



GUERNSEY STATUTORY INSTRUMENT

2017 No. 29

**The Land Planning and Development (Fees)
(Amendment) Regulations, 2017**

<i>Made</i>	24 th May, 2017
<i>Coming into operation</i>	1 st July, 2017
<i>Laid before the States</i>	, 2017

THE DEVELOPMENT & PLANNING AUTHORITY, in exercise of the powers conferred on it by section 12 of the Land Planning and Development (Fees and Commencement) Ordinance, 2008^a and section 89 of the Land Planning and Development (Guernsey) Law, 2005^b and of all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of the 2008 Ordinance.

1. (1) The Land Planning and Development (Fees and Commencement) Ordinance, 2008 ("**the 2008 Ordinance**") is amended as follows.

^a Recueil d'Ordonnances Tome XXXIII, p. 171 as amended by Ordinance No. XVIII of 2011 and No. IX of 2016; G.S.I. Nos. 6 of 2010, 11 and 47 of 2012 and No. 15 of 2015.

^b Order in Council No. XVI of 2005 to which there are amendments not relevant to these Regulations.

(2) For Part I of Schedule 2 to the 2008 Ordinance (relating to fees to accompany a deposit of plans under the building regulations) substitute the Part I set out in the Schedule to these Regulations.

(3) In Part II of Schedule 2 to the 2008 Ordinance (notes to table) –

(a) in paragraph 5(2) (category 2) for "category 2A and B" substitute " categories 2A to 2C", and

(b) in paragraph 6 (categories 2 and 3), for "2A, 2B" substitute "2A to 2C".

Interpretation.

2. (1) In these Regulations, "**the 2008 Ordinance**" means the Land Planning and Development (Fees and Commencement) Ordinance, 2008 and, unless the context requires otherwise, other terms have the same meaning as in the 2008 Ordinance.

(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of these Regulations.

(3) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Application of new fees.

3. (1) For the avoidance of doubt, the new fees substituted by these

^c Ordres en Conseil Vol. XIII, p. 355.

Regulations apply, in accordance with section 3 of the 2008 Ordinance, in relation to a deposit of full plans under the building regulations, made on or after the 1st July, 2017.

(2) For the avoidance of doubt, the new fees substituted by these Regulations apply, in accordance with section 4C of the 2008 Ordinance, in relation to an appeal to an Adjudicator -

- (a) to which Part IIA of the 2008 Ordinance applies, and
- (b) where the fee is required to be calculated under section 4C(2) of the 2008 Ordinance as if the appeal were made on or after 1st July, 2017.

Citation and commencement.

4. These Regulations may be cited as the Land Planning and Development (Fees) (Amendment) Regulations, 2017 and shall come into force on the 1st July, 2017.

Dated this 24TH day of May, 2017



Deputy J A B Gollop

President of the Development & Planning Authority

For and on behalf of the Authority

SCHEDULE

Regulation 1(2)

FEE TO ACCOMPANY DEPOSITING OF FULL PLANS UNDER THE BUILDING REGULATIONS

"PART I

Fee payable.

1. The fee payable is to be calculated in accordance with the Table below and the notes in Part II.

TABLE OF FEES

CATEGORY	BUILDING WORK OR MATERIAL CHANGE OF USE TO WHICH FULL PLANS RELATE	FEE (£)
1.	The creation of a dwelling (whether by its erection or by a material change of use) including - <p style="text-align: center;">(a) any detached garage or parking area which is for purposes ancillary to the enjoyment of the dwelling as such, and</p> <p style="text-align: center;">(b) any other associated building work.</p>	
A	for each flat created up to and including 20	615
B	for each additional flat created up to and including 40	475
C	for each additional flat created over 40	325
D	for each dwelling-house created, with a floor area of less than 250 square metres, up to and including 20	970
E	for each dwelling-house created, with a floor area of 250	970 for the first 250

