

L.N. 163 of 2016

**DEVELOPMENT PLANNING ACT
(CAP. 552)**

**Development Planning (Fees) Regulations, 2010
(Amendment) Regulations, 2016**

BY VIRTUE of the powers conferred by articles 81 and 85 of the Development Planning Act, the Parliamentary Secretary for Planning and Simplification of Administrative Processes, with the concurrence of the Minister for Finance, and after consultation with the Planning Authority, has made the following regulations:-

1. The title of these regulations is the Development Planning (Fees) Regulations, 2010 (Amendment) Regulations, 2016, and these regulations shall be read and construed as one with the Development Planning (Fees) Regulations, 2010, hereinafter referred to as "the principal regulations".

Citation.

L.N. 356 of 2010.

2. Regulation 5 of the principal regulations shall be substituted by the following:

Substitutes regulation 5 of the principal regulations.

"Credit agreement.

5. (1) The applicant may request the Executive Chairperson in writing to effect the payment of any fees, fines, contributions or other financial payments due to the Authority by means of a credit agreement and the Executive Chairperson may enter into such a credit agreement with the applicant which shall specify the staggering of such payments.

(2) A non-acceptance by the Executive Chairperson of a request by the applicant for a credit agreement may not be appealed against, and the applicant shall be required to pay in full any such fee, fine, contribution or other financial payment, by no later than such date as may be specified in the notice by the Authority."

3. The proviso to Schedule 1 to the principal regulations shall be amended as follows:

Amends Schedule 1 to the principal regulations.

(a) sub-paragraph (b) of paragraph 14 thereof shall be substituted by the following:

"(b) When an application is withdrawn by the applicant, the percentage of the development permit fee which shall be refunded shall be as follows:

(i) when the application is withdrawn prior to its publication on the website of the Department of Information, 100% of the development permit fee shall be refunded;

(ii) when the application is withdrawn after its publication on the website of the Department of Information but prior to the endorsement of the Development Permit Application Report or, in the case of a Summary Procedure, of the recommendation report, by the officer delegated by the Authority, 50% of the development permit fee shall be refunded;

(iii) when the application is withdrawn after the endorsement of the Development Permit Application Report or, in the case of a Summary Procedure, of the recommendation report, by the officer delegated by the Authority, but prior to the determination of the same application, 25% of the development permit fee shall be refunded;

(iv) no development permit fees shall be refunded when a notice in terms of articles 97, 98 or 105 of the Act has been served on the applicant or on the site to which the application relates."; and

(b) immediately after paragraph 21 thereof, there shall be added the following new paragraph:

"22. (a) Applications for an Outline Development Permit with a site area of less than or equal to 1,000 square meters shall be submitted to the Authority together with the payment of a Development Permit Fee of €500.

(b) Applications for an Outline Development Permit with a site area of more than 1,000 square meters shall be submitted to the Authority together with the payment of a Development Permit Fee of €2,500;

(c) The development permit fees mentioned in paragraphs (a) and (b) shall not be refunded but shall be deducted from the Development Permit Fee due for the eventual full application."

