TOWN PLANNING (BUILDING DEVELOPMENT CONTROL) REGULATIONS 2001

Subsidiary 2001/026

Regulations made under section 44 of the Town Planning Act.

TOWN PLANNING (BUILDING DEVELOPMENT CONTROL) REGULATIONS 2001

(LN. 2001/026)

5.3.2001

Amending enactments	Relevant current provisions	Commencement date
None		

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Title.

1. These regulations may be cited as the Town Planning (Building Development Control) Regulations, 2001.

Interpretation.

2. In these regulations, unless the context otherwise requires–

"building permit" means a permit granted by the Commission to erect, re-erect or alter any building;

"floor space index" means, subject to the provisions of regulation 7(3), the proportion which the aggregate area of the floor space within a building bears to the area of the plot;

"plot" means the parcel of land to which the building permit relates;

"works" means the works to be carried out by virtue of a building permit.

Application.

3.(1) These regulations shall apply, except so far as the context otherwise requires, in relation to every application for a building permit and to the grant thereof:

Provided that–

(a) in relation to a permit to alter a building, they shall not apply if, and in so far as, the Commission is satisfied that their application is impracticable having regard to the limits of the alteration;

(b) the Commission may, in its discretion, in any particular case if, and in so far as, it is satisfied that it is necessary or expedient so to do–

(i) relax or dispense with any requirement of these regulations;

(ii) impose a more stringent requirement as to the number of car spaces to be provided in any application for a building permit or grant thereof.

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(2) If the Commission shall have imposed a more stringent requirement under the provisions of sub-regulation (1) it shall be deemed to be a condition for the purposes of section 24 of the Act.

(3) If there shall be a conflict between these regulations and any other subsidiary legislation relating to the works, these regulations shall prevail; but save as aforesaid, nothing in these regulations shall exempt any person from compliance with such other subsidiary legislation.

Ground floor area.

4. No building shall cover more than 80% of the area of the plot:

Provided that in Main Street the whole of the area may be so covered, except so far as the Commission may otherwise direct in order to secure adequate ventilation of the building.

Setting back of buildings.

5. Any new building fronting a road shall, if the Commission so requires, be set back so far as the Commission considers necessary to provide adequate space for pedestrians using the pavement, for widening the roadway or both those purposes.

Floor space index.

6.(1) The floor space index within the City walls shall not exceed–

(a) in Main Street, five to one;

(b) elsewhere, four to one.

(2) Outside the City walls, the maximum floor space index shall be determined by the Commission, either for areas or for individual plots, having regard to the location thereof, the use to which they are to be put, the character of the area concerned, architectural design, development plan policy, and such other circumstances as appear to the Commission to be relevant.

Car space.

7.(1) Subject to the provisions of regulation 3(1), in the siting, arrangement and construction of any building mentioned in the Schedule, such provision shall be made for the accommodation of motor vehicles as is specified in the Schedule.

(2) For the purposes of the Schedule–

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(a) one car space shall be not less than 4.9m long by 2.4m wide; and

(b) a fraction of a unit described in the Schedule shall be regarded as one unit.

(3) The accommodation so provided shall not be taken into consideration in calculating floor space index.

(4) The car parking requirement within the City walls shall be determined by the Commission on the basis of the following:

(a) pedestrianisation;

(b) other traffic restrictive policy.

Revocation.

8. The Building (Development Control) Regulations are revoked.

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SCHEDULE

Regulation 7

ACCOMMODATION OF MOTOR VEHICLES

	Car Space	Type of Building
1.	Private residence –	
(a)	House	Two car spaces for each house.
(b)	Flats or apartments -	One car space for each residential unit.
2.	Offices for any purposes	One car space for each unit of 180m² of floor area.
3.	Hotels	One car space for each unit of 5 bedrooms or each unit of 10 beds whichever is the less, excluding beds provided for hotel staff.
4.	Industrial buildings, consisting of factories, stores, warehouses with or without office accommodation	Two car spaces and, if the floor exceeds 180m² one additional car space for each unit of 180m² of such excess.
5.	Cinemas, theatres and concert halls	One car space for each unit of 25 seats.
6.	Department stores, shops and showrooms, for stores (over 2,500m²) the number of spaces will be judged on merit having regard to the nature and location of the development, accessibility by public transport and its likely traffic generation.	One car space for each unit of 180m² of floor area.
7.	Places of religious worship, art galleries,	(a) One car space for each unit of 180m² of floor area;

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libraries, museums, exhibition or meeting halls, clubs, educational establishments, nursing homes, sports stadia, swimming pools and other like building	(b)	Such number of additional car spaces as appear to the Commission reasonably sufficient for the use of persons resorting to the building otherwise than for such purposes.

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