

DETAILED TOWN PLANNING SCHEME  
for the place  
BETWEEN SOUTH OVER BRIDGE  
&  
CHURCH LANDING ROAD

PART I & II

## INTRODUCTION

Transportation routes always decide the form and pattern of development of any city. Cochin City which had grown haphazardly without any prefixed pattern has the congenital imbalances of growth. Many roads have become obsolete. Improvements to most of the roads can only be done with greater resistance. Peak hour traffic along city arteries is becoming hazardous. A gradual re-organisation of roads within the city based on a system of traffic movement is a prime function before Greater Cochin Development Authority.

Ernakulam-Vaikom Road is the major regional artery connecting the eastern regions of the hinterland with the city. In the hierarchy of roads it assumes more prominence with the commission of Cochin Marine Drive Scheme. Though there exists a direct link of this road from M.G. Road to the foreshore area, this is not fit for handling the bulk of prospective traffic. In order to rationalise the traffic along this route, widening of the road from South Overbridge to Foreshore area is the only alternative available at present. Controls on the development on both sides of the road, acquisition at certain points in order to check under-utilisation and reorganisation of the land use have been contemplated.

The variation of the scheme as prepared by Greater Cochin Development Authority (in two parts) is published for eliciting objections and suggestions from the public. I hope the elite public will put forward their valuable comments in a creative spirit.

  
SECRETARY  
GREATER COCHIN DEVELOPMENT AUTHORITY

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DRAFT SCHEME

THE DETAILED TOWN PLANNING SCHEME FOR THE PLACE  
BETWEEN SOUTH OVER BRIDGE AND CHURCH LANDING ROAD  
PART I & II

TITLE

1. This scheme may be cited as the Detailed Town Planning Scheme for the place between South Over Bridge and Church Landing Road Part I & II.

Definition:

2. In this scheme unless there is anything repugnant in the subject or context-

- a) "Act" means the Town Planning Act (Act IV of 1108)
- b) "Municipal Act" means the Kerala Municipal Corporation Act 1961.
- c) "Development Authority" means the Greater Cochin Development Authority.
- d) "Secretary" means the Secretary, Greater Cochin Development Authority.
- e) "Chief Town Planner" means the Chief Town Planner to Government of Kerala.
- f) "Scheme" means the Detailed Town Planning Scheme for the place between South Over Bridge and Church Landing Road Part I & II.
- g) "Schedule" means a Schedule appended to the Scheme.
- h) "Map" means a Map annexed to the Scheme.
- i) "Street" includes roads, street and lanes.
- j) "Date of Scheme" means the date of notification of the scheme in the Kerala Government Gazette under Section 12 of the Act.
- k) "Rules" means the rules made under Section 41 of the Act.
- l) "Area" means the area to which the Scheme applies.
- m) "Government" means the Government of Kerala.
- n) "Arbitrator" means the arbitrator appointed for the Scheme under section 26 of the Act.
- o) "Building line" means a line which is in the rear of the street alignment and up to which the main wall of the building abutting on a street may lawfully extend and beyond which no portion of the building may extend except as prescribed in the Kerala Municipal Building Rules in force.
- p) "Town Planner" means Town Planner of the Kerala State Town Planning Service holding jurisdiction over the area.

Responsible Authority:

3. The Secretary shall be the responsible authority for the purpose of the Scheme and shall function as such for a period of 20 years from the date of the scheme unless the Government order otherwise.

Area of Scheme:

4. The Area to which the scheme applies shall be that within the inner edge of the boundary lines (dot and dash) marked in the map.

Ownership and Extent:

5. The ownership of all lands in the area with extent as per the registers maintained by the Development authority and/or Revenue Office as on the date of publication of the notification, under section 8 of the Act is given in Sch.1.

Estimate of the Cost:

6. 1) A estimate of the total and net cost of the scheme is given in form No.11, Sch.11. The net cost is proposed to be financed as therein stated. The estimate is liable to such revision as the responsible authority may consider necessary.
- 2) The execution of any works, which under the scheme are to be executed by the responsible authority or any other agency may be undertaken in such order and at such time as the Development Authority may determine and completed within a period of 20 years unless the Government for financial or other reasons, order otherwise.
- 3) The responsible authority shall have power to specify any date or period within which the execution on any works which under the scheme are to be executed by any authority, owner or other person as the responsible authority thinks necessary and expedient for the purpose of securing development of the area without delay and ensuring the efficient operation of the scheme,

Streets:

7. 1) Subject to the provisions of the scheme all streets mentioned in Schedule III (form No.8) shall be constructed by the responsible authority or other public agency authorised by Government on the lines shown in map DSN/2, provided that reasonable modifications in the alignment of streets or in the layout of any portion of the area may be made by the responsible authority with the approval of the Chief Town Planner.
- 2) Any other private street that may be permitted in the scheme area with the permission of the responsible authority and in conformity with the proposed development of the area shall comply with the requirements of KBR 84.

