

PLANNING DIRECTORATE

CIRCULAR TO ARCHITECTS (PA 1/92)

INFORMATION ON REVISED PLANNING PROCEDURES

(A) ARRANGEMENTS FOR DEALING WITH APPLICATIONS SUBMITTED TO BUT NOT DETERMINED BY THE PAPB;

(B) REVISED APPLICATION FORMS AND NEW PROCEDURES FOR SUBMITTING APPLICATIONS.

This circular forms the first of a series which will be issued by the Planning Directorate on behalf of the Planning Authority setting out the details of the new planning procedures which are to be adopted consequent upon the coming into force of the Development Planning Act 1992 including the establishment of the Planning Authority/Planning Directorate. The Act introduces a number of radical changes in planning procedures. This circular outlines in more detail below some of the procedures which will need to be followed, but it first describes the arrangements for dealing with those applications which are pending and which were not determined by the Planning Area Permits Board (PAPB).

(A) Transitional Arrangements

As you know the PAPB and the Aesthetics Board have ceased to function with the coming into being of the Planning Authority. Applications for development permission will in future require to be submitted to the Authority, but a special procedure has been drawn up to deal with those applications for a building permit which were submitted to the PAPB, *prior to 27th November 1992*, but on which the PAPB had not made a decision, prior to its ceasing to function. This procedure is set out in the Development Permission (Method of Application) Regulations 1992, which is being promulgated by means of a Legal Notice in the near future (a copy of which is enclosed).

In order for such an application to be considered as if it was made to the Planning Authority, an applicant or an architect and civil engineer on the applicant's behalf, **MUST**

(i) give notice to the Planning Authority in writing that the application is to be considered as an application made to the Authority - this letter or notice should state the following

(a) the former PAPB's reference number of the building permit application to which the notice relates;

(b) the description of the development proposed in that application;

(c) the location of the site (taken from the original application);

(d) the names and addresses of the applicant and of the architect acting on behalf of the applicant.

and

(ii) submit with the Notice a copy of the appropriate certificate of ownership. Where necessary, notice of the application must be given by registered letter to any other owners of the land to which the application relates and a copy of the letter submitted with the certificate and the Notice - for more details of the new certificates, see below and also the Guidance Notes for Architects (which are distributed with this Circular);

and, where relevant,

(iii) attach to the letter or notice the appropriate receipt(s) (or copies of these) for the necessary building permit fee or the contributions for road formation, alignment and main sewer which must have been paid by the date specified for payment on the contribution bill issued.

THE NOTICE, TOGETHER WITH ALL OF THE INFORMATION SET OUT ABOVE, MUST BE RECEIVED BY THE PLANNING AUTHORITY ON OR BEFORE 1ST FEBRUARY 1993.

Where the notice is not received by this date, or all of the information is not supplied, the application will, in accordance with the Regulations, be considered and treated as being withdrawn. It will not be processed further and it will be put away. A new application will be necessary if the applicant then wishes to pursue the development which was the subject of the application.

Once the Notice has been received, the Authority will acknowledge its receipt and treat the application as though submitted to it, rather than to the PAPB. It will proceed to process and determine the application, in accordance with the policies, including those in the Structure Plan, now in force. Applications will be dealt with in the order in which they were originally received.

(B) Revised Application Forms and New Procedures For Submitting Applications.

The application forms previously used by the PAPB have been revised in the light of the requirements of the Development Planning Act 1992, and the opportunity has been taken to make a number of other changes. These include the introduction of the certificates required by the Act and upgraded information requirements, which are dealt with in more detail below. A total of eleven application forms have been developed for different forms of application. Copies of these application forms are included in the booklet "Guidance Notes for Architects" (enclosed herewith), and these notes explain in more detail the types of application and application forms, and the circumstances in which they should be used. The notes also give guidance on the information which should be submitted with applications.

In addition to paper copies of the application forms, the Planning Directorate will be making a disk available to architects which will contain the forms, certificates and other relevant documents. These can be used as templates by architects. The disk will be available for purchase at a cost Lm 5. The forms will be in a number of different formats, including CorelDRAW!, Postscript (EPS), Windows Metafile, PCX, TIFF, Graphics Metafile and IMB PIF. It would be useful if architects could indicate the format(s) which they require. Supplies of the appropriate coloured paper for printing the forms will also be available.

There are a number of important change in requirements which architects should be aware of, including

- (i) all applications must be accompanied by a certificate of ownership, as required by subsection (3) of Section 32 of the Development Planning Act 1992. The certificates are explained in the Guidance Notes, but briefly there are three standard certificates
 - (a) Certificate A, which forms part of most applications, and which is to be completed when the applicant is the only owner of the land to which the application relates;
 - (b) Certificate B is to be used where the applicant is not the only owner, but where the other owner(s) are known;
 - (c) Certificate C is to be used where the applicant is not the only owner, but where only some of the other owner(s) are known. In this instance it will be necessary for the applicant to advertise the proposal as well as serving the normal notice on the known owners.

In those cases where the applicant is not the only owner and notice is required to be given to other owner(s), such notice must be given by registered letter, the format of which can be obtained from the Planning Authority. A copy of the registered letter informing the owner(s) of the submission of the application must accompany the application;

(ii) all applications must comprise the requisite number of application forms for the type of development being proposed, as set out in the Guidance Notes, and the forms must be fully completed;

(iii) all applications must also include the necessary plans, drawings and other information, as specified in the Guidance Notes, and again as appropriate to the type of development being proposed. Some of the Checklist requirements (set out in the Checklist accompanying the letter from the Planning Services Division dated 20th April 1992) have been altered or enhanced. It is important that the requirements for information and plans, set out in the section on the Checklist in the enclosed Guidance Notes, be carefully studied and adhered to;

(iv) all applications must be accompanied by a receipt stating that the correct Building Levy has been paid and two copies of the sheet indicating how the fee has been calculated (a further circular will explain the Building Levy, and the way in which it is to be calculated, in more detail).

Applications may be submitted by post or by hand - they should be submitted to the following

By post - to the Planning Authority at PO Box 200, Valletta CMR 01

By hand - to the Planning Authority at St Francis Ravelin, Floriana.

The Planning Authority welcomes presubmission discussions with the Planning Directorate and indeed discussions on all planning matters. Appointments to meet particular officers are also encouraged. Requests for such meetings, appointments or discussions, or enquiries about anything in this Circular or in the "Guidance Notes for Architects" should continue to be made to

**Area Planning Units
Planning Directorate
Floriana CMR 02**

**Telephone : 221411/9
Extensions : 501, 502, 503**

The Directorate's offices will continue to be open to the public on Monday and Thursday mornings between 8.00 and 11.00am.