

# THE TOWN AND COUNTRY PLANNING ACT.

Statutory Instrument 246—1.

## The Town and Country Planning Regulations.

### Arrangement of Regulations.

Regulation

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# THE TOWN AND COUNTRY PLANNING ACT.

Statutory Instrument 246—1.

## **The Town and Country Planning Regulations.**

*(Under section 31 of the Act.)*

### PART I—GENERAL.

#### **1. Citation.**

These Regulations may be cited as the Town and Country Planning Regulations.

#### **2. Application for permission to erect buildings, etc.**

(1) After any area has been declared to be a planning area under section 5 of the Act, no person shall erect any building or develop any land in that planning area unless he or she first obtains from the planning committee permission so to do.

(2) Every application for permission made under subregulation (1) of this regulation shall be submitted in quadruplicate in the form contained in the Schedule to these Regulations and shall if the planning committee so requires be accompanied by—

- (a) four copies of the site plan drawn to the scale of 1:1,000 showing—
  - (i) the plot desired to be developed or on which it is proposed to erect any building;
  - (ii) the plots adjoining that plot showing any existing buildings or development on those plots; and
- (b) four copies of small-scale sketch plans of any building proposed to be erected in respect of which permission is sought to be obtained.

(3) Any planning committee may reject an application not in proper form, or not accompanied by the prescribed plans, or in respect of which the applicant has been required to furnish further particulars or plans and has failed or neglected so to do.

(4) Any person who contravenes subregulation (1) of this regulation commits an offence and is liable upon conviction to a fine not exceeding one thousand shillings or in default of payment to imprisonment for any period not exceeding four months and in the case of a continuing offence is liable to a further penalty not exceeding twenty shillings for each day during which the offence continues after written notice of the offence has been served on the offender.

### **3. Further particulars.**

The planning committee may before granting or refusing permission to erect any building or develop any land require the applicant to furnish such further particulars or plans as it may deem necessary.

### **4. Planning approval.**

(1) So soon as the planning committee is satisfied that the building or development proposed in any application under these Regulations does not contravene any of the provisions contained in any outline scheme or detailed scheme then in preparation or already approved, it shall signify its approval of the application in writing and communicate it to the applicant.

(2) The planning committee may impose conditions subject to which permission to erect any building or develop any land is granted and may require the applicant for such permission to enter into a bond for a sum not exceeding two thousand shillings for the due observance of or compliance with any such conditions.

### **5. Approval to be granted if no contravention of scheme.**

(1) The planning committee shall approve any application made under these Regulations unless the application contravenes any provision contained in any outline scheme or detailed scheme then in preparation or already approved.

(2) If the planning committee does not approve the application, it shall by written notice so inform the applicant giving reasons for its decision.

### **6. When application deemed to have been approved.**

If within sixty days of the receipt of any application, or of further plans or

particulars relating to the application, the planning committee fails to inform the applicant that it does not approve of the application, the application shall be deemed to have been approved, and the permission of the planning committee shall be deemed to have been duly given.

## PART II—APPEALS.

### **7. Petition of appeal.**

Any person desiring to lodge an appeal to the board under section 6 or 25 of the Act shall submit, in quadruplicate, a petition in writing to the secretary of the board, setting out in concise form the nature of the application made to the planning committee, the decision of the planning committee and the grounds on which that person objects to the decision of the planning committee.

### **8. Reply to petition.**

The secretary of the board shall on receipt of the petition forward a copy of it to the planning committee, which shall within fourteen days of its receipt of the petition submit a reply to the petition, three copies of which reply shall be forwarded to the secretary of the board and one to the petitioner.

### **9. Appeal to be heard within thirty days.**

The board shall within thirty days of the expiration of the period of fourteen days mentioned in regulation 8 of these Regulations proceed to a determination of the appeal.

### **10. Procedure on hearing of appeal.**

(1) The petitioner or his or her advocate, and the planning committee through any member or officer deputed by it for that purpose, or by advocate, shall be entitled to be present at the meeting of the board when the petition is under consideration and to be heard on the matters raised in the petition or reply, if any.

(2) The petitioner shall first address the board on the subject of his or her petition.

(3) The representative of the planning committee shall then reply, and

the petitioner may thereafter address the board on any matter raised in the reply.

**11. Decision to be notified.**

The board shall within seven days of the conclusion of the hearing of the petition inform the petitioner and the planning committee of its decision on the appeal.

PART III—MODIFICATION OF SCHEMES.

**12. Notice of modification.**

When an outline or detailed scheme is modified in accordance with section 23 of the Act, a notice to that effect shall be published by the board or the committee in the Gazette and in a newspaper circulating in Uganda.

**13. Effective date.**

The modification shall take effect on the date of the publication of the notice in the Gazette if no other date is specified in the notice.

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*Schedule.*

reg. 2(2).

**Application for Permission to Carry Out Development.**

*The Town and Country Planning Regulations.*

1. (a) Address or location of the proposed development	
(b) Name of planning area	
2. Full name, postal address and telephone number of person responsible for the development ( <i>in block letters</i> )	
3. Full name, postal address and telephone number of person applying on behalf of the developer, if any	
4. (a) Particulars of the developer's interest (e.g., freeholder, lessee, prospective purchaser, etc.)	
(b) Details of any restrictive covenants likely to affect the proposed development	
5. (a) State the zone within which the proposed development falls	
(b) Give a brief description of the proposed development including where appropriate information as to the process involved and machinery to be installed	
(c) State the purpose for which the land and/or buildings are now used and if used for more than one purpose give details	

<p>6. (a) State whether the proposed development involves the construction of a new, or the alteration of an existing, access to or from a road</p> <p>(b) State whether provision will be made for car parking within the plot and if so, for how many cars</p> <p>(c) Give details of the intended provision for the loading and unloading of vehicles</p>	
<p>7. State—</p> <p>(a) source of water supply</p> <p>(b) means of subsoil drainage</p> <p>(c) details of sanitary arrangements</p> <p>(d) means of disposal of any trade refuse or trade effluents</p>	
<p>8. Give the area of the plot in square feet</p>	

9. Where the proposed development includes any building or rebuilding operations the following table where applicable shall be completed—

Floor level	Use <i>Note</i> —If more than one use on any one floor, give figures for accommodation allocated to each	Area covered by buildings  Sq. ft.	Percentage of plot covered	Floor space  Sq. ft.	Plot ratio
Lower ground or basement					
Ground					
First					
Second					
Third					
Fourth					
Fifth					
Sixth					
Seventh					
Eighth					
—					
—					
				Total	Total

10. Describe briefly the materials to be used, together with details of any advertising signs and any other relevant information likely to assist the planning committee in the assessment of this application

*Note*—This information should also be indicated on the plans.



I/We certify that to the best of my/our knowledge the information contained in this application is correct.

Date \_\_\_\_\_ Signed \_\_\_\_\_

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**History:** S.I. 30-4.

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