- 3) The responsible authority may with the approval of the Chief Town Planner, undertake to carry out any private street work or widening of any existing private street (not included in the scheme) whether with the consent of owners or occupiers of buildings of lands fronting or abutting on such streets, or by acquiring the land covered by the street, provided that, the expenses incurred shall be paid by the owner or occupier according to the frontage of their respective lands or in such proportions as may be settled by the responsible authority.
- 4) No person shall build any wall or erect any fence or other construction or projection or make any encroachment in or over any land intended for use as a street or land.
- 5) The responsible authority, shall so far as the funds at his disposal may permit provide a sufficient and satisfactory system of drains along the public streets in the area affected.

#### Submission of Layout Plans

- 8.1) If any owner of land within the scheme area intends or proposes to layout a street, lane or pathway or subdivide, utilise, lease or otherwise dispose of any land as a site or sites for building purposes, he shall, submit for the approval of the responsible authority a site or layout plan showing the land and the site or sites intended or proposed for building purposes and the street or the streets either existing already or intended to be laid out and made by the owners for giving access to the site or sites as per the provisions of KBR.
  - 2) Save in such cases as the site or sites intended for building purposes may abut on any existing public street or existing private street, the owner of the land shall layout and make the street or streets giving access to the site or sites, connecting with an existing street in compliance with the provisions of the scheme and KBR.
  - 3) The owner of the land shall not proceed to sub divide, utilise, sell, lease or otherwise dispose of the site or sites intended for building purposes unless he has carried out or otherwise made arrangements to carry out the street works in compliance with the provisions of the scheme and in accordance with KBR.

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- 4) If the street or streets, have not been made as required by sub clauses (1) (2), and (3) above, the responsible authority may order the street works to be carried out or carry out the works himself in the manner prescribed in the scheme, in which case, the cost of such works will be recovered from the owner or occupier.
  - 5) For the purpose of adjusting the boundary of any street the responsible authority may make an exchange of land forming part of any street that it may require, with or without paying or receiving any money for equality of exchange or otherwise.

Approval of layout plans.

9. 1. (a) No owner or other person shall layout a street, lane or pathway or sub-divide, utilise, sell, lease or otherwise dispose off his land or portion or portions of the same as site or sites for building purposes until a site or layout plan or plans of sub-division has been approved by the responsible Authority.

(b) The application for approval of a site or layout plan or plans of a subdivision shall be submitted to the responsible authority in the prescribed form.

The responsible authority may in the interest of the scheme impose reasonable restrictions and conditions and also insists on such modification of the plan as he thinks.

(c) The restrictions and conditions as laid down by the by the responsible authority or as decided by the Chief Town Planner shall be adopted by the owner or other person and shall be enforceable.

- 2) (a) No owner or other person shall construct or reconstruct or in any way alter or add to a building without conforming the requirements of the scheme, and unless he has applied for and obtained permission of the responsible authority under section 15 of the Act and in compliance with the requirements of sub clause 9 (5) a below. No building shall be constructed or reconstructed in any land in which building is expressly forbidden or which is reserved

in the scheme for any purpose in compatible with building.

(b) The responsible authority may for the purpose of the scheme demolish or cause to be demolished alter or cause to be altered any building in the area so far as may be necessary for carrying the scheme into effect.

- 3) The responsible authority shall, before granting permission under section 15 of the Act for any site plan or layout plan or plan of sub division or for construction or reconstruction of a building in a site in the area, take into consideration the desirability of reconstruction or redistribution of boundaries of any land or plot or plots or site or sites under clause 18 of the scheme as he thinks fit and may impose any restrictions or conditions or pass such orders as may be necessary to secure such reconstitution or redistribution of boundaries of the land, plot or plots or site or sites. The restrictions or conditions imposed or the orders passed by the responsible authority shall be complied with by the owner or owners or the person or persons concerned and shall be enforceable.
- 4) Notwithstanding anything contained in the scheme the responsible authority may prepare layout plan for any portion of the area to determine the lines on which the detailed development of such area shall take place and the manner in which the streets, subdivisions of lands into sites for building purposes and the reservation of lands for community or public purposes shall be laid out and the same shall be read as part of the scheme, and shall be enforceable.
- 5) (a) Subject to the provisions of section 15 of the Act every application for permission required to be obtained under clause 9(2) (a) above shall be submitted to the responsible authority in the form specified in the KBR with such variations as circumstances may require and shall be accompanied

a site plan and plans of each floor, elevation and section of the building or buildings and also a specification or specifications in regard to the design materials, architecture, <sup>nings</sup> drainings, water supply, use of building and other details of construction.

