

**SECTION 53-THE TOWN AND COUNTRY PLANNING
(APPLICATION FOR PLANNING PERMISSION)
REGULATIONS**

Regulations by the Minister

*Government
Notices
360 of 1962
96 of 1964
Statutory
Instruments
65 of 1965
347 of 1966*

1. These Regulations may be cited as the Town and Country Planning (Application for Planning Permission) Regulations.

Title

2. These Regulations shall apply to any application for permission to develop or subdivide land or for any approval or determination under a development or subdivision order.

Application

3. In these Regulations, unless the context otherwise requires-

Interpretation

"Order" means any order made under the provisions of section *twenty-three* of the Act;

"planning authority" means a planning authority to which functions have been delegated under the provisions of section *twenty-four* of the Act.

(As amended by No. 65 of 1965)

4. (1) All applications for planning permission shall be made on forms issued by the Minister or planning authority, as the case may be, and shall include such particulars and shall be accompanied by such plans and drawings as may be required by the directions printed on the forms.

Planning permission

(2) In the case of an application for determination whether any operations on land or any change in the use of any land or building would constitute or involve development of that land or building, it shall not be necessary to furnish plans and drawings, other than a plan sufficient to identify the land to which the application relates, in any case where the proposal is sufficiently described by the particulars together with that plan.

5. (1) All applications for planning permission or for determination

Submission of

shall be submitted to the Minister or planning authority, as the case may be. applications

(2) Except in the area of a city or a municipality, an application for planning permission to develop or subdivide land, or for determination whether or not development is involved, may be submitted to the planning authority through the authority having local authority jurisdiction in the area to which the application relates, and the necessary application forms may be obtained from the authority.

(3) For the avoidance of doubt an application for permission to subdivide for agricultural purposes agricultural land situated outside areas subject to a development plan or approved development plan shall be submitted to the Natural Resources Board.

Forms and notices

6. The application forms shall be in the form or substantially in the form as set out in the Schedule and any notices issued in connection with the said application forms shall be in the form as set out in the Schedule.

7. The Minister may at any time require copies of all or any decisions to be submitted to him whether in respect of development or subdivision and if so required a planning authority shall comply with such requirements.

Minister may require copies of decisions

SCHEDULE

(Regulation 6)

PRESCRIBED FORMS

FORM T. & C.P. 1

**Registered
number of
application**

D/

THE TOWN AND COUNTRY PLANNING ACT

APPLICATION FOR PERMISSION TO DEVELOP

(Paragraph 8. The Town and Country Planning Development Order)

To the
(insert name and address of the planning authority)

I/We hereby apply for permission to develop as described in this application and on the attached plans and drawings.

Date..... Signature of Applicant or Agent
.....

If signed by Agent state:

Name

Address

Profession

1. If an application in principle has previously been submitted state the registered number of the application.

2. State whether subdivision is involved and if so whether permission has been applied for and give registered number of the application.

3. (a) Stand, Lot or Farm No.(a)
(b) Road, District and Town(b)

4. Applicant's name and address

5. Owner's name and address

6. If applicant is not the owner, state interest in the land, e.g. lessee, prospective purchaser, etc., and whether the consent of the owner to this application has been obtained.

7. Describe briefly the proposed development

including the purposes for which land and/or buildings are to be used.

8. State the purpose for which land and/or buildings are now used. If not now used, the purpose for which and date on which they were last used.

9. State whether the construction of a new or alteration of an existing means of access to or from a road is involved.

10. If the proposed development consists only of a change of use and does not involve building operations state the exact nature of such change.

11. If the site abuts on a road junction, give details and height of any proposed walls, fences, etc., fronting thereon.

12. State method of-

(a) water supply..... (a)

(b) sewage disposal (b)

(c) surface water disposal..... (c)

(d) refuse disposal (d)

13. Give details of any relevant easements affecting the proposals.

14. State the-

(a) area of land affected..... (a)

(b) area of buildings (b)

(c) percentage of site covered-

- (i) by existing buildings..... (i)
- (ii) by proposed buildings..... (ii)

15. State the materials to be used for-

- (a) external walls..... (a)
- (b) roof..... (b)

16. If the building is to be used for more than one purpose state the floor area and nature of each use.

	Ground floor
	First floor
	Second floor
	Third floor
	Fourth floor, etc.

