
STATUTORY INSTRUMENTS

2012 No. 2920

The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012

[^{F1}Pre-application advice about applying under section 62A of the 1990 Act

2A.—(1) Where the Secretary of State gives advice about applying for any permission, approval or consent under section 62A of the 1990 Act (“pre-application advice”), a fee shall be paid to the Secretary of State.

(2) The fee payable in respect of pre-application advice shall be the time (in hours or parts thereof) spent by a planning inspector, or as the case may be, a planning officer, giving such advice multiplied by—

(a) where the advice is given by a planning inspector, the hourly rate for a planning inspector; or

(b) where the advice is given by a planning officer, the hourly rate for a planning officer.

(3) The hourly rate for a planning inspector, and for a planning officer, shall be—

(a) set from time to time by the Secretary of State;

(b) calculated by reference to the average hourly cost to the Secretary of State of providing the services of a planning inspector or, as the case may be, a planning officer;

(c) set at a level which ensures that, taking one financial year with another, the income from fees charged for pre-application advice does not exceed the cost of providing that advice; and

(d) published by the Secretary of State in such manner as the Secretary of State considers appropriate.

(4) In this regulation—

“planning inspector” means a person appointed by the Secretary of State under section 76D(1) of, or paragraph 1 of Schedule 6 to, the 1990 Act at any time in the 12 months preceding the request for advice; and

“planning officer” means an officer of the Department for Communities and Local Government working for the part of that Department known as the Planning Inspectorate.]

Textual Amendments

F1 Reg. 2A inserted (1.10.2013) by [The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2153\)](#), regs. 1(1), 2

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, Section 2A.