(b) The responsible authority shall have power to impose reasonable restrictions and conditions while granting permission and to make reasonable modifications or alteration in the location structural or architectural design or materials of the building or buildings as he thinks fit, or shall cause to be made such modifications or alterations as the Chief Town Planner may consider necessary. The restrictions and conditions as laid down by the responsible Authority shall be complied with and the plans and specifications approved or modified or altered by the responsible Authority or as decided by the Chief Town Planner shall be adopted by the applicant, owner or other persons concerned and shall be enforceable.

The responsible authority fails to give a reply or pass any orders within 3 months from the date of receipt of the application, the application shall be deemed to be sanctioned, if not otherwise inconsistent with the provisions of the scheme.

Reservation of land and zoning:

10. (a) A list of lands reserved for various purposes is given in schedule IV (form No.10).

For the purpose of the scheme the streets or lanes which may be approved or made in accordance with the provisions of the scheme and which are not mentioned in schedule IV shall also be deemed to be included under lands reserved for the purpose of the scheme.

(b) The Development Authority may from time to time, to meet the demand, declare any part of the area with the approval of the Chief Town Planner and subject to such conditions and restrictions as he may thin fit, to be reserved for such purposes prescribed under sub section (k) of section 3 of the Act. Any part of the area so declared shall be included under lands reserved under the scheme and streated as such.

(c) All future developments in respect of all lands within the scheme area shall conform to the zoning regulations given in Central Business District as specified in: Structure Plan.



USES PERMITTED

1. All uses permitted under Residential use zone.
2. All uses permitted under commercial use zone.
3. Local, State and Central/ Government Officers, Institutions of entertainment, Utility installations such as electric sub-stations, Telephone Exchange etc.
4. Parks, Botanical Gardens, Aquarium, Bird Sancturries, Exhibition grounds, Libraries and clubs.
5. Service industries and light manufacturing and customary home occupation engaging not more than 10 workers with power limited to 10 HP or not more than 20 workers without power, provided such activities do not create smoke, vibration or other nuisance or hazard.

Uses Restricted (Permitted on appeal)

6. Institutions of Higher education and hospitals.
7. Service Industries and light manufacturing specified in appendix I and II engaging not more than 10 workers with power limited to 10 HP or more than 20 works without power, provided such activities do not create smoke, vibration or other nuisance or hazard.
8. Wholesale business establishment, petrol filling stations, parcel booking offices, truck terminals, storages and godowns, provided these buildings have the required set backs and parking facilities as provided in KBR (84) for the relevant use.

Uses prohibited:

9. All uses not specifically permitted under section 1 to 8 .

PLANNING PARAMETERS

10. For building abutting Chittoor Road to a depth of 30m. from the central line of the road on either side.

Maximum FSI	1.5
Maximum coverage	60%

11. For buildings coming within other areas in scheme not specifically mentioned above.
  - a) Maximum FSI-2  
Maximum coverage-60% provided the width of the access road to the building is 10m and above.
  - b) Maximum FSI 1.5  
Maximum coverage-60% if the access road width is not less than
  - c) Maximum FSI-1.2  
Maximum coverage 50% if the access road width is less than 7m.
  - d) Maximum FSI-1  
Maximum coverage 50% if the road width is less than 5m. However, if the access road width is less than 5m. only residential uses will be permitted.

Note: The specific use restrictions mentioned under planning parameters' are to be applied over and above the general use regulations mentioned.

Where the building abuts 2 roads, the maximum FSI and coverage can be the higher of the values of FSI and coverage fixed for the roads.

#### ACQUISITION OF LANDS:

11. Any land in the area required for the purpose of the scheme may be acquired by purchase, exchange or otherwise by the development authority of any time subject to the provisions of the Kerala Land Acquisition Act and without prejudice to the interest of the scheme.

#### DISPOSAL OF LAND:

12. The responsible authority may with the approval of the development authority dispose of any land belonging to the development authority or acquire under the scheme by sale, auction, exchange, lease or otherwise, subject to the rules framed for the purpose by the development authority and these rules shall be binding on the purchaser, transferees, heirs, and assignee and their successors.

