

## **GROWTH & DEVELOPMENT DEPARTMENT**

**ORIGINATING SECTION: PLANNING (DEVELOPMENT  
MANAGEMENT)**

**REPORT TO: PLANNING & HIGHWAYS COMMITTEE - 14<sup>th</sup> DECEMBER 2023**

**TITLE: National Planning Application Fee Increase.**

**WARDS: All**

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### **1.0 PURPOSE OF THE REPORT**

1.1 To inform Members of the proposed national increase to planning application fees following debates in Parliament, and the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2023, being made on the 8<sup>th</sup> November, and coming into force on the 6<sup>th</sup> December 2023.

### **2.0 RECOMMENDATION**

2.1 That the Committee note the report, and content of the proposed increase to the planning application fees.

### **3.0 BACKGROUND & RATIONALE**

3.1 Members will recall a report was presented to the 20<sup>th</sup> April 2023 Committee meeting relating to the Government's consultation on the 28<sup>th</sup> February 2023, which focussed on increasing the national planning application fees. The consultation ended on the 25<sup>th</sup> April 2023. The Committee approved the consultation responses for the Council to the 21 questions set in the consultation, with the aim of providing a more effective and efficient service through additional financing and resources.

3.2 The draft regulations relating to the proposed increase to fees, were laid in Parliament before the summer recess, and will come into force 28 days after the day on which they are made. The Statutory Instrument [2023 No.1197] was made on the 8<sup>th</sup> November 2023, which means the fee increase, will come into force on Wednesday 6<sup>th</sup> December 2023.

3.3 The regulations do the following:

- Increase planning applications fees by 35% for applications for major development and 25% for all other applications.

- Introduce an annual indexation of planning application fees, capped at 10%, from 1<sup>st</sup> April 2025.
- Remove the fee exemption for repeat applications (the ‘free go’). An applicant will still be able to benefit from a free-go if their application was withdrawn or refused in the preceding 12 months, subject to all other conditions for the free-go being met. This means the application must either be submitted or determined on or before the 5<sup>th</sup> December 2023.
- Reduce the Planning Guarantee for non-major planning applications from 26 to 16 weeks. Regulation 9A states that where a decision has not been made within 26 weeks of a valid planning application being received, a refund should be paid to the applicant/agent, unless there has been an agreed extension of time made between both the LPA and the applicant/agent [para 2 (a)].
- Introduce a new prior approval fee of £120 for applications for prior approval for development by the Crown on closed defence sites.

Appendix A to this report details the proposed increase to the application fees.

- 3.4 The regulations show the maximum fee for major applications will therefore rise to £405,000, while the fee for householder applications will increase from £206 to £258. Applications fees will also be adjusted annually from the 1<sup>st</sup> April 2025 based on the Consumer Prices Index (CPI) from the previous September, with any annual fee increases capped at 10%.
- 3.5 The consultation looked to introduced higher fees i.e doubling, for retrospective planning applications. Various respondents to the consultation raised issues, such as whether retrospective fees for householder applications should be doubled and whether doubling retrospective fees would result in an increase in unauthorised development. The Government in view of these responses determined this required further consideration. In order to not delay the national fees increase, the Government are continuing to develop proposals to double fees for retrospective applications for delivery through regulations at the next available opportunity.
- 3.6 The consultation also looked at ring-fencing the additional income for spending within the local authority planning department. There was strong support for this in the responses to the consultation (88%). However, the Government has decided to not take this measure forward, stating: *“We want to ensure that the fee increase results in additional funds being available to local authority planning departments, but we will not take ring-fencing forward through legislation as this would impose a restriction on local authorities when they are best placed to make decisions about funding local services, including planning departments. However, we would expect local*

*planning authorities to protect at least the income from the planning fee increase for direct investment in planning service.” [Department for Levelling Up, Housing and Communities (DLUHC) response to the consultation “Stronger performance of local planning authorities supported through an increase in planning fees”, dated 25<sup>th</sup> July 2023].*

3.7 Members are advised that the [website](#) has been updated to alert applicants/agents of the proposed increase to fees.

4.0 **CONTACT OFFICER:** Gavin Prescott, Planning Manager  
(Development Management).

5.0 **DATE PREPARED:** 24<sup>th</sup> November 2023.

6.0 **BACKGROUND PAPERS:**

Department for Levelling Up, Housing & Communities Technical Consultation: Stronger performance of local planning authorities supported through an increase in planning fees – Published 28<sup>th</sup> February 2023.

## APPENDIX A



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### Forthcoming fees for Planning Applications in England

These fees will apply from 6<sup>th</sup> December 2023 as per the legislative amendments: ['The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) \(Amendment\) Regulations 2023'](#).

