

**Planning  
Fee  
Increases**

**DLP BRIEFING NOTE 116**

Prepared by  
**DLP Planning Ltd**

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## **DLP Planning Ltd**

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Following on from DCLG Minister Greg Clark's announcement from early July that planning fees would rise by 15%, the regulations have been agreed in both Houses of Parliament and will come into force on **22 November 2012**.

The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 consolidate 12 statutory instruments dating back to 1989 and introduce new levels of planning application fees which have been increased by 15 % in line with inflation since 2008.

This ends many months of speculation following consultation undertaken on the potential for each Local Planning Authority to be able to set their own planning fees at a local level, which attracted considerable debate both within the development sector and in Local Authorities.

Whilst the maximum fee cap of £250,000 remains for full residential planning applications, the fee on sites of 50 dwellings or fewer has increased to £385 for each dwelling, and on larger sites the fee will be £19,049, plus an additional £115 for each dwelling in excess of 50 units.

For outline residential applications of under 2.5 hectares, the fee per 0.1 hectare will be £385. For sites over 2.5 hectares, the fee will be £9,527 plus £115 per 0.1 hectare over the 2.5 hectare threshold – the maximum fee for this category remains capped at £125,000.

For materials change of uses, the fee will increase to £385.

Fees for discharge of conditions will increase to £28 for householder applications, and £97 for all other permissions.

Fees for non-material changes to planning permissions will increase to £28 for householder applications and £195 for all other cases.

Fees for applications made under s73 for minor material amendments will increase to £195.

Fees for extension of time limit applications will increase to £57 for householder applications, £575 for major developments, and £195 in all other cases.

- For alterations, extensions, etc. to a dwelling house for the benefit of a registered disabled person
- An application solely for the carrying out of the operations for the purpose of providing a means of access for disabled persons to or within a building or premises to which members of the public are admitted
- Listed Building Consent
- Conservation Area Consent
- Works to Trees covered by a Tree Preservation Order or in a Conservation Area
- Hedgerow Removal
- If the proposal is the first revision of an application for development of the same character or description on the same site by the same applicant within 12 months of making the earlier application if withdrawn or the date of decision if granted or refused (including signs only if withdrawn or refused) and NOT a duplicate application made by the same applicant within 28 days

- If the proposal relates to works that require planning permission only by virtue of an Article 4 Direction of the Town & Country Planning (General Permitted Development) Order 1995. I.e. where the application is required only because of a direction or planning condition removing permitted development rights.
- If the application is for a lawful development certificate, for existing use, where an application for planning permission for the same development would be exempt from the need to pay a planning fee under any other planning fee regulation

The main changes are:

- (a) the increase of all existing fees by approximately 15%;
- (b) regulation 1(2) provides that these Regulations are to cease to have effect seven years after they come into force;
- (c) fees in respect of deemed applications are to be paid to the local planning authority, rather than half to the local planning authority and half to the Secretary of State (regulation 10);
- (d) fees paid in respect of an application deemed to be made in relation to the use of the land as a caravan site are to be treated the same as other applications for the purposes of refunds(regulation 10(13)). Under the 1989 Regulations, such a deemed application was excluded from the provisions providing for such a refund;
- (e) fees are to be payable to the Secretary of State in connection with applications for urgent crown development (regulation 12);
- (f) applications for adverts on multiple charging points for electric vehicles are to be treated the same as those for multiple adverts on parking meters, litter bins, benches and bus shelters (regulation 13(4));
- (g) fees are to be payable to local planning authorities in respect of an application for a certificate of appropriate alternative development (regulation 18); and
- (h) regulation 19 requires the Secretary of State to review the operation and effect of these Regulations and publish a report within five years after the Regulations come into force. Following the review it will fall to the Secretary of State to consider whether the Regulations should be allowed to expire as regulation 1(2) provides, be revoked early, or continue in force with or without amendment. A further instrument would be needed to continue the Regulations in force with or without amendments or to revoke them early.

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