



South Hams  
District Council

**The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008**

## Planning Fees

### Address or location of application site


### Fees

I/we enclose a cheque for £  made payable to South Hams District Council.

Please indicate on which of the following categories the fee is based:-

a site area of  hectares

a floor area of  square metres (external measurements)

dwelling units

change of use

alteration/extension of private dwelling

other

If you are claiming exemption from payment of fees please tick the relevant box:

Registered disabled

Permitted Development Rights removed

Re-submission (*please give previous permission number*)

Other

Send your completed application to:

**Planning and Building Control, (Planning Applications),  
South Hams District Council, Follaton House, Plymouth Road, TOTNES TQ9 5NE.**

**Tel: 01803 861122**

**Fax: 01803 86116**

Please complete and detach this form and submit with your completed application.

# South Hams District Council

## The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008



South Hams  
District Council

### Schedule 1

Guide to SCALE OF FEES in respect of PLANNING APPLICATIONS etc. (Effective from 6th April 2008)

#### Category of Development

I. OPERATIONS	Fee Payable
1. The erection of dwellinghouses (other than development within category 6 below).	<p>(a) Where the application is for outline planning permission and-</p> <p>(i) the site area does not exceed 2.5 hectares, £335 for each 0.1 hectare of the site area;</p> <p>(ii) the site area exceeds 2.5 hectares, £8,285; and an additional £100 for each 0.1 hectare in excess of 2.5 hectares, subject to a maximum in total of £125,000;</p> <p>(b) in other cases-</p> <p>(i) where the number of dwelling houses to be created by the development is 50 or fewer, £335 for each dwelling house;</p> <p>(ii) where the number of dwelling houses to be created by the development exceeds 50, £16,565; and an additional £100 for each dwelling house in excess of 50 dwelling houses, subject to a maximum in total of £250,000.</p>
2. The erection of buildings (other than buildings in categories 1,3,4,5 or 7).	<p>(a) Where the application is for outline planning permission and-</p> <p>(i) the site area does not exceed 2.5 hectares, £335 for each 0.1 hectare of the site area;</p> <p>(ii) the site area exceeds 2.5 hectares, £8,285; and an additional £100 for each 0.1 hectare in excess of 2.5 hectares, subject to a maximum in total of £125,000;</p> <p>(b) in other cases-</p> <p>(i) where no floor space is to be created by the development, £170;</p> <p>(ii) where the area of gross floor space to be created by the development does not exceed 40 square metres, £170;</p> <p>(iii) where the area of the gross floor space to be created by the development exceeds 40 square metres, but does not exceed 75 square metres, £335;</p> <p>(iv) where the area of the gross floor space to be created by the development exceeds 75 square metres, but does not exceed 3750 square metres, £335 for each 75 square metres of that area;</p> <p>(v) where the area of gross floor space to be created by the development exceeds 3750 square metres, £16,565; and an additional £100 for each 75 square metres in excess of 3750 square metres, subject to a maximum in total of £250,000.</p>
3. The erection, on land used for the purposes of agriculture, of buildings to be used for agricultural purposes (other than buildings in category 4).	<p>(a) Where the application is for outline planning permission and-</p> <p>(i) the site area does not exceed 2.5 hectares, £335 for each 0.1 hectare of the site area;</p>



8. The carrying out of any operations connected with exploratory drilling for oil or natural gas.	<p>(a) Where the site area does not exceed 7.5 hectares, £335 for each 0.1 hectare of the site area;</p> <p>(b) where the site area exceeds 7.5 hectares, £25,000, and an additional £100 for each 0.1 hectare in excess of 7.5 hectares, subject to a maximum in total of £250,000.</p>
9. The carrying out of any operations not coming within any of the above categories.	<p>(a) In the case of operations for the winning and working of minerals –</p> <p>(i) where the site area does not exceed 15 hectares, £170 for each 0.1 hectare of the site area;</p> <p>(ii) where the site area exceeds 15 hectares, £25,315; and an additional £100 for each 0.1 hectare in excess of 15 hectares, subject to a maximum in total of £65,000;</p> <p>(b) in any other case, £170 for each 0.1 hectare of the site area, subject to a maximum of £250,000.</p>

