
 STATUTORY INSTRUMENTS

1990 No. 2473

**TOWN AND COUNTRY PLANNING, ENGLAND
AND WALES**
**The Town and Country Planning (Fees for Applications
and Deemed Applications) (Amendment) Regulations
1990**

Approved by both Houses of Parliament

Made - - - - 5th December 1990

Coming into force - 2nd January 1991

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred upon them by section 303 of the Town and Country Planning Act 1990^(a) and of all other powers enabling them in that behalf, hereby make the following Regulations, a draft of which has been laid before and approved by each House of Parliament:

Citation and commencement

1.—(1) These Regulations may be cited as the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) Regulations 1990.

(2) These Regulations shall come into force on the twenty-eighth day after the day on which they are made.

(3) These Regulations apply—

- (a) where such an application as is referred to in regulation 1(2)(a), (b) or (c) of the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989^(b) (“the 1989 Regulations”) is made on or after the date on which these Regulations come into force; and
- (b) where such an application as is referred to in regulation 1(2)(d) or (e) of the 1989 Regulations is deemed to have been made in connection with an enforcement notice issued, or an application for an established use certificate made, on or after the date on which these Regulations come into force.

General increase in fees

2.—(1) The 1989 Regulations shall have effect with the amendments set out in this regulation.

(2) In Part I of Schedule 1—

- (a) in paragraphs 4(1) and 6(2), for “£76” there shall be substituted “£92”;
- (b) in paragraph 7, for “£38” there shall be substituted “£46”;
- (c) in paragraph 11, for “£76” there shall be substituted “£92”; and
- (d) in paragraph 15(2), for “£76” there shall be substituted “£92”, and for “£1,900” there shall be substituted “£2,300”.

^(a) 1990 c.8.

^(b) S.I. 1989/193.

Substitution of new fees Schedules

3.—(1) For Part II of Schedule 1 there shall be substituted the new Part II set out in Schedule 1 hereto.

(2) For Schedule 2 there shall be substituted the new Schedule 2 set out in Schedule 2 hereto.

Miscellaneous amendments

4.—(1) The 1989 Regulations shall also have effect subject to the amendments set out in this regulation.

(2) In regulation 3—

(a) in paragraph (1), after “regulations 4 to 9” there shall be inserted “and paragraph 8(2) of Part I of Schedule 1”; and

(b) for paragraph (3) there shall be substituted—

“(3) Where a fee is due in respect of an application, the fee shall be paid to the local planning authority with whom the application is lodged and shall accompany the application.”.

(3) In paragraph 4 of Part I of Schedule 1, for sub-paragraph (2)(a) there shall be substituted—

“(a) that the application or deemed application relates to—

(i) the making of a material change in the use of land to use as a playing field;
or

(ii) the carrying out of operations (other than the erection of a building containing floor space) for purposes ancillary to the use of land as a playing field,

and to no other development; and”.

(4) In paragraph 8(2) of Part I of Schedule 1, for “shall not exceed” there shall be substituted “shall be”; and there shall be inserted at the end of sub-paragraph (2)(b) the words—

“or the sum of the amounts which would have been payable but for this paragraph, whichever is the lesser.”.

3rd December 1990

Michael Heseltine
Secretary of State for the Environment

5th December 1990

David Hunt
Secretary of State for Wales

SCHEDULE 1

Regulation 3(1)

NEW PART II OF SCHEDULE 1 TO THE 1989 REGULATIONS**SCALE OF FEES***Category of development**Fee payable***I. Operations**

1. The erection of dwellinghouses (other than development within category 6 below).

(a) Where the application is for outline planning permission, £92 for each 0.1 hectare of the site area, subject to a maximum of £2,300;

(b) in other cases, £92 for each dwellinghouse to be created by the development, subject to a maximum of £4,600.

