Preservation Order**

**12.** A building preservation order made pursuant to section 48 of the Act shall specify the building to be preserved under the order and may in particular make provision for —

- (a) requiring the consent of the Authority for the execution of works of any description specified in the order;
- (b) applying in relation to a consent referred to in paragraph (a) and to applications for such consent, any provision of the Act relating to permission to develop land and to applications for such permission, subject to such adaptations and modifications as may be specified in the order;
- (c) enabling the Authority where any works referred to in paragraph (a) have been executed in contravention of the order, to require the restoration of the building to its former state and for that purpose, for applying any of the provisions of Part VI of the Act with respect to enforcement notices, subject to such adaptations and modifications as may be specified in the order;
- (d) the payment by the Authority, subject to such exceptions and conditions as may be specified in the order, of compensation in respect of material damage or expenditure caused or incurred in consequence of the refusal of any consent required under the order or of the grant of any such consent subject to conditions.

## **Notice to owners and occupiers**

**13.(1)** he Authority shall, before making a tree preservation order or a building preservation order, serve a notice on the owners or occupiers of land affected by such order, of its intention to make such order.

- (2) A notice under sub-regulation (1) shall —

- (a) contain —
  - (i) in the case of a tree preservation order, the matters specified in regulation 11(1) in so far as such matters are applicable to the proposed order; and
  - (ii) in the case of a building preservation order, the matters specified in regulation 13 in so far as such matters are applicable to the proposed order;
- (b) state that the owners or occupiers of the land affected by the proposed order may make objections or representations with respect to the proposed order and specify the time within which such objection or representation may be made.

### **Objections and representations**

14.(1) If within 14 days after service of a notice under regulation 13, any objection or representation with respect to a proposed tree preservation order or building preservation order is made in writing to the Authority, it shall consider the objection or representation and, within 14 days after the making of the objection or representation, make a determination upon such objection or representation.

(2) The Authority shall notify the person who made an objection or a representation, of a determination under sub-regulation (1) not later than 7 days after the making of such determination.

### **Making, service and operative date of preservation order**

- 15.(1) If within 30 days after service of a notice under regulation 13 —
- (a) no objection or representation with respect to a proposed tree preservation order or building preservation order is made, the Authority shall make the order within 7 days after the expiry of the period of 14 days within which objections or representations could be made;

- (b) any representation or objection is made with respect to a proposed tree preservation order or building preservation order and the Authority makes a determination upon it, the Authority shall make the order within 7 days after —
  - (i) the making of the determination where such determination is not inconsistent with the making of the order; or
  - (ii) where an appeal is made against a determination under subparagraph (i), and the determination of such appeal allows the making of the order, the final determination of the appeal,

whichever is the latest.

- (2) An order made under subregulation (1) shall —
  - (a) not later than 7 days after it is made, be served on the owners and occupiers of the land to which the order relates and published in the *Gazette*; and
  - (b) become operative on the date on which it is made.

### **Provisional order**

16.(1) Notwithstanding regulation 13, where it appears to the Authority that any tree preservation order or building preservation order should take effect immediately, it may make the order provisionally without complying with the requirements of that regulation with respect to the consideration of objections and representations.

(2) A provisional order made under subregulation (1) shall cease to have effect 30 days after the date on which it is made, unless within that period a tree preservation order or building preservation order has been made after compliance with the requirements of regulation 14 with respect to the consideration of objections and representations.

**Notice to abate injury caused by waste land etc**

17.(1) Where it appears to the Authority that the amenity of an area may be seriously injured by —

- (a) the condition of any garden, vacant site or other open land in the area;
- (b) a building or structure which is in a ruinous or dilapidated condition; or
- (c) rubbish or other material resulting from or exposed by, the demolition or collapse of a building or structure lying on the site or on any adjoining land,

it may, pursuant to section 49 of the Act, serve a notice on the owner or occupier of the land, or the building or structure, or the site or adjoining land, as the case may be, requiring that such steps for abating the injury as may be specified in the notice, be taken.

(2) A notice under subregulation (1) (a) shall specify the —

- (a) the garden, vacant site or other open land to which the order relates; and
- (b) the steps to be taken for abating the injury.

(3) A notice under subregulation (1)(b) shall specify the building or structure to which the notice relates and may in particular require the owner or occupier of such building or structure to —

- (a) execute such works of repair or restoration as may be specified in the notice; or
- (b) if that owner or occupier so elects, to take such steps for demolishing the building or structure, or any part thereof as may be specified in the notice, and removing any rubbish or other material resulting from or exposed by such

demolition followed immediately by the implementation of a landscaping scheme submitted to and approved by the Authority.

