



GUERNSEY STATUTORY INSTRUMENT

2019 No. 113

**The Land Planning and Development (Fees)
(Amendment) Regulations, 2019**

<i>Made</i>	<i>20th November, 2019</i>
<i>Coming into operation</i>	<i>1st January, 2020</i>
<i>Laid before the States</i>	<i>, 2020</i>

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 is amended as follows.

^a Ordinance No. XLI of 2008; amended by Ordinance No. XVIII of 2011; No. IX of 2016; No. III of 2019; G.S.I. Nos. 6 of 2010, Nos. 11 and 47 of 2012, No. 15 of 2015; No. 29 of 2017.

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

(2) For Schedule 1 to the 2008 Ordinance (fees to accompany an application for planning permission) substitute the Schedule 1 set out in Schedule 1 to these Regulations.

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

(4) In paragraph 6 of Part II of Schedule 2 to the 2008 Ordinance (notes to the table), for "2F and 2G" substitute "2E and 2F".

Interpretation.

2. In these Regulations, "**the 2008 Ordinance**" means the Land Planning and Development (Fees and Commencement) Ordinance, 2008.

Application of new fees.

3. (1) For the avoidance of doubt, the new fees substituted by these Regulations apply, in accordance with sections 1, 2 and 3 of the 2008 Ordinance, in relation to -

- (a) an application for planning permission,
- (b) an application for approval of reserved matters, and
- (c) a deposit of full plans under the building regulations,

as the case may be, made on or after the 1st January, 2020.

(2) For the avoidance of doubt, the new fees substituted by this Ordinance apply, in accordance with sections 4B and 4C of the 2008 Ordinance, in relation to an appeal to the Planning Tribunal or 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 4B(2) or 4C(2) of the 2008 Ordinance, as the case may be, as if the appeal were made on or after 1st January, 2020.

Citation and commencement.

4. These Regulations may be cited as the Land Planning and Development (Fees) (Amendment) Regulations, 2019 and shall come into force on the 1st January, 2020.

Dated this 20th day of November, 2019

A handwritten signature in black ink, appearing to read "Dawn A. Tindall", written in a cursive style.

Dawn A. Tindall

President of the Development & Planning Authority

For and on behalf of the Authority

SCHEDULE 1

Section 1(2)

"SCHEDULE 1

Section 1

FEEES TO ACCOMPANY AN APPLICATION FOR PLANNING PERMISSION

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	DEVELOPMENT TO WHICH APPLICATION RELATES OR TYPE OF APPLICATION	FEE (£)
1.	An application for outline permission.	
A	in respect of a site of 0.62 verges (¼ of an acre or 0.1 of a hectare) in area or less	890
B	in respect of a site exceeding 0.62 verges in area, for each 0.62 verges (¼ acre or 0.1 of a hectare) and for any additional part remaining of less than 0.62 verges	890
2.	The erection of a dwelling or the material change of use of a building to form a dwelling (including in each case any associated works).	

A	for each flat erected or formed	420
B	for each dwelling-house erected or formed	680
3.	Domestic development not falling within category 6, 7, 8 or 10.	
A	for the erection of - <p style="margin-left: 40px;">(a) a building, or</p> <p style="margin-left: 40px;">(b) an extension to a dwelling-house, flat or other building,</p> <p>within the curtilage of a dwelling-house or flat, not falling within sub-category E, and including any associated works</p>	
i	of less than 20 square metres in floor area	150
ii	of 20 square metres or more but less than 50 square metres in floor area	240
iii	of 50 square metres or more but less than 100 square metres in floor area	400
iv	of 100 square metres or more but less than 250 square metres in floor area	680
v	of 250 square metres or more in floor area	680 for the first 250 square metres, and 220 for each additional 50 square metres and for any additional part remaining of less than

