

CHAPTER 8 PLANNING AND BUILDING REGULATIONS

Draft Sambalpur Development Authority (Planning and Building Standard) Regulations 2012 have been prepared by SDA under sub-Section(I) of Section 124 of the Orissa Development Authorities Act 1982 (Orissa Act. 14 of 1982) and is submitted to the State Government for sanction.

The development activities in the SDA shall be regulated as per the proposals of CDP and the said planning and building including zoning regulations. Development control regulations for overall planning of the SDA area and individual building has been prescribed in the Sambalpur Development Authority (Planning And Building) Regulations 2012 submitted to the State Government for sanction by the SDA in 2012. Once these regulations are sanctioned, this will become part of the CDP and will be in force for the whole SDA area. Procedure for taking building permission, limits of various parameters for well coordinated planning of the SDA area, the bye laws for various types of individual buildings and group housing, parking requirements and controlling the development in each zone prescribed in the CDP are highlights of this regulations. SDA will have a strong statutory planning tool specifically for its area in the form of this Regulation. As of now, the SDA is controlling the development considering the development control regulations of the Bhubaneshwar Development Authority area.

Zoning Regulations as prescribed under Part-V Zoning Regulations under Draft Sambalpur Development Authority (Planning and Building Standard) Regulations 2012 prepared under sub-section (1) of Section 124 of the Orissa Development Authority Act (Orissa Act 14 of 1982) shall be applicable in the Comprehensive Development Plan in force.

As per the justifications stated under the heading “9.1 Inadequacy” of Chapter-9, of Status Survey Report Part I, additional suitable regulations, are framed and suggested for inclusion (when ever required with necessary variations in part or full) in the Draft Sambalpur Development Authority (Planning and Building Standard) Regulations 2012 pending with State Government for sanction or after it come into force.

In the Draft Sambalpur Development Authority (Planning and Building Standard) Regulations 2012, after Regulation no 50 of “Part-II, General Building Requirements” following Regulations under Part II-A may be considered for inclusion by Sambalpur Development Authority.

Part II-A

50-A Amendments/Additions to the Sambalpur Development Authority (Planning and Building Standard) Regulations 2012.

(i) REGULATION 2 (14)

BASEMENT OR CELLER

Definitions	2.	14	“basement or cellar” means lower storey of a building not less than 0.9 meters and not more than 1.2 meters above the ground level. “In genuine requirement of parking, the competent authority may permit the second cellar if the parking space available at ground level and in first cellar is not sufficient, for the reasons stated in writing.”
-------------	----	----	--

(ii) REGULATION 29

MINIMUM AREA OF SITE FOR MULTI – STORIED BUILDING

Minimum Plot area for multi-storey building	29.	The minimum area of a site for construction of a multi-storeyed building shall not be less than 1000 square metres. The height of a multi storeyed building shall be maintained according to the area of the site given in the table below.
MINIMUM PLOT AREA REQUIREMENT FOR MULTI-STOREYED BUILDING		

Table – 1

Height of the building in meters	Minimum area in square meters
15 to 21	1000
21 to 27	2000
Above 27	3000

“Sambalpur Development Authority shall in consultation with the Fire Fighting Department, work out the maximum height of the building. Provision of appropriate size of the underground water tank and periodic declaration to the availability of water in the tank shall be made by the owner of the multistoried building to the Sambalpur Development Authority.”

(iii) REGULATION 2 (65)

NON CONFORMING USE OF BUILDING OR LAND

65	‘non conforming use of a building or land means the use of building or land existing at the time of commencement of these Regulations and which does not conform to the Regulations pertaining to the zone in which it is situated.
----	---

“If a building / land is being constructed / built / intended to be used which does not conform to the Regulations pertaining to the zone in which it is situated is also identified as non conforming use.”

