STATUTORY RULES OF NORTHERN IRELAND

2025 No. 137

PLANNING FEES

The Planning Fees (Deemed Planning Applications and Appeals) (Amendment) Regulations (Northern Ireland) 2025

Made - - - -	*23rd July 2025*
Coming into operation	*13th August 2025*

The Department of Justice makes the following Regulations in exercise of the powers conferred on it by sections 223(7) of the Planning Act (Northern Ireland) 2011.

Citation and commencement

1. These Regulations may be cited as the Planning Fees (Deemed Planning Applications and Appeals) (Amendment) Regulations (Northern Ireland) 2025 and shall come into operation on 13th August 2025.

Interpretation

2. In these regulations—

"the 2011 Act" means the Planning Act (Northern Ireland) 2011;

"deemed application" means an application for planning permission deemed to have been made under section 145(5) of the 2011 Act;

"dwellinghouse" means a building or part of a building which is used as a single private dwellinghouse, and for no other purpose;

"glasshouse" means a building which—

has not less than three quarters of its total area comprised of glass or other translucent material;

is designed for the production of flowers, fruit, vegetables, herbs or other horticultural produce; and is used, or is to be used, solely for the purposes of agriculture;

"relevant enforcement notice" in relation to any deemed application means the enforcement notice stating the matters to which that deemed application relates;

"use of land" includes use of land for the winning and working of minerals.

Amendment of the Planning Fees (Deemed Planning Applications and Appeals) Regulations (Northern Ireland) 2015

3. The Planning Fees (Deemed Planning Applications and Appeals) Regulations (Northern Ireland) 2015 are amended as follows.

Amendment of Regulation 7

4. In regulation 7 omit "£10,632" and insert "£12,664".

Amendment of Regulation 9

5. In regulation 9(1) omit "£126" and insert "£150".

Amendment of Schedule

6. For the Schedule substitute:

"SCHEDULE Reg 3(2)

Fees in Respect of Deemed Applications

PART 1

General Provisions

1. The fee payable under regulation 3(2) in respect of a deemed application shall be calculated in accordance with the provisions of Part 2 and (where applicable) paragraphs 4 to 7.

2. Where a deemed application relates to development stated in the relevant enforcement notice to have been carried out without planning permission, the amount of the fee payable shall be calculated in accordance with the provisions of Part 2 as if the deemed application were one for permission to carry out that development.

3. In this Schedule—

(a) references to the development to which any deemed application relates shall be construed as references to the use of land or the operations (as the case may be) to which the relevant enforcement notice relates;

(b) references to the floor space or the number of dwellinghouses to be created by the development shall be construed as references to the floor space or the number of dwellinghouses to which that enforcement notice relates; and

(c) references to the purposes for which it is proposed that the floor space shall be used shall be construed as references to the purposes for which floor space was stated to be used in the enforcement notice.

4. Where in respect of any category of development specified in Part 2, the fee is to be calculated by reference to the site area—

(a) that area shall be taken as consisting of the site area to which the relevant enforcement notice relates; and

(b) where the area referred to in sub-paragraph (a) is not an exact multiple of the unit of measurement specified in respect of the relevant category of development, the fraction of a unit remaining after division of the total area by the unit of measurement shall be treated, for the purposes of calculating the fee, as a complete unit.

5.—(1) In relation to development within category 3, 5 or 10(b) specified in Part 2, the area of gross floor space to be created by the development shall be ascertained by external measurement of the floor space, whether or not it is to be bounded (wholly or partly) by external walls of a building.

(2) In relation to development within category 3 or 10(b) where the area of gross floor space is not an exact multiple of 75 square metres, the area remaining after division of the total number of square metres of gross floor space by the figure of 75 shall be treated as being 75 square metres.

(3) In relation to development within category 5 where the area of gross floor space is not an exact multiple of 500 square metres, the area remaining after division of the total number of square metres of gross floor space by the figure of 500 shall be treated as being 500 square metres.

6.—(1) Subject to the provisions in sub-paragraph 6(2) and paragraph 7(1), where a deemed application relates to more than one of the categories of development specified in Part 2—

(a) an amount shall be calculated, in accordance with this Schedule, in respect of development which is within each category; and

(b) the total of the amounts calculated for each of the categories of development shall be the fee.