For comparison purposes, the [current fees can be seen in our existing guidance document](#). Please [read our blog post for latest information on the fee changes and required user actions](#).

Householder Applications		
Alterations/extensions to a <b>single dwellinghouse</b> , including works within boundary	Single dwellinghouse	£258

  

Outline Applications		
<b>The erection of dwellinghouses</b>		
Site area	Not more than 0.5 hectares	£578 for each 0.1 hectare (or part thereof)
	Between 0.5 hectares and 2.5 hectares	£624 for each 0.1 hectare (or part thereof)
	More than 2.5 hectares	£15,433+ £186 for each additional 0.1 hectare (or part thereof) in excess of 2.5 hectares Maximum fee of £202,500
<b>The erection of buildings (not dwellinghouses)</b>		
Site area	Not more than 1 hectare	£578 for each 0.1 hectare (or part thereof)
	Between 1 hectare and 2.5 hectares	£624 for each 0.1 hectare (or part thereof)
	More than 2.5 hectares	£15,433 + £186 for each additional 0.1 hectare (or part thereof) in excess of 2.5 hectares Maximum fee of £202,500

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<b>Full Applications (and First Submissions of Reserved Matters; or Technical Details Consent)</b>		
<b>Alterations/extensions to dwellinghouses, including works within boundaries</b>		
Number of dwellinghouses	Single dwellinghouse (or single flat)	£258
	Two or more dwellinghouses (or two or more flats)	£509
<b>The erection of dwellinghouses</b>		
Number of dwellinghouses	Not more than 10 dwellinghouses	£578 for each dwellinghouse
	Between 10 and 50 dwellinghouses	£624 for each dwellinghouse
	More than 50 dwellinghouses	£30,860 + £186 for each additional dwellinghouse in excess of 50 Maximum fee of £405,000
<b>Erection of buildings (not dwellinghouses, agricultural, glasshouses, plant nor machinery)</b>		
Gross floor space to be created by the development	No increase in gross floor space or no more than 40 square metres	£293
	More than 40 square metres but no more than 1,000 square metres	£578 for each 75 square metres (or part thereof).
	Between 1,000 square metres and 3,750 square metres	£624 for each 75 square metres (or part thereof)
	More than 3750 square metres	£30,680 + £186 for each additional 75 square metres (or part thereof) in excess of 3,750 square metres Maximum fee of £405,000

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<b>Full Applications</b> (and First Submissions of Reserved Matters; or Technical Details Consent) continued...		
<b>The erection of buildings (on land used for agriculture for agricultural purposes)</b>		
Gross floor space to be created by the development	Not more than 465 square metres	£120
	More than 465 square metres but not more than 540 square metres	£578
	More than 540 square metres but not more than 1,000 square metres	£578 for first 540 square metres + £578 for each additional 75 square metres in excess of 540 square metres
	Between 1,000 square metres and 4,215 square metres	£624 for first 1,000 square metres + £624 for each additional 75 square metres in excess of 1,000 square metres.
	More than 4,215 square metres	£30,860 + £186 for each additional square metres (or part thereof) in excess of 4,215 square metres Maximum fee of £405,000
<b>Erection of glasshouses (on land used for the purposes of agriculture)</b>		
Gross floor space to be created by the development	Not more than 465 square metres	£120
	More than 465 square metres but not more than 1,000 square metres	£3,225
	1,000 square metres or more	£3,483

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<b>Full Applications (and First Submissions of Reserved Matters; or Technical Details Consent) continued...</b>		
<b>Erection/alterations/replacement of plant and machinery</b>		
Site area	Not more than 1 hectare	£578 for each 0.1 hectare (or part thereof)
	More than 1 hectare but not more than 5 hectares	£624 for each 0.1 hectare (or part thereof)
	More than 5 hectares	£30,860 + £186 for each additional 0.1 hectare (or part thereof) in excess of 5 hectares Maximum fee of £405,000
<b>Applications other than Building Works</b>		
Car parks, service roads or other accesses (for existing uses)		£293
<b>Waste (Use of land for disposal of refuse or waste materials or deposit of material remaining after extraction or storage of minerals)</b>		
Site area	Not more than 15 hectares	£316 for each 0.1 hectare (or part thereof)
	More than 15 hectares	£47,161 + £186 for each additional 0.1 hectare (or part thereof) in excess of 15 hectares Maximum fee of £105,300
<b>Operations connected with exploratory drilling for oil or natural gas</b>		
Site area	Not more than 7.5 hectares	£686 for each 0.1 hectare (or part thereof)
	More than 7.5 hectares	£51,395 + £204 for each additional 0.1 hectare (or part thereof) in excess of 7.5 hectares. Maximum fee of £405,000