17. If the building is to be used wholly or partly for commercial or industrial purposes state-

- (a) the nature of the proposed use or uses (a)
- (b) the provision to be made for loading and unloading of vehicles (b)
If for industrial use-
- (c) the type of process to be carried on (c)
- (d) the nature and means of disposal of trade refuse or trade effluent (d)
- (e) whether it is wholesale sales on the premises (e)

18. Except in the case of a dwelling-house state what facilities for parking of vehicles are to be provided.

SUBMISSION OF PLANS

1. All plans and drawings to be signed on every sheet by the applicant or his agent and to be

drawn in permanent ink or reproduced in a clear and intelligible manner on suitable material, one copy to be on linen or other equally durable material.

2. This form, duly completed, and all plans and drawings to be submitted in duplicate unless otherwise directed.

PLANS AND DRAWINGS REQUIRED

Site Plan: To an appropriate scale sufficient to identify the site showing the land to which this application relates edged red and any adjoining land in the same ownership edged blue.

Block Plan: To scale of not less than one inch to fifty feet, showing-

- (a) the boundaries of the land and any adjoining stand and any road fronting or adjoining those stands and its name and width;
- (b) the position of any existing or proposed building on the land;
- (c) the position of any existing or proposed boreholes, septic tanks, cesspits or cesspools, drains or sewers or other sewage disposal plant on the land;
- (d) the position, width and gradient of any existing or proposed means of access to any road from the land;
- (e) in the case of commercial development the height of any canopy, window head or parapet on the proposed building and on any adjoining building in relation to the pavement or road level.

Building Plans: To a scale of not less than one-eighth inch to one foot, showing-

- (a) the plan of each floor and the proposed use of each floor;
- (b) the elevation of all sides of the building;
- (c) the levels of the land and the ground floor in relation to the level of any adjoining or adjacent road.

NOTES

1. This application is for permission under the Town and Country Planning Act and does not absolve the applicant from obtaining any other consent under any law, by-law, regulation, State Lease agreement, etc., that may be required.

2. The planning authority reserves the right to require any further information or additional copies of plans and drawings as it may consider necessary.

(No. 96 of 1964 as amended by No. 65 of 1965)

FORM T. & C.P. 2

**Registered
number of
application**

S/

THE TOWN AND COUNTRY PLANNING ACT

APPLICATION FOR PERMISSION TO SUBDIVIDE LAND

(Paragraph 5. The Town and Country Planning Subdivision Order)

To the
(insert name and address of the planning authority)

I/We hereby apply for permission to subdivide land as described in this application and on the attached plans and drawings.

Date..... Signature of Applicant or Agent
.....

If signed by Agent state:

Name

Address

Profession

1. If an application in principle has previously been submitted state the registered number of the application.

2. (a) Stand, Lot or Farm No. (a)

(b) Road, District and Town..... (b)

3. Applicant's name and address

4. Owner's name and address

5. If applicant is not the owner, state interest in land, e.g. lessee, prospective purchaser, etc., and whether the consent of the owner to this application has been obtained.

6. Describe briefly the proposed subdivision including the purposes for which land and/or buildings are to be used.

7. State the purpose for which land and/or buildings are now used. If not now used, the purpose for which and date on which they were last used.

8. State whether the construction of a new or alteration of an existing means of access to or from a road is involved.

9. State method of-

(a) water supply..... (a)

(b) sewage disposal (b)

(c) surface water disposal..... (c)

(d) refuse disposal (d)

10. Give details of any relevant easements affecting the proposals.

11. State-

(a) the total area of land affected and the area and number of proposed stands for-.....(a)

(b) residential purposes (b)

- (c) commercial purposes (c)
- (d) industrial purposes (d)
- (e) public purposes (e)
- (f) any other purposes (f)

12. State area of smallest residential stand.

SUBMISSION OF PLANS

1. All plans and drawings to be signed on every sheet by the applicant or his agent and to be drawn in permanent ink or reproduced in a clear and intelligible manner on suitable material, one copy to be on linen or other equally durable material.
2. This form, duly completed, and all plans and drawings to be submitted in duplicate.
3. If a survey diagram is to be submitted to the Surveyor-General under section 21 of the Land Survey Act three copies of the plans should be submitted.

PLANS AND DRAWINGS REQUIRED

Site Plan: To an appropriate scale sufficient to identify the site showing the land to which this application relates edged red and any adjoining land in the same ownership edged blue.

Subdivision Plan (other than an Estate Layout): To a scale appropriate to the area of the land, showing-

- (a) the boundaries of the land, the number and area of any existing or proposed subdivisions, and the existing and proposed use thereof;
- (b) the position of any existing or proposed buildings on the land and of any roads, carriageways, service or sanitary lanes or roads or any footpaths adjacent to the land;
- (c) the position, width and gradient of all existing and proposed means of access from the land to any road.

NOTE.-The Subdivision Plan may be combined with the Site Plan if the scale permits.

