

SCHEDULE

FEES IN RESPECT OF APPLICATIONS AND DEEMED APPLICATIONS FOR PLANNING PERMISSION OR FOR APPROVAL OF RESERVED MATTERS

PART II

GENERAL PROVISIONS

2. Subject to paragraphs 3 to 10, the fee payable under regulation 3 or regulation 10 for a category of development shall be calculated in accordance with—

- (a) for the period up to and including 31 March 2005, the appropriate entry specified in Column 2 of Table 1;
- (b) for the period on or after 1st April 2005, the appropriate entry specified in Column 2 of Table 2; and

paragraphs 11 to 14.

3. Where an application or deemed application is made or deemed to be made by a community council, the fee payable shall be one half of the amount that would otherwise be payable.

4.—(1) Where an application or deemed application is made or deemed to be made by a club, society, trust or other organisation which is not established or conducted for profit and whose objects are the provision of facilities for sport or recreation, and the conditions specified in sub paragraph (2) are satisfied, the fee payable shall be £240, and on or after 1st April 2005, £260.

(2) The conditions referred to in sub-paragraph (1) are—

- (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 playing field, and to no other development; and
- (b) that the planning authority with which the application is lodged is, or, in the case of a deemed application, the Scottish Ministers are, satisfied that the development is to be carried out on land which is, or is intended to be, occupied by the club, society, trust or organisation and used wholly or mainly for the carrying out of its objects.

5.—(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 the applicant.

(2) Where the amount paid as mentioned in sub-paragraph (1)(b) is not less than the amount which would be payable if the applicant were by the 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 fee payable in respect of the current application shall be £240, and on or after 1st April 2005, £260.

(3) Where—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) 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
- (b) sub-paragraph (2) would apply if that fee had been paid at the rate applying at that date, the fee in respect of the current application shall be £240, and on or after 1st April 2005, £260.

6. Where application is made for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted the fee payable in respect of the application shall be £120, and on or after 1st April 2005, £130.

7. Where an application relates to development to which section 33 of the 1997 Act applies, the fee payable in respect of the application shall be—

- (a) where the application relates to development carried out without permission, the fee that would be payable if the application were for planning permission to carry out that development; and
- (b) in any other case, £120, and on or after 1st April 2005, £130.

8.—(1) This paragraph applies where applications are made or deemed to have been made by virtue of section 133(7) of the 1997 Act for planning permission or for the approval of reserved matters in respect of the development of land lying in the areas of 2 or more planning authorities.

(2) The amount payable in respect of all the applications shall be one and a half times the amount which would have been payable if application had been made to a single authority in respect of the whole development or the sum of the amounts which would have been payable but for this paragraph whichever is the lesser.

(3) In applications other than deemed applications the fee payable under sub-paragraph (2) shall accompany only the application to the planning authority in whose area the larger or largest part of the land to which the applications relate is situated.

(4) In deemed applications the fee payable to the Scottish Ministers shall be the amount which would be payable by virtue of sub-paragraph (2) if applications for the like permission had been made to the relevant planning authorities on the date on which notice of appeal was given in accordance with section 130(2) of the 1997 Act.

9.—(1) Where application is made—

- (a) for planning permission in respect of 2 or more proposals for the development of the same land; or
- (b) for approval of reserved matters in respect of 2 or more proposals for the carrying out of the development authorised by an outline planning permission,

and application is made in respect of all the proposals on the same date and by the same applicant a single fee shall be payable in respect of all such proposals, calculated as provided in sub paragraph (2).

(2) Calculations shall be made in accordance with this Schedule of the fee appropriate to each of the proposals and the single fee payable in respect of all the proposals shall be the sum of—

- (a) an amount equal to the highest fee calculated in respect of each of the proposals; and
- (b) an amount calculated by adding together the fees appropriate to all of the proposals, other than the fee referred to in sub-sub-paragraph (a) and dividing that total by the figure of 2.