



PLANNING FEES
NOTES FOR APPLICANTS
With effect from 3rd August 2009

GENERAL

1.1 **The following notes are for guidance only.** They cannot be regarded as definitive and anyone requiring the exact legal position is advised to consult The Planning (Fees) Regulations (Northern Ireland) 2005 (S.R. 2005 No. 222) as amended by S.R. 2005 No. 505 and S.R. 2009 No. 256.

1.2 Under these Regulations fees are charged for applications –

- a. for planning permission;
- b. for approval of reserved matters (the siting of buildings authorised by an outline planning permission, their design, external appearance, means of access, landscaping of the site, etc.);
- c. for consent to display advertisements;
- d. for hazardous substances consent;
- e. for certificates of lawful use or development; and
- f. for demolition in an area of townscape character or an area of village character.

Fees are not charged for applications –

- g. for consent required by conditions attached to a planning permission other than the defined reserved matters; and
- h. for consent to fell or lop a tree covered by a Tree Preservation Order.

METHOD OF PAYMENT

2. Cheques or postal orders must be made payable to DOE, crossed “not negotiable, A/C payee only” and submitted to the appropriate Divisional Planning Office together with the application forms.

METHOD OF CALCULATION

- 3.1 The calculation of certain fees is based on the area to be developed. It is important that applications should clearly show the area which it is proposed to develop. This should be done by means of submitting a plan using metric measurement with the application site edged, or shaded, in red. This area will be taken as the application site for the purposes of calculation of the fee. Where an applicant wishes to develop only a part of his property there is no reason why he should not restrict his application to the part of the property where the development will be located by edging or shading that part of the property in red.
- 3.2 Normally, measurement of the gross floorspace should be ascertained by the internal measurement of the floorspace. However, for the purposes of the Fees Regulations, floorspace in the following categories should be calculated using the external measurement – that is including external walls:-
- the erection of industrial, commercial, community and other buildings (including the construction or extension of a non-nuclear electricity generating station);
 - the erection, alteration or replacement of plant and machinery, including telecommunications/datacommunications equipment and wind farms;
 - the erection on land used for the purposes of agriculture, of buildings to be used for agricultural purposes and for agricultural and commercial glasshouses.

If you are in doubt, your Divisional Planning Office will be able to help you.

EXEMPTIONS

4. No fee is payable for –
- a. an application for planning permission to carry out works to a dwelling house or within its curtilage to provide access for, or improve the safety, health or comfort of a disabled person, whether the disabled person is already in occupation or will be following the completion of the works [Regulation 4]; or
 - b. an application relating to a change of use which by reason of the Planning (Use Classes) Order (NI) 2004 does not constitute development and where the application is necessary by reason of a condition imposed on a permission granted or having the like

effect as a permission granted under Part IV of the Planning (NI) Order 1991 [Regulation 5].

REDUCED FEES

5. Reduced fees (currently £58) apply where –
 - a. the application relates to what would be permitted development under Article 3 and Schedule 1 to the Planning (General Development) Order (NI) 1993 except that such permission has been withdrawn by a direction under Article 4 of that Order or by a condition imposed on a permission granted or having the like effect as a permission granted under Part IV of the Planning (NI) Order 1991 (this includes an application to carry out such development without complying with a condition subject to which a previous planning permission was granted, where the condition prohibits or limits the carrying out of the development) [Regulation 6];
 - b. an application for planning permission is made by or on behalf of the same applicant following the granting of planning permission (whether by the Department or by the Commission on appeal) for development which the Department is satisfied is of the same character or description as the development to which the application relates [Regulation 7];
 - c. an application for approval of one or more reserved matters is made by or on behalf of the same applicant following the granting of approval (whether by the Department or by the Commission on appeal) of details relating to the same matters reserved in the same outline planning permission [Regulation 7];
 - d. an application for planning permission is made following the withdrawal (before notice of decision was issued) of an application for planning permission made by or on behalf of the same applicant [Regulation 8];
 - e. an application for approval of one or more reserved matters is made following the withdrawal (before it is determined) of an application made by or on behalf of the same applicant for approval of details relating to the same matters reserved in the same outline planning permission [Regulation 8].

CONCESSIONARY FEES

6. A concessionary fee (currently £58) is payable –
- for an application for listed building consent or for consent to demolish a building in a conservation area [Regulation 15]; or
 - for an application for planning permission to demolish a building in an Area of Townscape or Village Character [Schedule 1 Part 2];
 - for an application for planning permission or approval of reserved matters by a statutory authority [Regulation 19].

ADVERTISEMENTS

- 7.1 A fee of £173 is payable for applications for consent to display advertisements [Regulation 14].
- 7.2 However –
- a. where the application relates to the display of more than one advertisement on the same land, a single fee is payable in respect of all advertisements to be displayed on that land;
 - b. where the application relates to the display of advertisements on more than one piece of land, the fee payable is the aggregate of the sums payable in respect of the display of advertisements on each piece of land;
 - c. where the application relates to the display, within a specified area, of advertisements on parking meters, litter bins or bus shelters, the whole of the area to which the application relates shall be treated as one piece of land;
 - d. where an application is withdrawn before a notice of decision issued, and the same applicant makes an application within 12 months of the date the previous application was made and the fresh application relates to the same area and to advertisements of the same description, a further fee is not required; and
 - e. where an application for consent is required as a result of a direction withdrawing deemed consent, no fee is payable.

FEES FOR DETERMINATIONS

- 8.1 A fee of £52 is payable for a written determination as to whether listed building consent is required (under Article 48(1) of the Planning (NI) Order 1991) [Regulation 17].
- 8.2 Where it is determined that an application for listed building consent is required and that application is made by or on behalf of the same applicant and in relation to the same development, the fee will be reduced by the amount paid for the determination, i.e. £52.
- 8.3 No fee is payable for a determination under Article 48(1) to carry out works to a dwelling house or within its curtilage to provide access for or improve the safety, health and comfort of a disabled person whether the disabled person is in occupation or will be following the completion of the works.