		50 square metres, up to a maximum of £2,660 per application
B	for the installation of equipment designed to generate renewable energy and not carried out as associated works falling within any other category of this Table, for any number of such equipment	70
C	for the installation of a traffic mirror including any means of fixing, not carried out as associated works falling within any other category of this Table, for any number of such mirrors	90
D	for the installation of a satellite dish antenna, not carried out as associated works falling within any other category of this Table, for any number of such antennas	90
E	for the erection on land of – (a) a timber shed of less than 10 square metres in floor area, or (b) a timber fence, not carried out as associated works falling	90

	within any other category of this Table	
F	for the placing on land of a caravan, motor home, campervan or other motorised vehicle made for human habitation, for any number of the same	90
G	for any other domestic development in relation to, or within the curtilage of - (a) a dwelling-house or flat, (b) a building in which a flat is contained, not falling within category 3A to F including any associated works, for all of the same	£150
4.	Non-domestic development in relation to, or within the curtilage of, a building, not falling within categories 2, 5 to 8 or 10 and including any associated works.	
A	for the erection of - (a) a building, or (b) an extension to a building.	
i	of less than 20 square metres in floor area	250
ii	of 20 square metres or more but less than 50 square metres in floor area	400

iii	of 50 square metres or more but less than 100 square metres in floor area	600
iv	of 100 square metres or more but less than 250 square metres in floor area	1000
v	of 250 square metres or more in floor area	1000 for the first 250 square metres and 600 for each additional 250 square metres and for any additional part remaining of less than 250 square metres
B	for the installation of equipment designed to generate renewable energy and not carried out as associated works falling within any other category of this Table, for any number of such equipment	70
C	for the installation of a traffic mirror including any means of fixing and not carried out as associated works falling within any other category of this Table, for any number of such mirrors	90
D	for the installation of a satellite dish antenna, not carried out as associated works falling within any other category of this Table, for any number of such antennas	90
E	for the placing on land of a caravan motor home, campervan or other motorised	90

	vehicle made for human habitation, for any number of the same	
F	for the replacement, or substantial alteration, of a shop front, for each such shop	380
G	for any alteration to a shop front not falling within category 4F, including, without limitation, the installation of a projecting awning, for each such alteration	270
H	for any other non-domestic development not falling within any other sub-category of this Table, for all of the same.	240
5.	Specified non-domestic development in relation to - <p style="text-align: center;">(a) provision of a public utility service, or</p> <p style="text-align: center;">(b) installation of street furniture</p>	
A	for the installation of street furniture	130
B	for the carrying out of development, not falling within sub-category C or D - <p style="text-align: center;">(a) by, or on behalf of, a person providing a public utility service, and</p>	130

	<p>(b) which is necessary for the installation of minor equipment used for the purpose of providing that service,</p> <p>but not including the erection of a building necessary for the same</p>	
C	<p>for the erection, installation or substantial alteration of a mobile telephone mast or other telecommunications apparatus which has a similar function, including -</p> <p>(a) the erection, installation or substantial alteration of any structure supporting such mast or apparatus and any associated antennas and cabinets, and</p> <p>(b) any other associated works,</p> <p>for each such mast or apparatus</p>	1,850
D	<p>for the erection, installation or substantial alteration of a mobile telephone antenna, or other telecommunications apparatus which has a similar function, not falling within sub-category C, including -</p>	450

	<p>(a) the erection, installation or substantial alteration of any structure supporting such antenna or apparatus and any associated cabinets, and</p> <p>(b) any associated works,</p> <p>for each such antenna or apparatus</p>	
6.	Development in relation to advertisements.	
A	for attaching to or painting or otherwise exhibiting on the exterior of any structure (except on a projecting awning falling within category 4G), or placing on any land an advertisement or sign, for each advertisement or sign	130 (up to a maximum of £650 per application)
7.	The carrying out of operational development in relation to agriculture, minerals and waste.	
A	for the erection of or an extension to a glasshouse, polytunnel or similar structure for agricultural purposes in the course of a trade or business -	290
	(a) of less than 500 square	

	metres, or (b) of 500 square metres or more, for each 500 square metres and for any additional part remaining of less than 500 square metres	
B	for the erection of or an extension to a structure, other than a glasshouse, polytunnel or similar structure, for agricultural purposes in the course of a trade or business - (a) of less than 500 metres, or (b) of 500 square metres or more, for each 500 square metres and for any additional part remaining of less than 500 square metres	390
C	for operations consisting of mineral extraction or working or the storage of minerals in the open or operations in preparation for or otherwise enabling the carrying out of such operations -	1,180

