

2015 No. 398

PLANNING

The Planning (Fees) (Amendment) Regulations (Northern Ireland) 2015

Made - - - - *2nd December 2015*

Coming into operation - *31st December 2015*

The Department of the Environment makes the following Regulations in exercise of the powers conferred on it by sections 223(1) and (9) and 247(1) of the Planning Act (Northern Ireland) 2011(a).

Citation and commencement

1. These Regulations may be cited as the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2015 and shall come into operation on 31st December 2015.

Amendment of the Planning (Fees) Regulations (Northern Ireland) 2015

2.—(1) The Planning (Fees) Regulations (Northern Ireland) 2015(b) are amended in accordance with paragraph (2).

(2) In Part 1 of Schedule 1—

- (a) in paragraph 1 for “8” substitute “7”; and
- (b) for paragraphs 7 and 8 substitute—

“7.—(1) Where an application for planning permission includes more than one of the categories of development specified in Part 2 the fee for that application shall be calculated in accordance with the following provisions.

(2) Unless the application includes any of categories 6, 8 and 9 an amount shall be calculated in accordance with the provisions of Part 2 for each category of development included in the application and the total of the amounts calculated for each of the categories of development shall be the fee.

(3) Where the application includes any of categories 6, 8 and 9 an amount shall be calculated in respect of each category of development included in the application and the highest of the amounts so calculated shall be the fee.

(4) Where a building is to contain floor space which it proposes 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 3 and for persons occupying or using it for development within category 5 and/or category 7 (such floor space being referred to below as “common floor space”), the category 5 and/or category 7 floor space shall be assessed, in

(a) 2011 c.25 (N.I.)
(b) S.R. 2015 No. 73

relation to that building, as including such proportion of the common floor space as the category 5 and/or category 7 floor space in the building bears to the gross floor space in the building.”.

Sealed with the Official Seal of the Department of the Environment on 2nd December 2015.



Angus Kerr
A senior officer of the
Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations correct a drafting error in the Planning (Fees) Regulations (Northern Ireland) 2015 and clarify how fees for mixed development applications should be calculated.

A regulatory impact assessment has been prepared in relation to these Regulations. A copy may be obtained from the Department of the Environment, Causeway Exchange, 1-7 Bedford Street, Town Parks, Belfast, BT2 7EG or accessed at www.doeni.gov.uk.

The Explanatory Memorandum is available alongside the Regulations on the government's website www.legislation.gov.uk.

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