(4) A notice under subregulation (1)(c) shall specify the site or land to which the notice relates and may in particular require the owner or occupier of such site or land to take such steps for removing the rubbish or material as may be specified in the notice followed immediately by the implementation of a landscaping scheme submitted to and approved by the Authority.

(5) Where the owner of the land, or the building or structure, or the site or adjoining land, as the case may be, to which a notice under subregulation (1) relates, is unknown or cannot be located, the notice shall be published in a widely circulated, local newspaper.

(6) Sections 51(2), 52(4), 56, 57 and 58 of the Act shall apply to a notice under subregulation (1), subject to such exceptions and modifications as may be specified in the notice, as those sections apply in relation to an enforcement notice served under Part VI.

### **Appeal against a development decision**

**18.** An applicant aggrieved by the decision of the Authority may appeal to the Appeals Board in such form and manner as may be prescribed.



SCHEDULE 1

[Regulation 2(1)(a)]

Application to Develop Land

FORM OF APPLICATION FOR PERMISSION TO DEVELOP LAND

P.F. 1 PHYSICAL PLANNING ACT 2021 (Act 56 of 2021); PHYSICAL PLANNING (CONTROL OF DEVELOPMENT) REGULATIONS; PHYSICAL PLANNING (BUILDING) REGULATIONS; PHYSICAL PLANNING (CONTROL OF DEVELOPMENT) REGULATIONS; PHYSICAL PLANNING (DEVELOPMENT AND SUBDIVISION) REGULATIONS

APPLICATION FOR OUTLINE PERMISSION/DETAILED PERMISSION/SUBSEQUENT APPROVAL/ CERTIFICATE OF APPROVAL

Application for to be submitted in quintuplicate with copies of drawings - see First Schedule to the Building Regulations. Site plans only need be submitted in the first instance with applications for OUTLINE PERMISSION. If further plans are required a request will be made by the Planning Authority.

Section A - General (to be completed in all cases with Section H) 1. Name and Address of applicant in BLOCK LETTERS (i.e. the person for whom development will be carried out)

SURNAME (state whether Mr., Mrs or Miss) POOL
OTHER NAMES Antonio, Jean-Claude
POSTAL ADDRESS CASTOR ROAD
Email Address Tel. Number: 2819144

NAME OF OWNER OF THE LAND (if different from above)
ADDRESS OF OWNER

Table with 2 columns: Question/Requirement and Answer. Rows include: 2. Indicate the purpose(s) of this application. Answer YES or No to each question. 3. Address or location of the land to be developed: Victoria, - VICTORIA -. 4. Dimensions of the land to which the application relates: 1072.35 sq. m. 5. Description of the proposed development including the proposed use or uses of each part of the building or land the subject of the application: PROPOSED RETAINING WALL. 6. Purpose for which the land (including any buildings) is now used, and if used for more than one purpose, give details: RESIDENTIAL. 7. Particulars of applicant's interest in the land (e.g. owner, lessee, prospective purchaser, etc.): Owner. 8. Source of water supply: 120.

THE FOLLOWING SECTIONS: B, C, D, E, F AND G NEED NOT BE COMPLETED BY PERSONS MAKING AN OUTLINE APPLICATION FOR THE ERECTION OF BUILDINGS.

Note: Any advertisements, boardings, etc. intended to be displayed on the site of the proposed works should be the subject of a separate application under the Town and Country Planning (Control of Advertisements) Regulations.

<b>Section B</b>	
9. If proposal is of a temporary nature, state period for which permission is sought.	From May 31 2023 12:00AM to May 31 2023 12:00AM
10. Does the application involve any new access to a road or any alteration of an existing access? (full details of access width, gradient, etc., to be shown on plans).	(a) (b)
THE FOLLOWING SECTION C TO BE COMPLETED WHEN THE DEVELOPMENT IS FOR THE ERECTION OF BUILDINGS WITH ELECTRICAL EQUIPMENT.	
<b>Section C - Electricity requirements</b>	
11. (a) Tariff:	(d) Motors: No 0
(b) Service:	Total H.P.
(c) Appliances: Cooker (no.) 0	Water Heater (no.) 0
Air Conditioner (no.) 0	Other appliance (description and no )
THE FOLLOWING SECTION D TO BE COMPLETED ONLY WHEN IT IS PROPOSED TO MAKE A MATERIAL CHANGE IN THE USE OF LAND OR BUILDINGS	
<b>Section D - Material Change in Use</b>	
12. (a) Has the property been used on occasions before the 1st January 2022 or purposes other than the normal use?	False
(b) If "Yes" give particulars of these occasional uses with dates	
13. (a) Has the use to which any part of the property was put on 1st January 2022 been changed since?	False
(b) If "Yes" give particulars of these changes with dates.	
THE FOLLOWING SECTION E TO BE COMPLETED WHEN THE DEVELOPMENT ENTAILS THE LAYING OUT OF A NEW STREET	

Note: Any advertisements, boardings, etc. intended to be displayed on the site of the proposed works should be the subject of a separate application under the Town and Country Planning (Control of Advertisements) Regulations.