	<p>(a) in respect of a site of 2.47 verges (1 acre or 0.4 of a hectare) in area or less, or</p> <p>(b) in respect of a site exceeding 2.47 verges in area, for each 2.47 verges (1 acre or 0.4 of a hectare) and for any additional part remaining of less than 2.47 verges</p>	
D	<p>for operations consisting of the disposal or depositing of waste or in preparation for or otherwise enabling the carrying out of such operations -</p> <p>(a) in respect of a site of 2.47 verges (1 acre or 0.4 of a hectare) in area or less, or</p> <p>(b) in respect of a site exceeding 2.47 verges in area, for each 2.47 verges (1 acre or 0.4 of a hectare) and for any additional part remaining of less than 2.47 verges</p>	1,180
8.	Operations in relation to protected trees.	

A	for an operation constituting development only under section 5 of the Land Planning and Development (General Provisions) Ordinance, 2007 where carried out in relation to a protected tree (including cutting down, uprooting, topping, lopping and cutting of roots), for any number of the same	70
9.	The carrying out of operational development not falling within any other category to this Table.	
A	in respect of a site of 0.62 of a vergee ($\frac{1}{4}$ of an acre or 0.1 of a hectare) in area or less	240
B	in respect of a site exceeding 0.62 of a vergee in area but less than 2.47 vergees (1 acre or 0.4 of a hectare) in area	450
C	in respect of a site exceeding 2.47 vergees in area, for each 2.47 vergees (1 acre or 0.4 of a hectare) and for any additional part remaining of less than 2.47 vergees	450
D	for the placing on land, not within the curtilage of a building, of a caravan , motor home, campervan or other motorised vehicle made for human habitation, for any number of the same	90
10.	Material changes of use other than to use as a dwelling.	
A	for a material change of use of a building	390

	<p>or other land other than to -</p> <p>(a) use as a dwelling, or</p> <p>(b) a use falling within paragraphs B or C of this category</p>	
B	<p>for a material change of use of a building or other land to use for mineral extraction or working or for the storage of minerals in the open -</p> <p>(a) in respect of a site of 2.47 verges (1 acre or 0.4 of a hectare) in area or less, or</p> <p>(b) in respect of a site exceeding 2.47 verges in area, for each 2.47 verges (1 acre or 0.4 of a hectare) and for any additional part remaining of less than 2.47 verges</p>	1,180
C	<p>for a material change of use of a building or other land to use for the disposal or depositing of waste -</p>	1,180

	<p>(a) in respect of a site of 2.47 verges (1 acre or 0.4 of a hectare) in area or less, or</p> <p>(b) in respect of a site exceeding 2.47 verges in area, for each 2.47 verges (1 acre or 0.4 of a hectare) and for any additional part remaining of less than 2.47 verges</p>	
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PART II
NOTES TO TABLE

General notes to Table.

2. (1) For the avoidance of doubt, a lettered sub-category must also be construed by reference to the numbered category of which it forms part.

(2) Where an application for outline permission is made the only fee payable is that payable under category 1.

(3) Where an application for full planning permission is made in respect of more than one sub-category of development listed in the Table the fee payable is, subject to the following provisions of this Schedule, the aggregate of all the fees payable in respect of the development in question.

(4) Notwithstanding subparagraph (3) –

(a) where a category or sub-category of development is described as including works associated with that development a separate fee shall not be payable in respect of those associated works where they also fall within another category or sub-category to the Table,

(b) where demolition is necessary to carry out other development falling within categories 2 to 7 or 9 of this Table no additional fee shall be payable in respect of that demolition, and

(c) where an application is in respect of development –

(i) in category 3A or 3G and in category 3B to 3F,
or

(ii) in category 4A or 4H and in category 4B to 4E,

no additional fee shall be payable in respect of the development falling within categories 3B to 3F or 4B to 4E, as the case may be.

