

2005 No. 505

PLANNING

**The Planning (Fees) (Amendment) Regulations (Northern
Ireland) 2005**

Made - - - - - *11th November 2005*

Coming into operation - *9th December 2005*

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 all other powers 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) 2005 and shall come into operation on 9th December 2005.

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

2.—(1) The Planning (Fees) Regulations (Northern Ireland) 2005^(b) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 4 (1) delete the existing provision and insert —

“Regulation 3 (1) shall not apply where the Department is satisfied that the application relates solely to—

- (a) the carrying out of operations for the alteration or extension of an existing dwellinghouse; or
- (b) the carrying out of operations (other than the erection of a dwellinghouse) in the curtilage of an existing dwellinghouse,

for the purpose, in either case, of providing means of access to or within the dwellinghouse for a disabled person who is resident in, or is proposing to take up residence in, that dwellinghouse, or of providing facilities designed to secure his greater safety, health or comfort.”

(3) In Schedule 1 —

- (a) In Part 1, in paragraph 7 (2), for “Part II” substitute “Part 2”.
- (b) In Part 2, Category 4, for “category 2” substitute “category 3”.
- (c) In Part 2, Category 7, for “£150” substitute “£1500”.
- (d) In Part 2, Category 11 (A), after the words “each additional dwellinghouse” insert “subject to a maximum of £10,000”.

^(a) S.I. 1991/1220 (N. I. 11) as amended by S.I. 2003/430 (N.I. 8)
^(b) S.R. 2005 No. 222

- (e) In Part 2, Category 11 (B), after the words “floor space” insert “subject to a maximum of £10,000”.

Sealed with the Official Seal of the Department of the Environment on 11th November 2005.



David Ferguson
A senior officer of the Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Planning (Fees) Regulations (Northern Ireland) 2005 (“the 2005 Regulations”) which prescribe fees payable to the Department of the Environment in respect of applications made under the Planning (Northern Ireland) Order 1991 (“the 1991 Order”).

The Regulations: –

1. amend regulation 4(1) by applying the final condition to paragraphs 4(1)(a) and (b);
2. increase the fee for peat extraction from £150.00 to £1,500.00;
3. insert, in Schedule 1, Part 2, a maximum fee for Category 11(A) and 11(B) (an application for a material change of use); and
4. make certain minor amendments.