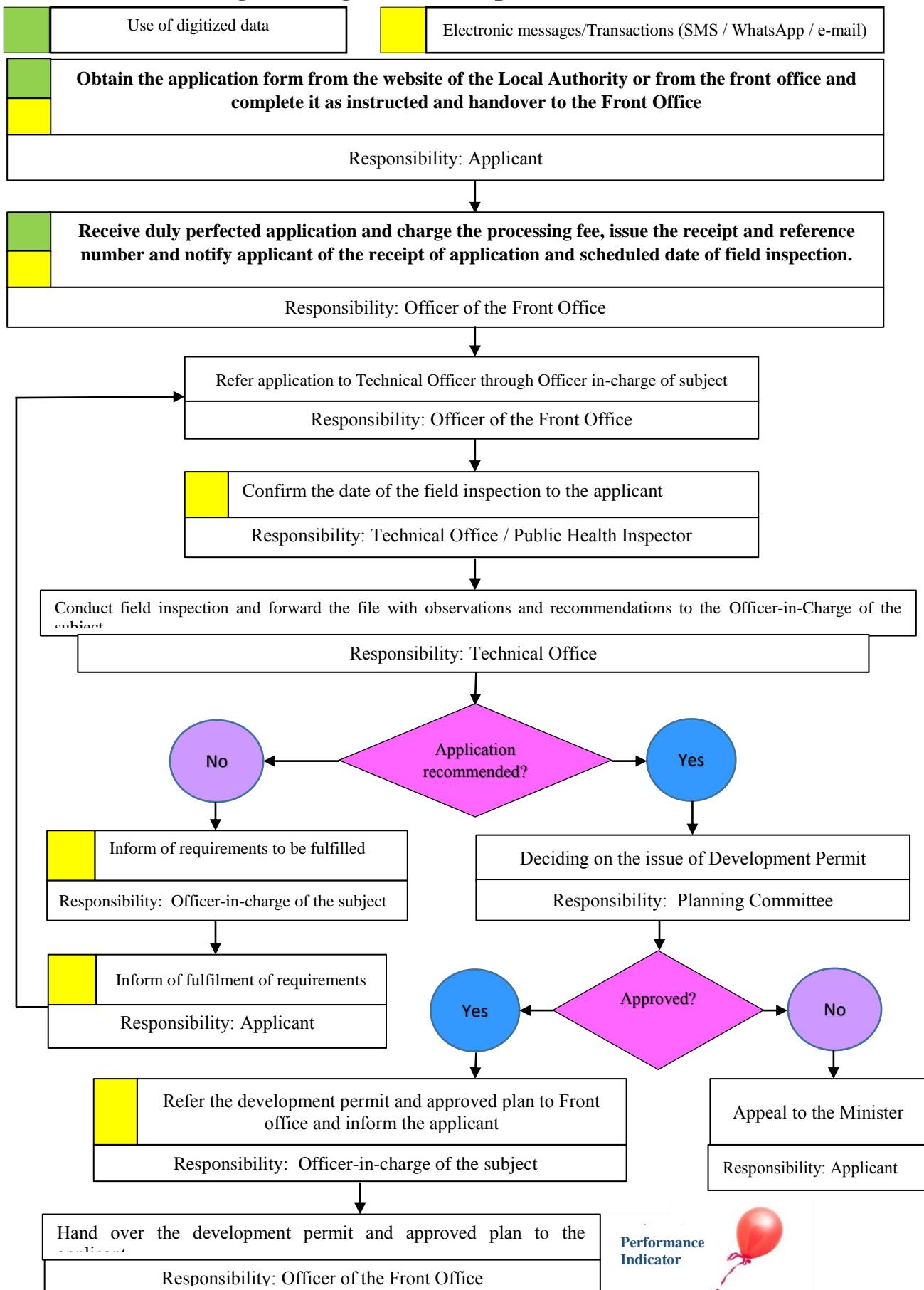


01. Issuing Building Plan Development Permits – Flow Chart



01. Issuing Building Plan Development Permits

1. Introduction

The legislations passed to provide for the regulation of the constructions carried out in an area of Local Authority have vested in the Local Authorities the authority to regulate the health, sanitation, convenience, and welfare of the people living within the area of authority. Accordingly, every construction carried out within the area of the Authority shall be under the construction permit issued by the Authority. In issuing the said permit, the regulations imposed with regard to health, sanitation, and convenience should be adhered to.

