



Statutory Document No.126/03

THE TOWN AND COUNTRY PLANNING ACTS 1934 TO 1991

**THE TOWN AND COUNTRY PLANNING (FEES FOR APPLICATIONS)
ORDER 2003**

Approved by Tynwald 18th March 2003

Coming into operation 1st April 2003

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 1934¹, and of all other powers enabling it in that behalf, the following Order is hereby made:-

1. Citation and commencement

This Order may be cited as the Town and Country Planning (Fees for Applications) Order 2003, and, subject to section 14 of the Act, shall come into operation on the 1st April 2003.

2. Interpretation

(1) In this Order —

"the Act" means the Town and Country Planning Act 1934;

"conservation area" means an area so designated by the Conservation Areas Order 1992²;

"the Principal Order" means the Isle of Man Planning Scheme (Development Plan) Order 1982³;

"registered building" means a building for the time being entered in the Protected Buildings Register.

(2) Other expressions in this Order have the same meanings as in the Principal Order.

¹ XIV p.163

² GC/92

³ GC 140/82

3. Fees for planning applications

(1) Subject to articles 4 and 5, there shall be paid to the Department, on the making of a planning application relating to a 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 a 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paid in full at the expiration of 4 weeks from the making of the application, the applicant shall be deemed to have withdrawn the application.

4. Waiver of fee

(1) The Planning Committee, may, if it is satisfied that one of 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 referred to in paragraph (1) are —

(a) that the application —

(i) relates to the same land as a previous planning application, or to some part thereof, and to no other land; and

(ii) is for approval for a development of the same character or description as that for which the previous application was made, and to no other development; or

(b) that the application is for works to a registered building or premises in a conservation area which would otherwise not have constituted development by virtue of an Order under Section 3A of the Act.

5. Exemption for certain bodies

Article 3 does not apply to a planning application made by or on behalf of —

(a) a Department or Statutory Board or the Manx Museum and National Trust;

- (b) 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; or
- (c) a local authority.

6. Revocation

The Town and Country Planning (Fees for Applications) Order 1998⁴ is hereby revoked.

⁴ SD 403/98

Article 3.

SCHEDULE

<i>Category of Development</i>	<i>Fee</i>
1. Application for approval in principle	£50.00
2. Application for approval of building, rebuilding, engineering, mining or other operations (other than approval in principle) —	
(a) Estate layout (residential or industrial).	£235.00
(b) Erection of or conversion of a dwelling (per dwelling)	£125.00
(c) Installation of replacement windows.	nil
(d) Enlargement of an existing dwelling —	
(i) by an area of 15 square metres or less	£45.00
(ii) by an area of more than 15 square metres	£115.00
(e) Alteration of a dwelling (other than operations falling within (b) to (d) above)	£45.00
(f) Erection of or extension to a building other than a dwelling or agricultural building —	
for every 20 square metres or part thereof of floor area (or additional floor area)	£30.00
maximum fee	£2860.00
(g) Alterations to a building other than a dwelling	£115.00
(h) Erection of a stable	£50.00
(i) Operations (other than (a) to (g) above) on agricultural land for agricultural purposes	£85.00
(j) Winning, working or storage of minerals —	
for every 0.2ha of site area	£210.00
maximum fee	£5855.00
(k) Erection of hoardings.	£125.00
(l) Installation, alteration or replacement of satellite antennae.	nil
(m) Any operation not falling within (a) to (l) above.	£35.00
3. Application for change of use (other than use involving building, rebuilding, engineering, mining or other operations).	£45.00

MADE 17th February 2003

Pamela M Crowe
Minister for Local Government and the Environment

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Town and Country Planning (Fees for Applications) Order 1998 and introduces revised fees for planning applications. The majority of fees have been increased approximately in line with inflation.

To benefit those people who may wish to erect a small extension or conservatory the rate set in the Schedule at 2(d), for the enlargement of an existing dwelling, includes a threshold to accommodate such smaller applications. In addition, the charge due under 2(f) for the erection of, or extension to a building other than a dwelling or agricultural building, is set at a rate per 20 square metres rather than per 80 square metres.