

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5076 GIBRALTAR Tuesday 1st August 2023

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LEGAL NOTICE NO. 242 OF 2023

## TOWN PLANNING ACT 2018

### TOWN PLANNING (GENERAL PROCEDURES) (AMENDMENT) REGULATIONS 2023

In exercise of the powers conferred on him by section 68 of the Town Planning Act 2018, the Minister with responsibility for Town Planning has made the following Regulations—

#### **Title.**

1. These Regulations may be cited as the Town Planning (General Procedures) (Amendment) Regulations 2023.

#### **Commencement.**

2. These Regulations come into operation on the 1st August 2023.

#### **Amendment to the Town Planning (General Procedures) Regulations 2019.**

3.(1) The Town Planning (General Procedures) Regulations 2019 are amended in accordance with this regulation.

(2) Substitute Schedule 4 with the following—

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#### SCHEDULE 4

Regulations 2 and 3

#### **Fees.**

The Minister may in his discretion by notice authorise the total or partial exemption of fees chargeable on any planning application prescribed in such notice, being—

- (a) applications made by, and for the sole benefit of, a registered charity; or
- (b) applications relating exclusively to works to be carried out to benefit a person with disability where the works are to:
  - (i) existing dwellings where the person with disability is or will be a permanent resident; or

(ii) existing buildings to which members of the public are admitted, provided that no exemption may apply to the construction of a new building.

For the purposes of this Schedule-

“disability” means a physical or mental impairment which has a substantial and long-term adverse effect on a person’s ability to carry out day-to-day activities; and

“dwelling or dwelling houses” includes any flats, maisonettes or apartments.

Subject to the paragraph below, where an application is made for a proposal that falls under more than one category, the applicable category shall be the one comprising the higher fee.

Where a development comprises residential and other uses, the fee shall be calculated by using as a starting point the cost for the residential use and adding to this fee the summed up costs of the other uses.

Where a development has commenced, or been completed, without having paid the prescribed fee for a planning application, and an application is subsequently submitted, the fee payable for the application shall be double the fee that would otherwise have been applicable.

Where the calculation of a fee results in a fraction of a number then the result shall be rounded up to the nearest pound.

The fees contained below under the heading in paragraph 2 “Full Applications” are paid in 2 stages – “Stage 1” fees are payable on validation of the application and “Stage 2” fees are payable prior to or on completion of the works.

<b>Nature of Application</b>	<b>Fee Payable</b>
1. Applications for outline planning permission.	
<b>(A) Operations:</b>	
(1) Application for the erection of dwelling houses.	(i) £120 for site areas up to 200m <sup>2</sup> ; (ii) Where the site area exceeds 200m <sup>2</sup> - £120 + £175 for each 200m <sup>2</sup> (or part thereof) in excess of 200m <sup>2</sup> subject to a maximum of £7000.
(2) Application for the erection of buildings other than buildings falling within subparagraphs (1),	(i) Where the area of gross floor space to be created by the development does not exceed 40m <sup>2</sup> - £120.

- (3), (4), (5) (6) or (7).
- (ii) Where the area of gross floor space to be created by the development exceeds 40m<sup>2</sup> but does not exceed 75m<sup>2</sup> - £280.  
(iii) Where the area of gross floor space to be created by the development exceeds 75m<sup>2</sup> - £280 for each 75m<sup>2</sup> (or part thereof) subject to a maximum of £11,000.
- (3) Application for the erection on land used for the purpose of agriculture or buildings to be used for agricultural purposes other than buildings falling within subparagraph (4). £190 for each 100m<sup>2</sup> (or part thereof) of the site area subject to a maximum of £5000.
- (4) Application for the erection of glass houses on land used for the purpose of agriculture. £110 where the gross floor space to be created by the development does not exceed 500m<sup>2</sup>.  
Where the gross floor space to be created by the development exceeds 500m<sup>2</sup> - £110 + £70 for each 500m<sup>2</sup> (or part thereof) in excess of 500m<sup>2</sup> subject to a maximum of £3000.
- (5) Application for the erection, alteration or replacement of plant and machinery. £210 up to 500m<sup>2</sup> (or part thereof) of the site area, subject to a maximum of £9,800.
- (6) Application for the construction of car parks, multi-storey car parks, service roads and other means of access on land used for the purposes of a single undertaking, where the development is required for a purpose incidental to the existing use of the land. £210
- (7) Application for the carrying out of any operations not coming within any of the above categories. £120 for each 500m<sup>2</sup> (or part thereof) of the site area, subject to a maximum of £11,000.