<b>SECTION E - New Street</b>			
14. (a) Overall width of proposed street, together with widths of carriageway, footpaths and grass verges, if any.			
(b) Maximum gradient of new street.			
(c) Specification of construction.			
THE FOLLOWING SECTION F TO BE COMPLETED WHEN THE PROPOSAL IS OF AN INDUSTRIAL OR COMMERCIAL NATURE			
<b>SECTION F - Industrial or Commercial</b>			
15. The nature of the proposed industry or business including, if for industrial use, a brief description of the type of processes to be carried on. If shop, the types of goods to be sold must be stated.			
16. (A) Total industrial floor area	sq. m.	(B) Total floor area	sq. m.
17. The intended provisions for loading, unloading and parking of vehicles.			
18. If for industrial use, (a) the means of disposal of trade refuse			
(b) the means of disposal of trade effluent giving details of its composition.			
19. (i) Present number of employees	(a) Male	Less than 6	(b) Female Less than 6
(ii) Maximum number of employees when proposed development completed and in operation.	(a) Male	Less than 6	(b) Female Less than 6
20. The type of any machinery to be installed			
21. Means of escape in case of fire.			
22. Water supply - (a) daily requirement	(litres).	(b) storage on site	(litres).
THE FOLLOWING SECTION G ONLY TO BE COMPLETED WHEN APPLICATION IS BEING MADE FOR APPROVAL OF MATTERS RESERVED BY OUTLINE PERMISSION			

Note: Any advertisements, boardings, etc. intended to be displayed on the site of the proposed works should be the subject of a separate application under the Town and Country Planning (Control of Advertisements) Regulations.

**SECTION G - Subsequent Approval**

23. In pursuance of the requirements in the permission granted on Outline Application No .....

dated ..... relating to land at .....

approval is sought with respect to the matters described in the application and on the attached plans and drawings.

**SECTION H - Application**

I/We hereby apply for permission to carry out the development or proceed with the works described in this application and on the attached plans and drawings. All notices under the above Act affecting the property described herein may be served upon me/us at the following address until further notice.

(Signed)..... (Applicant or Agent)

Date .....

Name .....

(If signed by an Agent)

Profession ENGINEER

Address Ans Aux Pins Reef Estate

Telephone No. Mahg 2511199

Email Address RDM3CONSULTANCY@GMAIL.COM

Note: Any advertisements, boardings, etc. intended to be displayed on the site of the proposed works should be the subject of a separate application under the Town and Country Planning (Control of Advertisements) Regulations.



**SCHEDULE 2***[Regulation 2(1)(g)]***CHECKLIST FOR PLANNING APPLICATIONS**



SEYCHELLES PLANNING AUTHORITY (2023 Edition) CHECKLIST FOR PLANNING APPLICATIONS IN CONJUNCTION WITH SCHEDULE 4 OF THE PHYSICAL PLANNING ACT 2021 (Act 55 of 2021) (CONTROL OF THE DEVELOPMENT OF LAND) REGULATION.

**Important Notes:** Please note that this checklist is a guide. All the agents are requested to submit this checklist upon submission of planning applications. All required documents should be submitted ONLINE. Please check and tick the required items accordingly. After screening your application, the Planning Counter staff at the Planning Authority may request for additional information or appropriate corrections

**NB:** Each of the following required documents should occupy one sheet.

REQUIRED DOCUMENTS	Checked by Agent	Checked by P.C Staff	Remarks
<b>1)P.Application form</b> Completed in full with all the relevant sections filled in, in accordance to the Physical Planning (Control of Development) Regulations Note: Client's correct address, email and phone Number is a must.	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2)Environmental Form</b> As per the EP (Act)	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3)Declaration Form</b> (Original Copy) Note: Client's signature mandatory. (If there is more than one owner all who have right on respective land must sign. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	
<b>4)Title Deed and Notice of First Registration</b> Registration (Not older than 6 months from date of copy). Should contain certified stamp. *Letter of permission and Transcripts (If applicable) to be notarised. <u><b>Certification of search will not be accepted</b></u>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5)Location Plan</b> *Should contain Survey Division's identification. Show landmarks and access from main road leading to plot coloured in <b>yellow</b> and plot in <b>red</b> . <u><b>Minimum acceptable size: A3 Paper</b></u>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6)Cadastral Diagram</b>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>7)Orthophoto</b> *Should contain Survey Division's identification.	<input type="checkbox"/>	<input type="checkbox"/>	
<b>8)Site Plan</b> Show: (Scale 1:200, 1:250, 1:300, 1:350, 1:400, 1:450, 1:500 ) Inset for large sites at a readable scale to fit at least 75% of the paper. The site plan should be on one sheet of its own.	<input type="checkbox"/>	<input type="checkbox"/>	

