

# THE STREETS AND BUILDINGS REGULATION LAW.

(CAP. 165 and Law 10 of 1950.)

STREETS AND BUILDINGS REGULATIONS.

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## PART I.—PRELIMINARY.

1. These regulations may be cited as the Streets and Buildings Regulations.

2. In these regulations—

“approved” in relation to any material, means approved by the appropriate authority;

“cubical content” in relation to the measurement of a building, means the space contained within the external surface of its walls and roof and the upper surface of the floor of the lowest storey, and, in the case of a pitched roof, to the underside of the uppermost ceiling;

“domestic building” means a dwelling-house, shop, office building or any other building which is neither a public building nor an industrial building;

“drain” means any drain used for the drainage of one building only, or part of one building only;

“fire-resisting material”—

(a) for the purpose of beams, posts and staircases, means oak, plane, teak, walnut or other hard timber not less than one-and-a-half inches thick;

(b) for the purpose of floors, means any suitable timber, provided that the spaces between the joists are filled in with good concrete pugging at least three inches thick or with other solid and incombustible material at least three inches thick and that the under-side of the joists is covered with a sufficient thickness of good plaster or other incombustible material;

(c) for each of the several purposes aforesaid, means any other material or mode of construction which in the opinion of the appropriate authority is not less fire-resisting;

“ground storey” means that storey of a building to which there is an entrance from the outside on or near the level of the adjoining ground or street and when there are two such storeys then the lower of the two;

Provided that no storey of which the floor level is more than four feet below the level of the adjoining ground or street shall be deemed to be a ground storey;

“habitable room” means a room constructed or adapted for use as a living or sleeping room;

“height” in relation to a building, means the vertical distance measured from the crown of the street, or where there is no such street then the natural level of the ground immediately in front of the centre of the face of the building to the level of the top of the external wall or, in the case of a pitch-roofed building, to the level of the eaves;

“industrial building” means a warehouse for the storage of goods, factory, laundry, brewery, distillery, iron foundry and includes any building put, or to be put, to any use permitted in any zone defined by the appropriate authority with the approval of the Governor under section 14 of the Law to be a zone within which special trades or industries may be carried on;

“Law” means the Streets and Buildings Regulation Law, Cap. 165 and Law 10 of 1950, or any Law amending or substituted for the same;

“party wall” means—

(a) a wall forming part of a building and used or constructed to be used for separation of adjoining buildings belonging to different owners, or occupied or constructed or adapted to be occupied by different persons; or

(b) a wall so placed that the boundary of the lands of two different owners lies parallel to and within the thickness of the wall measured at ground level;

“public building” means a building used or constructed or adapted for use, either ordinarily or occasionally, as a church, chapel, mosque or other place of public worship, or as a hospital, public institution, college or school (not being merely a dwelling-house so used), theatre, restaurant or coffee-shop (the main hall of which has a floor area of not less than 1,000 square feet), hotel (having not less than eight bedrooms for guests and being of a cubical content of not less than 50,000 cubic feet) public hall, public concert room, public ballroom, cabaret, public lecture room or public exhibition room, or as a public place of assembly for persons admitted thereto, by tickets or otherwise and whether on payment or not, or used or constructed or adapted to be used, either ordinarily or occasionally, for any other public purpose;

“roadway” in relation to any street or way means the whole space open for traffic whether vehicular traffic and foot traffic or foot traffic only and includes pavements;

“street alignment” means the alignment for a street as determined under the provisions of the Law.

#### PART II.—PERMITS TO CONSTRUCT A STREET, TO DIVIDE LAND FOR BUILDING PURPOSES OR TO DIVIDE BUILDINGS.

3. Every application for a permit to lay out or construct a street or lay out or divide any land into plots for building purposes or divide any existing building shall be made in duplicate to the appropriate authority; it shall be signed by the owner or his duly authorized agent and shall be made in such form as may be prescribed from time to time by the appropriate authority. Every such application shall be accompanied by the following documents:—

(a) the certificate of registration of the land affected, or, in the event of the property being mortgaged, a certificate from the Land Registry Office that the land is registered in the name of the applicant and a statement from the mortgagee that he has no objection thereto;

(b) the relevant Government Survey Plan in duplicate of the area affected on the largest available scale showing in red lines the proposed work together with the dimensions of all plots and the widths of all streets affected thereby; and

(c) if required by the appropriate authority, drawings showing longitudinal sections and cross sections of any new streets, culverts and ditches.

