

---

STATUTORY INSTRUMENTS

---

**2017 No. 1314**

**The Town and Country Planning (Fees for Applications,  
Deemed Applications, Requests and Site Visits)  
(England) (Amendment) Regulations 2017**

**Amendments in relation to permission in principle**

- 3.—(1) The 2012 Regulations are amended as follows.
- (2) In regulation 1—
- (a) after paragraph (4)(b)(i) insert—
- “(iiza) applications for permission in principle;”(1) and
- (b) in paragraph (4)(b)(ix) omit “to planning permission”.
- (3) In paragraph (1) of regulation 3, after “development of land” insert “, for permission in principle”.
- (4) In regulation 8—
- (a) in paragraph (1) at the end of sub-paragraph (a) omit “or” and after that sub-paragraph insert—
- “(aa) an application for permission in principle which is made following the granting of permission in principle for development which the local planning authority are satisfied is development of the same character or description as the development to which the application relates, on an application for permission in principle made by or on behalf of the same applicant; or”;
- (b) in paragraph (2)(a) after “planning permission” insert “, grant of permission in principle”; and
- (c) in paragraph (2)(b) at the end of paragraph (i) omit “or” and after that paragraph insert—
- “(ia) in the case of an application for permission in principle, to the same site as that to which the grant of permission in principle related, or to part of that site, and to no other land except land included solely for the purpose of providing a different means of access to the site; or”.
- (5) In regulation 9—
- (a) in paragraph (1) after sub-paragraph (a) insert—
- “(aa) an application for permission in principle which is made following the withdrawal (before notice of the decision was issued) of a valid application for permission in principle made by or on behalf of the same applicant;”;
- (b) in paragraph (1) after sub-paragraph (b) insert—
- “(ba) an application for permission in principle which is made following the refusal of permission in principle (whether by the local planning authority or by the Secretary of State on appeal or following the reference of the application to the

Secretary of State for determination) on a valid application for permission in principle made by or on behalf of the same applicant;”;

(c) in paragraph (1) after sub-paragraph (c) insert—

“(ca) an application for permission in principle which is made following the making of an appeal to the Secretary of State under section 78(2) of the 1990 Act (right of appeal against failure to take planning decisions) in relation to a valid application for permission in principle made by or on behalf of the same applicant;”;

(d) in paragraph (2)(b)(i) after “planning permission” insert “or permission in principle”;

(e) in paragraph (2)(c) after “planning permission” insert “or permission in principle”; and

(f) after paragraph (2)(d) insert—

“(da) in the case of an application for planning permission which is in the form of an application for technical details consent, that the earlier application was also in the form of an application for technical details consent;”(2).

(6) In paragraph (1) of regulation 9A, after “planning permission” insert “, or permission in principle”.

(7) In paragraph (2) of regulation 12, after “planning permission” insert “or permission in principle, as the case may be,”.

(8) In regulation 17—

(a) in the heading after “planning permission” insert “or permission in principle”; and

(b) in paragraph (1) omit the words “to planning permission”.

(9) In Schedule 1—

(a) in Part 1—

(i) in paragraph 1(3)(a) after “planning permission” insert “or permission in principle”;

(ii) in paragraph 8(1)(a) after “planning permission” insert “or permission in principle”;

(iii) in paragraph 8(1)(b) after “Development Management Procedure Order (general provisions in relation to applications)” insert “or article 5D(1) of the Town and Country Planning (Permission in Principle) Order 2017, as the case may be.”;(3)

(iv) in paragraph 10(1)(a) after “planning permission” insert “or permission in principle”;

(v) in paragraph 10(2) after planning permission” insert “, permission in principle”; and

(b) in the table in Part 2—

(i) in the entry relating to category 1, in the second column (fee payable), after sub-paragraph (1) insert—

“(1A) Where the application is for permission in principle, £402 for each 0.1 hectare of the site area.”;

(ii) in the entry relating to category 2, in the second column (fee payable), after sub-paragraph (1) insert—

“(1A) Where the application is for permission in principle, £402 for each 0.1 hectare of the site area.”;

(iii) in the entry relating to category 3, in the second column (fee payable), after sub-paragraph (1) insert—

---

(2) See section 70(2ZZB) of the Town and Country Planning Act 1990 (c.8) for the meaning of “technical details consent”.

(3) S.I. 2017/402, article 5D was inserted by the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 S.I. 1309

“(1A) Where the application is for permission in principle, £402 for each 0.1 hectare of the site area.”.