

Decision under Delegated Powers

Officer Requesting Decision

Group Leader, Development Management

Officer Making the Decision

Head of Planning & Regeneration

Recommendation

That a refund of £10,164, being the planning application fee, be made on application reference P/18/0715/2

Reason

A legitimate request has been received to exercise the provisions of the Fee Regulations and the Planning Practice Guidance for the fee on the relevant planning application to be repaid.

Authority for Decision

Regulation 9A of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, governs the refund of planning application fees in cases of non-determination following the receipt of a valid planning application and the expiry of 26 weeks from validation.

Decision and Date



Background

An outline application for 50 dwellings, with details of access to be considered at this stage, was valid on 26th April 2018.

The application was determined on 25th October 2018 and a request was subsequently received from the agent for the application fee to be refunded in accordance with Regulation 9A of the Planning Fees Regulations.

Having reviewed the Regulations it is clear that the relevant circumstances where the planning refund provisions are not applicable, such as an agreed extension of time for determination, do not apply in this case.

A refund of the planning application fee is therefore due to the applicant.

Financial Implications

A refund of £10,164 which is the planning fee received for the application.
This can be met from existing budget in cost centre P500.

Risk Management

Key Decision: No

Background Papers:
Application papers
Email from agent dated 29 October 2018