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<b>Full Applications (and First Submissions of Reserved Matters; or Technical Details Consent) continued...</b>		
<b>Applications other than Building Works continued...</b>		
<b>Operations (other than exploratory drilling) for the winning and working of oil or natural gas</b>		
Site area	Not more than 15 hectares	£347 for each 0.1 hectare (or part thereof)
	More than 15 hectares	£52,002 + additional £204 for each 0.1 hectare in excess of 15 hectares Maximum fee of £105,300
<b>Other operations (winning and working of minerals) excluding oil and natural gas</b>		
Site area	Not more than 15 hectares	£316 for each 0.1 hectare (or part thereof)
	More than 15 hectares	£47,161 + additional £186 for each 0.1 hectare in excess of 15 hectares Maximum fee of £105,300
<b>Other operations (not coming within any of the above categories)</b>		
Site area	Any site area	£293 for each 0.1 hectare (or part thereof) Maximum fee of £2,535
<b>Change of Use of a building to use as one or more separate dwellinghouses, or other cases</b>		
Number of dwellinghouses	Not more than 10 dwellinghouses	£578 for each dwellinghouse
	Between 10 and 50 dwellinghouses	£624 for each dwellinghouse
	More than 50 dwellinghouses	£30,860 + £186 for each additional dwellinghouse in excess of 50 Maximum fee of £405,000
<b>Other Changes of Use of a building or land</b>		£578

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<b>Lawful Development Certificate</b>	
Existing use or operation	Same as Full
Existing use or operation - lawful not to comply with any condition or limitation	£293
Proposed use or operation	Half the normal planning fee

<b>Prior Approval (under Permitted Development rights)</b>	
Larger Home Extensions	£120
Additional storeys on a home	£120
Agricultural and Forestry buildings & operations	£120
Demolition of buildings	£120
Communications (previously referred to as 'Telecommunications Code Systems Operators')	£578
Change of use from Commercial/Business/Service (Use Class E), or Betting Office or Pay Day Loan Shop to mixed use including up to two flats (Use Class C3)	£120
Change of Use of a building and any land within its curtilage from Commercial/Business/Service (Use Class E), Hotels (Use Class C1), Residential Institutions (Use Class C2), Secure Residential Institutions (Use Class C2A) to a State Funded School	£120
Change of Use of a building and any land within its curtilage from an Agricultural Building to a State-Funded School	£120
Change of Use of a building and any land within its curtilage from an Agricultural Building to a flexible commercial use within Commercial/Business/Service (Use Class E), Storage or Distribution (Use Class B8), or Hotels (Use Class C1)	£120
Change of Use of a building and any land within its curtilage from Commercial/Business/Service (Use Class E) to Dwellinghouses (Use Class C3)	£125 for each dwellinghouse
Change of Use of a building and any land within its curtilage from an Agricultural Building to Dwellinghouses (Use Class C3)	£120; or
	£258 if it includes building operations in connection with the change of use
Change of use of a building from Betting Office, Pay Day Loan Shop, Launderette; a mixed use combining one of these uses and use as Dwellinghouse(s); or Hot Food Takeaways to Dwellinghouses (Use Class C3)	£120; or
	£258 if it includes building operations in connection with the change of use

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<b>Prior Approval (under Permitted Development rights) continued...</b>		
Change of Use of a building and any land within its curtilage from Amusement Arcades/Centres and Casinos to Dwellinghouses (Use Class C3)		£120; or
		£258 if it includes building operations in connection with the change of use
Temporary Use of Buildings or Land for the Purpose of Commercial Film-Making and the Associated Temporary Structures, Works, Plant or Machinery required in Connection with that Use		£120
Provision of Temporary School Buildings on Vacant Commercial Land and the use of that land as a State-funded School for up to 3 Academic Years		£120
Development Consisting of the Erection or Construction of a Collection Facility within the Curtilage of a Shop		£120
Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt		£120
Erection, extension, or alteration of a university building		£120
Movable structure within the curtilage of a historic visitor attraction, or listed pub/restaurant/etc		£120
Erection, extension or alteration on a closed defence site by or on behalf of the Crown of single living accommodation and/or non-residential buildings		£120
Construction of new dwellinghouses	Not more than 10 dwellings	£418 for each dwellinghouse
	Between 10 and 50 dwellinghouses	£451 for each dwellinghouse
	More than 50 dwellinghouses	£22,309 + £135 for each dwellinghouse in excess of 50 Maximum fee of £405,000
<b>Reserved Matters</b>		
Approval of reserved matters following outline approval		Full fee due; or
		If full fee already paid, £578

