
DRAFT STATUTORY INSTRUMENTS

2012 No.

The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012

Exceptions – access and facilities for disabled persons

4.—(1) Regulation 3 shall not apply where the local planning authority to whom the application is made are satisfied that it relates solely to—

- (a) the carrying out of operations—
 - (i) for the alteration or extension of an existing dwellinghouse; or
 - (ii) in the curtilage of an existing dwellinghouse (other than the erection of a dwellinghouse) ,

for the purpose, in either case, of providing means of access to or within the dwellinghouse for a disabled person who is resident in, or is proposing to take up residence in, that dwellinghouse, or of providing facilities designed to secure that person’s greater safety, health or comfort; or

- (b) the carrying out of operations for the purpose of providing means of access for disabled persons to or within a building or premises to which members of the public are admitted (whether on payment or otherwise).

(2) In this regulation, “disabled person” means—

- (a) a person who is within any of the descriptions of persons to whom section 29 of the National Assistance Act 1948(1) (welfare arrangements for blind, deaf, dumb and crippled persons, etc) applies; or
- (b) a child who is disabled for the purposes of Part 3 of the Children Act 1989(2) (local authority support for children and families).

(1) 1948 c. 29; see subsection (1) of section 29. That subsection was amended by sections 113(1) and 114 of, and Schedule 4 to, the Mental Health (Scotland) Act 1960 (c. 61), section 195 of, and paragraph 2 of Schedule 23 to, the Local Government Act 1972 (c. 70) and section 108 of, and paragraph 11(2) of Schedule 13 to, the Children Act 1989 (c. 41).

(2) 1989 c. 41; see section 17(11).