(5) For the avoidance of doubt, unless the context otherwise requires, where a category or sub-category of development includes –

(a) the erection of a dwelling or building, or of an extension to the same, it includes the erection of a new

or replacement dwelling, building or an extension,

- (b) the installation or creation of anything (other than where it relates only to replacements), it includes the installation or creation of a new or replacement thing, or
- (c) the placement on land of a moveable structure, it includes the placement of a new or replacement moveable structure.

Adjustment of fee payable in specified circumstances.

3. (1) Where an application for planning permission or approval of reserved matters is made to the Authority which seeks to revise development in respect of which planning permission or approval of reserved matters has been given ("**revised application**"), the fee payable shall, subject to the following conditions being met, be calculated as if the application were made only in respect of the revised part of the development –

- (a) the planning permission or approval to which the revised part of the development relates is in effect as at the date on which the revised application is received by the Authority but the development previously approved has either not been commenced or completed,
- (b) the revised application can reasonably be said to be in respect of substantially the same land and development as the development previously

approved, and

- (c) there has been no significant change in any material circumstances since that approval.

(2) No fee shall be payable in respect of an application to the extent that it relates to development which is such only by virtue of that development falling within –

- (a) section 1 (operations in relation to protected monuments), or
- (b) section 2 (operations in relation to protected buildings),

of the Land Planning and Development (General Provisions) Ordinance, 2007 but, for the avoidance of doubt, a fee is payable, subject to subparagraph (3), in respect of an application relating to such development where it also falls within another description of development under the Law.

(3) Where an application is made for the carrying out of development in relation to or within the curtilage of a protected monument or a protected building no fee shall be payable in respect of that application where such development would not constitute development or would be exempt development if it were carried out other than in relation to or within the curtilage of a protected monument or a protected building.

Category 2.

4. For the avoidance of doubt, in category 2 the material change of use of a building to form a dwelling includes, in accordance with section 13(3) of the Law –

- (a) the forming of a dwelling on a material change in the use of a building, or part of a building, to use as a dwelling, and
- (b) the forming of a dwelling through subdivision of a building.

Categories 3 and 4.

5. (1) In category 3A and 4A to the Table –

- (a) the extension to a dwelling-house or other building includes, for the avoidance of doubt, the extension of an existing building by –
 - (i) the creation of a balcony, raised terrace, basement or cellar area, or an extension thereto and any extension to an existing carport,
 - (ii) the creation of a pitched roof, or an extension thereto, containing new or additional accommodation,

but in calculating the fee payable for an application in respect of development falling within sub-item (ii) a multiplier of 50% shall be applied to the additional floor area created in the roofspace, and

- (b) the "**erection of a building**" includes the erection of a

carport.

(2) Where an application relates to development falling within category 3G or 4H in respect of –

- (a) more than one building or land within the curtilage of more than one building, or
- (b) where the development does not fall within subparagraph (a), more than one site,

a separate fee of £240 is payable in respect of each such building or site, as the case may be.

Categories 3A, 4A and 7.

6. For the avoidance of doubt, in categories 3A, 4A and 7 where an application relates to more than one extension to the same building or structure the fee shall be calculated by aggregating the floor area of all extensions created or formed by the development.

Interpretation of Schedule 1.