4. In considering an application for the division of any land, the appropriate authority may require the alteration of the boundaries of any adjoining plot or plots belonging to the same owner and may also require that plots resulting from the division shall be of such size and shape and with such frontage as the appropriate authority may in each case consider necessary or appropriate. Every such plot shall not be less than 5,600 square feet nor with a frontage less than seventy feet:

Provided that the appropriate authority may, in any case in which it considers that it is equitable so to do, dispense with the above requirements as to the size and frontage of plots.

## PART III.—BUILDING PERMITS.

5.—(1) Every application for a permit to erect, demolish or reconstruct any building or make any alteration, addition or repair to any building (hereinafter referred to as “a building permit”) shall be made in duplicate to the appropriate authority; it shall be signed by the owner or his duly authorized agent and shall be in such form as may be prescribed from time to time by the appropriate authority.

Every such application shall be accompanied by the following documents:

- (a) the certificate of registration of the property comprising the building site, or, in the event of the property being mortgaged, a certificate from the Land Registry Office that the property is registered in the name of the applicant and a statement from the mortgagee that he has no objection thereto;
- (b) a plan of every floor, such elevations as are necessary to indicate the external appearance of the building and sections of every storey floor and roof of the building, in duplicate, drawn or reproduced in a clear and intelligible manner on suitable and durable materials to a scale of not less than one in one hundred (1 : 100) and showing—
  - (i) the position, form, dimensions, method and materials of construction of the foundations, walls, floors, roofs, chimneys and the several parts of the building;
  - (ii) the form and dimensions of every watercloset, urinal, earth-closet, ashpit, cesspool, septic tank, well and water tank to be constructed in connection with the building;
  - (iii) the level of the lowest floor of the building in relation to the level of any street adjoining the curtilage of the building, the site of the building, the other floors and roof of the building;
  - (iv) any such other information as may be required by the appropriate authority:

Provided that when the cubic content of any building or addition does not exceed one thousand cubic feet, or when the estimated cost of any alteration does not exceed one hundred pounds, the appropriate authority may accept an application for a building permit unaccompanied by plans drawn to scale and in such case sketch plans with figured dimensions shall be submitted;

- (c) a site plan in duplicate of the largest scale Government Survey Plan available showing—
  - (i) the boundaries of the building site;
  - (ii) the position of the proposed building or the alteration or addition to any existing building in relation to those boundaries on the same scale as the Government Survey Plan;
  - (iii) the access to the plot from some existing street;
  - (iv) the position of all tanks, wells, septic tanks, cesspits and soak-aways and the drains connected thereto; and
  - (v) the area of the plot and the area covered by existing buildings and proposed buildings in square feet.
- (2) If with regard to any load-bearing part of the building the appropriate authority is not satisfied as to the stability of the proposed building or any part of it, it may require the following information:—
  - (a) full detail drawings showing the proposed method of construction and sizes of all structural parts of the building;
  - (b) the calculations of strength and stability upon which the details referred to in (a) above are based;
  - (c) a specification of the materials to be used.
- (3) During the progress of any building operations the owner shall—
  - (a) take all necessary steps to secure the free and safe use of the street by the public and to protect the neighbours from any eventual harm or nuisance;

- (b) if the appropriate authority so directs, provide and maintain proper sanitary arrangements for the use of the workmen engaged thereon.
- (4) After the completion of the digging of the foundation trenches the permit holder shall give notice thereof in writing to the appropriate authority for an inspection and he shall not proceed with the erection of the building until such inspection has been made and the appropriate authority has agreed in writing that he may proceed :
- Provided that the inspection shall be made within forty-eight hours from the receipt of the notice.
- (5) The owner shall remove any debris which remains on or about the premises or adjacent land or streets after the building operations have been completed or at such stages as the appropriate authority may direct while the building is in the course of construction.

