
STATUTORY INSTRUMENTS

2012 No. 2920

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

Interpretation

2.—(1) In these Regulations—

“the 1990 Act” means the Town and Country Planning Act 1990;

“the 1989 Regulations” means the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989(1);

“the 2007 Regulations” means the Town and Country Planning (Control of Advertisements) (England) Regulations 2007(2);

“the Development Management Procedure Order” means the Town and Country Planning (Development Management Procedure) (England) Order 2010(3);

“the General Permitted Development Order” means the Town and Country Planning (General Permitted Development) Order 1995(4);

“dwellinghouse” means a building(5) which is used as a single private dwellinghouse and for no other purpose;

“glasshouse” means a building which—

- (a) has not less than three-quarters of its total external area comprised of glass or other translucent material;
- (b) is designed for the production of flowers, fruit, vegetables, herbs or other horticultural produce; and
- (c) is used, or is to be used, solely for the purposes of agriculture;

“householder application” has the same meaning as in article 2(1) of the Development Management Procedure Order (interpretation);

“landfill permission” means any planning permission for—

- (a) operational development of land designed to be used wholly or mainly for the purpose of; or
- (b) any material change of use of land to,

a waste disposal site for the deposit of waste onto or into the land;

“landfill site” means the land to which a landfill permission relates;

“mineral permission” means any planning permission for development consisting of—

(1) S.I. 1989/193, as amended by S.I. 1990/2473, 1991/2735, 1992/1817, 1992/3052, 1993/3170, 1996/525, 1997/37, 2001/2719, 2002/768, 2005/843, 2006/994, 2008/958 and 2010/472.

(2) S.I. 2007/783, to which there are amendments not relevant to these Regulations.

(3) S.I. 2010/2184.

(4) S.I. 1995/418.

(5) “Building” includes any part of a building; *see* the definition of “building” in section 336 of the 1990 Act.

- (a) the winning and working of minerals; or
- (b) the depositing of mineral waste;

“mining site” means—

- (a) the aggregate of the land to which any two or more mineral permissions relate where the aggregate of the land—
 - (i) is worked as a single site; or
 - (ii) is treated as a single site by the local planning authority for the purposes of Schedule 13 (review of old mineral planning permissions) or Schedule 14 (periodic review of mineral planning permissions) to the Environment Act 1995(6); and
- (b) in any other case, the land to which a mineral permission relates;

“outline planning permission” and “reserved matters” have the same meaning as in article 2(1) of the Development Management Procedure Order;

“site visit” means entry by a local planning authority on to a mining site or landfill site—

- (a) to ascertain whether there is or has been any breach of planning control on the site;
- (b) to determine whether any of the powers conferred on the local planning authority by Part 7 of the 1990 Act(7) (enforcement) should be exercised in relation to the site;
- (c) to determine how any such power should be exercised in relation to the site; or
- (d) to ascertain whether there has been any compliance with any requirement imposed as a result of any such power having been exercised in relation to the site; and

“use of land” includes use of land for the winning and working of minerals.

(2) Expressions used in regulation 13 and Schedule 2 have, unless the context otherwise requires, the meaning which they bear in the 2007 Regulations.

(6) 1995 c. 25; Schedule 13 was amended by sections 76 and 93 of, and paragraph 16 of Part II of Schedule 10 and paragraph 13 of Part I of Schedule 15 to, the Countryside and Rights of Way Act 2000 (c. 37); Schedules 13 and 14 were amended by sections 3 and 4 of, and Part 3 of Schedule 1 and paragraph 60 of Schedule 2 to, the Planning (Consequential Provisions) (Scotland) Act 1997 (c. 11) and S.I. 2003/956; Schedule 14 was amended by section 118 of, and paragraph 19 of Schedule 7 to, the Planning and Compulsory Purchase Act 2004 (c. 5).

(7) Part 7 was amended by sections 1 to 11 and 84 of, and paragraph 11 of Schedule 1, paragraphs 22 to 33 of Schedule 7 and Part I of Schedule 19 to, the Planning and Compensation Act 1991 (c. 34), section 52 of the Planning and Compulsory Purchase Act 2004, paragraphs 1, 5 and 6 of Schedule 10 (partially in force, see S.I. 2009/400) and paragraphs 1 and 3 of Schedule 11 to the Planning Act 2008 (c. 29), S.I. 2003/956 and 2009/1307, and sections 123 to 126 of, and paragraph 17 of Schedule 12 to, the Localism Act 2011 (c. 20)