
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 127

**The Planning (Fees) (Amendment)
Regulations (Northern Ireland) 2014**

Citation and commencement

1. These Regulations may be cited as the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2014 and shall come into operation on 28th May 2014.

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

2.—(1) The Planning (Fees) Regulations (Northern Ireland) 2005(1) shall be amended in accordance with paragraphs (2) to (7)

(2) After regulation 5 (Exemptions), insert the following regulation—

“**5A.**—(1) Regulation 3(1) shall not apply where the Department is satisfied that an application or deemed application for planning permission is made or deemed to be made by or on behalf of a club, society or other organisation (including any persons administering a trust) which is not established or conducted for profit, and the conditions specified in paragraph (2) are satisfied.

(2) The conditions referred to in paragraph (1) are that—

- (a) the application or deemed application relates to the provision of community facilities (including sports grounds) and playing fields; and
- (b) the Department or (in the case of a deemed application) the Planning Appeals Commission is satisfied that the development is to be carried out on land which is, or is intended to be, occupied by the club, society or other organisation and to be used wholly or mainly for the carrying out of its objects”.

(3) In regulations 10(1) (amount of reduced fees and refunds) and 12(3) (exemption, etc. — deemed applications) for “£63” substitute “£64”.

(4) In regulation 14 (fees for applications for consent to display advertisements)—

- (a) in paragraph (1) for “£187” substitute “£189”;
- (b) omit paragraphs (5) and (6);

(5) In regulation 16A (fee for an application for planning permission for EIA development) for “£10,496” substitute “£10,632”.

(6) In regulation 18 (fees for applications for certificates of lawful use or development)—

- (a) in paragraph (1) for “paragraphs (2), (3) and (4),” substitute “paragraph (2)”;
- (b) omit paragraphs (3) and (4);
- (c) in paragraph (5)(b) for “£249” substitute “£252”;

(d) in paragraph (6) for “£249” substitute “£252” and for “£12,421” substitute “£12,582”.

(7) In Schedule 1 (fees in respect of applications and deemed applications for planning permission or for approval of reserved matters)—

(a) in Part 1, in paragraph 3 delete the existing provision and insert the following regulation—

“3. Where an application or deemed application to renew planning permission is made, and the application or deemed application has been submitted before the time limit imposed on the extant permission has expired, the fee payable shall be one-quarter of the amount that would otherwise be payable”.

(b) in Part 1, in paragraph 4(2) and (3) for “£547” substitute “£554”;

(c) in Part 1, in paragraph 7(1) delete the existing paragraph and insert the following—

“7.—(1) Subject to the provisions in sub-paragraph 7(3) and paragraph 8(1), where an application or a deemed application relates to more than one of the categories of development specified in Part 2—

(a) an amount shall be calculated, in accordance with this Schedule, in respect of development which is within each category or, in the case of a deemed application, in respect of each use of land or type of operation to which the relevant enforcement notices relates; and

(b) the total of the amounts calculated for each of the categories of development shall be the fee”.

(d) in Part 1, omit paragraph 7(2)

(e) in Part 1, paragraph 7(3) delete the existing paragraph and insert the following—

“(3) Where a building is to contain floor space which it is proposed to use for the purposes of providing common access or common services or facilities for persons occupying or using that building for development within category 2 and for persons occupying or using it for development within category 4 and or category 6 (such floor space being referred to below as “common floor space”), the category 4 and or category 6 floor space shall be assessed, in relation to that building, as including such proportion of the common floor space as the category 4 and or category 6 floor space in the building bears to the gross floor space in the building.”

(f) in Part 1, in paragraph 8(1) for “Subject to the provisions of paragraph 7, where” substitute “Where” and for “is within more than one of the categories” substitute “contains more than one of the site area based categories (5, 7 and 8)”

(g) for Part 2, substitute Part 2 as set out in the Schedule to these Regulations.

(8) In Schedule 2 (fees for hazardous substances consent)—

(a) For “£336” where it twice occurs substitute “£340”;

(b) For “£422” substitute “£427”; and

(c) For “£671” substitute “£680”.

Sealed with the Official Seal of the Department of the Environment on 2nd May 2014.



Angus Kerr
A senior officer of the Department of the
Environment