7. In this Schedule, unless the context requires otherwise –

"agriculture" includes dairy farming, livestock breeding and keeping, horticulture, fruit growing, seed growing, market gardens and nursery grounds, the use of land as an orchard or as grazing land, osier land or meadow land,

"associated works" means any works which can reasonably be

regarded as necessary in order to carry out the description of development in question and related terms shall be construed accordingly,

"domestic development" means –

- (a) development of, or in relation to, an existing dwelling,
- (b) development within the curtilage of a dwelling for any purpose ordinarily incidental to the enjoyment of the dwelling as such, or
- (c) development of, or in relation to, an existing building in which a flat is contained or development within the curtilage of such a building which in either case is for any purpose ordinarily incidental to the enjoyment of the flat as such,

but does not include –

- (i) a change of use or change in the number of dwellings in a building, or
- (ii) development of, or in relation to, a dwelling or a building in which a flat is contained which is outside the curtilage of that dwelling or building,

"dwelling-house" means a house which is used as a single private dwelling-house and for no other principal use,

"exempt development" means development which is exempted from the requirement for planning permission under the Land Planning and Development (Exemptions) Ordinance, 2007,

"floor area" means the gross aggregate of the area of all new floors created or formed by the development, measured internally (from the eaves in the case of additional floor area in a roofspace), including any floor area covered by internal walls or partitions,

"minor equipment" includes –

- (a) overhead lines, cables, surface wiring, street cabinets, block terminals and dish aerials to be used for the purpose of providing telecommunications services or supplying electricity, and
- (b) roadside distribution pillars, high voltage switchgear and transformers and poles to be used for the purpose of supplying electricity,

"non-domestic development" means any development other than domestic development,

"protected tree" means any tree, group or area of trees or woodlands in relation to which a tree protection order has been made,

"public highway" means any vehicular or pedestrian road, street, lane or clos, track or path, however named, used by the public,

"public utility service" means the supply to the public of water, gas, electricity, telecommunications or sewerage disposal services,

"street furniture" includes lamp standards and other street lighting, public seating, cycle racks, signposts, signs, refuse bins, bollards, rails, fences and barriers for safeguarding persons using the public highway,

"the Table" means the Table in Part I,

"waste" includes –

- (a) scrap material, effluent or other unwanted surplus arising from any process, and
- (b) anything which requires to be disposed of as being broken, worn out, contaminated, spoiled or redundant,

and other terms used in this Schedule which are not defined in it but are defined in the Law shall have the same meaning as in the Law."

SCHEDULE 2

section 1(3)

FEEES 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.	<p>The creation of a dwelling (whether by its erection or by a material change of use) including -</p> <p style="padding-left: 40px;">(a) any detached garage or parking area which is for purposes ancillary to the enjoyment of the dwelling as such, and</p> <p style="padding-left: 40px;">(b) any other associated building work.</p>	
A	for each flat created up to and including 20	655
B	for each additional flat created up to and including 40	505
C	for each additional flat created over 40	345
D	for each dwelling-house created, with a floor area of less than 250 square metres, up to and including 20	1035

E	for each dwelling-house created, with a floor area of 250 square metres or more, up to and including 20	1035 for the first 250 square metres and 2.60 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	745
G	for each additional dwelling-house created over 40	440
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 or L of this category, by less than 20 square metres in floor area	440
B	for the extension of a dwelling, not falling within sub-category D or L of this category, by 20 square metres or more but less than 50 square metres in floor area	745
C	for the extension of a dwelling, not falling within sub-category D or L of this category, by 50 square metres or more in floor area	910
D	for the extension of a dwelling by the conversion of – (a) an existing basement or cellar area or existing loft or roofspace to form habitable	510

	accommodation, or (b) an existing integral or non-integral garage to form habitable accommodation	
E	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	150
F	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 but less than 50 square metres in floor area	295
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 50 square metres or more in floor area	395
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	80
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	170
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	290
K	for an alteration to a dwelling, other than an alteration falling	645

	within any other sub-category to this category, where the estimated cost of the building work is more than £20,000	
L	for the erection of a conservatory or a sun lounge	155
M	for the replacement of existing windows or external doors within an existing aperture, for any number of such windows or external doors	80
N	for the erection of domestic stables of up to and including 20 square metres in floor area	175
3.	<p>Building work or a material change of use -</p> <p style="padding-left: 40px;">(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 style="padding-left: 40px;">(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	80
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	150
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	295
D	for the erection of or an extension to an agricultural building,	295