<p>*Plot reference, beacon numbers and North point</p> <p>*Position of all existing features in blue: (Man-made and Natural) E.g. Paved areas, existing buildings, power lines, telephone lines, buried services, watercourses and boulders, existing waste water disposal</p> <p>*Dimensions of relevant features, such as buildings soak away pits (from proposal and boundaries)</p> <p>Note: Distance of soak away/drain field from boundaries and buildings to be taken from the edge of the circumference/field of the soak away or drain field and <b>NOT</b> the centre. Min distance should be 4.5metres.</p> <p><b><u>Dimension showing distances to boundary lines should be taken perpendicular to the boundary line.</u></b></p> <p>*Roads (R.O.W) and adjoining plots with references: differentiate built, proposed, demarcated on cadastral</p> <p>Distance of the nearest part of the building to the centerline of the road. (where applicable)</p> <p>*Indicate by contour lines, spot levels to describe the topography of the site</p> <p>*Annotate section line of cut for topographical profile (Compulsory for steep sites)</p> <p>*Waste handling facilities especially <u>bin site</u> (E.g. for Commercial Development)</p> <p>*Numbered Parking spaces</p> <p>* Area of sealed surfaces of proposed and existing structures</p>			
<p><b>9)Layout Plans</b> 1:50, 1:75, 1:100, 1:150 scale must be legible</p>			

<p>*Plans of every floor and roof.</p> <p>*Dimensions of each room, walls and openings. 3 levels dimensions (Internal/External dimensions of the whole length of the building, dimensions for the interior building, dimensions for wall, windows, doors)</p> <p>* Planned use of each room should be indicated and legible</p> <p>*Fixed equipment for sanitary accommodation, waste appliances, heat producing appliances, ventilators</p> <p>*Position of waste, sewer, rainwater and ventilation pipes. (Indicated by appropriate colours)</p> <p>*All steps, stairways, landings, handrails, ramps and balconies</p> <p>*Location and type of fire-fighting equipment and fire exit signs (Commercial/Industrial development)</p> <p>*Plumbing details with arrangements for mains and for cistern supply and Electrical legend</p> <p>*Position and direction of cut for the section.</p> <p>*Area of each room to be stated/stipulated on layout plans.  <b>Note that Min. areas &amp; dimension of habitable rooms to be as per Building Regulations</b></p>			
<p><b>10)Elevation Plans</b>                  Scale 1:50, 1:75, 1:100, 1:150</p> <p>*Show Elevation Marks/Heights</p> <p>*Labelled in accordance to floor layout</p> <p>*Show colour scheme on at least one elevation on all sets of</p>			



<p>drawings (for commercial &amp; residential development)</p>			
<p><b>11) Sections</b>                  Scale 1:50, 1:75, 1:100                  Drawing must be legible *                  1:50 (AE)</p> <p>*Shown in relation to the position and direction of cut on the layout</p> <p>*Position of damp proof courses/membranes and any other barriers with dimensions of floors</p> <p>*Materials of construction and anti-termite treatment and anti-weathering measures</p> <p>*Floor and ground levels in relation to each other, all details of construction (Raised by 1m in flood prone areas)</p> <p>*Span of cantilevered floor</p> <p>*Provision made in the structure for insulation against transmission of airborne sound (E. g. in discotheques pray halls) and for protection against fire</p> <p>*Legible section through stairway/staircase  <b>Note that headroom to be min. of 2.1m vertical height as per Building Regulations</b></p> <p>* Width of Stairway/Staircase to be as per Building Regulations</p> <p>*Show /Heights</p> <p>*Soak away/ Septic tank/ Drainfield or any other water disposal facilities (Clearly indicating dimensions &amp; capacity)</p> <p>*Existing and proposed topography terrain slope profile</p> <p>*Cistern dimensions and construction details</p>	<div style="border: 1px solid black; width: 80px; height: 40px; margin: 10px auto;"></div>	<div style="border: 1px solid black; width: 80px; height: 40px; margin: 10px auto;"></div>	

