

## SCHEDULE 1

Regulation 3

Fees in respect of applications for planning permission or for approval of reserved matters

### PART 1

#### GENERAL PROVISIONS

1. Subject to paragraphs 2 to 4, the fee payable under regulation 3(2) in respect of an application shall be calculated in accordance with the provisions of Part 2 and (where applicable) paragraphs 5 to [F17]. In the case of an application for approval of reserved matters references in this Schedule to the category of development to which an application relates shall be construed as references to the category of development authorised by the relevant outline planning permission.

#### Textual Amendments

**F1** Word in Sch. 1 para. 1 substituted (31.12.2015) by [The Planning \(Fees\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/398\)](#), regs. 1, 2(2)(a)

2. Where an application relates to development carried out without planning permission, or in accordance with planning permission granted for a limited period or without complying with some condition subject to which planning permission was granted, the amount of the fee payable shall be calculated in accordance with the provisions of Part 2 as if the application were one for permission to carry out that development.

3. Where an application to renew planning permission is made, and the application has been submitted before the time limit imposed on the extant permission has expired, the fee payable shall be one-quarter of the amount that would otherwise be payable.

4.—(1) This paragraph applies where—

- (a) an application is made for approval of one or more reserved matters (“the current application”);
- (b) the applicant has previously applied for such approval under the same outline planning permission and paid fees in relation to one or more such applications; and
- (c) no application has been made under that permission other than by or on behalf of the applicant.

(2) Where this paragraph applies and the amount of the fees paid as mentioned in sub-paragraph (1)(b) is not less than the amount which would be payable if the applicant were by their current application seeking approval of all the matters reserved by the outline permission (and in relation to the whole of the development authorised by the permission), the amount of the fee payable in respect of the current application shall be [F2£565.]

(3) Where—

(i) this paragraph applies;

(ii) a fee has been paid as mentioned in sub-paragraph (1)(b) at a rate lower than that prevailing at the date of the current application; and

(iii) sub-paragraph (2) would apply if that fee had been paid at the rate applying at that date, the amount of the fee in respect of the current application shall be [F3£565.]

**Status:** Point in time view as at 17/06/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Planning (Fees) Regulations (Northern Ireland) 2015, SCHEDULE 1. (See end of Document for details)

#### Textual Amendments

- F2** In Sch. 1 para. 4(2) sum substituted (17.6.2019) by [The Planning \(Fees\) \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/112\)](#), regs. 1, **2(6)(a)**
- F3** In Sch. 1 para. 4(3) sum substituted (17.6.2019) by [The Planning \(Fees\) \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/112\)](#), regs. 1, **2(6)(a)**

5. Where, in respect of any category of development specified in Part 2, the fee is to be calculated by reference to the site area—

- (a) that area shall be taken as consisting of the site area to which the application relates; and
- (b) where the area referred to in sub-paragraph (a) is not an exact multiple of the unit of measurement specified in respect of the relevant category of development, the fraction of a unit remaining after division of the total area by the unit of measurement shall be treated, for the purposes of calculating the fee, as a complete unit.

6.—(1) In relation to development within category 5, 7 or 12(b) specified in Part 2, the area of gross floor space to be created by the development shall be ascertained by external measurement of the floor space, whether or not it is to be bounded (wholly or partly) by external walls of a building.

(2) In relation to development within category 5 or 12(b) where the area of gross floor space is not an exact multiple of 75 square metres, the area remaining after division of the total number of square metres of gross floor space by the figure of 75 shall be treated as being 75 square metres.

(3) In relation to development within category 7 where the area of gross floor space is not an exact multiple of 500 square metres, the area remaining after division of the total number of square metres of gross floor space by the figure of 500 shall be treated as being 500 square metres.

[<sup>F47</sup>—(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 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.]