Estate Layout Plan as for the Subdivision Plan, with the following additional information:

- (d) the line of any water-courses, dambos, water mains, drains, sewers, underground or overhead cables on the land;
- (e) the proposed layout of roads within the estate including all drains, culverts and stormwater drainage;
- (f) the proposed water reticulation, sewerage and electricity systems showing the

source and method of servicing the individual stands;

(g) the surface contours at ten-foot vertical intervals;

(h) reservations for public utility services and other public purposes.

NOTES

1. This application is for permission under the Town and Country Planning Act and does not absolve the applicant from obtaining any other consent under any law, by-law, regulation, State Lease agreement, etc., that may be required.

2. The planning authority reserves the right to require any further information or additional copies of plans and drawings as he or it may consider necessary.

(No. 96 of 1964 as amended by No. 65 of 1965)

FORM T. & C.P. 3

**Registered
number of
application**

<p>S/ (for subdivision)</p> <p>D/ (for development)</p>

THE TOWN AND COUNTRY PLANNING ACT
APPLICATION FOR PERMISSION IN PRINCIPLE TO DEVELOP/SUBDIVIDE
LAND

(Paragraph 8 (2). The Town and Country Planning Development Order)

(Paragraph 5 (3). The Town and Country Planning Subdivision Order)

To the
(insert name and address of the planning authority)

I/We hereby apply for permission *in principle* to develop/subdivide land as described in this application and on the attached plans and drawings.

Date..... Signature of Applicant or Agent
.....

If signed by Agent state:

Name

Address

Profession

1. (a) Stand, Lot or Farm No. of the site (a)

(b) Road, District and Town..... (b)

2. Applicant's name and address

3. Owner's name and address

4. If applicant is not the owner, state interest in the land, e.g. lessee, prospective purchaser and whether consent of owner to this application has

been obtained.

5. Describe briefly but adequately the proposed development or subdivision including purposes for which land and/or buildings are to be used.

6. State the purpose for which the land and/or buildings are now used. If not now used state the purpose for which and date on which they were last used.

7. State whether the construction of a new or alteration of an existing means of access to or from a road is involved.

SUBMISSION OF PLANS

1. All plans and drawings to be signed on every sheet by the applicant or his agent and to be drawn in permanent ink or reproduced in a clear and intelligible manner on suitable material, one copy to be on linen or other equally durable material.

2. This form, duly completed, and all plans and drawings to be submitted in duplicate.

PLANS AND DRAWINGS REQUIRED

Site Plan: To an appropriate scale sufficient to identify the site showing the land to which this application relates edged red and any adjoining land in the same ownership edged blue.

The planning authority reserves the right to require any further information or additional copies of plans and drawings as he or it may consider necessary.

(No. 96 of 1964)

FORM T. & C.P. 4

**Registered
number of
application**

D/

THE TOWN AND COUNTRY PLANNING ACT

APPLICATION FOR PERMISSION TO DEVELOP STATE LAND

(Paragraph 8. The Town and Country Planning Development Order)

To the.

(insert name and address of the planning authority)

I/We hereby apply for permission to develop as described in this application and on the attached plans and drawings.

Date..... Signature of Applicant or Agent
.....

If signed by Agent state:

Name

Address

Profession

1. (a) Stand, Lot or Farm No. of the site (a)

(b) Road, District and Town (b)

2. Applicant's name and address

3. Describe briefly the proposed development including the purposes for which land and/or buildings are to be used.

4. State the purpose for which land and/or

buildings are now used. If not now used, the purpose for which and date on which they were last used.

5. State whether the construction of a new or alteration of an existing means of access to or from a road is involved.

6. If the proposed development consists only of a change of use and does not involve building operations state the exact nature of such change.

7. If the site abuts on a road junction, give details and height of any proposed walls, fences, etc., fronting thereon.

8. State method of-

- (a) water supply (b)
- (b) sewage disposal (b)
- (c) surface water disposal (c)
- (d) refuse disposal (d)

9. Give details of any relevant easements affecting the proposals.

10. State the-

- (a) area of land affected (a)
- (b) area of buildings (proposed and existing) (b)
- (c) percentage of site covered-
 - (i) by existing buildings (c) (i)
 - (ii)by proposed buildings .. (ii)

11. State the materials to be used for-

- (a) external walls..... (a)

(b) roof (b)

12. If the building is to be used for more than one purpose state the floor area and nature of each use.

Ground Floor.....	Ground
First Floor.....	First
Second Floor.....	Second
Third Floor.....	Third
Fourth Floor.....	Fourth Floor,
etc.....	

