WELSH STATUTORY INSTRUMENTS

2004 No. 2736 (W.243)

TOWN AND COUNTRY PLANNING, WALES

The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (Wales) Regulations 2004

Made - - - -	*19 October 2004*
Coming into force - -	*8 November 2004*

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by section 303 of the Town and Country Planning Act 1990(**1**), and now exercisable by the National Assembly for Wales in relation to Wales(**2**), and all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (Wales) Regulations 2004 and come into force on 8 November 2004.

(2) In these Regulations, "the 1989 Regulations" means the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989(**3**).

(3) These Regulations apply to Wales.

General increase in fees

2.—(1) The 1989 Regulations are amended in accordance with the provisions of this regulation.

(2) In regulation 10A of the 1989 Regulations—

(a) in paragraph (5)(b), for "£110" substitute "£120"; and

(b) in paragraph (6), for "£220" substitute "£240" and for "£11,000" substitute "£12,100".

(3) In regulation 11A of the 1989 Regulations—

(a) in paragraph (1)(a), for "£40" substitute "£45"; and

(**1**) 1990 c. 8.

(**2**) The functions of the Secretary of State under section 303 were transferred, in relation to Wales, to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and are now exercisable, in relation to Wales, by the National Assembly for Wales by article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253 (W.5)).

(**3**) S.I. 1989/193, amended by S.I. 1990/2743, 1991/2735, 1992/1817, 1992/3052, 1993/3170 and 1997/37 and further amended, in relation to Wales, by S.I. 2002/1876 (W.185) and 2002/2258 (W.222).

(b) in paragraph (1)(b), for "£220" substitute "£240".

(4) In Part I of Schedule 1 to the 1989 Regulations—

(a) in paragraphs 4(1) and 6(2), for "£220" substitute "£240";

(b) in paragraphs 7, 7A and 7B, for "£110" substitute "£120"; and

(c) in paragraph 15(2), for "£220" substitute "£240" and for "£5,550" substitute "£6,050".

(5) For Part II of Schedule 1 to the 1989 Regulations (scale of fees), substitute the new Part II set out in Schedule 1 to these Regulations.

(6) For Schedule 2 to the 1989 Regulations (scale of fees for advertisement applications), substitute the new Schedule 2 set out in Schedule 2 to these Regulations.

Revocation

3. The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment No.2) (Wales) Regulations 2002(**4**) and, in relation to Wales, paragraph 11 of Part I of Schedule 1 to the 1989 Regulations are hereby revoked.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**5**).

D. Elis-Thomas
19 October 2004 The Presiding Officer of the National Assembly

(**4**) S.I. 2002/2258 (W.222).
(**5**) 1998 c. 38.

SCHEDULE 1 Regulation 2(5)

PART II OF SCHEDULE 1 TO THE 1989 REGUALTIONS

"SCALE OF FEES IN RESPECT OF APPLICATIONS MADE OR DEEMED TO BE MADE ON OR AFTER 8 NOVEMBER 2004

Category of development	*Fee payable*
I. Operations	
1. The erection of dwellinghouses (other than development within category 6 below).	(a) where the application is for outline planning permission, £240 for each 0.1 hectare of the site area, subject to a maximum of £6,050; (b) in other cases, £240 for each dwellinghouse to be created by the development, subject to a maximum of £12,100.
2. The erection of buildings (other than buildings in categories 1, 3, 4, 5 or 7)	(a) where the application is for outline planning permission, £240 for each 0.1 hectare of the site area, subject to a maximum of £6,050; (b) in other cases, where— (i) no floor space is to be created by the development, £120, (ii) the area of gross floor space to be created by the development does not exceed 40 square metres, £120, (iii) the area of gross floor space to be created by the development exceeds 40 square metres but does not exceed 75 square metres, £240, and (iv) the area of gross floor space to be created by the development exceeds 75 square metres, £240 for each 75 square metres, subject to a maximum of £12,100.
3. The erection, on land used for the purposes of agriculture, of buildings to be used for agricultural purposes (other than buildings coming within category 4).	(a) where the application is for outline planning permission, £240 for each 0.1 hectare of the site area, subject to a maximum of £6,050; (b) in other cases, where— (i) the area of gross floor space to be created by the development does not exceed 465 square metres, £45,