(2) Where a building is to contain floor space which it proposes to use for the purposes of providing common access or common services or facilities for persons occupying or using that building for development within category 1 and for persons occupying or using it for development within category 3 and or category 5 (such floor space being referred to below as "common floor space"), the category 3 and or category 5 floor space shall be assessed, in relation to that building, as including such proportion of the common floor space as the category 3 and or category 5 floor space in the building bears to the gross floor space in the building.

7.—(1) Subject to the provisions of paragraph 6, where a deemed application relates to development which is within more than one of the site-based categories (4,6 and 7)—

(a) an amount shall be calculated, in accordance with this Schedule, in respect of the development which is within each category; and

(b) the highest of the amounts so calculated shall be the fee.

PART 2

Scale of fees

Category of development	*Fee payable*
1. The erection of a dwellinghouse.	Where the development comprises a single dwellinghouse, £1,014. For two or more houses— (a) where the number of dwellinghouses created by the development is 50 or fewer, £1,191 for two dwellinghouses and £425 for each additional dwellinghouse; (b) where the number of dwellinghouses created by the development exceeds 50, £21,591 and an additional £126 for each dwellinghouse in excess of 50 dwellinghouses, subject to a maximum in total of £316,577.
2. The extension, improvement or alteration of an existing dwellinghouse, including the erection of a building or the carrying out of other operations within the curtilage of a dwellinghouse for purposes ancillary to the enjoyment of the dwellinghouse as such, or the erection or construction of gates, fences, walls or other means of enclosure along a boundary or a curtilage of an existing dwellinghouse.	£340 for each dwelling.
3. The erection of industrial, commercial,	(a) where no floor space is created by the

community and other buildings, other than dwellinghouses or buildings covered by category 1.	development, £216; (b) where the area of the gross floor space created by the development does not exceed 40 sq.m., £216; (c) where the area of the gross floor space created by the development exceeds 40 sq.m., but does not exceed 75 sq.m., £425; (d) where the area of the gross floor space created by the development exceeds 75 sq.m., but does not exceed 3,750 sq.m., £425 for each 75 sq.m. of that area. (e) where the area of the gross floor space created by the development exceeds 3.750 sq.m., £21,250; and an additional £126 for each 75 sq.m., in excess of 3,750 sq.m., subject to a maximum in total of £316,468.
4. The erection, alteration or replacement of plant and machinery including telecommunications equipment, a single wind turbine and wind farms.	(a) where the site does not exceed 5 hectares, £425 for each 0.1 hectare of the site area; (b) where the site area exceeds 5 hectares, £21,250; and an additional £126 for each 0.1 hectare in excess of 5 hectares, subject to a maximum in total of £316,468.
5. The erection, on land used for the purposes of agriculture, of buildings to be used for agricultural purposes and for agricultural and commercial glasshouses.	£1,130 for each 500 sq.m. of floor space subject to a maximum of £14,979.
6. The winning and working of peat.	£2,248 for each 5 hectares of the site area subject to a maximum of £40,464.
7. (a) The winning and working of minerals (other than peat). (b) The carrying out of any operations connected with exploratory drilling for oil or natural gas. (c) The use of land for the disposal of refuge or waste materials or for the deposit of material remaining after minerals have been extracted from land or the use of land for the storage of minerals in the open. (d) The carrying out of any other operation not coming within any of the above categories.	£435 per 0.1 hectare of the site area subject to a maximum of £48,720.
8. The construction of single level car parks, service roads and other means of access on land used for the purpose of a single undertaking, where the development is required for a purpose incidental to the existing use of the land.	£301.
9. 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 discontinuance of the use of the removal of the building or works at the end of the specified period).	£301.

10. Material change of use.	(a) Where the use relates to a dwellinghouse, £825 for the first dwellinghouse and £301 for each additional dwellinghouse subject to a maximum of £15,050; (b) for any other change of use, £301 for each 75 sq.m. of floor space subject to a maximum of £15,050.
11. Any other development not falling within categories 1 to 10.	£990.”

Sealed with the Official Seal of the Department of Justice on 23rd July 2025

L.S.

Naomi long
Minister of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Planning Fees (Deemed Planning Applications and Appeals) Regulations (Northern Ireland) 2015 by uplifting applicable fees.

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