13. If the building is to be used wholly or partly for commercial or industrial purposes state-

(a) area of land affected (a)

(b) the provision to be made for loading and unloading of vehicles (b)

If for industrial use-

(c) the type of process to be carried on (c)

(d) the nature and means of disposal of trade refuse or trade effluent (d)

(e) whether it is proposed to conduct retail or wholesale sales on the premises (e)

14. Except in the case of a dwelling-house state what facilities for parking of vehicles are to be provided.

SUBMISSION OF PLANS

1. All plans and drawings to be signed on every sheet by the applicant or his agent and to be drawn in permanent ink or reproduced in a clear and intelligible manner on suitable material, one copy to be on linen or other equally durable material.

2. This form, duly completed, and all plans and drawings to be submitted in duplicate unless otherwise directed.

PLANS AND DRAWINGS REQUIRED

Site Plan: To an appropriate scale sufficient to identify the site showing the land to which this application relates edged red and any adjoining land in the same ownership edged blue.

Block Plan: To scale of not less than one inch to fifty feet, showing-

- (a) the boundaries of the land and any adjoining stand and any road fronting or adjoining these stands and its name and width;
- (b) the position of any existing or proposed building on the land;
- (c) the position of any existing or proposed boreholes, septic tanks, cesspits, or cesspools, drains or sewers or other sewage disposal plant on the land;
- (d) the position, width and gradient of any existing or proposed means of access to any road from the land;
- (e) in the case of commercial development the height of any canopy, window head or parapet on the proposed building and on any adjoining building in relation to the pavement or road level.

Building Plans: To a scale of not less than one-eighth inch to one foot, showing-

- (a) the plan of each floor and the proposed use of each floor;
- (b) the elevation of all sides of the building;
- (c) the levels of the land and the ground floor in relation to the level of any adjoining or adjacent road.

NOTES

1. This application is for permission under the Town and Country Planning Act and does not absolve the applicant from obtaining any other consent under any law, by-law, State Lease agreement, etc., that may be required.

2. The planning authority reserves the right to require any further information or additional copies of plans and drawings as it may consider necessary.

(No. 347 of 1966)

FORM T. & C.P. 5

**Registered
number of
application**

A/

THE TOWN AND COUNTRY PLANNING ACT

APPLICATION FOR PERMISSION TO SUBDIVIDE AGRICULTURAL LAND
FOR AGRICULTURAL PURPOSES

(Paragraph 5. The Town and Country Planning Subdivision Order)

To The Natural Resources Board,
P.O. Box 55,
Lusaka.

I/We hereby apply for permission to subdivide land as described in this application and on the attached plans and diagrams.

Date..... Signature of Applicant or Agent
.....

If signed by Agent state:

Name

Address

Profession

1. If an application in principle has previously been submitted state the registered number of the application and the decision.

2. Farm number and address of the land to be subdivided in sufficient detail to enable it to be readily identified.

3. Name and postal address of applicant (IN BLOCK CAPITALS). State whether Mr.,

Mrs. or Miss.

4. State applicant's interest in the land (e.g. owner, lessee, tenant, prospective purchaser, etc.)

5. If applicant is not the owner of the land state name and postal address of owner. In such case evidence of the consent of the owner to the proposed subdivision must be attached to this form.

6. State the acreage of the holding and of each proposed subdivision.

7. Describe briefly the present land use and system of farming carried out on the present holding and to be carried out on-
 - (a) the remaining unit of that holding (a)
 - and
 - (b) each proposed subdivision (b)

8. State what residential and/or other buildings are to be constructed on each proposed subdivision.

9. State the source of water supply for-
 - (a) domestic (a)
 - and
 - (b) agricultural purposes on each proposed subdivision (b)

10. Give particulars of any easements, encumbrances, notarial leases or mortgage bonds affecting the holding.

11. State whether each proposed subdivision is to be by way of sale, gift, lease or mortgage.

12. Give any other information of which the applicant wishes the Natural Resources Board to be aware.

FOR OFFICE USE ONLY

PLANS REQUIRED

Layout or Subdivision Plan to scale appropriate to the area of the holding to which this application relates showing-

- (a) the farm to be subdivided in relation to adjoining farms and the farm numbers with names of owners;
- (b) the boundaries of the farm to be subdivided and the boundaries of each proposed subdivision;
- (c) the existing public and farm roads serving the farm;
- (d) the location of all residential and farm buildings on the farm;
- (e) all water supply points and weirs or streams on or adjacent to the farm;
- (f) fence lines;
- (g) all arable land.

NOTES

1. This application is for permission to subdivide under the Town and Country Planning Act and does not absolve the applicant from obtaining any other consent that may by law be required.