FEES FOR APPEALS

- 9.1 The fee for an appeal to the Planning Appeals Commission arising from a decision of the Department is, at the time of publishing these notes, £126. However, applicants who wish to appeal are advised to check this by contacting the Planning Appeals Commission, Park House, 87-91 Great Victoria Street, Belfast, BT2 7AG, Tel 028 90244710.
- 9.2 If an appeal is against an enforcement notice issued by the Department and the planning merits are to be considered and a decision given, then the appeal fee must be accompanied by the relevant deemed application fee.
- 9.3 No fee is payable for an appeal against the Department's decision in the case of an application for consent to display an advertisement.

FEES FOR APPLICATIONS FOR CERTIFICATES OF LAWFUL USE OR DEVELOPMENT (also known as Lawful Development Certificates)

- 10.1 The fees for Lawful Development Certificates [Regulation 18] are detailed below.
- 10.2 The fee for an application for a certificate of **existing** lawful use or development is the amount that would be payable in respect of an application for planning permission for that use or to carry out the operations specified in the application.
- 10.3 This is qualified in two cases –

- a. where an **existing** use is comprised of or includes a use as one or more separate dwelling houses, the fee payable in respect of that application will be £230 for each dwelling house subject to a maximum fee of £11,500; and
- b. in the case of any matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted, the fee will be £230.

10.4 The fee for an application in relation to any **proposed** use of buildings or other land or any operational development **proposed** to be carried out in, on, over or under the land is **half** the amount that would be payable in respect of an application for that use or to carry out the operations specified in the application. Where appropriate, the halved amount will be rounded up to the nearest pound.

10.5 Concessions apply in the following cases –

- a. no fee is payable for an application in relation to the carrying out of works to a dwelling house or within its curtilage to provide access for, or improve the safety, health or comfort of a disabled person, whether the disabled person is already in occupation or will be following the completion of the works; and
- b. where an application is withdrawn and the same applicant makes an application within 12 months of the date the previous application was made and the fresh application relates to the same site and to the same description of development, a further fee is not required.

APPENDIX A

SCHEDULE 1 PART 2 SCALES OF FEES

<i>Category of development</i>	<i>Fee payable</i>
1. All buildings	Outline applications £230 for each 0.1 hectare of the site area subject to a maximum of £9,200.
2. The erection of dwellinghouses	Full and Reserved Matters (A) Where the application is for one dwellinghouse only, £633. (B) Where the application is for more than one dwellinghouse, £633 for the first dwellinghouse and £230 for each additional dwellinghouse subject to a maximum of £11,500.
3. The extension, improvement or alteration of an existing dwellinghouse, including the erection of a building or the carrying out of other operations within the curtilage of a 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 a curtilage of an existing dwellinghouse.	£259 for each dwelling.
4. The erection of industrial, commercial, community and other buildings, other than dwellinghouses or buildings covered by category 3.	Full and Reserved Matters £230 where no floor space is created or £230 for each 75 sq.m. of floor space subject to a maximum of £11,500.
5. The erection, alteration or replacement of plant and machinery including telecommunications/ datacommunications equipment, a single wind turbine and wind farms.	£230 for each 0.1 hectare of the site area subject to a maximum of £11,500.
6. The erection, on land used for the purposes of agriculture, of buildings to be used for agricultural purposes and for agricultural and commercial glasshouses.	£868 for each 500 sq.m. of floor space subject to a maximum of £11,500.
7. The winning and working of peat.	£1,725 for each 5 hectares of the site area subject to a maximum of £31,050.

<i>Category of development</i>	<i>Fee payable</i>
<p>8. (a) The winning and working of minerals (other than peat).</p> <p>(b) The carrying out of any operations connected with exploratory drilling for oil or natural gas.</p> <p>(c) 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 the use of land for the storage of minerals in the open.</p> <p>(d) The carrying out of any other operation not coming within any of the above categories.</p>	<p>£1,725 for each 0.5 hectare of the site area subject to a maximum of £37,318.</p>
<p>9. The construction of single level car parks, service roads and other means of access on land used for the purpose of a single undertaking, where the development is required for a purpose incidental to the existing use of the land.</p>	<p>£230.</p>
<p>10. (a) 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 the specified period).</p> <p>(b) An application to develop land without compliance with a condition subject to which a previous planning permission has been granted.</p>	<p>£230.</p>
<p>11. An application for a material change of use.</p>	<p>(A) Where the application relates to a dwellinghouse, £633 for the first dwellinghouse and £230 for each additional dwellinghouse subject to a maximum of £11,500.</p> <p>(B) For any other change of use, £230 for each 75 sq.m. of floor space subject to a maximum of £11,500.</p>
<p>12. Demolition in an area of townscape character or an area of village character.</p>	<p>£58.</p>
<p>13. Any other application not falling within categories 1–12.</p>	<p>£759.</p>

SCHEDULE 2

Regulation 16

FEEs FOR HAZARDOUS SUBSTANCES CONSENT

<i>Category of development</i>	<i>Fee payable</i>	
1. Presence of hazardous substances on, over, or under land.	(A)	<p>(i) Where Article 58(1) applies (new consent without previous conditions), £311;</p> <p>(ii) Where Article 58(1) does not apply and the quantity specified in the application as the maximum quantity proposed to be present exceeds twice the controlled quantity, £391;</p> <p>(iii) In all other cases, £311.</p>
	(B)	<p>A fee of £621 shall be payable to the Department in respect of an application for the continuation of hazardous substances consent under Article 60.</p>