	square metres or more, up to and including 20	square metres and 2.50 for each additional square metre and for any additional part remaining of less than one square metre
F	for each additional dwelling-house created up to and including 40	700
G	for each additional dwelling-house created over 40	410
2.	The extension of or other alteration to a dwelling, not falling within category 1, and other specified building work in relation to a dwelling and any associated building work.	
A	for the extension of a dwelling, not falling within sub-category D, E or L of this category, by less than 20 square metres in floor area	415
B	for the extension of a dwelling, not falling within sub-category D, E or L of this category, by 20 square metres or more but less than 50 square metres in floor area	700
C	for the extension of a dwelling, not falling within sub-category D, E or L of this category, by 50 square metres or more in floor area	850
D	for the extension of a dwelling by the conversion of an existing basement or cellar area or existing loft or roofspace to form habitable accommodation	475
E	for the extension of a dwelling by the conversion of an existing integral or non-integral garage to form habitable	475

	accommodation	
F	for the erection of or an extension to a garage, shed, garden room or garden store (which in each case is predominantly for purposes ancillary to the enjoyment of a dwelling as such) of less than 20 square metres in floor area	140
G	for the erection of or extension to a garage, shed, garden room or garden store (which in each case is predominantly for purposes ancillary to the enjoyment of a dwelling as such) of 20 square metres or more in floor area	275
H	for an alteration to a dwelling, other than an alteration falling within any other sub-category to this category, where the estimated cost of the building work is less than £1,000	75
I	for an alteration to a dwelling, other than an alteration falling within any other sub-category to this category, where the estimated cost of the building work is at least £1,000 but not more than £5,000	160
J	for an alteration to a dwelling, other than an alteration falling within any other sub-category to this category, where the estimated cost of the building work is at least £5,000 but no more than £20,000	270
K	for an alteration to a dwelling, other than an alteration falling within any other sub-category to this category, where the estimated cost of the building work is more than £20,000	605
L	for the erection of a conservatory or a sun lounge	145
M	for the replacement of existing windows or external doors within an existing aperture, for any number of such windows or external doors	75
N	for the erection of domestic stables of up to and including 20	165

	square metres in floor area	
3.	<p>Building work or a material change of use -</p> <p>(a) not falling within category 1 or 2, for the erection of or extension to a building for purposes ancillary to the enjoyment of a dwelling as such, and</p> <p>(b) other than in relation to a dwelling,</p> <p>and any associated building work.</p>	
A	for the erection of or an extension to an agricultural building, other than a glasshouse, of less than 10 square metres in floor area	75
B	for the erection of or an extension to an agricultural building, other than a glasshouse, of 10 square metres or more but less than 100 square metres in floor area	140
C	for the erection of or an extension to an agricultural building, other than a glasshouse, of 100 square metres or more but less than 250 square metres in floor area	275
D	for the erection of or an extension to an agricultural building, other than a glasshouse, of 250 square metres or more in floor area, for each 250 square metres and for any additional part remaining of less than 250 square metres	275
E	for the extension of a building by the installation of a mezzanine floor	595
F	for the erection of or an extension to a building, other than an erection or extension falling within any other sub-category to	16 for each square metre up to and

	this Table, for purposes other than storage, for each square metre of floor area	including 100 square metres and 8 for each additional square metre and for any additional part remaining of less than one square metre
G	for the erection of or an extension to a building, other than an erection or extension falling within any other sub-category to this Table, for storage purposes, for each square metre of floor area	10 for each square metre up to and including 100 square metres and 5 for each additional square metre and for any additional part remaining of less than one square metre
H	for the alteration of a building, other than an alteration falling within any other sub-category to this Table, where the estimated cost of the building work is less than £10,000	210
I	for the alteration of a building, other than an alteration falling within any other sub-category to this Table, where the estimated cost of the building work is £10,000 or more but less than £50,000	605