2. (1) An application *in principle only* subject to the *subsequent approval* of the Natural Resources Board to the details of the proposed uses of any subdivision before the subdivision is effected may be made in the first instance.

(2) An applicant who wishes to submit such an application should indicate clearly the fact by adding the words "IN PRINCIPLE ONLY" at the top of this form.

3. The Natural Resources Board reserves the right to require any further information or

additional copies of plans which it may consider necessary.

SUBMISSION OF PLANS

1. All plans and diagrams to be signed on every sheet by the applicant or his agent and to be drawn or reproduced in a clear and intelligible manner on suitable and durable material.
2. This form duly completed in duplicate and all plans in quadruplicate to be submitted to the Natural Resources Board.

FORM T. & C.P. 6

**Registered
number of
application**

I/

Date of
receipt.....
.....

THE TOWN AND COUNTRY PLANNING ACT
APPLICATION FOR DETERMINATION WHETHER DEVELOPMENT IS
INVOLVED

(Paragraph 7. The Town and Country Planning Development Order)

To the.....(insert name and address of the
Minister or planning authority).

I/We hereby apply for a determination whether the carrying out of the operations on
or the making of the change in use of the land as described in this application and shown on
the attached plan would constitute or involve development and, if so, whether an
application for planning permission is required.

Date..... Signature of Applicant or Agent
.....

If signed by Agent state:

Name

Address

Profession

- 1. (a) Stand, Plot, Lot or Farm No. (a)
(b) Road, District and Town (b)

2. Owner's name and address

3. Applicant's name and address

4. State briefly the operations or change in use of land proposed. If more than one use, give details.

5. State the purpose for which the land and/or buildings are now used. If used for more than one purpose give details.

6. State whether the construction of a new or alteration of an existing means of access to or from a road is involved.

7. Give any other details the applicant may consider necessary.

FOR OFFICE USE ONLY

NOTES

1. One copy of this form and one copy of such plans and drawings as the applicant considers necessary to be submitted.

2. The Minister or planning authority has the right to require further information or additional copies of the plans and drawings as he or it may consider necessary.

FORM T. & C.P. 7

**Registered
number of
application**

THE TOWN AND COUNTRY PLANNING ACT

ACKNOWLEDGEMENT OF APPLICATION FOR PLANNING PERMISSION
OR DETERMINATION

To:
.....
.....

Your application numbered as above in respect of
situate in Road
was received in this office on and you will be
notified in due course of the decision of the Planning Authority.

Signed
for

(No. 96 of 1964)

FORM T. & C.P. 8

**Registered
number of
application**

THE TOWN AND COUNTRY PLANNING ACT

NOTIFICATION OF APPROVAL/REFUSAL OF PLANNING PERMISSION

To:
.....
.....

Your application numbered as above, submitted on
for permission/permission *in principle* to
on situate in
Road has been
on the by the.....
for the following reason\subject to the following conditions:
Date Signed.....

.....
(To be printed in duplicate)

NOTES

1. In the case of subdivision approvals where the records of the subdivisional survey required by sections 10 (1) and 21 of the Land Survey Act are not lodged with the Surveyor-General within the period stated in the approval, such approval shall be deemed to be cancelled.

2. If the applicant is aggrieved by the decision of the planning authority to refuse permission for the proposed development or subdivision or to grant permission subject to conditions, he may, by notice served within twenty-eight days of the receipt of this notification or such longer period as the Town and Country Planning Tribunal in writing may agree, appeal to the Tribunal in terms of section 29 of the Act.

3. The Tribunal shall not be required to entertain an appeal under the aforesaid section 29 in respect of the determination of an application for permission to develop or subdivide land if it appears to the president or the vice-president of the Tribunal that permission or

approval for that development or subdivision could not have been granted otherwise than subject to the conditions imposed, having regard to the provisions of section 25 of the Act and of the appropriate development or subdivision order and to any directions given under such order.

4. In certain circumstances a claim may be made against the Minister or planning authority for compensation or acquisition of the land affected where permission or approval is refused or granted subject to conditions. The circumstances in which such compensation is payable or acquisition of land may be required are set out in Part VI of the Act.

(No. 96 of 1964)

FORM T. & C.P. 9

**Registered
number of
application**

THE TOWN AND COUNTRY PLANNING ACT

NOTIFICATION OF DETERMINATION

To:
.....
.....

Your application numbered as above submitted on
.....for the determination whether the operation or change in use of
land on.

.....situate in Road
would constitute or involve development was considered on

It has been determined that the said operation/change in use
.....require an application to be submitted for planning permission
in respect thereof.

Signed

(To be printed in duplicate)

(No. 96 of 1964)