13. 1) The building line in respect of all streets shall be specified in Kerala Building Rules 1984 except for Church Landing Road which shall be 4.5 metres.

2) Boundary walls or fences alone shall be erected in the space between the building line and the edge of the adjacent street.

3) No boundary wall or fence erected between the building line and edge of the adjacent street shall be on a greater height than 1.5m. measured from the level at the centre line of such street. Provided also where the level of the compound is higher than that of the road, this height may be exceeded so as to have a height of 1 m. above the level of the ground of the plot.

4) Open space requirements of a building shall be in conformity with the municipal building rules in force unless otherwise provided for in the scheme.

5) Minimum off street parking spaces for motor vehicles shall be provided for various types of buildings as per Kerala Building Rules, 1984.

6) The responsible authority in consultation with the Chief Town Planner shall have power to fix the height of storeys of the shops, business and commercial buildings and the ultimate height of the whole building or lien of buildings according to their individual architectural requirements and to insist that any other architectural detail may be incorporated in the design provided that the individual architectural requirement of any part shall be viewed in consideration of the general appearance.

## DRAINAGE:

14. Sufficient means of effectual drainage and discharge of sewage shall be provided in every private street by the owners or occupiers of sites abutting thereof and every site and building shall be provided with suitable drains leading there from to the nearest street drain. All the sullage water shall be disposed of in such a way as to prevent it from running on to or stagnating on adjacent streets. It may be used for watering gardens and compounds if no nuisance is created there by or allowed to flow into drains or channels after necessary treatment as required by the responsible authority.

## RECONSTITUTION OF BOUNDARIES:

15. (a) Where necessary, boundaries of sites or lands shall be reorganised and plots reconstituted in the manner prescribed in the Act (i) to suit the alignments of the proposed streets (ii) to provide frontage on streets (iii) to alter or improve the size and shape of any site or plot in order to render it more suitable for building purposes, (iv) to procure the transference of ownership of and or portion of land from one person to another.

(b) Proposals for reorganisation or alteration of boundaries of sites or lands or for reconstitution of plots or sites in the area shall be made by the owner or owners concerned or by the responsible authority as the case may be, to the Arbitrator in accordance with the rules at any time unless the Arbitrator by notification specifies any particular time or period when such proposals should be made to him.

## ADVERTISEMENT:

16. No form of advertisement other than that of the traders name and business exhibited on shops or notice exhibited on public buildings shall be permitted within the area unless otherwise approved by the responsible authority.

## CLAIM FOR COMPENSATION

17. Any person whose property is injuriously affected by any refusal to grant the permission applied for under section 15 of the Act and / or by making of the scheme shall if he wants to make a claim for the purpose under section 15 of the Act, submit such claim within 12 months of the date of the scheme.

POWER OF THE RESPONSIBLE AUTHORITY TO MAKE AGREEMENTS:

18. Subject to the provisions of section 35 of the Act, the responsible authority may make any agreement with any person or body in furtherance of carrying out of the scheme or any matter in connection therewith provided that such agreement is not inconsistent with the scheme.

REGULATION OF SCHEME RULES:

19. 1) The responsible authority, may if it thinks in any particular case and subject to any conditions as he may impose, dispense with or modify with the concurrence of the Chief Town Planner, any of the requirements of the scheme other than the requirements made obligatory by any law, provided that it is satisfied that there are circumstances warranting such dispensation or modification.

2) Government in any particular case and subject to any condition as they may impose and in consultation with the Chief Town Planner dispense with or modify any of the requirement of the scheme other than the requirement made obligatory by any law and their decision shall be final.

TIME OF EXECUTION OF THE SCHEME

20. Notwithstanding anything contained in the scheme the responsible authority may without prejudice to the efficient operation of the scheme.

1) Refer the execution of any or all works for a period of not more than two years from the date of the scheme unless otherwise permitted by the Government.

2) Allow reasonable time to any owner or person to carry out or execute any works or to fulfil his obligation under the scheme.

P E N A L T Y:

21. Any person who commits or knowingly permits a breach of any of the provisions of the scheme or who neglects or fails to comply with any of the provisions of the scheme or any orders, conditions, proceedings, restrictions, limitations or terms made or imposed under in pursuance of any of the provisions of the scheme, the rules or the Act shall on conviction be punished in accordance with section 43 of the Act.

  
SECRETARY

For and on behalf of the Greater Cochin Development Authority.

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