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## ***II Uses of Land.***

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10. The change of use of a building to use as one or more separate dwelling houses.	<p>(a) Where the change of use is from a previous use as a single dwelling house to use as two or more single dwelling houses-</p> <p>(i) where the change of use is to use as 50 or fewer dwelling houses, £335 for each additional dwelling house;</p> <p>(ii) where the change of use is to use as more than 50 dwelling houses £16,565, and an additional £100 for each dwelling house in excess of 50 dwelling houses, subject to a maximum in total of £250,000;</p> <p>(b) in all other cases-</p> <p>(i) where the change of use is to use as 50 or fewer dwelling houses, £335 for each dwelling house;</p> <p>(ii) where the change of use is to use as more than 50 dwelling houses £16,565, and an additional £100 for each dwelling house in excess of 50 dwelling houses, subject to a maximum in total of £250,000.</p>
<p>11. (a) The use of land for the disposal of refuse or waste materials or for the deposit of material remaining after minerals have been extracted from land; or</p> <p>(b) for use of land for the storage of minerals in the open.</p> <p>(d) Confirmation of compliance with a condition(s) attached to the grant of planning permission.</p> <p>(i) Applications falling within category (a)</p> <p>(ii) Application falling within any other category</p>	<p>(a) Where the site area does not exceed 15 hectares, £170 for each 0.1 hectare of the site area;</p> <p>(b) where the site area exceeds 15 hectares, £25,315; and an additional £100 for each 0.1 hectare in excess of 15 hectares, subject to a maximum in total of £65,000.</p> <p>£25 each request</p> <p>£85 each request</p>
12. The making of a material change in the use of a building or land (other than a material change of use coming within any of the above categories).	£335

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## **Certificate of Lawfulness**

(i) For an existing use or operation	The fee that would be payable for a planning application for the same use or operation.
(ii) Failure to comply with a condition on a planning permission	£170
(iii) Proposed use or operation.	Half the fee that would be payable for a planning application for the same use or operation.

## Schedule 2

### Guide to SCALE OF FEES in respect of APPLICATIONS for CONSENT TO DISPLAY ADVERTISEMENTS made on or after 6th APRIL 2008

Category of Development	Fee Payable
1. Advertisements displayed on business premises, on the forecourt of business premises or on other land within the curtilage of business premises, wholly with reference to all or any of the following matters - (a) the nature of the business or other activity carried on on the premises; (b) the goods sold or the services provided on the premises; or (c) the name and qualifications of the person carrying on such business or activity or supplying such goods or services.	£75
2. Advertisements for the purpose of directing members of the public to, or otherwise drawing attention to the existence of, business premises which are in the same locality as the site on which the advertisement is to be displayed but which are not visible from that site.	£75
3. All other advertisements.	£335

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (the 1989 Regulations). The 1989 Regulations make provision for the payment of fees to local planning authorities in respect of applications made under the Town and Country Planning Act 1990 for planning permission for development or for approval of matters reserved by an outline planning permission, in respect of fees for applications for certificates of lawful use or development, in respect of applications for consent for the display of advertisements and in respect of certain applications made under the Town and Country Planning (General Permitted Development) Order 1995; and for the payment of fees to the Secretary of State in respect of applications for planning permission which are deemed to have been made in connection with an appeal against an enforcement notice.

These Regulations amend the 1989 Regulations to increase certain fees payable under those Regulations. The increase in fees is approximately 25%, though with two exceptions. In respect of applications in fee categories 6 and 7(a) (relating to the alteration of existing dwelling houses or development within the curtilage), the increase is 11%. In respect of maximum fees payable by virtue of regulation 2, the increase is to a level of £250,000 for all applications (or £125,000 for an outline application), other than applications for minerals or waste development in fee categories 9(a) and 11, where the new maximum is £65,000.