(iv) REGULATION 30

RESIDENTIAL BUILDING FOR BASTI AREA

Requirements for Basti Area	8.	(i)	In a Basti area, permission to erect a building may be given on the basis of the available width of means of access, provided that where the width of means of access is 4.5 metre or less, the coverage shall be limited to 50% of the plot area and the maximum height of the building limited to two storeys and the F.A R limited to 1.0. “In a Basti area, permission to erect a building may be given on the basis of the available width of means of access, provided that where the width of means of access is 4.5 metre or less, the maximum height of the building with the use of
-----------------------------	----	-----	---

			any building material shall be limited up to two storeys with or without plinth. No weather shed or Cellar shall be permissible.”
--	--	--	---

(v) REGULATIONS 43 (1) and 43 (10)

OFF STREET AND VISITORS PARKING SPACE

REGULATION 43 (1)

REQUIREMENTS FOR OFF STREET PARKING

Off Street Parking Space	43	(1)	In all buildings including Apartment buildings/ Group Housing, Hotels, Restaurants and Lodges, business buildings, commercial buildings, Institutional buildings like hospitals, Educational buildings like schools and colleges, multi-storied buildings/ complexes etc. and all other non-residential activities provision shall be made for parking spaces as per the following requirements.
--------------------------	----	-----	--

TABLE – 16

Off Street Parking space for different category of occupancies

Sl. No.	Category of building/ activity	Parking area to be provided as percentage of total built up area
1	2	3
1	Shopping malls, Shopping malls with Multiplexes/ Cineplexes, Cinemas, Retail shopping centre and IT / ITES complexes.	60
2	Hotels, Restaurants, lodges, other commercial buildings, assembly buildings, offices and High-rise buildings/ complexes	40
3	Residential apartment buildings, Group Housing, Clinics, Nursing Homes, Hospitals, Institutional and Industrial buildings.	30

REGULATION 43 (10)

VISITORS PARKING SPACE

10	At least 20% of the parking in group housing, apartment buildings shall be earmarked for visitors. The Visitors parking facility shall be open to all visitors.
10 A	“10 A - At least up to 40% of the plot area where religious activities (including religious buildings) and open space activities (parks, gardens, play grounds, open party / marriage plots etc.) are held Shall be earmarked as visitors parking space”.

(vi) REGULATION 44

SANITARY ACCOMMODATION

Drainage and sewerage	44.	(1)	It shall be the responsibility of the builder or the owner of the building to ensure that the plinth is high enough to prevent drainage/sewerage water entering into the lowest floor at the highest recorded level of rainfall.
		(2)	No permission shall be granted for construction over the drains identified and incorporated in Comprehensive Development Plan.
		(3)	No permission shall be granted for construction over an existing tank after refilling, or a tank refilled within a period of one year prior to the date of notification of these regulations.
		(4)	Where any construction is taken up over any drain, or waterway, the Vice Chairman can apart from taking action for removal of the constructions, take action for recovery of the cost of restoration of adequate drainage. The rates for this will be decided by the committee constituted under sub-regulation(3) of Regulation 7.
		(5)	All the buildings when erected or re-erected from foundation or when additions to the floors are made shall be provided with minimum sanitary accommodation.”

50-B MAHANADI RIVER FRONT DEVELOPEMNT

The river front is totally neglected. There is a great scope and opportunity to undertake river front development which will be self financing development in the long run. Such a scheme will provide water front to the new development that can be undertaken on both the banks of the river by rebuilding part of the river bed land for construction and recreation use. Government will have to undertake hydraulic survey and constitute Mahanadi Riverfront Development Corporation for formulating the River Front Development. Subsequently suitable regulations will be framed for this development by the Mahanadi Riverfront Development Corporation.

50-C DEVELOPMENT OF LOW COST HOUSING

SCOPE :

These regulations shall be applicable to development of schemes for socially and economically backward class of people for economically weaker section of the society and for low cost housing only undertaken by public agencies, co-operative societies Government or Semi Government bodies, Registered Developers etc.