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<b>Removal/Variation/Approval/Discharge of condition</b>		
Removal or variation of a condition following grant of planning permission		£293
Discharge of condition(s) – Approval of details and/or confirmation that one or more planning conditions have been complied with	Householder permissions	£43
	All other permissions	£145

<b>Advertising</b>		
Relating to the business on the premises		£165
Advance signs which are not situated on or visible from the site, directing the public to a business		£165
Other advertisements		£578

<b>Non-material Amendment Following a Grant of Planning Permission</b>		
Householder developments		£43
Any other development		£293

<b>Permission in Principle</b>		
Site area		£503 for each 0.1 hectare (or part thereof)

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<b>Concessions</b>
<b>Please note:</b> Not all concessions are valid for all application types. Upon receipt of your application, the local authority will check the fee is correct and if the concession is applicable.
<b>Application types with no current fee</b>
Listed Building Consent
Planning permission for relevant demolition in a Conservation Area
Works to Trees covered by a Tree Preservation Order or in a Conservation Area
Hedgerow removal notice
<b>Exemptions from payment (removed from legislation but remain valid as per below)</b>
An application that is the first and only revision of a previous application of the same type, for development of the same character or description, on the same site (or part of that site), by the same applicant where it will be received by the Local Authority within 12 months of: <ul style="list-style-type: none"> <li>• the Local Authority receiving the previous application if it was withdrawn; or</li> <li>• the previous application being granted or refused; or</li> <li>• the determination period of the previous application expiring, where that application was validated, not determined, and then appealed on the grounds of non-determination;</li> </ul> and, in all cases, where that relevant 12-month period started no later than 5 <sup>th</sup> December 2023.
An application that is the first and only revision of a previous application, for display advertisement(s) of the same description, on the same site(s) or part(s) of the site(s), by the same applicant, where it will be received by the Local Authority within 12 months of: <ul style="list-style-type: none"> <li>• the Local Authority receiving the previous application if it was withdrawn; or</li> <li>• the previous application being refused;</li> </ul> and, in all cases, where that relevant 12-month period started no later than 5 <sup>th</sup> December 2023.
<b>Exemptions from payment</b>
An application solely for the alteration or extension of an existing dwellinghouse; or works in the curtilage of an existing dwellinghouse (other than the erection of a dwellinghouse) for the purpose of providing: <ul style="list-style-type: none"> <li>• Means of access to or within it for a disabled person who is resident in it, or is proposing to take up residence in it; or</li> <li>• Facilities designed to secure that person's greater safety, health or comfort.</li> </ul>
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.
If the application relates to an alternate use of buildings or land within the same Use Class that requires planning permission only by the requirements of a condition imposed on a permission granted or deemed to be granted under Part 3 of the Town and Country Planning Act 1990 (as amended).

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<b>Concessions continued...</b>
<b>Please note:</b> Not all concessions are valid for all application types. Upon receipt of your application, the local authority will check the fee is correct and if the concession is applicable.
<b>Exemptions from payment continued...</b>
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
If the application is for consent to display an advertisement which results from a direction under Regulation 7 of the 2007 Regulations, dis-applying deemed consent under Regulation 6 to the advertisement in question
If the application relates to a condition or conditions on an application for Listed Building Consent or planning permission for relevant demolition in a Conservation Area
If the application is for a Certificate of Lawfulness of Proposed Works to a listed building
If an application for planning permission (for which a fee is payable) being made by the same applicant on the same date for the same site, buildings or land as the prior approval application (for larger home extensions, additional storeys on a home, or change of uses)
<b>Reductions to payments</b>
If the application is being made on behalf of a non-profit making sports club for works for playing fields not involving buildings then the fee is £578
If the application is being made on behalf of a parish or community council then the fee is 50%
If the application is an alternative proposal being submitted on the same site by the same applicant on the same day, where this application is of lesser cost then the fee is 50%
In respect of reserved matters you must pay a sum equal to or greater than what would be payable at current rates for approval of all the reserved matters. If this amount has already been paid then the fee is £578
If the application is for a Lawful Development Certificate for a Proposed use or development, then the fee is 50%
If two or more applications are submitted for different proposals on the same day and relating to the same site then you must pay the fee for the highest fee plus half sum of the others

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### **Fees for cross boundary applications**

Where an application crosses one or more local or district planning authorities.

- The amount due is usually 150% of the 'single' fee that would have been payable for the proposed development (as if there had only been one application to a single authority covering the entire site); unless
- The 'total' fee (the sum total of each separately calculated fee for each part of the development within each authority's boundary) is smaller. In which case this 'total' fee is the fee due

In either case, the fee should be paid to the authority that contains the larger part of the application site within its boundary.

ENDS