

*Draft Regulations laid before Parliament under section 303 of the Town and Country Planning Act 1990, for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2001 No.**

**TOWN AND COUNTRY PLANNING, ENGLAND**

The Town and Country Planning (Fees for  
Applications and Deemed Applications)  
(Amendment) (England) Regulations 2001

<i>Made</i>	- - - -	<i>2001</i>
<i>Coming into force</i>	- -	<i>2001</i>

The Secretary of State for Transport, Local Government and the Regions in exercise of the powers conferred on him by section 303 of the Town and Country Planning Act 1990(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations, a draft of which has been laid before and approved by each House of Parliament.

**Citation, commencement, interpretation and extent**

1.—(1) These Regulations may be cited as the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2001, and shall come into force on the twenty eighth day after the day on which they are made.

(2) In these Regulations “the 1989 Regulations” means the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989(2).

(3) These Regulations extend to England only.

**Fees for certain applications under the General Permitted Development Order**

2. In regulation 11A of the 1989 Regulations(3) for paragraph (1) substitute—

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- (1) 1990 c. 8: section 303 was amended by paragraph 10 of Schedule 13 to the Environment Protection Act 1990 (c. 43), and section 6(6) of the Planning and Compensation Act 1991 (c. 34). See section 336(1) of the 1990 Act for the definition of “prescribed”. The functions of the Secretary of State under section 303 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of functions) Order 1999, S.I.1999/672; see entry in Schedule 1 for the Town and Country Planning Act 1990 (c. 8).
- (2) S.I. 1989/193, relevant amending instruments are S.I. 1991/2735, S.I. 1992/1817, S.I. 1992/3052, S.I. 1993/3170 and S.I. 1997/37.
- (3) Regulation 11A was inserted by paragraph 3 of Schedule 3 to S.I. 1991/2735 and substituted by regulation 4 of S.I. 1992/3052.

“(1) Where an application is made to a local planning authority for their determination as to whether the prior approval of the authority will be required in relation to development under Schedule 2 to the General Permitted Development Order a fee shall be paid to that authority of the following amounts—

- (a) for an application under Parts 6, 7 or 31, £35; and
- (b) for an application under Part 24, £190.”

Signed by the authority of the Secretary of State for Transport, Local Government and the Regions

Parliamentary Under-Secretary of State,  
Department for Transport, Local Government  
and the Regions

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Regulation 2 provides for an increase in the fee payable for an application to the local planning authority for a determination as to whether prior approval will be required for proposed telecommunication development under Part 24 of the General Permitted Development Order 1995.

The fee is increased from £35 to £190, an increase of approximately 540%. This increase reflects the notification and consultation requirements imposed on local planning authorities in relation to such development by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001, SI 2001/[ ].

A Regulatory Impact Assessment has been prepared in relation to these Regulations. It has been placed in the library of each House of Parliament and copies may be obtained from PD3 Division at Zone 4/J3, Department for Transport, Local Government and the Regions, Eland House, Bressenden Place, SW1E 5DU, tel: 020 7944 3942.