J	for the alteration of a building, other than an alteration falling within any other sub-category to this Table, where the estimated cost of the building work is £50,000 or more but less than £100,000	765
K	for the alteration of a building, other than an alteration falling within any other sub-category to this Table, where the estimated cost of the building work is £100,000 or more	1,255
L	for the material change of use of a building other than to use as a dwelling	700
4.	The carrying out of specified building work not carried out as part of any building work falling within any other category to this Table.	
A	for the provision or alteration of a drainage system including the installation of a cesspit, for each such drainage system	130
B	for the provision or alteration of a controlled service or fitting not falling within any other sub-category to this category, for each such controlled service or fitting	100
C	for the erection of a retaining wall, for each such wall	410
D	for building work involving the underpinning of a building, for each building underpinned	410
E	for the replacement or alteration of a shop front, for each shop front	210
F	for the erection of a garden or boundary wall, for each such wall	130
G	for the installation of a swimming-pool (including any plant room, pool room or other room required in relation to such swimming pool) or a reservoir, for each such pool or reservoir	130
H	for the erection of or extension to a glasshouse, for each such	130

	<p>extension or glasshouse -</p> <p>(a) of less than 500 square metres, or</p> <p>(b) of 500 square metres or more, for each 500 square metres and for any additional part remaining of less than 500 square metres</p>	
I	<p>for the construction of a road, for each such road -</p> <p>(a) of less than 250 square metres, or</p> <p>(b) of 250 square metres of more, for each 250 square metres and any additional part remaining of less than 250 square metres</p>	130
J	for the renovation of a thermal element	110
K	for the demolition of any building	130
L	<p>for the fitting out of a shop or office -</p> <p>(a) of less than 500 square metres in floor area, or</p> <p>(b) of 500 square metres or more in floor area, for each 500 square metres and for any additional part remaining of less than 500 square metres</p>	605

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Land Planning and Development (Fees and Commencement) Ordinance, 2008 ("the 2008 Ordinance").

They replace the Table of Fees in Part I of Schedule 2 of the 2008 Ordinance, which sets out the fees to accompany a deposit of full plans made under the Building (Guernsey) Regulations, 2012 (the Building Regulations) with the Table of Fees set out in the Schedule 1 to these Regulations.

The changes made to Schedule 2 are –

- a new category 1E (dwellings) to provide for an additional fee for large dwelling-houses of £2.50 for each square metre over 250 square metres in floor area;
- amendments to category 2 (extension or other alterations to dwellings) –
 - to split existing category 2B in two with a higher fee of £850 for larger extensions of 50 square metres or more in floor area (new category 2C); and
 - to amalgamate previous, similar categories 2C and D into a new category 2D;
- consequential amendments to paragraphs 5(2) and 6 to the notes in Part II of the Schedule to reflect the minor changes to fee categories (see regulation 1(3) of these Regulations);

- amendments to category 3F (in relation to the erection or extension of a building other than a dwelling, for non-storage purposes, not falling within another sub-category to the Table of Fees), to change the fee from £14 for each square metre of floor area to £16 for each square metre of floor area up to 100 square metres and of £8 for each square metre over 100 square metres; and
- amendments to category 3G (in relation to the erection or extension of a building other than a dwelling, for storage purposes, not falling within another sub-category to the Table of Fees), to change the fee from £9 for each square metre of floor area to £10 for each square metre of floor area up to 100 square metres and of £5 for each square metre over 100 square metres.

The new fees will apply to a deposit of full plans made under the Building Regulations, made on or after 1st July, 2017 (see regulation 3(1) of these Regulations).

In accordance with section 4C of the 2008 Ordinance, the new fees also apply in relation to an appeal to an Adjudicator against a rejection of full plans under the Building Regulations, for which a fee is payable under the 2008 Ordinance.

They will apply where the appeal fee is required to be calculated, under section 4C(2) of the 2008 Ordinance, as if the appeal were made on or after 1st July, 2017 (see regulation 3(2) of these Regulations).

These Regulations come into force on the 1st July, 2017.