2. Applicable Legislations

- (a) Housing and Urban Development Ordinance (Chapter 268)
- (b) Regulations made under Housing and Town Improvement Ordinance
- (c) Urban Development Authority Act, No. 41 of 1978.
- (d) Urban Development Authority Planning & Development Regulations 2021, made under the Urban Development Authority Act and published in the Gazette Extraordinary No: 2235/54 on 07.08.2021.

3. Validity of the Development Permit

- (a) The building plan of any construction within the area that comes under the purview of the Housing and Urban Development Ordinance should have been approved by the Chairperson of the Local Authority concerned subject to the regulations made under the said Ordinance. These provisions of the Ordinance are applicable only to Pradeshiya Sabhas.
- (b) In the case of construction within an area declared as an “Urban Development Area” under Section 03 of the Urban Development Authority Act, No. 41 of 1978, the development permit should bear on the face of the permit the signature of the person authorized by the Urban Development Authority to the effect that he granted approval.
- (c) Any development permit is valid only for a period of one year from the date of issue. If construction cannot be completed within the period, the validity period can be extended for another period of one year each on two occasions. In the event of failure to complete the construction before the expiry of the validity period of three years, an application should be made to get a fresh development permit.
- (d) When approving any development permit, it should be subject to conditions or restrictions imposed, if any.
- (e) Any construction or alteration outside the elements approved by the development permit is not allowed in any manner whatsoever and any such construction or alteration will be treated as unauthorized construction.

Note: Certificate of Conformity (CoC) should be obtained before any building constructed under a development permit issued, is put for use. (the relevant procedure is set out separately)

4. Eligibility

- (a) The land should be within the area of the Local Authority that grants approval.
- (b) The applicant should be the legal owner of the property or an agent duly authorized by owner.
- (c) The Assessment List maintained by the Local Authority (in the case of land within an assessment zone) must contain the name of the person who claims the legal right to the property concerned. (For inclusion of name in the assessment list, refer to the procedure for registration of property ownership)
- (d)
 - (i) In case of construction within an area to which the Housing and Town Improvement Ordinance applies, the construction plan shall be drawn as per the rules specified in the Schedule of the Housing and Town Improvement Ordinance.
 - (ii) In the case of construction within an urban development area, there must be a construction plan drawn according to the terms specified in the Urban Development Authority Planning and Development Regulations 2021 made under the Urban Development Authority Act, No. 41 of 1978, and the survey plan of the land concerned must have been approved in accordance with those regulations.

5. Fees

- (a) Application fee as determined by the Local Authority from time to time.

Note: 1. The Local Authority shall decide the fee to be limited to covering printing expenses only.

2. No fee shall be charged for applications downloaded online.

- (b) Processing fees

Note: (i) The fees (processing fees) charged by the Local Authority for processing an application for a building construction permit shall be as shown in Schedule 2 of the Urban Development Authority Planning and Development Regulations 2021. As the legal authority to revise or amend these fees rests with the Minister in charge of Urban Development, it will be important to be aware of any amendments that may be made in advance. Efforts should also be made to keep this tariff cycle accessible to the public.

(ii) In the case of construction in an area outside an urban development area, the amount of fee charged shall be as decided by the relevant Local Authority from time to time.

(iii) In determining the amount of these charges, the Local Authority should refrain from charging in excess of the charges levied in an urban development area

6. Documents to be submitted

- (a) Depending on the development intended to be carried out, the applicable application -

(duly perfected application in the Specimen Form “C” in Schedule 1 of Urban Development Authority Planning and Development Regulations - 2021, should be submitted together with

Specimen Form “C” – Annexure II, Specimen Form “C” – Annexure III, Specimen Form “C” – Annexure IV, Specimen Form “C” – Annexure V, Specimen Form “C” – Annexure VI, Specimen Form “C” – Annexure VII together with the certificate issued by the person mentioned in annexure I, and a certificate duly issued by the relevant person mentioned in Schedule 3. According to the nature of the development, the details of the documents to be attached to the application form are given in the relevant application form itself. / In the case of a development in an area to which the Housing and Town Improvement Ordinance applies, the application in the Annexure hereof should be used. The application can be downloaded from the internet or be obtained from the Front Office