<p>*Roof details, finishes to walls, ceilings and soffits Purlins, rafters, truss, eaves, fascia board, wall plate, including Dimension of overhang</p> <p>*Headroom in attic (if applicable)</p>			
<p><b>Other Details</b></p> <p>*Road/ Access details</p> <p>*Waste water disposal facilities</p> <p>*Retaining walls (Above 1.5m should be submitted accompanied with an Engineer's Certificate)</p> <p>*Section, positioning and elevation of bins</p> <p>*Boundary Walls Maximum height 1.8m (Facing roads: 1.5m block work and 0.3m decorative features)</p> <p>Photos of the proposal/s having been pegged together with the nearest beacons and site signage post of the proposed development</p> <p><b>Ventilation:</b> Openings to be at least 1/6 of total floor area of the room if opening is in one wall only and at least 1/8 of total floor area of the room if openings are in two or more walls, as per Building Regulations</p> <p>*Provision of lifts and disabled access for public buildings as per Building Regulations</p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>11) Documents</b></p> <p>*Company certificate of appreciation</p> <p>*Nationality Applicable for all Applicants) valid ID</p> <p>*Copies of first two pages of valid passport.</p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>12) Project Brief</b> (must include the following details</p> <p>*Project Business Plan</p>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>*Investment Value</p> <p>*Project Description</p> <p>*Sources of Finance</p> <p>*Employment During Construction (Foreign and Local)</p> <p>*Job Creation During Operation</p> <p>*Yearly cash flow</p>			
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**DECLARATION BY AGENTS**

I / We ..... being the Architect/ Engineer/ Land Surveyor Draughtsman and acting as Agent for

..... in respect of the proposed development namely

..... at

..... hereby declare that;

- 1) The above information and site plan provided is correct and accurate.
- 2) I accept the consequences that the Planning Authority might impose if I provide false information.
- 3) I will attend to any amendments required by the Planning Authority within the prescribed period.

**Agent –Signature**

**Name:**.....  
(Capital letters)

**Date:**.....

Application checked by: (FOR OFFICE USE)

Planning Counter Staff- Signature

Date:

Application checked by:

**Planning Counter Staff –Signature**

**Name:**.....

**Date:**.....

**SCHEDULE 3***[Regulation 3]***Application For Minor Works**

CHECKLIST FOR PLANNING APPLICATIONS IN CONJUNCTION WITH SCHEDULE 4 OF THE PHYSICAL PLANNING ACT 2021 (Act 55 of 2021) (CONTROL OF THE DEVELOPMENT OF LAND) REGULATION.

**Important Notes:**

Please note that this checklist is a guide. All the agents are requested to submit this checklist upon submission of planning applications. All required documents should be submitted ONLINE. Please check and tick the required items accordingly. After screening your application, the Planning Counter staff at the Planning Authority may request for additional information or appropriate corrections

**NB:** Each of the following required documents should occupy one sheet.

*PART I*

1.(1) The following development shall be considered Minor Works under Regulation 3 subject to the conditions set out opposite the description of that development in column 2.

(2) The references in that column to standard conditions are to the conditions numbered and set out in Part II.

2. In these regulations “curtilage” in relation to a dwelling house means the area around the dwelling house.

Column (1) Description of Development	Column (2) Conditions
Class I - Development within the curtilage of a dwelling house 1. The enlargement, improvement or other alteration of a dwelling house so long as the enlargement, improvement or other alteration is not or does not consist of a container or a satellite dish and the original dwelling house (as ascertained by external measurement) is not exceeded by more than 40 sqm, provided that the erection of a garage, stable, loosebox, or coach -house within the curtilage of the dwelling house shall be treated as the enlargement of the dwelling house for the purpose of this permission.	

<p>2. The erection, construction or placing, and the maintenance, improvement or other alteration, within the curtilage of a dwelling house, of any building or enclosure (other than a dwelling, garage, stable, loosebox or coach - house) required for a purpose incidental to the enjoyment of the dwelling house as such, including the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwelling house provided:</p>	
<p style="text-align: center;"><b>Column (1)</b> <b>Description of Development</b></p>	<p style="text-align: center;"><b>Column (2)</b> <b>Conditions</b></p>
<p>that the building or enclosure is not or does not consist of a container or a satellite dish.</p> <p>Class II - Sundry minor operations The erection of construction of gates, fences walls or other means of enclosure not exceeding 1.5m in height and the maintenance, improvement or other alteration of any gates, fences, walls or other means of enclosure.</p> <p>Class III - Temporary buildings. The erection or construction on land in, on, over or under which operations, other than mining operations, are being or about to be carried out in pursuance of planning permission granted under Part IV of the Act, of buildings, works plant or machinery needed temporarily in connection with those operations, for the period of such operations.</p> <p>Class IV - Forestry buildings and works The carrying out on land used for the purposes of forestry (including afforestation) of building and other operations (other than the provision or alteration of dwellings) requisite for the carrying on of those purposes, and the formation, alteration and maintenance of private ways on such land.</p>	<p>1. Such buildings, works, plant or machinery shall be removed at the expiration of that period. 2. Standard conditions 1 and 2.</p> <p>1. The height of any buildings or works within 3.2 km of the perimeter of an aerodrome shall not exceed 3m. 2. No part of any buildings (other than movable structures) or works shall be within 24m of the metalled portion of any road used by vehicular traffic. 3. Standard conditions 1 and 2.</p>

