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

DRAFT STATUTORY INSTRUMENTS

2002 No.

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2002

Made - - - -

Laid before Parliament

Coming into force - - 1st April 2002

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred upon him by section 303 of the Town and Country Planning Act 1990(**1**) and of all other powers enabling him in that behalf, hereby makes the following Regulations, a draft of which has been laid before and approved by each House of Parliament:

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2002 and shall come into force on 1st April 2002.

(2) In these Regulations "the 1989 Regulations" means the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989(**2**).

(3) These Regulations extend to England only.

(**1**) 1990 c. 8; section 303 was amended by paragraph 10 of Schedule 13 to the Environmental Protection Act 1990 (c. 43), and by section 6(6) of the Planning and Compensation Act 1991 (c. 34). *See* section 336(1) of the Town and Country Planning Act 1990 for a definition of "prescribed". The functions of the Secretary of State under section 303 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672); *see* the entry in Schedule 1 of that Order for the Town and Country Planning Act 1990.

(**2**) S.I. 1989/193, amended by S.I. 1990/2473, S.I. 1991/2735, S.I. 1992/1817, S.I. 1992/3052, S.I. 1993/3170, S.I. 1997/37 and S.I. 2001/2719.

General increase in fees

2.—(1) In regulation 10A of the 1989 Regulations(**3**)—

(a) in paragraph (5)(b), for "£95" substitute "£110"; and

(b) in paragraph (6), for "£190" substitute "£220", and for "£9,500" substitute "£11,000".

(2) In regulation 11A of the 1989 Regulations(**4**)—

(a) in paragraph (1)(a), for "£35" substitute "£40"; and

(b) in paragraph (1)(b), for "£190" substitute "£220".

(3) In Part I of Schedule 1 to the 1989 Regulations—

(a) in paragraphs 4(1) and 6(2), for "£190" substitute "£220";

(b) in paragraphs 7, 7A(**5**) and 7B(**6**), for "£95" substitute "£110"; and

(c) in paragraph 15(2), for "£190" substitute "£220" and for "£4,750" substitute "£5,500".

(4) For Part II of Schedule 1 to the 1989 Regulations (scale of fees), substitute the new Part II set out in Schedule 1 to these Regulations.

(5) For Schedule 2 to the 1989 Regulations (scale of fees for advertisement applications), substitute the new Schedule 2 set out in Schedule 2 to these Regulations.

Revocation

3. Regulations 2 and 3 of the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) Regulations 1997(**7**) are hereby revoked in relation to England.

Signed by authority of the Secretary of State for Transport, Local Government and the Regions

Minister of State,
Department for Transport, Local Government
and the Regions

Date

(**3**) Regulation 10A was inserted by regulation 4 of S.I. 1992/1817.
(**4**) Regulation 11A was inserted by paragraph 3 of Schedule 3 to S.I. 1991/2735 and paragraph (1) was substituted by regulation 2 of S.I. 2001/2719.
(**5**) Paragraph 7A was inserted by regulation 6(b) of S.I. 1992/1817.
(**6**) Paragraph 7B was inserted by regulation 5 of S.I. 1992/3052.
(**7**) S.I. 1997/37.

SCHEDULE 1

Regulation 2(4)

PART II OF SCHEDULE 1 TO THE 1989 REGULATIONS
SCALE OF FEES IN RESPECT OF APPLICATIONS MADE OR DEEMED TO BE MADE ON OR AFTER 1ST APRIL 2002

Category of development	*Fee payable*
rrI. Operations	
1. The erection of dwellinghouses (other than development within category 6 below).	(a) (a) Where the application is for outline planning permission, £220 for each 0.1 hectare of the site area, subject to a maximum of £5,500; (b) in other cases, £220 for each dwellinghouse to be created by the development, subject to a maximum of £11,000.
2. The erection of buildings (other than buildings in categories 1,3,4,5 or 7).	(a) (a) Where the application is for outline planning permission, £220 for each 0.1 hectare of the site area, subject to a maximum of £5,500; (b) in other cases— (i) where no floor space is to be created by the development, £110; (ii) where the area of gross floor space to be created by the development does not exceed 40 square metres, £110; (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, £220; and (iv) where the area of gross floor space to be created by the development exceeds 75 square metres, £220 for each 75 square metres, subject to a maximum of £11,000.
3. The erection, on land used for the purposes of agriculture, of buildings to be used for agricultural purposes (other than buildings coming within category 4).	(a) (a) Where the application is for outline planning permission, £220 for each 0.1 hectare of the site area, subject to a maximum of £5,500; (b) in other cases— (i) where the area of gross floor space to be created by the development does not exceed 465 square metres, £40;