SCHEDULE 1 - *continued*

<i>Category of development</i>	<i>Fee payable</i>
2. The erection of buildings (other than buildings coming within categories 1, 3, 4, 5 or 7).	<p>(a) Where the application is for outline planning permission, £92 for each 0.1 hectare of the site area, subject to a maximum of £2,300;</p> <p>(b) in other cases—</p> <p>(i) where no floor space is to be created by the development, £46;</p> <p>(ii) where the area of gross floor space to be created by the development does not exceed 40 sq metres, £46;</p> <p>(iii) where the area of gross floor space to be created by the development exceeds 40 sq metres but does not exceed 75 sq metres, £92; and</p> <p>(iv) where the area of gross floor space to be created by the development exceeds 75 sq metres, £92 for each 75 sq metres, subject to a maximum of £4,600.</p>
3. The erection, on land used for the purposes of agriculture, of buildings to be used for agricultural purposes (other than buildings coming within category 4).	<p>(a) Where the application is for outline planning permission, £92 for each 0.1 hectare of the site area, subject to a maximum of £2,300;</p> <p>(b) in other cases—</p> <p>(i) where the area of gross floor space to be created by the development does not exceed 465 sq metres, nil;</p> <p>(ii) where the area of gross floor space to be created by the development exceeds 465 sq metres but does not exceed 540 sq metres, £92;</p> <p>(iii) where the area of gross floor space to be created by the development exceeds 540 sq metres, £92 for the first 540 sq metres and £92 for each 75 sq metres in excess of that figure, subject to a maximum of £4,600.</p>
4. The erection of glasshouses on land used for the purposes of agriculture.	<p>(a) Where the area of gross floor space to be created by the development does not exceed 465 sq metres, nil;</p> <p>(b) where the area of gross floor space to be created by the development exceeds 465 sq metres, £540.</p>
5. The erection, alteration or replacement of plant or machinery.	£92 for each 0.1 hectare of the site area, subject to a maximum of £4,600.
6. The enlargement, improvement or other alteration of existing dwellinghouses.	<p>(a) Where the application relates to one dwellinghouse, £46;</p> <p>(b) where the application relates to 2 or more dwellinghouses, £92.</p>

SCHEDULE 1 – *continued*

<i>Category of development</i>	<i>Fee payable</i>
<p>7. (a) The carrying out of operations (including the erection of a building) within the curtilage of an existing dwellinghouse, for purposes ancillary to the enjoyment of the dwellinghouse as such, or the erection or construction of gates, fences, walls or other means of enclosure along a boundary of the curtilage of an existing dwellinghouse; or</p> <p>(b) the construction of car parks, service roads and other means of access on land used for the purposes of a single undertaking, where the development is required for a purpose incidental to the existing use of the land.</p>	£46.
<p>8. The carrying out of any operations connected with exploratory drilling for oil or natural gas.</p>	£92 for each 0.1 hectare of the site area, subject to a maximum of £6,900.
<p>9. The carrying out of any operations not coming within any of the above categories.</p>	<p>£46 for each 0.1 hectare of the site area, subject to a maximum of—</p> <p>(a) in the case of operations for the winning and working of minerals, £6,900;</p> <p>(b) in other cases, £460.</p>
<hr/>	
<i>II. Uses of Land</i>	
<p>10. The change of use of a building to use as one or more separate dwellinghouses.</p>	<p>(a) Where the change is from a previous use as a single dwellinghouse to use as two or more single dwellinghouses, £92 for each additional dwellinghouse to be created by the development, subject to a maximum of £4,600.</p> <p>(b) in other cases, £92 for each dwellinghouse to be created by the development, subject to a maximum of £4,600.</p>
<p>11. (a) The use of land for the disposal of refuse or waste materials or for the deposit of material remaining after minerals have been extracted from land; or</p> <p>(b) the use of land for the storage of minerals in the open.</p>	£46 for each 0.1 hectare of the site area, subject to a maximum of £6,900.
<p>12. The making of a material change in the use of a building or land (other than a material change of use coming within any of the above categories).</p>	£92.
<p>13. The continuance of a use of land, or the retention of buildings or works on land, without compliance with a condition subject to which a previous planning permission has been granted (including a condition requiring the discontinuance of the use or the removal of the building or works at the end of a specified period).</p>	£46.

Regulation 3(2)

SCHEDULE 2**NEW SCHEDULE 2 TO THE 1989 REGULATIONS****SCALE OF FEES IN RESPECT OF APPLICATIONS FOR CONSENT TO
DISPLAY ADVERTISEMENTS**

<i>Category of advertisement</i>	<i>Fee Payable</i>
1. Advertisements displayed on business premises, on the forecourt of business premises or on other land within the curtilage of business premises, wholly with reference to all or any of the following matters— <ul style="list-style-type: none"> (a) the nature of the business or other activity carried on on the premises; (b) the goods sold or the services provided on the premises; or (c) the name and qualifications of the person carrying on such business or activity or supplying such goods or services. 	£25
2. Advertisements for the purpose of directing members of the public to, or otherwise drawing attention to the existence of, business premises which are in the same locality as the site on which the advertisement is to be displayed but which are not visible from that site.	£25
3. All other advertisements.	£92.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989.

The main change is that all fees currently payable under the 1989 Regulations on planning applications are increased (by approximately 20%). Replacement scales of fees (Part II of Schedule 1 to the 1989 Regulations and Schedule 2 to the 1989 Regulations) are set out in the Schedules.

Some minor drafting amendments have also been made.