STATUTORY RULES OF NORTHERN IRELAND

2003 No. 41

PLANNING

Planning (Fees) (Amendment) Regulations (Northern Ireland) 2003

Made - - - -	*28th January 2003*
Coming into operation	*3rd March 2003*

The Department of the Environment, in exercise of the powers conferred 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) 2003 and shall come into operation on 3rd March 2003.

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 (8).

(2) In regulation 2(1) (interpretation) after the definition of "the Commission" insert the following definition–

> ""deemed refusal" means a refusal of planning permission deemed to have been made by virtue of regulation 9(7) or 9(8) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999."

(3) In regulation 9(1)(b) and regulation 9(2)(a)(iii) after the word "refusal" insert the words "or deemed refusal".

(4) 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 "£35" substitute "£40".

(5) In regulation 18(1) (fee for application for a determination) for "£31" substitute "£35".

(6) In Schedule 1–

(**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 and S.R. 2001 No. 225

(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 "£310" substitute "£355"; and

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

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

(a) for "£58" where it twice occurs substitute "£65"; and

(b) for "£267" substitute "£305".

(8) In regulation 19(1)(e) for "the Police Authority for Northern Ireland" substitute "the Northern Ireland Policing Board".

Sealed with the Official Seal of the Department of the Environment on 28th January 2003.

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

SCHEDULE Regulation 2(6)(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) £180 for outline planning permission; (ii) £445 in any other case. B. Where the application is for two or more dwellinghouses– (i) for outline planning permission, £160 for each 0.1 hectare of the site area subject to a maximum of £4,000; (ii) in other cases £160 for each dwellinghouse subject to a maximum of £8,000.
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, £155. B. Where the application relates to two or more dwellinghouses, £295.
(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, £180 for each 0.1 hectare of the site area subject to a maximum of £4,500; B. in other cases– (i) where no floor space is to be created by the development , £80; (ii) where the area of gross floorspace to be created by the development does