	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	
E	for the extension of a building by the installation of a mezzanine floor	635
F	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 purposes other than storage, for each square metre of floor area	17 for each square metre up to and including 100 square metres and 8.50 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	11 for each square metre up to and including 100 square metres and 5.30 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	225

	within any other sub-category to this Table, where the estimated cost of the building work is less than £10,000	
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	645
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	815
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	1,340
L	for the material change of use of a building other than to use as a dwelling	745
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	140
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	105
C	for the erection of a retaining wall, for each such wall	440
D	for building work involving the underpinning of a building, for each building underpinned	440
E	for the replacement or alteration of a shop front, for each shop front	225

F	for the erection of a garden or boundary wall, for each such wall	140
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	140
H	for the erection of or extension to a glasshouse, for each such extension or glasshouse - <p style="margin-left: 40px;">(a) of less than 500 square metres, or</p> <p style="margin-left: 40px;">(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>	140
I	for the construction of a road, for each such road - <p style="margin-left: 40px;">(a) of less than 250 square metres, or</p> <p style="margin-left: 40px;">(b) of 250 square metres or more, for each 250 square metres and any additional part remaining of less than 250 square metres</p>	140
J	for the renovation of a thermal element	120
K	for the demolition of any building	140
L	for the fitting out of a shop or office - <p style="margin-left: 40px;">(a) of less than 500 square metres in floor area, or</p>	645

	(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".	
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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 whole of Schedule 1 to the 2008 Ordinance with the new Planning Fees Schedule set out in Schedule 1 to these Regulations. The Table of building control Fees in Part I of Schedule 2 to the 2008 Ordinance is also replaced with the new Table set out in Schedule 2 to these Regulations.

The Schedules to these Regulations set out new fees to accompany an application for planning permission or an application for approval of reserved matters under a planning permission (Schedule 1) and new fees to accompany a deposit of full plans made under building regulations (Schedule 2).

The new fees will apply to an application for planning permission, an application for approval of reserved matters or a deposit of full plans made under building regulations which is made on or after 1st January, 2020 (see regulation 3(1) of these Regulations).

The planning fee categories in Schedule 1 are also restructured and simplified. In particular, categories 3 and 4 in relation to domestic and non-domestic development are amended to include certain minor development included in former fee category 6 and definitions of "domestic development" and "non-domestic development" are included in Part II of the Schedule. Fees for placement of caravans and similar vehicles on land are now included in categories 3 and 4 where within the curtilage of a dwelling or a non-domestic building and in category 9 where not within the

curtilage of a building.

Category 4, in relation to non-domestic development, no longer provides for separate fees for a list of specific development (former category 4B). Any such development will now generally fall under category 4H.

Development in relation to shop fronts is also now included in category 4 and removed from the category related to advertisements (now category 6).

Two categories relating to provision of public utility services and street furniture and development in relation to mobile telephone masts and antennas have been combined to form new category 5.

Consequential amendments, in relation to the restructuring and simplification of fee categories, have also been made to the notes in Part II of the Planning fees Schedule.

A change has also been made to the note 3 in Part II of the Planning fees Schedule which adjusts the fee payable where an application is for revised development which is still substantially the same as that already approved. The condition that the application must be made within 12 months of the original grant has been replaced by a requirement that the original permission is still in effect i.e. development has started or the permission has not expired.

The building control fees in Schedule 2 are also increased and changes made to amalgamate former categories 2D and E and to split former category 2G into two categories with a higher fee for extensions of 50 square metres or more in floor area.

In accordance with section 4B and 4C of the 2008 Ordinance, the new fees also apply in relation to an appeal to the Planning Tribunal in relation to a planning decision or

to an Adjudicator against a rejection of full plans under the building regulations, for which a fee is payable under the 2008 Ordinance.

The new fees will apply where the appeal fee is required to be calculated, under section 4B(2) or 4C(2) of the 2008 Ordinance, as if the appeal were made on or after 1st January, 2020 (see regulation 3(2) of these Regulations).

These Regulations come into force on the 1st January, 2020.

