Draft Regulations laid before Parliament under section 303(8)(a) of the Town and Country Planning Act 1990 (c. 8), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2025 No. 000

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment and Transitional Provision) Regulations 2025

Made - - - -	***
Coming into force - -	*1st April 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 303(1) and (5) and 333(2A) and (2B) of the Town and Country Planning Act 1990(**a**).

In accordance with section 303(8)(a) of that Act, a draft of this instrument has been laid before and approved by resolution of each House of Parliament.

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment and Transitional Provision) Regulations 2025.

(2) These Regulations come into force on 1st April 2025.

(3) These Regulations extend to England and Wales.

(4) In these Regulations, "the 2012 Regulations" means the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012(**b**).

Amendment of the 2012 Regulations

2. The 2012 Regulations are amended in accordance with regulations 3, 4 and 5.

Amendment of regulation 14

3. Regulation 14(1) (fees for certain applications under the General Permitted Development Order) is amended as follows—

(**a**) 1990 c. 8. Section 303 was substituted by section 199 of the Planning Act 2008 (c. 29). Section 333(2A) was inserted by paragraph 14(2) of Schedule 6 to the Planning and Compulsory Purchase Act 2004 (c. 5). Section 333(2B) was inserted by section 130(1)(a) of the Levelling-up and Regeneration Act 2023 (c. 55). The Secretary of State is defined as "the appropriate authority" in relation to England in section 303(7).

(**b**) S.I. 2012/2920; relevant amending instruments are S.I. 2017/1314, 2019/1154, 2020/836, 2021/791, 2023/1197.

(a) in sub-paragraphs (za), (zab), (zac), (a), (aa) and (ba), for "£120", in each place it occurs, substitute "£240";

(b) in sub-paragraph (zb), for "£258" substitute "£516";

(c) in sub-paragraph (zc), for "£125" substitute "£250".

Amendment of regulation 16

4.—(1) Regulation 16 (fees for confirmation of compliance with condition attached to planning permission) is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (a), for "£43" substitute "£86";

(b) in sub-paragraph (b), for "£145" substitute "£298".

(3) After paragraph (1A) insert—

"(1B) For the purposes of paragraph (1), reference to a condition or conditions includes reference to a condition or conditions attached to a grant of planning permission pursuant to provision in or under Part 2 of Schedule 7A to the 1990 Act (condition of planning permission relating to biodiversity gain)(**a**).".

Amendment of Schedule 1

5.—(1) Schedule 1 (fees in respect of applications and deemed applications for planning permission or for approval of reserved matters) is amended as follows.

(2) In Part 1 (fees for planning applications and deemed applications), for paragraph 5 substitute—

"5.—(1) Where an application is made pursuant to section 73 of the 1990 Act (determination of applications to develop land without compliance with conditions previously attached)(**b**) the fee payable in respect of the application shall be—

(a) if the application is a householder application, £86;

(b) if the application is an application for major development, £2,000;

(c) in any other case, £586.

(2) In this paragraph, "major development" has the same meaning as in article 2(1) of the Development Management Procedure Order.".

(3) In Part 2 (scale of fees), in the table—

(a) in the entry relating to category 2, in paragraph (3)(e), for "£30,680" substitute "£31,385";

(b) in the entry relating to category 3, in paragraph (3)(d), for "£624", in the first place it occurs, substitute "£5,077";

(c) in the entry relating to category 6—

(i) in paragraph (1), for "£258" substitute "£528";

(ii) in paragraph (2), for "£509" substitute "£1,043".

(**a**) Schedule 7A was inserted by paragraph 2 of Schedule 14 to the Environment Act 2021 (c. 30).

(**b**) Section 73 was amended by section 51(3) of, and Schedule 9 to, the Planning and Compulsory Purchase Act 2004, paragraph 4 of Schedule 3 to the Neighbourhood Planning Act 2017 (c. 20), paragraph 3(5) of Schedule 14 to the Environment Act 2021, section 114(6) of the Levelling-up and Regeneration Act 2023 and S.I. 2024/49.

Transitional provision

6.—(1) The amendments made in regulations 3, 4 and 5 do not apply to—

(a) any application—

(i) made before the commencement date, or

(ii) deemed to have been made, by virtue of section 177(5) of the Town and Country Planning Act 1990(**a**), in connection with an enforcement notice issued before the commencement date, or

(b) any request made under regulation 16(1) of the 2012 Regulations before the commencement date.

(2) Regulation 18A of the 2012 Regulations (fees payable on or after 1st April 2025) applies in respect of the relevant amended amounts as if, in paragraph (5), in the definition of "fee change date", for "1st April 2025" there were substituted "1st April 2026".

(3) In this regulation—

"the commencement date" means the date on which these Regulations come into force;

"the relevant amended amounts" means the fees as amended by regulations 3, 4 and 5.

Signed by the authority of the Secretary of State for Housing, Communities and Local Government

Minister of State
Ministry of Housing, Communities and Local Government

(**a**) Section 177(5) was amended by paragraph 24(4) of Schedule 7 to the Planning and Compensation Act 1991 (c. 34) and section 123(6) of the Localism Act 2011 (c. 20).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (S.I. 2012/2920) ("the 2012 Regulations").

Regulation 3 increases the fees for certain prior approval applications under the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596).

Regulation 4 increases the fees for requesting written confirmation of compliance with a condition attached to a planning permission and clarifies that this fee applies to written requests to confirm compliance with a statutory biodiversity net gain condition under Schedule 7A to the Town and Country Planning Act 1990 (c. 8).

Regulation 5 introduces a three-tier fee structure for section 73 applications. Regulation 5 also increases the fees for householder applications and two miscellaneous fee categories which had previously been erroneously set too low.

Regulation 6 makes related transitional provision. This includes provision to the effect that the annual increase of fees as provided for in regulation 18A of the 2012 Regulations applies to the fee amounts as amended by these Regulations from 1st April 2026.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Planning – Development Management Division, Ministry of Housing, Communities and Local Government, Third Floor, Fry Building, 2 Marsham Street, London SW1P 4DF, and is annexed to the Explanatory Memorandum which is available alongside this instrument on www.legislation.gov.uk.

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