

**NATIONAL UNIVERSITY OF LESOTHO**

**B.A. EXAMINATIONS**

**GES3386 PLANNING POLICY & PRACTICE**

**MAY 2023**

**MARKS: 100**

**TIME: 3HRS**

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**INSTRUCTIONS:** Answer **any four** Questions

**QUESTION 1**

- i) How is 'development' defined in the Lesotho Town & Country Planning Act of 1980? (3)
- ii) Identify and describe in some detail the two principal components of the meaning of development that are implied in the legal definition of development in i) above. (12)
- iii) 'For change of use of land and or building to be material, it has to be substantial' (Cullingworth, 1985: 79). Comment on this statement in relation to the definition of development in i) and ii) above. Use illustrations to demonstrate that you understand what this statement means. (10)[25]

**QUESTION 2**

- i) Differentiate between outline planning permission and full planning permission? (8)
- ii) Describe the two considerations that would be paramount in guiding decisions on applications for planning permission? (17)[25]

**QUESTION 3**

- i) Which three (3) decisions can developers expect on their applications for planning permission? (9)
- ii) Which of these decisions can the developer appeal against and why? Cite a decided court case with which you are most familiar to demonstrate an appeal against a planning decision. Outline the grounds for the appeal and what the outcome was? (16) [25]

**QUESTION 4**

Describe the purpose of the Town and Country Planning (Land Use and Building Use Classes) Order, 1991. With reference to a specific example from your reading, provide an example that demonstrates how this order works out in actual practice [NB. This example need not necessarily be confined to Lesotho]. [25]

### QUESTION 5

- i) Describe the three (3) principal purposes of the Town & Country Planning (Development) Order, 1991. (9)
- ii) Mention and briefly describe any 4 classes of permitted development that are provided for in the above order. (16) [25]

### QUESTION 6

- i) What is the difference between planning gain and planning obligations? (6)
- ii) Briefly narrate the factors that have led to the evolution of planning obligations. (8)
- iii) Briefly outline how planning obligations are negotiated. (8)
- iv) Mention one challenge that planning obligations pose as alternatives to traditional development control conditions on planning permission. (3) [25]