- (b) A certified copy of the National Identity Card of the applicant
- (c) 05 copies of the building plan certified by a qualified person (You may know from the website of the Local Authority or from the Front Office the applicable qualified person depending on the nature of the application)
- (d) A copy of the approved survey plan of the land on which the building is to be constructed (This applies only to urban development areas declared under Urban Development Authority Act.)
- (e) Depending on the nature of the building construction, certificates issued by the institutions mentioned in the application form.
- (f) When the applicant is not the owner of the land, a consent letter from the owner of the land
- (g) A rough sketch showing other surrounding landmarks for easy access to the location of land
- (h) A copy of the deed of the land certified by a Notary Public.

The Urban Development Authority has made available facilities to obtain the applications for approval of the building plans online. It is important that the local authorities also take the necessary steps to follow suit. (i) In the case of land in an assessment area, the property should have been registered in the name of the owner.

Note: 1. If the applicant's name as the owner of the property concerned is not included in the assessment register, relevant amendments should be made to the assessment register before proceeding with the construction permit application.

- 2. In completing the application, mistakes can be minimized by contacting the architect or other professional who prepared the plans related to the construction.

7. Procedure

Procedure	Duration	Responsibility
To obtain the application (From the Front Office or the Website of the Local Authority)		Applicant
To receive the application duly perfected and certified by the qualified person, charge the processing fee, issue the receipt, and inform the applicant of the Reference No. and the	At the time of receiving the application	Officer of Front Office

date of the field inspection		
To refer the application to the Technical Officer through the Officer in charge of the subject	At the time of receiving the application	Officer of Front Office
To send the confirmation of the date of the field inspection to the applicant	At the time of receiving the application	Technical Officer
Field inspection	On the scheduled day	Technical Officer
To refer the file together with his observations and recommendations regarding the application to the Officer in charge of the subject to be referred to the Planning Committee	On the field inspection day itself	Technical Officer
To consider the application with the recommendation of the Technical Officer and granting cover approval	On the scheduled day of the Planning Committee meeting	Planning Committee
To inform the applicant to pay the late fee for cover approval	The day following the date of the Planning Committee meeting	Officer in charge of the subject
To pay the late fee		Applicant
To charge the late fee and issue a receipt and inform the officer in charge of the subject	Immediately upon the payment of the late fee	Officer of Front Office
To make entries in relevant registers confirming the cover approval and get the signature of the authorized officer	Within two days from the Planning Committee meeting	Officer in charge of the subject
To refer the signed certificate to Front Office and inform the applicant to collect documents	Within two days from the Planning Committee meeting	Officer in charge of the subject
To hand over documents to confirm the grant of cover approval to the applicant and get his signature	If the applicant is present in person at the moment itself or by post or using electronic means	Officer of Front Office

Note: Arrangements should be made to allocate dates for site inspections as per the monthly advance work plan of the Technical Officer / Public Health Inspector and to send an approved copy of their monthly advance work plans to the Front Office to facilitate the inspection. The Local Authorities should also make the necessary arrangements to obtain the monthly advance work plan of the Field Officer online for easy reference of the concerned persons.

8. Legal consequences of construction in contravention of the conditions mentioned in the permit or of unauthorized construction.

Any construction carried out without obtaining a permit or in violation of the conditions of the permit issued shall be deemed as unauthorized construction. The Chairman will issue orders to demolish all such unauthorized constructions. In all cases of non-compliance with the order, a case will be filed in the Magistrate's Court under Section 28A of the Urban Development Authority Act No. 41 of 1978. The Magistrate will order the demolition of the unauthorized construction.

Angunakolapelessa **Pradeshiya Sabha**

(Instructions to complete the application)

In terms of the Housing and Town Development Ordinance (Chapter 268), the prior approval of the Chairperson of the Angunakolapelessa Pradeshiys Sabha should be obtained to construct a building on any land that is situated within the area of the Angunakolapelessa Pradeshiys Sabha and has not been declared as a development area under Section 3 of the Urban Development Authority Act No. 41 of 1978. Accordingly, the instructions required to complete the following application form submitted for the construction of a building and other documents to be submitted with it are explained here below.

