

POLICY NOTE

THE TOWN AND COUNTRY PLANNING (FEES FOR APPLICATIONS AND DEEMED APPLICATIONS) (SCOTLAND) AMENDMENT REGULATIONS 2014

SSI 2014/214

Introduction

1. The above instrument was made in exercise of the powers conferred by section 252 of the Town and Country Planning (Scotland) Act 1997. The instrument is subject to the negative resolution procedure.

Background

2. The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004 (the “principal Regulations”) make provision for the payment of fees to planning authorities.

3. The effect of these Regulations is that all fees currently payable under the principal Regulations are increased by approximately 5%. The increase applies from 1 November 2014. Replacement scales of fees are set out in the table contained in the Schedule to these Regulations. A number of examples of the new fees are illustrated in Table 1 below.

Table 1: Calculated Examples of the proposed planning fee for a selected number of development types

Comparison between current and proposed	Examples
Householder Current £192 Proposed £202	Garden shed, summer house, extension to house = £202
New Dwellings Current £382 per dwelling up to a maximum of £19,100 Proposed £401 per dwelling up to a maximum of £20,055	Single house = £401 15 House development = £6,015 60 house development = £20,055
Other buildings non- residential <i>(includes Business & Industry and Retail developments)</i>	

<p>Current</p> <p>Less than 40m² = £192 >40m² but less than 75m² = £382 > 75m² =£382 per 75m²</p> <p>subject to maximum of £19,100</p> <p>Proposed</p> <p>Less than 40m² = £202 >40m² but less than 75m² = £401 > 75m² = £401 per 75m²</p> <p>subject to maximum of £20,055</p>	<p>Small 1,500 sq. m retail = £8,020 (e.g. Local or express supermarket)</p> <p>Medium 5,000 sq. m retail = £20,055 (e.g. Supermarket)</p> <p>Large 10,000 sq. m retail = £ 20,055 (e.g. Superstore)</p>
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Policy Objective

4. The overall resourcing of the planning system is the responsibility of local authorities. The planning service is financed through the local authority’s budget and fees from planning applications. The purpose of this instrument is to ensure that the planning fee recovers more of the local authority costs associated with the processing of planning applications from initial registration to decision stage.

Consultation

5. Discussion with COSLA, local authorities and the development industry has been on-going in relation to the issue and the proposed increase reflects these discussions.

Impact Assessments

6. Equality Impact Assessment (EQIA) is a tool to assist in considering how policy (by policy we mean activities, functions, strategies, programmes and services or processes) may impact, either positively or negatively, on different sectors of the population in different ways.

7. The Scottish Government is committed to ensuring the planning system is designed and delivered in a way that is sensitive and relevant to the diverse needs and experiences of all people living in Scotland. We consider the impact of policy on particular groups of people (whatever their age, race, gender, sexual orientation, religion or belief or whether disabled or not). We are not aware of any evidence that any of the equality strands will be affected. The proposed increase will affect all those seeking approval of a relevant planning application proportionately.

Financial Effects

A Business and Regulatory Impact Assessment (BRIA) has been completed and is attached. The Scottish Government considers that the proposed 5% increase will strengthen resources and the capability of the planning authorities to deliver a high performing planning service whilst maintaining a supportive business environment that promotes sustainable economic growth.

Scottish Government
Planning and Architecture Division
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