<b>Column (1) Description of Development</b>	<b>Column (2) Conditions</b>
<p>Class V - Agricultural zones</p> <p>The carrying out in agricultural zones, as defined in the development plan in force, of building or engineering operations requisite for the use of that land for the purposes of agriculture, other than the placing on land of structures not designed for these purposes or for the provision and alterations of dwellings.</p>	<ol style="list-style-type: none"> <li>1. The ground area covered by any building erected pursuant to this per - mission shall not, either by itself or after the subsequent additional thereto exceed 186 sqm.</li> <li>2. The height of any building or works shall not exceed 6m.</li> <li>3. No part of any building (other than movable structures) shall be within 24m of any road used by vehicular traffic.</li> <li>4. All materials used in the construction of the wall and roof of such development shall be approved by the planning authority.</li> <li>5. Standard Conditions 1 and 2.</li> </ol>

***PART II***

<b>Column (1) Description of Development</b>	<b>Column (2) Condition</b>
<p>Dwelling houses under 150 sqm. of collective floor area.</p>	<ol style="list-style-type: none"> <li>1. Provided that the dwelling house is for the personal occupation of the applicant.</li> </ol>

<b>Column (1) Description of Development</b>	<b>Column (2) Conditions</b>
	<p>3. Authorisation is obtained from the planning authority upon the undertaking of the application to:</p> <ul style="list-style-type: none"> <li>(a) comply with the provisions of the development Plan in force;</li> <li>(b) comply with the requirements of public health, department of environment and department of transport;</li> <li>(c) comply with standards as published from time to time by the planning authority regarding the construction and finish roofs, walls and foundations, or comply with other type plans authorised by the planning authority.</li> </ul> <p>4. Standard Conditions 1 and 2.</p>

### **PART III**

#### *Standard Conditions*

**1.** The permission shall not authorise any development which involves the formation, laying out or material widening of a means of access to any road used by vehicular traffic.

**2.** No development shall be carried out which creates an obstruction to the view of persons using any road used by vehicular traffic at or near any bend, corner, junction or intersection so as to be likely to cause danger to such persons.

**SCHEDULE 4**

*[Regulation 4]*

**Form for Public Consultation Comments**



**COMMUNITY CONSULTATION ON  
PLANNING APPLICATIONS –  
SUBMISSION FORM**

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**PLANNING APPLICATIONS DETAILS**

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Please provide the details of the planning application you are submitting feedback on. If you wish to provide feedback on multiple planning applications, please submit these separately.

**DEVELOPMENT APPLICATION  
NUMBER** \*Required (if known) (eg:  
DC/25/20...)

Click or tap here to enter text.

**PROPERTY ADDRESS**  
\*Required

Click or tap here to enter text.

---

**YOUR DETAILS**

---

Please note that for your feedback to be considered, your full contact details must be provided. This information will be treated as confidential and will not be published or linked to your comments in any public report on the outcomes of the consultation. **Only one submission per person will be accepted.**

**NAME** \*Required

**FIRSTNAME**  
**LASTNAME**

Click or tap here to enter text.

Click or tap here to enter text.

**ORGANISATION/BUSINESS NAME** (if  
applicable)

Click or tap here to enter  
text.

**POSTAL ADDRESS** \*Required

Click or tap here to enter text.

**STREET  
ADDRESS**

Click or tap here to enter  
text.

**COUNTRY**

Click or  
tap here to  
enter text.

**EMAIL** \*Required

Click or tap here to enter  
text.

**PHONE**

Click or  
tap here to  
enter text.

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**PROPERTY AFFECTED BY THIS PLANNING APPLICATION**

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*(If different from your postal address)*

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**STREET ADDRESS**      Click or tap here to enter text.

**DISTRICT**      Click or tap here to enter text.      **SUBDISTRICT**      Click or tap here to enter text.

Please ensure your comments relate to specific design elements of the planning application and how these may impact either your own property, or the streetscape in general. You may attach additional information (plans, diagrams, photographs, etc.) as required.

**NOTE:** The Seychelles Planning Authority cannot consider feedback that relates to civil or non-planning matters, such as the perceived impact on property values, potential residents/tenants or dividing fences.

Have you viewed the development plans for this planning application?