01. Read and understand these instructions carefully and complete the application form. If any problem arises, ask the Front Office Officer of the Pradeshiys Sabha and get the necessary further instructions. Also, bring these instructions to the notice of the person preparing the plan of the building. By doing so, you can avoid the potential delay of having to change the plan from time to time.
02. The following attachments should be submitted along with the application form. (If photocopies are submitted, original copy should also be submitted for verification)
 - (a) A photocopy of the deed of the land.
 - (b) A copy of the survey plan of the land.
 - (c) In the event that the original copy of the deed and the plan of the property has been retained by a bank on granting a loan, copies of the deed and plan certified by the manager of the bank concerned should be submitted.
 - (d) Photocopy of National Identity Card of the applicant.
03. At the time of submission of the application, the following fees (a) to (e) must have been paid. You may inquire with the Officer of the Front Office/Officer in charge of the subject and ascertain the amount of arrears from (b) to (e).
 - (a) Processing Fee + Tax imposed by Government = Rs.
 - (b) Arrears of Assessment / Acreage (with Warrant Charges)
 - (c) Arrears water supply charges (with late charges, if any)
 - (d) Arrears of Waste Disposal Charges (Arrears)
 - (e) Arrears of Industry Tax / Business Tax
04. The application duly perfected as per the above instructions should be handed over to the officer of the front office / officer in charge of the subject and a receipt obtained.
05. The construction of any new building or the complete demolition of the existing building and the construction of a new building in its place is deemed as a construction for the purpose of this application, and any activity falling within the meaning of the term “alteration” in Sub-section (2) of Section 6 of the Housing and Urban Development Ordinance, is deemed as a

modification for the purpose of this application. The interpretation of the term “alteration” in Sub-section (2) of Section 6 of the Housing and Urban Development Ordinance is set out in paragraph 06 of these instructions.

06. As per Sub-paragraph (2) of Section 6 of the Housing and Town Improvement Ordinance an “alteration” means any of the following works –

- (a) the construction of a roof or any part thereof, or an external or party wall;
- (b) the closing or construction of any door or window in an external wall;
- (c) the construction of an internal wall or partition;
- (d) any other alteration of the internal arrangements of a building which effect any change in the open space attached to such building, or its drainage, ventilation, or sanitary arrangements;
- (e) the addition of any building, room, outhouse, or other structure;
- (f) the roofing of any space between one or more walls and buildings;
- (g) the conversion into a dwelling house of any building not originally constructed for human habitation;
- (h) the conversion into more than one place for human habitation of a building originally constructed as one such place;
- (i) the conversion of two or more places of human habitation into a greater number of such places;
- (j) the alteration of a building for the purpose of effecting a partition among joint owners; and
- (k) the re-erection of any part of the building demolished for the purpose of such re-erection or otherwise destroyed.

07. The proposed building plan shall be prepared to indicate the details stipulated hereunder:

- (i) The distance from the building proposed to be constructed or altered to the boundaries of the land belonging to the applicant, the distance from the proposed building to buildings on each side, rivers, canals, streams, main access road, other roads adjacent to the land, if any. A rough sketch showing the distance from the center of each road to the closest point of the building and the arrow pointing north.
- (ii) Distances from the building proposed to be constructed or altered to kitchens, wells, latrines and sheds on adjoining land, and rough sketches showing the place or places where septic tanks will be constructed for latrines to be constructed inside and outside the building.

- (iii) If a well is proposed to be constructed on the land, a rough sketch showing the distance from the site to the proposed building, to existing latrines on adjacent land and also indicate the purpose for which the proposed well is intended to be used.
- (iv) Internal length and width of each room, verandah and other parts of the proposed building.
- (v) The location and internal height and width dimensions of each door and window in the proposed building.
- (vi) Show the existing parts of the building to be modified in black and the parts proposed to be modified in red.
- (vii) The position and internal height and width dimensions of each existing and proposed door and each window in the building proposed to be constructed.
- (viii) Indicate the edge of eaves and the height of the top of the ceiling of the building proposed to be constructed or altered.
- (ix) Where the building or buildings to be constructed are used for human habitation or for any commercial or industrial purpose, there shall be adequate number of toilets.
- (x) Correct information about the followings should be mentioned in the application form.
 - * If the area is prone to flooding, where the land is located below the highest flood level, the arrangements to raise the building above the highest flood level.
 - * The purpose for which the building is to be used.
 - * Rainwater and wastewater drainage system.
 - * Construction materials used for construction or alteration