**(B) Uses of land (that do not fall under any of the above categories):**

- (1) The change of use of a £120 for each dwelling created subject to a

building to use as one or more dwelling houses.

maximum of £7000.

(2) The making of a material change in the use of a building or land (other than a material change of use coming within the above category).

(i) Where the site area does not exceed 100m<sup>2</sup>- £110  
 (ii) Where the site area exceeds 100m<sup>2</sup>- £110 + £85 for every 100m<sup>2</sup>, (or part thereof) in excess of 100m<sup>2</sup> subject to a maximum of £7000.

## 2. Full applications.

	Stage 1 Fee	Stage 2 Fee
	£	£
<b>(1) Domestic Extensions to a single dwelling-</b>		
(a) Where the area of gross floor space to be created does not exceed 20m <sup>2</sup>	40	85
(b) Where the area of gross floor space to be created exceeds 20m <sup>2</sup> but does not exceed 40m <sup>2</sup>	85	155
(c) Where the area of gross floor space exceeds 40m <sup>2</sup> but does not exceed 80m <sup>2</sup>	120	235
(d) Detached garages or car ports	50	85
(e) Loft conversion	85	155
<b>(2) Improvements to an existing single dwelling-</b>		
Applications for the alteration of an existing dwelling that does not result in an increase in gross floor space	40	85
<b>(3) New dwellings-</b>		
Number of dwellings to be created:		
1	110.00	170.00
2	215.00	360.00
3	345.00	530.00
4	420.00	770.00
5	530.00	1025.00

6	595.00	1260.00
7	635.00	1480.00
8	745.00	1740.00
9	810.00	1990.00
10	880.00	2190.00
11	910.00	2400.00
12	970.00	2600.00
13	990.00	2790.00
14	1015.00	2970.00
15	1050.00	3140.00
16	1090.00	3320.00
17	1140.00	3490.00
18	1200.00	3620.00
19	1270.00	3760.00
20	1390.00	390.00
21	1450.00	4040.00
22	1520.00	4180.00
23	1570.00	4310.00
24	1610.00	4450.00
25	1670.00	4580.00
26	1720.00	4720.00
27	1770.00	4860.00
28	1830.00	5000.00
29	1870.00	5140.00
30	1920.00	5270.00
For each additional dwelling in excess of 30 add	40.00	50.00
	per dwelling	per dwelling

**(4) All other works where 80% of the estimated cost is-**

Less than £1,000	20.00	40.00
£1,001 - £2,000	25.00	60.00
£2,001 - £3,000	30.00	70.00
£3,001 - £4,000	35.00	100.00
£4,001 - £5,000	40.00	120.00
£5,001 - £6,000	50.00	130.00
£6,001 - £7,000	55.00	155.00
£7,001 - £8,000	60.00	175.00
£8,001 - £9,000	65.00	190.00
£9,001 - £10,000	70.00	200.00
£10,001 - £12,000	75.00	220.00
£12,001 - £14,000	85.00	250.00
£14,001 - £16,000	100.00	290.00
£16,001 - £18,000	110.00	315.00
£18,001 - £20,000	120.00	350.00
£20,001 - £25,000	135.00	395.00