\*Reviewed

**Yes**                            **No**                     

A copy of the development plans may be viewed at the Office of the

Do you support or oppose this planning application? \*Required

**Support**                         **Neutral**                         **Oppose**  

---

**YOUR COMMENTS**      Click or tap here to enter text.

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• Do you wish to be informed via email of the progress and outcome of this planning application? \*Required

**Yes**                         **No**

SCHEDULE 5

[Regulation 7]

Application for Conceptual Approval of Development

APPLICATION FORM FOR CONCEPTUAL APPROVAL

DETAILED PERMISSION/ SUBSEQUENT APPROVAL/ CERTIFICATE OF APPROVAL

Application form to be submitted with copies of drawings

Site plans only need be submitted in the first instance with applications for CONCEPTUAL APPROVAL If further plans are required a request will be made by the Planning Authority.

Section A — General (to be completed in all cases with Section H)

Name and address of applicant in BLOCK LETTERS (i.e. the person for whom development will be carried out).

SURNAME (Mr/Mrs/Miss/Ms.)

OTHER NAMES.....

POSTAL ADDRESS.....

Email Address..... Tel. Number: .....

NAME OF OWNER OF THE LAND (if different from above) .....

ADDRESS OF OWNER.....

<p>2. Indicate the purpose (s) of this application.</p> <p>Answer YES or NO to each question.</p>	<p>Is this</p> <p>(a) An conceptual planning application for ere buildings?</p> <p>.....</p> <p>(b) A detailed planning application?.....</p> <p>(c) An application for subsequent approval of m by an conceptual approval? .....</p> <p>(d) An application for a change of use only ? .....</p> <p>(e) An application for approval of plans under Building Regulations?</p>
<p>3. Address or location of the land to be developed.</p>	
<p>4. Dimensions of the land to which the application relates.</p>	<p>Area .....sq. m.. Frontage.....</p> <p>Depth ..... m.</p>
<p>5. Description of the proposed development including the proposed use or uses of each part of the building or land the subject of the application.</p>	
<p>6. Purpose for which the land (including any buildings) is now used, and if used for more than one purpose, give details.</p>	
<p>7. Particulars of applicant's interest in the land (e.g. owner, lessee, prospective purchaser, etc.)</p>	

THE FOLLOWING SECTIONS: B, C, D, E, F AND G NEED NOT BE COMPLETED BY PERSONS MAKING AN OUTLINE APPLICATION FOR THE ERECTION OF BUILDINGS.

Section B

8. Source of water supply	
9. If proposal is of a temporary nature, state period for which permission is sought.	
10. Does the application involve any new access to a road or any alteration of an existing access? (full details of access width, gradient, etc., to be shown on plans).	(a) Pedestrian  (b) Vehicular

THE FOLLOWING SECTION C TO BE COMPLETED WHEN THE DEVELOPMENT IS FOR THE ERECTION OF BUILDINGS WITH ELECTRICAL EQUIPMENT.

Section C —Electricity requirements

- 11. (a) Traiff: Domestic/Commercial
- (b) Service: Single Phase/Three Phase
- (c) Appliances: cooker (No)..... Water Heater (no.) .....
- (d) Motors: No.....
- Total H.P .....
- Air Conditioner (no.) I ..... Other appliance (description and no.).....

THE FOLLOWING SECTIONS: B, C, D, E, F AND G NEED NOT BE COMPLETED BY PERSONS MAKING AN OUTLINE APPLICATION FOR THE ERECTION OF BUILDINGS.

Section B

8. Source of water supply	
9. If proposal is of a temporary nature, state period for which permission is sought.	
10. Does the application involve any new access to a road or any alteration of an existing access? (full details of access width, gradient, etc., to be shown on plans).	(a) Pedestrian  (b) Vehicular

THE FOLLOWING SECTION C TO BE COMPLETED WHEN THE DEVELOPMENTS FOR THE ERECTION OF BUILDINGS WITH ELECTRICAL EQUIPMENT.

Section C —Electricity requirements

- 11. (a) Traffic: Domestic/Commercial
- (b) Service: Single Phase/Three Phase
- (c) Appliances: cooker (No)..... Water Heater (no.) .....
- (d) Motors: No.....
- Total H.P .....
- Air Conditioner (no.) I ..... Other appliance (description and no.).....

**SCHEDULE 6**

*[Regulation 11]*

**REVOCATION OR MODIFICATION NOTICE**

**Physical Planning (Revocation or Modification) Notice**

The Planning Authority, in exercise of the powers conferred by section 44 of the Physical Planning Act, 2021 hereby make the following Notice —

The Authority may, if it is of the opinion that any permission granted to develop land is subject to any of the grounds listed under section 44(1) (a), (b), (c), or (d) revoke or modify any such permission granted to develop land and the notices for such revocation or modification shall be as set out in the form and manner respectively —

**FORM 1**

**REVOCATION NOTICE**

**THIS IS A NOTICE FOR THE REVOCATION OF PERMISSION GRANTED TO DEVELOP LAND PURSUANT TO SECTION 44 OF THE PHYSICAL PLANNING ACT, 2021**

**The authority hereby brings to the notice of:**

**Owner/Developer of the Parcel of Land:**

**With regards to the Planning Approval Reference:**

**For the Development of:**

**That you are hereby notified as follows: —**

**That the Authority after further considering the permission granted to you to develop land referred to above, it has come to our attention that the permission was granted on the basis (list which grounds S.44(1) (a) to**

**(d) and that based on this/these ground(s), the Authority HEREBY REVOKES the permission to develop the land referred to above.**

We bring to your attention that under section 44(4) of the Act a person aggrieved by a revocation or modification under subsection (1) may appeal to the Appeals Board in such form and manner as may be prescribed.

