
STATUTORY INSTRUMENTS

1989 No. 193

The Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989

Fees for applications for consent for advertisements

11.—(1) Where an application is made to a local planning authority under regulation 17 of the 1984 Regulations for consent for the display of an advertisement, a fee shall be paid to that authority in accordance with this regulation.

(2) Where the application relates to the display of one advertisement only the fee payable in respect of the application shall be the amount specified in the table in Schedule 2 for the appropriate category.

(3) Where the application relates to the display of more than one advertisement on the same site a single fee shall be payable in respect of all of the advertisements to be displayed on that site and listed in the application and—

- (a) if all of the advertisements are within the same category the fee payable shall be the amount specified for that category;
- (b) if all of the advertisements are within categories 1 and 2 the fee payable shall be the amount specified for category 1;
- (c) if one or more of the advertisements is within category 3 the fee payable shall be the amount specified for category 3.

(4) Where the application relates to the display of advertisements on parking meters, litter bins or bus shelters within a specified area, the whole of the area to which the application relates shall be treated as one site for the purpose of this regulation.

(5) Where the application relates to the display of advertisements on more than one site, the fee payable in respect of the application shall be the aggregate of the sums payable in respect of the display of advertisements on each such site.

(6) Where the application is made by or on behalf of a parish council or community council, the fee payable in respect of the application shall be one-half of the amount appropriate to the display of the advertisement to which the application relates.

(7) The fee due in respect of an application shall be paid to the local planning authority with whom the application is lodged and shall accompany the application.

(8) In the case of an application made in relation to a site within a National Park, the amount of fee shall be remitted to the county planning authority when the application is forwarded to that authority for determination.

(9) Where all of the conditions set out in paragraph (10) are satisfied, this regulation shall not apply to—

- (a) an application which is made following the withdrawal (before notice of decision was issued) of an application made by or on behalf of the same person; or
- (b) an application which is made following the refusal of consent (whether by the local planning authority or by the Secretary of State on appeal) for the display of advertisements on an application made by or on behalf of the same person.

- (10) The conditions referred to in paragraph (9) are—
- (a) that the application is made within 12 months of—
 - (i) the date when the earlier application was made, in the case of a withdrawn application; or
 - (ii) in any other case, the date of refusal;
 - (b) that the application relates to the same site as that to which the earlier application related, or to part of that site;
 - (c) that the local planning authority to whom the application is made are satisfied that it relates to an advertisement, or advertisements, of the same description as the advertisement or advertisements to which the earlier application related;
 - (d) that the fee payable in respect of the earlier application was paid; and
 - (e) that no previous application has at any time been made by or on behalf of the same applicant which related to—
 - (i) the same site as the site to which the earlier application related; and
 - (ii) an advertisement of the same description as the advertisement (or any of the advertisements) to which the earlier application related,and which was exempted from the provisions of this regulation by paragraph (9).
- (11) No fee is payable under this regulation in respect of an application for consent to display an advertisement if the application is occasioned by a direction under regulation 15 of the 1984 Regulations disapplying regulation 14 in relation to the advertisement in question.
- (12) Any fee paid pursuant to this regulation shall be refunded if the relevant application is rejected as invalidly made.