50-C.1 PLANNING :

The type of development for housing for socially and economically backward class of people

and for low cost housing, block development as group housing,

- (i) The maximum permissible density in Dwelling shall be 225 dwellings per hectore.
- (ii) The minimum and the maximum plot size shall be between 18 sq.mts. and 40. sq.mts. respectively with built up area not exceeding 70% of the plot area leaving front as well as rear margin of 1.5 mts.
- (iii) The minimum frontage of plot shall be 3.0 mts. in width.
- (iv) At every 20 such continuous plots 2.0 mts. wide space open to sky shall be provided.
- (v) The maximum numbers of stories in a building construction on the plot shall be ground plus one upper storey only.
- (vi) Common plot at the rate of 10 percent of the area of the plot / land developed shall be provided for open space / community open space which shall be exclusive of approach roads, path ways, or margins .

50-C.2 GENERAL BUILDING REQUIREMENTS:

- (1) The minimum height of the plinth shall be 30 cms. from the top surface of approach road or path way.
 - (2) The maximum floor space index permissible shall be 1.8.
 - (3) (a) The size of living room , bed room shall not be less than 8 sq.mts. with minimum width of 2.4 mts.
 - (b)(i) Size of independent Bath-room and w.c shall be 0.9 sq.mts. with minimum width of 0.9 mts. each.
 - (ii) Size of combined bath room and w.c. shall be 1.8 sq.mts. with minimum width of 1 mt.
 - (4) (i) The minimum height of room shall be as under:-
 - Living room : 2.4 mts.
 - Kitchen room : 2.4 mts.
 - Bath /w.c : 2.1 mts.
 - Corridor : 2.1 mts.
 - (ii) In case of the slopping roof the average height of the roof shall be 2.1 mts. and the minimum height of the eaves shall be 2.4 mts.
 - (iii) The minimum slopes of the slopping roof shall be 300 for G.I sheets, asbestos sheets or tiled roof while for R.C.C slopping roof, the minimum slop shall be 120.
 - (5) The opening through windows, ventilators and other opening for light and ventilation shall be as under:
 - (i) One tenth of the room floor area.
 - (ii) For w.c and bath not less than 0.2 sq.mts.
- The width of stair case shall be 0.75 mts. minimum. The maximum height of the riser shall be 20 cms. The minimum width of the tread shall be 22.5 cms. The minimum clear head roof of the stair case shall be 2.10 mts.

(iii) There shall be one staircase for every 12 (twelve) dwelling units or part thereof.

50-C.3 ROADS AND PATHWAYS :

(i) The area under the roads and pathways in such housing project shall normally not exceed 20 percent of the total area of the project.

(ii) Access to the dwelling units where motorised vehicles are not normally expected shall be by means of paved foot paths with right of way of 6 mts. and pathways of 2 mts. only . The right of way shall be adequate to allow for plying of emergency vehicles and also for side drains and plantation.

(iii) Where motorable access ways are not provided and pedestrian path ways are provided the minimum width of such path way shall be 4.0 mts. which shall not exceed 50 mts. in length.

50-C.4 MINIMUM REQUIRED: ACCOMMODATION

(i) The minimum accommodation provided in every dwelling unit shall be one living room and a w.c. where there is a drainage system , the agency developing the area shall install and maintain the internal drainage system. where there is no drainage system the individual soak-pit shall be provided as per provision of National Building Code.

(ii) The loft if provided in the room shall not cover more than 30 % of the floor area of the room.

50-C.5 STRUCTURAL REQUIREMENTS :

(i) Load bearing walls of the building shall be of Brick stone or pre cast block in any mortar. In the case of R.C.C framed structure or wooden framed structure filler walls may be of suitable local materials.

(ii) Roof of the building shall be of galvanized iron sheets, asbestos sheet , tiles roof or R.C.C. roof .in the case of upper storied buildings middle floor shall be of wooden or R.C.C. and rest as per choice.

(iii) Doors and windows of building shall be of any material.

(iv) Rest of the work of building shall be as per locally available resources and as per choice.

(v) For structural safety and services Regulations 18.4 and 18.5 (1) shall be applicable.”