The revocation takes effect as of .....2023.

**Signed by:**

\_\_\_\_\_

**FORM 2**

**MODIFICATION NOTICE**

**THIS IS A NOTICE FOR THE MODIFICATION OF PERMISSION GRANTED TO DEVELOP LAND PURSUANT TO SECTION 44 OF THE PHYSICAL PLANNING ACT, 2021**

**The authority hereby brings to the notice of:**

**Owner/Developer Of the Land Parcel:**

**With regards to the Planning Approval Reference:**

**For the Development of:**

**That you are hereby notified as follows: —**

**That the Authority after further considering the permission granted to you to develop land referred to above, it has come to our attention that the permission was granted on the basis (list which grounds s.44 (1) (a) to (d)) and that based on this/these ground(s), the Authority HEREBY MODIFIES the permission to develop the land referred to above as follows:**

**Modification of Permission to Develop Land:**

We bring to your attention that under section 44(4) of the Act a person aggrieved by a revocation or modification under subsection (1) may appeal to the Appeals Board in such form and manner as may be prescribed.

**The Modification takes effect as of .....20.....**

**Signed by:**

**SCHEDULE 7**

*[Regulation 12 and 13]*

**PRESERVATION ORDER**

**Physical Planning (Control of Development of Land) Preservation Order**

The Planning Authority, in exercise of the powers conferred on them by section 48(1)(a), (b) or (c) of the Physical Planning Act, 2021 hereby make the following Order —

1. The [*Title of Order (including year)*] Specify if the Preservation Order if it relates to —

- (a) Tree, Trees Woodland;
- (b) any natural feature, such as rock boulders, or feature of historic interest;
- (c) building of special architectural or historic interest.

**Title of Order:** \_\_\_\_\_

The details of the subject matter of the Preservation Order shall be set out in the form and manner as set out in Form 1.

2. No person shall —

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or cause or permit the cutting down, topping, lopping,

uprooting, wilful damage or wilful destruction of, any tree, groups of trees or woodlands specified in the Schedule to this Order;

- (b) conduct any works or development on or around any natural feature, such as rock boulders, or feature of historic interest specified in the Schedule to this Order;
- (c) conduct any works or development on or around any building of special architectural or historic interest specified in the Schedule to this Order except with the written consent of the Authority in accordance with regulations 12 and 13, where such consent is given subject to conditions, in accordance with those conditions;

3. An application to conduct any works or development on or around any —

- (a) trees;
- (b) any natural feature, such as rock boulders, or feature of historic interest;
- (c) building of special architectural or historic interest;

in relation to a Preservation Order shall be made to the Authority in the form and manner as specified in Form 2.

4. An Order made by the Authority shall take effect on the date it is signed and dated by the Authority.

5. Any person affected by this Order may appeal to the Appeals Board as provided for under section 48(2) Of the Act.

6. A Tree Preservation Order (tree only??) does not protect trees from felling where a **new development** has been granted planning permission by the Planning Authority, if the tree's presence would impede the implementation of that planning permission.



## **FORM 1**

**Preservation Order Number (District/Location/Date) :**

**Location of the subject matter of the Preservation Order in Question:**

**Owners of the subject matter of the Preservation Order in Question (if known):**

**Description of type of the subject matter of the Preservation Order in Question:**

**Additional Preservation Conditions:**

## **FORM 2**

**Application to conduct works on or to undertake any development within the proximity of anything subject to a Preservation Order.**

**Name of Applicant:**

**Name/Number of Preservation Order:**

**Owners of the subject matter of the Preservation Order in Question (if known):**

**Consent of owner for such works or development (if applicable):**

**Type of works to be carried out or type of development within the proximity of those things subject to a preservation order:**

**Applicant should submit a plan (which will assist the Authority in making a timely decision on the application) of the area demarcating the trees that will be subject to any work or the areas that would be subject to any development that may necessitate any work or any trees subject to a Preservation Order.**

**MADE this 23<sup>rd</sup> day of October, 2023.**

**BILLY RANGASAMY  
MINISTER OF LANDS AND HOUSING**

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