#### Textual Amendments

- F4** Sch. 1 Pt. 1 para. 7 substituted (31.12.2015) for Sch. 1 Pt. 1 para. 7, 8 by [The Planning \(Fees\) \(Amendment\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/398\)](#), regs. 1, **2(2)(b)**

## [<sup>F5</sup>PART 2 SCALES OF FEES

### Textual Amendments

**F5** Sch. 1 Pt. 2 substituted (17.6.2019) by [The Planning \(Fees\) \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/112\)](#), reg. 1, [Sch.](#)

<i>Category of Development</i>	<i>Fee payable</i>
1. All buildings (other than a single dwellinghouse).	Outline Applications £257 for each 0.1 hectare of the site area subject to a maximum of £10,280.
2. Single dwellinghouse.	Outline Applications £433.
3. The erection of a dwellinghouse.	(a) Reserved matters  where the application is for a single dwellinghouse, £433;  (b) Full  where the application is for a single dwellinghouse, £868;  (c) Full and reserved matters For 2 or more dwellinghouses— (i) where the number of dwellinghouses to be created by the development is 50 or fewer, £1,020 for two dwellinghouses and £364 for each additional dwelling house; (ii) where the number of dwellinghouses to be created by the development exceeds 50, £18,492; and an additional £108 for each dwellinghouse in excess of 50 dwellinghouses, subject to a maximum in total of £271,104.
4. 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 or a curtilage of an existing dwellinghouse.	£291 for each dwelling.

**Status:** Point in time view as at 17/06/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Planning (Fees) Regulations (Northern Ireland) 2015, SCHEDULE 1. (See end of Document for details)

<i>Category of Development</i>	<i>Fee payable</i>
5. The erection of industrial, commercial, community and other buildings, other than dwellinghouses or buildings covered by category 4.	<p>Full and Reserved Matters</p> <p>(a) where no floor space is to be created by the development, £185;</p> <p>(b) where the area of gross floor space to be created by the development does not exceed 40 sq.m., £185;</p> <p>(c) where the area of the gross floor space to be created by the development exceeds 40 sq.m., but does not exceed 75 sq.m., £364;</p> <p>(d) where the area of the gross floor space to be created by the development exceeds 75 sq.m., but does not exceed 3,750 sq.m., £364 for each 75 sq.m. of that area;</p> <p>(e) where the area of gross floor space to be created by the development exceeds 3,750 sq.m., £18,200; and an additional £108 for each 75 sq.m., in excess of 3,750 sq.m., subject to a maximum in total of £271,028.</p>
6. The erection, alteration or replacement of plant and machinery including telecommunications/datacommunications equipment, a single wind turbine and wind farms.	<p>(a) where the site area does not exceed 5 hectares, £364 for each 0.1 hectare of the site area;</p> <p>(b) where the site area exceeds 5 hectares, £18,200; and an additional £108 for each 0.1 hectare in excess of 5 hectares, subject to a maximum in total of £271,028.</p>
7. The erection, on land used for the purposes of agriculture, of buildings to be used for agricultural purposes and for agricultural and commercial glasshouses.	£968 for each 500 sq.m. of floorspace subject to a maximum of £12,826.
8. The winning and working of peat.	£1,925 for each 5 hectares of the site area subject to a maximum of £34,650.
9. (a) The winning and working of minerals (other than peat).	£372 per 0.1 hectare of the site area subject to a maximum of £41,664.
(b) The carrying out of any operations connected with exploratory drilling for oil or natural gas.	
(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.	
(d) The carrying out of any other operation not coming within any of the above categories.	

<i>Category of Development</i>	<i>Fee payable</i>
10. 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.	£257.
11. (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 discontinuance of the use of the removal of the building or works at the end of the specified period).	£257.
(b) An application to develop land without compliance with a condition subject to which a previous planning permission has been granted.	
12. An application for a material change of use.	(a) where the application relates to a dwellinghouse, £706 for the first dwellinghouse and £257 for each additional dwellinghouse subject to a maximum of £12,850;  (b) for any other change of use, £257 for each 75 sq.m., of floorspace subject to a maximum of £12,850.
13. Any other application not falling within categories 1-12.	£848.]

**Status:**

Point in time view as at 17/06/2019.

**Changes to legislation:**

There are currently no known outstanding effects for the The Planning (Fees) Regulations (Northern Ireland) 2015, SCHEDULE 1.