#### PART IV.—HEIGHTS AND SPACE ABOUT BUILDINGS.

6.—(1) With regard to building permits, the following requirements shall be observed, that is to say :—

The area of any plot which may be occupied by a new building or by an existing building, together with any new building or addition and extension to an existing building—

- (a) if the building consists of one storey, shall not exceed 50% of the total area of land comprised within the boundaries of the plot ;
- (b) if the building consists of more than one but not more than three storeys, the ground floor shall not exceed 50% and the first and second floor 40% of the total area of land comprised within the boundaries of the plot ;
- (c) if the building consists of more than three storeys, every floor above the second floor shall not exceed 30% of the total area of the land comprised within the boundaries of the plot :

Provided always that—

- (i) out of the percentages hereinbefore mentioned, a percentage of not more than 10% in each case may be occupied by auxiliary buildings not more than 12 feet in height and not less than 5 feet from the main building, for use in connection with the main building ;
- (ii) the area occupied by covered verandahs shall be included in each one of the areas hereinbefore mentioned but the area occupied by external steps, open garden-tanks and open verandahs shall not be included in such area, except that the area occupied by open verandahs on the ground floor which are higher than 4 feet from the ground level, shall not exceed 3% of the total area of land comprised within the boundaries of the plot.
- (2) Notwithstanding anything hereinbefore contained, where the building is to be used as an industrial or as a public building the area of any plot which may be occupied by the building to be erected and by existing buildings, if any, may, with the approval of the appropriate authority, be increased to 60% of the extent of the land lying within the boundaries of the plot, and of the 60% aforesaid not more than 20% may be occupied by auxiliary buildings for the same purpose.

(3) No part of the main building or alteration or addition to any existing main building and no open verandah higher than 4 feet from the ground level shall be less than 10 feet from any boundary of the plot on which it stands, except that in the case of industrial buildings the appropriate authority may sanction such lesser or greater distances as it may in each case consider necessary or appropriate.

(4) Nothing in this regulation shall apply to buildings in any area to which regulation 7 applies.

(5)—(a) Notwithstanding anything in this regulation contained, as regards plots of the undermentioned sizes in all rural municipalities, the following provisions shall apply in lieu of the provisions of this regulation, that is to say :—

- (i) if the area of the plot does not exceed 1,000 square feet in extent, no part of the main building or alteration or addition to any existing main building shall be less than 5 feet from any boundary of the plot on which it stands ;
  - (ii) if the area of the plot exceeds 1,000 square feet in extent but does not exceed 1,500 square feet, no part of the main building or alteration or addition to any existing main building shall be less than 7 feet from any boundary of the plot on which it stands ;
- (b) For the purposes of this paragraph of this regulation—  
“rural municipality” means a municipal corporation other than the municipal corporations of the towns of Nicosia, Limassol, Famagusta, Larnaca, Paphos and Kyrenia.

7.—(1) This regulation shall apply only to buildings erected in such areas, as are defined, for the purpose of this regulation, on survey maps signed by the appropriate authority and the Director of Land Registration and Surveys and deposited at his office. Copies of such survey maps shall be deposited in the office of the appropriate authority concerned and shall be open to the inspection of the public during office hours.

(2) The height of a building shall not exceed six-fourths of the horizontal distance measured between the face of the building and the street alignment on the opposite side of the street on which the building abuts, and, where no such alignment exists, then the maximum height shall be determined by the appropriate authority :

Provided that—

- (a) the height of a building erected on a corner plot and abutting on more than one street shall be regulated by the wider of such streets and the height of the building on the narrower of such streets may, to a distance not exceeding 45 feet from the wider street, be equal to that on the wider street ;
  - (b) towers, domes and other architectural features and adornments may rise higher than the permitted height of the building subject in each case to the special approval of the appropriate authority who may attach to the approval such conditions as it thinks fit ;
  - (c) a building erected on a corner site and having frontages on to two streets or on to one street and an open space not less than 40 feet in width may, in any special case, be exempted by the appropriate authority from the provisions of this regulation, either unconditionally or upon such conditions as the appropriate authority may prescribe.
- (3) In the case of buildings having a depth of more than 25 feet, there shall be provided in the rear an open space as follows :—
- (a) when the building does not exceed 14 feet in height, the space shall be not less than 50 square feet ;
  - (b) when the building exceeds 14 feet in height, for every additional 12 feet or part thereof the space shall be increased by 50 square feet :

Provided always that the width of the space shall, in no case, be less than 4 feet and that in cases of doubt the appropriate authority shall determine which part of any building shall be deemed to be the rear for the purposes of this paragraph.