£25,001 - £30,000	150.00	450.00
£30,001 - £35,000	175.00	500.00
£35,001 - £40,000	195.00	575.00
£40,001 - £45,000	215.00	630.00
£45,001 - £50,000	230.00	680.00
£50,001 - £60,000	255.00	755.00
£60,001 - £70,000	300.00	890.00
£70,001 - £80,000	330.00	1015.00
£80,001 - £90,000	370.00	1100.00
£90,001 - £100,000	405.00	1200.00
£100,001 - £140,000	440.00	1320.00
£140,001 - £180,000	570.00	1700.00
£180,001 - £240,000	710.00	1770.00
£240,001 - £300,000	875.00	2,620.00
£300,001 - £400,000	1055.00	3,140.00
£400,001 - £500,000	1,340.00	3,990.00
£500,001 - £700,000	1,560.00	5,370.00
£700,001-£1,000,000	2,030.00	6,090.00
£1,000,001-£1,100,000	2,380.00	7,120.00
£1,100,001-£1,200,000	2,720.00	8,150.00
£1,200,001-£1,300,000	3,060.00	9,170.00
£1,300,001-£1,400,000	3,410.00	10,200.00
£1,400,001-£1,500,000	3,750.00	11,230.00
£1,500,001-£1,600,000	4,100.00	12,250.00
£1,600,001-£1,700,000	4,440.00	13,280.00
£1,700,001-£1,800,000	4,780.00	14,300.00
£1,800,001-£1,900,000	5,120.00	15,330.00
£1,900,001-£2,000,000	5,470.00	16,360.00
£2,000,001-£2,100,000	5,810.00	17,390.00
£2,100,001-£2,200,000	6,160.00	18,420.00
£2,200,001-£2,300,000	6,500.00	19,440.00
£2,300,001-£2,400,000	6,840.00	20,470.00
£2,400,001-£2,500,000	7,190.00	21,500.00
£2,500,001-£2,600,000	7,530.00	22,520.00
£2,600,001-£2,700,000	7,880.00	23,550.00
£2,700,001-£2,800,000	8,210.00	24,580.00
£2,800,001-£2,900,000	8,560.00	25,600.00
£2,900,001-£3,000,000	8,900.00	26,630.00
£3,000,001-£3,100,000	9,250.00	27,660.00
£3,100,001-£3,200,000	9,590.00	28,680.00
£3,200,001-£3,300,000	9,930.00	29,710.00
£3,300,001-£3,400,000	10,280.00	30,740.00
£3,400,001-£3,500,000	10,620.00	31,760.00
£3,500,001-£3,600,000	10,970.00	32,790.00
£3,600,001-£3,700,000	11,310.00	33,820.00
£3,700,001-£3,800,000	11,650.00	34,850.00
£3,800,001-£3,900,000	11,990.00	35,870.00
£3,900,001-£4,000,000	12,340.00	36,900.00

£4,000,001-£4,100,000	12,680.00	37,930.00
£4,100,001-£4,200,000	13,030.00	38,950.00
£4,200,001-£4,300,000	13,370.00	39,980.00
£4,300,001-£4,400,000	13,710.00	41,010.00
£4,400,001-£4,500,000	14,060.00	42,030.00
£4,500,001-£4,600,000	14,400.00	43,060.00
£4,600,001-£4,700,000	14,740.00	44,090.00
£4,700,001-£4,800,000	15,080.00	45,110.00
£4,800,001-£4,900,000	15,430.00	46,140.00
£4,900,001-£5,000,000	15,770.00	47,170.00
and thereafter for each additional £100,000 or part thereof	15,770.00 plus £345.00 for each £100,000 (or part thereof)	47,170.00 plus £1,035.00 for each £100,000 (or part thereof)

### 3. Other.

#### (A) Renewals:

Renewal of permission	25% of the total original fee or £120 whichever is the lesser
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#### (B) Amendments:

Minor amendments to an application after permission has been granted	25% of the total original fee or £235 whichever is the lesser
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Dated: 1<sup>st</sup> August 2023.

S SACRAMENTO,  
Minister with responsibility for Town Planning.

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**Explanatory Memorandum**

These Regulations amend the Town Planning (General Procedures) (Amendment) Regulations 2019.