1987 No. 27

TOWN AND COUNTRY PLANNING

Planning (Fees) (Amendment) Regulations (Northern Ireland) 1987

Made . . . . . *30th January 1987*

Coming into operation . . *25th February 1987*

The Department of the Environment, in exercise of the powers conferred on it by Article 105A(**a**) of the Planning (Northern Ireland) Order 1972(**b**) and of all other powers enabling it in that behalf, makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Planning (Fees) (Amendment) Regulations (Northern Ireland) 1987 and shall come into operation on 25th February 1987.

Amendments

2. The Planning (Fees) Regulations (Northern Ireland) 1983(**c**) are amended as follows:—

(1) In regulations 9 (fee for certain applications for planning permission), 10(6) (fee for deemed applications), 12 (fee for applications for listed building consent) and 14(2) (fee for statutory authorities) for ''£8'' there shall be substituted ''£9'';

(2) in regulation 13(1) (fee for appeals) for ''£10'' there shall be substituted ''£12'';

(3) in Part I of Schedule 1:—

(*a*) in paragraph 3(1) (fee for applications or deemed applications by certain non-profit making organisations) for ''£53'' there shall be substituted ''£60'';

(*b*) in paragraph 4 (fee for certain applications for approval of reserved matters) for ''£53'' there shall be substituted ''£60'';

(4) for Part II of Schedule 1 there shall be substituted the Part II set out in the Schedule to these regulations;

(5) in Schedule 2 (fees for applications for consent to display advertisements):—

(*a*) for ''£14'' where it twice occurs there shall be substituted ''£16'';

(*b*) for ''£53'' there shall be substituted ''£60''.

(**a**) As inserted by Article 13 of the Planning (Amendment) (Northern Ireland) Order 1982 (S.I. 1982/1537 (N.I. 20)). *See also* S.R. & O. (N.I.) 1973 No. 504 Article 7(1) and S.I. 1976/424 (N.I. 6)

(**b**) S.I. 1972/1634 (N.I. 17)

(**c**) S.R. 1983 No. 329 as amended by S.R. 1984 No. 224, S.R. 1985 No. 225 and S.R. 1986 No. 296

Sealed with the Official Seal of the Department of the Environment on 30th January 1987.

(L.S.) *R. H. Mackenzie*
Assistant Secretary

SCHEDULE Regulation 2(4)

REPLACEMENT FOR PART II OF SCHEDULE 1

"PART II

Scale of Fees

Category of development	*Fee payable*
1. The erection of dwellinghouses.	(*a*) Where the application is for outline planning permission:— (i) £30 if the development involves only one dwellinghouse; (ii) £60 for each 0.1 hectare of the site area subject to a maximum of £1,500 if more than one dwellinghouse is to be created; (*b*) in other cases, £60 for each dwellinghouse subject to a maximum of £3,000.
2. The erection of buildings (other than dwellinghouses, buildings coming within category 3, 4 or 7 or buildings in the nature of plant or machinery).	(*a*) Where the application is for outline planning permission, £60 for each 0.1 hectare of the site area, subject to a maximum of £1,500; (*b*) in other cases:— (i) where no floor space is to be created by the development, £30; (ii) where the area of gross floor space to be created by the development does not exceed 40 square metres, £30; (iii) where the area of gross floor space to be created by the development exceeds 40 square metres but does not exceed 75 square metres, £60; and (iv) where the area of gross floor space to be created by the development exceeds 75 square metres, £60 for each 75 square metres subject to a maximum of £3,000.
3. The erection, on land used for the purposes of agriculture, of buildings (other than glasshouses) to be used for agricultural purposes.	(*a*) Where the application is for outline planning permission, £60 for each 0.1 hectare of the site area subject to a maximum of £1,500;

Category of development	*Fee payable*
	(*b*) in other cases:— (i) where the area of gross floor space to be created by the development does not exceed 300 square metres, £9; (ii) where the area of gross floor space to be created by the development exceeds 300 square metres but does not exceed 375 square metres, £60; (iii) where the area of gross floor space to be created by the development exceeds 375 square metres, £60 for the first 375 square metres and £60 for each 75 square metres in excess of that figure, subject to a maximum of £3,000.
4. The erection of glasshouses on land used for the purposes of agriculture.	Where the application is for: (*a*) outline planning permission, £60; (*b*) in other cases:— (i) where the area of gross floor space to be created by the development does not exceed 465 square metres, £9; (ii) where the area of gross floor space to be created by the development exceeds 465 square metres, £360.
5. The erection, alteration or replacement of plant or machinery.	£60 for each 0.1 hectare of the site area subject to a maximum of £1,500.
6. The enlargement, improvement or other alteration of existing dwellinghouses.	(*a*) Where the application relates to one dwellinghouse, £30; (*b*) where the application relates to 2 or more dwellinghouses, £60.
7. (*a*) The carrying out of operations (including the erection of a building) within the curtilage of an existing dwellinghouse, for purposes ancillary to the enjoyment of the dwelling-house as such, or the erection or construction of gates, fences, walls or other means of enclosure along a boundary of the curtilage of an existing dwellinghouse; or	£30.

Category of development	*Fee payable*
(*b*) the construction of car parks, service roads and other means of access on land used for the purposes of a single undertaking, where the development is required for a purpose incidental to the existing use of the land.	
8. (*a*) The winning and working of minerals (other than peat);	£30 for each 0.1 hectare of the site area, subject to a maximum of £4,500;
(*b*) the winning and working of peat.	£30 for each hectare of the site area, subject to a maximum of £450.
9. The carrying out of any operations not coming within any of the above categories.	£30 for each 0.1 hectare of the site area, subject to a maximum of £300.
10. The change of use of a building to use as one or more separate dwellinghouses.	(*a*) Where the change is from a previous use as a single dwellinghouse to use as two or more single dwellinghouses, £60 for each additional dwellinghouse to be created by the development; (*b*) in other cases, £60 for each dwellinghouse to be created by the development: subject, in each case, to a maximum of £3,000.
11. (*a*) The use of land for the disposal of refuse or waste materials or for the deposit of material remaining after minerals have been extracted from land; or	£30 for each 0.1 hectare of the site area, subject to a maximum of £4,500.
(*b*) the use of land for the storage of minerals in the open.	
12. (*a*) The making of a material change in the use of a building or land (other than a material change of use coming within any of the above categories); or	£60.
(*b*) the continuance of a use of land, or the retention of buildings or works on land, without compliance with a condition subject to which a previous planning permission has been granted (including a condition requiring the discontinuance of the use or the removal of the building or works at the end of a specified period).''.	£30.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Planning (Fees) Regulations (Northern Ireland) 1983 which prescribe fees payable to the Department of the Environment in respect of applications made under Part IV of the Planning (Northern Ireland) Order 1972 for planning permission for development or for approval of matters reserved in an outline planning permission and in respect of applications for consent for the display of advertisements; and for the payment of fees to the Planning Appeals Commission in respect of appeals and applications for planning permission deemed to have been made on an appeal against enforcement notices by virtue of section 43B(3) of the said Order of 1972. Said section 43B(3) was inserted by Article 8 of S.I. 1982/1537 (N.I. 20).

These Regulations increase the various fees payable by approximately 12½%.