50-D REGULATION FOR EXISTING SLUM REDEVELOPMENT AND REHABILITATION OF SCHEMES ON SELF FINANCING BASIS

50-D.1 DEFINITION OF SLUM

Slum means an Area which also contains sheds, huts constructed principally of wood, mud, leaves, grass, cloth or thatch and includes any temporary structures of whatever size and any small building of whatever material made, intended primarily for human habitation.

50-D.2 REDEVELOPMENT / REHABILITATION OF EXISTING SLUM

These regulations shall apply to all lands / plots or part / portion of lands / plots on which slums are existing as per the 1961 census or earlier or as the case may be and / or plots being processed for slum upgradation, redevelopment, rehabilitation on the following basis.

(1) Redevelopment of slum dwelling units or lands / plots on which slums are existing as per the 1961 census shall be permitted for the rehabilitation of the slum dwellers through the owner of such land or their authorised agents / developers as approved by the Sambalpur Development Authority by permitting redevelopment for slum dwellers.

(2) All eligible slum dwellers residing on the land area / plot to be redeveloped shall have to be accommodated on the same plot.

(3) CDP Roads abutting such building unit/plots may also be cleared of existing slums by owners of such land by providing them accommodation in the scheme.

(4) In any such scheme, area of existing or new proposed commercial use or household work place shall be permitted.

(5) Each hutment dweller personally (or his legal heir) residing as per record in 1991 census shall get the benefit of rehabilitation.

(6) The owners / authorised developer shall organize all the eligible hutment dwellers into a Registered Co-Op Housing Society / or an Registered Association.

(7) The owners / authorised developers shall grant a unit of minimum built-up area of 20 Sq. Mts. subject to minimum 14.00 sq. mts. carpet area only in Low-Rise Buildings to each of the eligible slum dweller.

The rehabilitation unit shall be completed with atleast common water supply, drainage and electricity on sharing basis.

(8) The permissible F.S.I. for the remaining plot shall be on the basis of Gross Building unit / Plot / land area with addition F.S.I. of 0.50 of the F.S.I. consumed for eligible slum dwellers.

(9) If in case it is necessary to shift some or all hutment dwellers to necessitate the new construction, transit accommodation facility shall be offered by the owners/authorised developer at his cost and the occupants shall have the vacate the slums and shall have move to the transit accommodation.

(10) The owners / authorised developers shall transfer the absolute ownership rights free from all encumbrance of proposed construction of rehabilitation until including their absolute rights in the part of land set apart for the rehabilitation to a registered Co-Op-Housing Society / Association of Slum, Hutment dwellers without any consideration. The owner / authorised developer shall have absolute rights of ownership of balance land and shall be entitled to develop such balance land.

(11) Possession and ownership of newly constructed unit for slum dweller under rehabilitation, rehabilitation scheme shall be given only, after the hutment dweller has relinquished all the rights in original hut and the land bellow it, as well as has peacefully handed over the possession of transit facility and paid all the dues. Each hutment dweller shall thus become virtual owner of his allotted dwelling unit through his membership of Co.-Op Society/Association.

(12) The allottee who has been given the rehabilitation unit shall not alienate the unit or transfer it to anybody else (except the legal heirs) for a period of ten years from the date of taking over possession without prior permission of Sambalpur Development Authority.

(13) The Co-Op housing Society / Association of the hutment dwellers at their cost shall manage and maintain the common facilities and amenities provided within the area

transferred to the society / association and also shall be responsible for maintaining common amenity and services and also pay the Govt. and Municipal Taxes, applicable from time to time.

50-E Ramps for Handicapped people

The provision of the ramp with a handrail to every public building on ground floor only is compulsory for handicapped people, as per the revised National Building Code and the same may be provided.

50-F Refuse area/Disposal of solid waste :

Wherever a property is developed or redeveloped, a space for community-Bin for disposal of Solid Waste shall be provided in the road-side front marginal open space. The owners / occupants shall be required to provide the community-Bin with air-tight cover on top.

50-G Provision of Letter Box

In the case of building having more than two floors including ground floor, a unit of letter boxes for each separate unit shall be provided at ground floor level by the owners of the built up area in such a way that post man can easily deliver the posts in these letter boxes.