STATUTORY RULES OF NORTHERN IRELAND

2004 No. 102

PLANNING

Planning (Fees) (Amendment) Regulations (Northern Ireland) 2004

Made - - - -	*10th March 2004*
Coming into operation	*12th April 2004*

The Department of the Environment, in exercise of the powers conferred on it by Articles 127 and 129(1) of the Planning (Northern Ireland) Order 1991(**1**) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 12th April 2004.

Amendment of the Planning (Fees) Regulations (Northern Ireland) 1995

2.—(1) The Planning (Fees) Regulations (Northern Ireland) 1995(**2**) shall be amended in accordance with paragraphs (2) to (9).

(2) In regulations 11(1) (reduced fees and refunds), 13(3) (fee for certain deemed applications), 16 (fees for applications for listed building consent) and 19(2) (fee for certain statutory authorities) for "£40" substitute "£45".

(3) In regulations 12(1) (Fees for deemed applications), 13(3) (Exemptions etc. – deemed applications), and 14(6)(a) (Refunds – deemed applications) for the words "Article 71(3)" substitute "Article 71(5)".

(4) In regulation 14(5) for the words "grounds (b) to (f)" substitute "grounds (b) to (e)".

(5) In the shoulder note to regulation 18 (Fee for application for determination as to whether listed building consent required or for certificate of lawful use or development) remove the words "or for certificate of lawful use or development".

(6) In regulation 18(1) for "£35" substitute "£40".

(**1**) S.I. 1991/1220 (N.I. 11). Art. 2(2) contains definitions of " the Department" and "prescribed"
(**2**) S.R. 1995 No. 78 amended by S.R. 1996 No. 41, S.R. 1997 No. 104, S.R. 1998 No. 223, S.R. 2000 No. 35, S.R. 2001 No. 225, S.R. 2003 No. 41 and S.R. 2003 No. 446

(7) (a) In regulation 18A(5)(b) (fees for applications for certificates of lawful use or development) for "£160" substitute "£180"; and

(b) in regulation 18A(6) for "£160" substitute "£180" and for "£8,000" substitute "£8,820".

(8) In Schedule 1 –

(a) in Part I, in paragraphs 4(1) (fee for application or deemed application by certain non-profit making organisations), 5(2) and (3) (fee for certain applications for approval of reserved matters) for "£355" substitute "£390"; and

(b) for Part II, substitute Part II set out in the Schedule to these regulations.

(9) In Schedule 2 (fees for applications for consent to display advertisements) –

(a) for "£65" where it twice occurs substitute "£75"; and

(b) for "£305" substitute "£335".

Sealed with the Official Seal of the Department of the Environment on 10th March 2004.

I. Maye
A senior officer of the
Department of the Environment

SCHEDULE Regulation 2(8)(b)

SUBSTITUTION OF PART II OF SCHEDULE 1 TO THE PLANNING (FEES) REGULATIONS (NORTHERN IRELAND) 1995

"PART II

SCALES OF FEES

Category of development	*Fee payable*
1. The erection of dwellinghouses.	(A) Where the application is for one dwellinghouse only – (i) £200 for outline planning permission; (ii) £490 in any other case. (B) Where the application is for two or more dwellinghouses – (i) for outline planning permission, £180 for each 0.1 hectare of the site area subject to a maximum of £4,500; (ii) in other cases £180 for each dwellinghouse subject to a maximum of £8,820.
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 of a curtilage of an existing dwellinghouse.	(A) Where the application relates to one dwellinghouse only, £170. (B) Where the application relates to two or more dwellinghouses, £325.
(a) The erection of industrial, commercial, community and other buildings, other than dwellinghouses or buildings covered by category 2. (b) The erection, alteration or replacement of plant and machinery. (c) The construction or extension of a non-nuclear electricity generating station.	(A) Where the application is for outline planning permission, £200 for each 0.1 hectare of the site area subject to a maximum of £5,000. (B) In other cases – (i) where no floor space is to be created by the development, £90; (ii) where the area of gross floorspace to be created by the development does not exceed 40 square metres, £100; (iii) where the area of gross floorspace to be created by