

TOWN AND COUNTRY PLANNING ACTS 1934 TO 1981

THE TOWN AND COUNTRY PLANNING (FEES FOR APPLICATIONS) ORDER 1990

In exercise of the powers conferred on the Department of Local Government and the Environment by sections 6 and 6A(1)(d) of the Town and Country Planning Act 1934 (a) and of all other powers enabling it in that behalf, the following Order is hereby made:-

Citation, commencement and application

1. (1) This Order may be cited as the Town and Country Planning (Fees for Applications) Order 1990, and, subject to section 14 of the Act, shall come into operation on the 1st day of May, 1990.
- (2) Article 3 does not apply to a planning application made before the coming into operation of this Order.

Interpretation

2. (1) In this Order -
"the Principal Order" means the Isle of Man Planning Scheme (Development Plan) Order 1982 (b).
- (2) All expressions in this Order have the same meanings as in the principal Order.

Fees for planning applications

3. (1) Subject to article 4 and 5, there shall be paid to the Department, on the making of a planning application relating to any category of development specified in column 1 of the Schedule, the fee specified in relation thereto in column 2 of the Schedule.
- (2) Where a planning application relates to development falling within more than one of the categories specified in column 1 of the Schedule, the application shall be treated for the purpose of this article as being an application relating to development within the category for which the fee payable is the highest.
- (3) Where the fee payable under this article in respect of a planning application is not paid in full, the Planning Committee may refuse to consider the application until such time as the fee has been paid in full.
- (4) Where the fee payable under this article in respect of a planning application has not been paid in full at the expiration of 4 weeks from the making of the application, the applicant shall be deemed to have withdrawn the application.

Waiver of fee

4. (1) The Planning Committee may, if it is satisfied that the conditions specified in paragraph (2) are fulfilled in respect of any planning application, waive the requirements of article 3 in relation to that application, and thereupon any fee paid to the Department in respect of the application shall be refunded by the Department to the applicant.
- (2) The conditions specified in paragraph (1) are:-
- (a) that the application relates to the same land as a previous planning application, or to some part thereof, and to no other land; and
 - (b) that the application is for approval to a development of the same character or description as that for which the previous application was made, and to no other development; and
 - (c) that the requirements of article 3 have not been waived for a previous planning application for approval for development of the same character or description in relation to the same land or some part thereof.

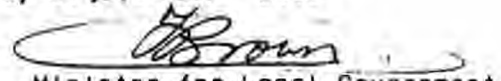
Exemption for certain bodies

5. Article 3 does not apply to a planning application made by or on behalf of -
- (a) a Department;
 - (b) a Statutory Board;
 - (c) a local authority;
 - (d) a joint board established or deemed to be established under section 7 of the Local Government Act 1985;
 - (e) an institution or body of persons which is established and conducted otherwise than for private gain and wholly or mainly for charitable purposes or for purposes consisting of participation in athletic sports or games or cultural activities.

Revocation

6. The Town and Country Planning (Fees for Applications) Order 1989 (d) is hereby revoked.

Made this 21st day of March 1990


Minister for Local Government
and the Environment

Approved by Tynwald on 11.04.90 -

SCHEDULE
CATEGORIES OF DEVELOPMENT

| | | |
|----|---|---|
| 1. | Application for approval in principle | £20.00 |
| 2. | Application for approval to building, rebuilding engineering, mining or other operations (other than approval in principle):- | |
| | (a) an estate layout | £150.00 |
| | (b) erection, conversion or enlargement of a dwelling | £80.00 per dwelling |
| | (c) alteration of a dwelling (other than operations falling within (b) above) | £20.00 per dwelling |
| | (d) erection of a building (other than a dwelling or a building intended to be used for agricultural purposes): | |
| | (i) operations creating not more than 80 square metres of additional floor space | £80.00 |
| | (ii) operations creating more than 80 square metres of additional floor space | £160.00 plus £80.00 for every 80 square metres or part thereof above 160 square metres, with a maximum of £2,000.00 |
| | (e) winning, working or storage of minerals | £140.00 for every 0.2 ha or part thereof of site area, with a maximum of £4,000.00 |
| | (f) operations (other than operations falling within (a) to (e) above) carried out on land used for agricultural purposes and reasonably necessary for those purposes | £50.00 |
| | (g) erection of hoardings | £80.00 per hoarding |
| | (h) the installation, alteration or replacement of a satellite antenna | £5.00 |
| | (i) any operation not falling within (a) to (h) above | £20.00 |
| 3. | Application for approval to change of use (other than a use involving building, rebuilding, engineering, mining or other operations) | £40.00 |