1993 No. 81

PLANNING

Planning (Fees) (Amendment) Regulations (Northern Ireland) 1993

Made . . . . . *25th February 1993*

Coming into operation . . . *1st April 1993*

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

Citation and commencement

1. These regulations may be cited as the Planning (Fees) (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 1st April 1993.

Amendment of regulations

2.—(1) The Planning (Fees) Regulations (Northern Ireland) 1992(**b**) are amended in accordance with paragraphs (2) to (10).

(2) In regulation 3(2) after the word ''regulations'' insert ''9A,''.

(3) After regulation 9 insert the following regulation—

''9A. Where the Department receives an application for a determination under—

(*a*) Article 41(1) of the 1991 Order and determines that planning permission is required; or

(*b*) Article 48(1) of the 1991 Order and determines that the proposed work to a listed building would involve the alteration or extension of the building in a manner which would affect it's character as a building of special architectural or historic interest;

the fee for the application for planning permission or listed building consent made by or on behalf of the same applicant as a result of the determination shall be reduced by the amount paid for the determination under regulation 17.''.

(4) In regulations 10(1) (reduced fees and refunds), 12(3) (fee for certain deemed applications), 15 (fee for application for listed building consent) and 18(2) (fee for certain statutory authorities) for ''£18'' substitute ''£20''.

(a) S.I. 1991/1220 (N.I. 11); Art. 2(2) contains definitions of ''the Department'' and ''prescribed''
(b) S.R. 1992 No. 97

(5) In regulation 16(1) (fee for appeals) for ''£42'' substitute ''£46''.

(6) In regulation 17 (fee for application for a determination)—

(*a*) for the words ''The fee for an application under'' — substitute the words ''(1) Subject to paragraph (2) the fee for an application under—'';

(*b*) for ''£15'' substitute ''£17''; and

(*c*) add the following paragraph—

''(2) Paragraph (1) shall not apply where the Department, in relation to the application, is satisfied as set out in paragraphs (1) or (2) of regulation 4 in relation to the application referred to in those paragraphs.''.

(7) In regulation 18(2) (fee for statutory undertakers) after the words ''planning permission'' insert ''or for approval of reserved matters''.

(8) In Part I of Schedule 1—

(*a*) in paragraph 4(1) (fee for application or deemed application by certain non-profit making organisations) for ''£110'' substitute ''£120'';

(*b*) in paragraph 5(2) and (3) (fee for certain applications for approval of reserved matters) for ''£110'' substitute ''£120''.

(9) For Part II of Schedule 1 substitute Part II set out in the Schedule to these regulations.

(10) In Schedule 2 (fees for applications for consent to display advertisements)—

(*a*) for ''£30'' where it twice occurs substitute ''£33'';

(*b*) for ''£110'' substitute ''£120''.

Sealed with the Official Seal of the Department of the Environment on 25th February 1993.

(L.S.) *J. Mageean*
Assistant Secretary

SCHEDULE

Substitution for Part II of Schedule 1

"PART II

SCALES OF FEES

Category of Development	*Fee Payable*
1. The erection of dwelling houses.	(*a*) Where the application is for outline planning permission— (i) £60 if the development involves only one dwelling house; (ii) £120 for each 0.1 hectare of the site area, subject to a maximum of £3,000 if more than one dwelling house is to be created by the development; (*b*) in other cases £120 for each dwelling house subject to a maximum of £6,000.
2. The erection of buildings (other than dwelling houses, buildings coming within category 3, 4 or 7 or buildings in the nature of plant or machinery).	(*a*) Where the application is for outline planning permission, £120 for each 0.1 hectare of the site area, subject to a maximum of £3,000; (*b*) in other cases— (i) where no floor space is to be created by the development, £60; (ii) where the area of gross floor space to be created by the development does not exceed 40 square metres, £60; (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, £120; and (iv) where the area of gross floor space to be created by the development exceeds 75 square metres, £120 for each 75 square metres subject to a maximum of £6,000.