STATUTORY RULES OF NORTHERN IRELAND

2011 No. 99

PLANNING

The Planning (Fees) (Amendment) Regulations (Northern Ireland) 2011

Made - - - -	*14th March 2011*
Coming into operation	*11th April 2011*

The Department of the Environment, in exercise of the powers conferred by Article 127 of the Planning (Northern Ireland) Order 1991(**1**), makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 11th April 2011.

Amendment of the Planning (Fees) Regulations (Northern Ireland) 2005

2.—(1) The Planning (Fees) Regulations (Northern Ireland) 2005(**2**) shall be amended in accordance with paragraphs (2) to (6).

(2) In regulation 3(2) (fees for planning applications) for the words "regulations 10 and 19(2)" substitute "regulation 10".

(3) In regulation 10(1) (amount of reduced fees and refunds) for the words "regulation 6, 7 or 8" substitute "regulation 6".

(4) After regulation 16 (fees for hazardous substances consent), insert the following regulation—

"**Fee for an application for planning permission for EIA development**

16A. Where an application for planning permission is made for EIA development as defined by regulation 2 (interpretation) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999(**3**), the fee payable in respect of the application shall be the sum of £10,000, in addition to the amount that would otherwise be payable, subject to the maximum for the category of development as specified in Part 2 of Schedule 1 to these Regulations."

(**1**) S.I. 1991/1220 (N.I. 11) as amended by S.I. 2003/430 (N.I. 8) and S.I. 2006/1252 (N.I. 7)
(**2**) S.R. 2005 No. 222 as amended by S.R. 2005 No. 505, S.R. 2009 No. 256 and S.R. 2010 No. 294
(**3**) S.R. 1999 No. 73

(5) The following provisions are revoked —

(a) regulations 7 and 8 (cases where reduced fees apply);

(b) regulation 9 (fee for application made following a determination as to whether listed building consent required);

(c) regulation 15 (fees for applications in designated areas);

(d) regulation 17 (fees for applications for determination as to whether listed building consent required); and

(e) regulation 19 (fees for statutory authorities).

(6) In Schedule 1 (fees in respect of applications and deemed applications for planning permission or for approval of reserved matters)—

(a) in Part 1, omit sub-paragraph (2) of paragraph 8;

(b) for Part 2, substitute Part 2 as set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of the Environment on 14th March 2011.

L.S.

L.S.

Maggie Smith
A senior officer of the
Department of the Environment

SCHEDULE Regulation 2(6)(b)

SUBSTITUTION OF PART 2 OF SCHEDULE 1 TO THE PLANNING (FEES) REGULATIONS (NORTHERN IRELAND) 2005

"PART 2

SCALES OF FEES

	Category of development	*Fee Payable*
1.	All buildings (other than a single dwellinghouse)	Outline applications £237 for each 0.1 hectare of the site area subject to a maximum of £9,467.
1A.	Single dwellinghouse	£400.
2.	The erection of dwellinghouses	(i) Reserved Matters Where the application is for a single dwellinghouse, £400. (ii) Full Where the application is for a single dwellinghouse, £800. (iii) Full and Reserved Matters For 2 or more dwellinghouses— (i) Where the number of dwellinghouses to be created by the development is 50 or fewer, £335 for each dwellinghouse; (ii) Where the number of dwellinghouses to be created by the development exceeds 50, £16,750; and an additional £100 for each dwellinghouse in excess of 50 dwellinghouses, subject to a maximum in total of £250,000.
3.	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.	£267 for each dwelling.
4.	The erection of industrial, commercial, community and other buildings, other than	Full and Reserved Matters