Regulation 2 also amends the 1989 Regulations to add a new category of fee where a local planning authority confirms in writing, following a request, that a condition or conditions attached to an earlier grant of planning permission have been complied with.

Replacement scales of fees (Part 2 of Schedule 1 and Schedule 2 to the 1989 Regulations) are set out in the Schedules to these Regulations.

These Regulations revoke the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2005 (S.I.2005/843), which made changes to the level of fees in the 1989 Regulations.

An Impact Assessment has been prepared in relation to these Regulations. It has been placed in the library of each House of Parliament and can also be viewed on the website of the Department for Communities and Local Government, [www.communities.gov.uk](http://www.communities.gov.uk).

## 1. EXEMPTIONS FROM PAYMENT OF A FEE

- (i) Carrying out of operations solely for providing access or additional facilities to a dwellinghouse to secure greater safety, health or comfort for a disabled person.
- (ii) Carrying out of operations solely for providing access for the disabled to a "public" building.
- (iii) Change of use within Use Class, where such change of use is prohibited by a condition imposed on a previous planning permission.
- (iv) First re-submission made by the same applicant and for development of the same character or description and relating to the same site (or part of the same site), in respect of:-
  - (a) A revised application made within 12 months of the date of approval of the original application;
  - (b) A refused application, provided the revised application is made within 12 months of the date of refusal or of the dismissal of an appeal;
  - (c) A withdrawn application, provided the revised application is made within 12 months of the date of the making of the original application.
- (v) An application for mineral working which only consolidates two or more subsisting permissions.
- (vi) NO FEE is payable for applications for Listed Building Consent, Conservation Area Consent or Work to Trees and/or hedgerows.
- (vii) Development which would have been 'permitted development' if not for an Article 4 Direction
- (viii) Applications for development where 'Permitted Development Rights' have been removed by condition on a previous planning permission.

## 2. CONCESSIONARY FEES

**Parish or Community Councils** - Planning or advertisement applications:- **Half of the specified fee.**

**Playing Field** for non-profit making sports or recreational club or society:- **£335 fee.**

**Reserved Matters:** The **full scale fee** is payable for the **first application for approval of any reserved matter(s)** on an outline permission.

**Subsequent approval of reserved matter(s)** on the same outline permission, where one or more applications for approval of other reserved matters have already been made and a full scale fee paid:- **£335 for each subsequent application.**

Two or more **alternative planning proposals** for development of the same land, submitted by or on behalf of the same applicant and at the same time:- **Highest fee which would be payable for any one of the proposals together with half the total of the fees for all the other proposals.**

For development falling **within the areas of two or more local planning authorities**, an application has to be made to each Authority for the part of the proposal in their area. However, the fee is paid to the Authority within which the greater part of the site lies. Please note the fee will usually be one and a half times the normal rate; however this should be confirmed with the Authorities.

## 3. NOTES:

**Site Area** is the whole area of land to which the application relates.

**Floor Area** is the gross floor space and is ascertained by **external measurements.**

**Part units of measurement** of site area or floor space are treated as a **complete unit** for assessing the fee payable.

**Mixed residential and other development** is assessed by adding together the fee for the number of "dwellinghouses" and the fee for the non-residential floor space. In other cases where **more than one category of fee** applies, the **highest fee** appertaining is the one to be paid.

**"Dwellinghouse"** is defined as a building or part of a building used as a single private dwelling house and for no other purpose, including flats, "granny flats", possibly bedsits, houses in multiple occupation or a holiday flat.

**"Glasshouse"** means a building with glass or other translucent material forming at least  $\frac{3}{4}$  of its external area, designed to produce flowers, fruit, vegetables or herbs and used solely for agricultural purposes.

## 4. BUILDING REGULATIONS

A **separate scale of fees** applies to Building Regulation applications.

## 5. DISCLAIMER

The above information is in brief summary form and given only for guidance. Nothing contained herein may be taken as binding upon the Council. In any case of doubt or where a definition is required, reference should be made to the Town and Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations, 2008.