EXPLANATORY MEMORANDUM TO

The Planning (Fees) (Amendment) Regulations (Northern Ireland) 2025

S.R. 2025 No.49

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Infrastructure to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under sections 223(1), (9) and 247(1) of the Planning Act (Northern Ireland) 2011 and is subject to the negative resolution procedure.

2. Purpose

2.1. These Regulations amend fee amounts prescribed in the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2024 (S.R. 2015 No. 73 as amended by S.R. 2015 No. 398, S.R. 2019 No. 112, S.R. 2023 No. 37 and S.R. 2024 No. 108). The general effect of the Regulations will be to increase fees by approximately 2.1%. The Rule is due to come into operation on 1st April 2025.

3. Background

3.1. This increase of 2.1% is essential to enable councils and the Department to recover costs directly incurred in processing planning applications.

4. Consultation

4.1. No consultation was carried out as there has been no change to the policy that the costs of determining planning applications should be recovered through fees.

5. Equality Impact

5.1. An Equality Impact Assessment screening carried out in respect of this proposal found no evidence of any differential impact on any of the section 75 categories.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment is not necessary for changes to statutory fees by a predetermined formula such as the rate of inflation.

7. Financial Implications

7.1. The costs to a "typical business" are not estimated as most planning applications are not made by businesses and each planning application is unique. Only those which make planning applications will be affected and the costs will be non-recurring.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Department considers that the legislation complies with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. This is not a parity or replicatory measure.

11. Additional Information

11.1. Not applicable.