



Health and Safety aspects cont..

Industrial hazard sites: These include farm land, landfill sites and where industrial chemicals are stored. The Public Health Service provides recommendation on whether a particular development can co-exist near such sites.

Land use planning aspects

An adopted land use plan is the first consideration when deciding whether a change of use proposal is suitable. Amongst other things, it sets out in detail the Authority's policies for the control of development, with specific sets of policies applying to each defined zone. Plans derived from land use planning also puts forward proposals for the development and use of land, including allocating some sites for specific purposes.

Design and prescribed dimensions

Good designs with prescribed minimum room floor sizes and adequate building ancillaries such as waste water disposal, parkings etc. are fundamental requirement for most 'change of use' proposal. The design should always be appropriate and conducive for the surroundings. The physical character of a setting will influence the possible types of design, size and materials that can be used.

Other possible constraints

- Proximity and ease of access to roads, water bodies
- Preset classification and density threshold for a particular area
- Plot sizes
- Floor layout sizes for a given proposal
- Inadequate waste water facilities
- General characteristics of the area
- Related and current development policies.



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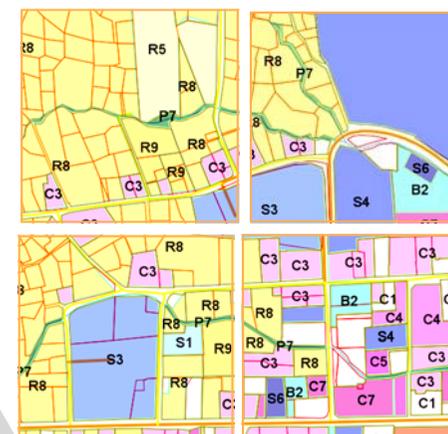
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PLANNING AUTHORITY PERMISSION

INFORMATION GUIDE FOR CHANGE OF USE APPLICATIONS



SEYCHELLES PLANNING AUTHORITY
MINISTRY OF HABITAT, INFRASTRUCTURE AND
LAND TRANSPORT

WHAT IS 'CHANGE OF USE'

In accordance with the **Town and Country Planning Act (CAP 237)**, immovable properties namely buildings fall within prescribed classes of development. Residential, institutional, assembly, manufacturing, storage, trade buildings are only but some of the developments falling in different classes.

The First Schedule (*Regulation 3*) of the **Town and Country Planning Act** compels for a detail application for an intended 'change of use' of a building or part thereof from one class to another to be submitted to the Planning Authority for consideration. Such applications it is stipulated, shall in all cases be accompanied by drawings executed or reproduced in a clear and intelligible manner.

HOW TO APPLY FOR 'CHANGE OF USE'?

Given that the exercise and associated processes are highly technical in nature, you may only submit an application to the Planning Authority through a professional person. When you appoint the professional person commonly referred to as a *licensed agent* to deal with your application, all correspondences will be made with him/her during the time that the application is being processed. All correspondences to agents will also be copied to you. This allows you to know what is happening to your application. In instances where your agent fails to respond to our correspondences, the Planning Authority will write directly to you to solicit your personal intervention for action.

Applications for permission are submitted on prescribed forms with all the information required and signed off, all sections appropriately. Together with your agent, you will be required to make a declaration on pertinent aspects of your application.

The application will comprise of a completed application form, site plan, land ownership documents, location plan and/or a high resolution 'orthophoto' particular to your site, elevations and layout plans, other plans and drawings and appropriate fee (s). Normally, eight sets of the completed forms and plans are required. Having many copies allows for fast processing of your application.

Provision is currently being made for such applications to be submitted online through a Planning Portal. At the time of submission, your agent must ensure that your application is complete and of a very high standard to avoid unnecessary delays in processing same.

EXAMPLES OF CHANGE OF USE

Change of use application can be of, but not restricted to any of the following:

From private residential house (may also be part of) to self catering establishment, guest house, apartments, to prayer hall, commercial establishment, to retail shop, to mixed use, to private clinic, to a café, hair dressing salon, child minding/day care, to a garage, part to bakery or snack preparation and retail shop, entertainment center, food take-aways, etc.

From a domestic store to commercial store or warehouse or bacca shed.

BASIC REQUIREMENTS

All 'change of use' applications have to satisfy some minimum requirements in at least six pertinent regimes: (i) the present land use classification, (ii) public health, (iii) fire and safety, (iv) the environment, (v) transport and (vi) the district recommendations.

The ministry responsible for tourism is consulted for all hospitality applications and proposals located within close proximities of existing tourism establishments. Since Planning Authority is no expert in all these areas except for land use and development control, your application will be circulated to responsible competent agencies for their invaluable comments. Hence the need for many copies of your application. Depending on the nature of your request, the Authority may consult other agencies on your application.

Land transport considerations:

Adequate parking facilities for clients and loading/unloading. Reversing onto main road is prohibited; the need for proper turning area and good visibility are crucial. Contact the Department of Transport more information.

Fire rescue and safety:

Adequate provision for fire extinguishers, location of LP Gas, smoke detecting equipment's and fire alarm system, adequate access, directional signage, fire doors and fire hose reel, emergency lights are some of the basic elements you need to consider when considering a change of use of your building. The list is not exhaustive. You may further consult with the Fire and Rescue Agency for details and advise.

Public Health considerations: Adequate sized and sufficiently spaced waste water treatment facilities. Depending on proposals, you may be required to provide for separate waste water systems. Adequately sized rooms, proper ventilation, separate staff/client facilities such as toilets/tea making, etc., separate preparation facilities and areas, (salad/fish/meat preparation), rodent/insect proof refuse storage facilities, facilities for dry good storage. Material/goods to be stored, smooth/imperious/non-slippery floors and walls, provision for grease traps, proper worktops.

Applicants and agents are free to consult these agencies for advise prior to submitting applications for consideration but the Planning Authority would normally be your first STOP.

PLANNING FEES AND CHARGES

Please refer to Planning Authority (fees) schedule in force.

FACTORS THAT MAY RESTRICT DEVELOPMENT

Location

Your proposal may be constrained in different ways by its location. For instance, its inclusion within a predefined zone, proximity to physical influencing feature (for example, a river that is prone to flooding or a landfill site); its proximity to some physical feature that may be affected by the development, the inclusion within the development site of a protected feature or monument.

The nature of the site immediate surroundings will always be a major factor determining what types of development can be allowed. Many restrictions result from development policies, but the majority are the result of existing statutory controls.

External expert reviews

In many cases, various interested groups or statutory bodies are consulted before your proposed development can take place. These include government agencies, sometimes interest groups, statutory undertakers and also members of a community, e.g. application for churches.

Health and Safety aspects

Flood risk: The Environment Department has defined areas where risk of flooding is significant and for which it needs to be consulted on all proposed developments within these areas. A "flood risk assessment" may need to be provided by the applicant for such applications.