

## SCHEDULE 1

Regulation 3

### Cases in which no fee is payable

1. No fee will be payable in respect of a request where, on the date of such request, there is in effect a written agreement between the undertaker and the authority under which the undertaker agrees to make a financial contribution to the authority's costs incurred in handling requests.

2. In paragraphs 3, 4, 5 and 6—

“deemed refusal” means deemed refusal of a request pursuant to paragraph 22(3) of the Schedule, and “deemed to be refused” is to be construed accordingly;

“operation” means any operation, work, matter or scheme (including any arrangements with respect to a matter, any bringing into use of works or any additional details) for which approval is required; and

“similar request” means one further request which is made to the same authority and which relates solely to—

- (a) the whole or part of the same site as that to which an earlier request related (and to no other land); and
- (b) an operation which is, in the opinion of the authority, of the same character or description as that which was the subject of the earlier request.

3. Where a request for which the prescribed fee has been paid is withdrawn, and within a period of 12 months beginning with the date of the receipt by the authority of the request, a similar request is made, no fee will be payable in respect of that similar request.

4. Where—

- (a) a request for which the prescribed fee has been paid is refused by the authority or is deemed to be so refused;
- (b) no appeal is made in respect of the refusal or deemed refusal; and
- (c) within a period of 12 months beginning with the date of such refusal or deemed refusal, a similar request is made,

no fee will be payable in respect of that similar request.

5. Where—

- (a) a request for which the prescribed fee has been paid is refused, and an appeal is made in respect of it;
- (b) the appeal is dismissed; and
- (c) within a period of 12 months beginning with the date of the dismissal of the appeal, a similar request is made,

no fee will be payable in respect of that similar request.

6. Where—

- (a) a request for which the prescribed fee has been paid is deemed to be refused, and an appeal is made in respect of it;
- (b) within a period of 12 months beginning with the date of the expiry of the appropriate period mentioned in paragraph 22(4) of the Schedule, a similar request is made; and
- (c) the appeal has not, on or before the date of making of that similar request, been determined in favour of the appellant,

no fee will be payable in respect of that similar request.

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

## SCHEDULE 2

Regulation 4

## Table of fees payable

<i>Column 1</i>	<i>Column 2</i>
<b>Category of development for which approval is sought</b>	<b>Fee payable</b>
<i>1. Plans and specifications for the following works</i>	
<b>A</b>	
(i) Building works - the erection, construction, alteration or extension of a building, other than a temporary building and excluding anything in C below.	(a) where no gross floor space is to be created by the development, £195;
(ii) Fences and walls – the erection, alteration or extension of any fence or wall (other than sight, noise or dust screens).	(b) where the area of gross floor space to be created by the development does not exceed 40 square metres, £195;
(iii) Sight, noise or dust screens - the erection, alteration or extension of any fences, walls or other barriers (including bunds) for visual or noise screening or dust suppression.	(c) where the area of gross floor space to be created by the development exceeds 40 square metres but does not exceed 75 square metres, £385;
(iv) Artificial lighting equipment - the erection, alteration, extension or installation of lighting equipment.	(d) where the area of gross floor space to be created by the development exceeds 75 square metres but does not exceed 3750 square metres £385 for each 75 square metres or part thereof of that area;
	(e) where the area of gross floor space to be created by the development exceeds 3750 square metres, £19,049; and an additional £115 for each 75 square metres or part thereof subject to a maximum of £250,000.
<b>B</b> Road vehicle park – does not include anything that is a building.	£195.
<b>C</b> Earthworks – the erection, alteration or extension of any terracing, cuttings, embankments or other earth works.	£195 for each 0.1 hectares or part thereof of the site, subject to a maximum of £1,690.
<b>D</b>	
(i) Telecommunications masts or pedestrian access to the railway line.	£195.
(ii) Transformers.	The criteria in (a) to (e) in category 1A apply for the calculation of the fee.
<i>2. Matters ancillary to development</i>	
<b>A.</b> Handling of re-useable spoil or top soil – handling during removal, storage and re-use of	£195.

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<i>Column 1</i>	<i>Column 2</i>
<b><i>Category of development for which approval is sought</i></b>	<b><i>Fee payable</i></b>
any spoil or top soil removed during the course of carrying out the development.	
B. Storage sites – sites on land within the Act limits at which materials are to be stored until used or re-used in carrying out the development or disposal as waste.	£195.
C. Construction camps – sites on land within the Act limits which are to be used for the residential accommodation of persons engaged in carrying out the development.	£195.
D. Works screening – the provision where necessary on land within the Act limits of any screening for working sites on such land required for the purpose of carrying out the development.	£195.
E. Artificial lighting – the use of artificial lighting on land within the Act limits for the purpose of carrying out the development.	£195.
F. Dust Suppression – the suppression of dust caused by construction operations carried out on land within the Act limits for the purpose of carrying out the development.	£195.
G. Road mud control measures – the measures to be taken on land within the Act limits to prevent or reduce the carrying of mud on to any public highway as a result of carrying out the development.	£195.
<i>3. Road transport</i>	
Arrangements concerning road transport – the arrangements regarding the routes by which anything is to be transported on a highway by a large goods vehicle <sup>(1)</sup> to a working or storage site; a site where it will be re-used; or a waste disposal site.	£195.
<i>4. Waste and spoil disposal and excavations</i>	
The development to the extent it consists of waste and spoil disposal or the excavation of bulk materials from borrow pits.	£195 for each 0.1 hectares or part thereof of the site area, subject to a maximum of £29,112.

(1) See paragraph 6(7) of Schedule 17 to the High Speed Rail (London – West Midlands) Act 2017 where this term is defined.

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<b><i>Category of development for which approval is sought</i></b>	<b><i>Fee payable</i></b>
<i>5. Bringing scheduled works or depots into use</i>	
Arrangements for bringing into use scheduled works and depots.	£195.
<i>6. Mitigation schemes</i>	
A mitigation scheme consists of reasonably practicably measures to mitigate the effect of the works or operation (paragraph 9(4)(b) of the Schedule).	£195.
<i>7. Site restoration schemes</i>	
A site restoration scheme.	£195.
<i>8. Additional details</i>	
Additional details request.	£97.
<i>9. Non-material changes</i>	
The request for a non-material change to any approval (paragraph 21 of the Schedule).	£195.