

---

STATUTORY INSTRUMENTS

---

**2012 No. 2920**

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

**Fees for applications for certificates of lawful use or development**

**11.**—(1) Subject to [<sup>F1</sup>paragraphs (2) and (8)], where an application is made to a local planning authority under section 191 (certificate of lawfulness of existing use or development) or 192 (certificate of lawfulness of proposed use or development) of the 1990 Act <sup>M1</sup> a fee shall be paid to that authority.

(2) This regulation shall not apply where the local planning authority to whom the application is made are satisfied that it relates solely to the carrying out of operations specified in regulation 4 for the purposes specified in that regulation.

(3) Subject to [<sup>F2</sup>paragraphs (6) to (9) and regulation 18A], the fee payable in respect of an application to which this regulation applies shall be—

- (a) in the case of an application under section 191(1)(a) or (b) (or under both paragraphs), the amount that would be payable in respect of an application for planning permission to institute the use or carry out the operations specified in the application (or an application for planning permission to do both, as the case may be);
- (b) in the case of an application under section 191(1)(c), [<sup>F3</sup>£293].
- (c) in the case of an application under section 192(1)(a) or (b) (or under both paragraphs), half the amount that would be payable in respect of an application for planning permission to institute the use or carry out the operations specified in the application (or an application for planning permission to do both, as the case may be).

<sup>F4</sup>(4) .....

<sup>F5</sup>(5) .....

(6) Where a use specified in an application under section 191(1)(a) is use as one or more separate dwellinghouses, the fee payable in respect of that use shall [<sup>F6</sup>, subject to regulation 18A,] be—

- [<sup>F7</sup>(a) where the use so specified is use as fewer than 10 dwellinghouses, £578 for each dwellinghouse;
- (b) where the use so specified is use as at least 10 but no more than 50 dwellinghouses, £624 for each dwellinghouse;
- (c) where the use so specified is use as more than 50 dwellinghouses, £30,860 and an additional £186 for each dwellinghouse in excess of 50, subject to a maximum in total of £405,000.]

(7) Where an application is made under section 191(1)(a) or (b) (or under both paragraphs) and under section 191(1)(c), the fee payable shall be the sum of the fees that would have been payable if there had been an application under section 191(1)(a) or (b) (or under both paragraphs, as the case may be) and a separate application under section 191(1)(c).

(8) In the case of an application which relates to land in the area of two or more local planning authorities, paragraph 8(2) of Part 1 of Schedule 1 shall apply for the purpose of determining the authority to whom the fee shall be payable and the amount payable as it applies in the case of an application for planning permission which relates to such land.

(9) Where an application is made by or on behalf of a parish council, the fee payable shall be one half of the amount that would otherwise be payable in accordance with paragraphs (3) to (8).

(10) The fee due in respect of an application to which this regulation applies shall accompany the application when it is lodged with the local planning authority.

(11) Where the local planning authority who receive the fee in accordance with this regulation—

- (a) are not the local planning authority who have to determine the application; and
- (b) forward the application to that authority,

they shall remit the fee to that authority at the same time as they forward the application to them.

(12) Any fee paid pursuant to this regulation shall be refunded if the application is rejected as invalid.

#### Textual Amendments

- F1** Words in reg. 11(1) substituted (6.12.2023) by [The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/1197\)](#), regs. 1(2), **7(2)** (with regs. 18, 19)
- F2** Words in reg. 11(3) substituted (6.12.2023) by [The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/1197\)](#), regs. 1(2), **7(3)(a)** (with regs. 18, 19, 21)
- F3** Sum in reg. 11(3)(b) substituted (6.12.2023) by [The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/1197\)](#), regs. 1(2), **7(3)(b)** (with regs. 18, 19, 21)
- F4** Reg. 11(4) omitted (6.12.2023) by virtue of [The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/1197\)](#), regs. 1(2), **7(4)** (with regs. 18, 19)
- F5** Reg. 11(5) omitted (6.12.2023) by virtue of [The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/1197\)](#), regs. 1(2), **7(4)** (with regs. 18, 19)
- F6** Words in reg. 11(6) inserted (6.12.2023) by [The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/1197\)](#), regs. 1(2), **7(5)(a)** (with regs. 18, 19)
- F7** Reg. 11(6)(a)-(c) substituted for reg. 11(6)(a)(b) (6.12.2023) by [The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/1197\)](#), regs. 1(2), **7(5)(b)** (with regs. 18, 19)

#### Marginal Citations

- M1** Section 191 and 192 were substituted by section 10(1) of the Planning and Compensation Act 1991 and section 191 was amended by section 124(3) of the Localism Act (c. 20).

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, Section 11.