WELSH STATUTORY INSTRUMENTS

2002 No. 2258 (W.222)

TOWN AND COUNTRY PLANNING, WALES

The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment No. 2) (Wales) Regulations 2002

Made - - - -	*3rd September 2002*
Coming into force - -	*4th September 2002*

The National Assembly for Wales, in exercise of the powers conferred on the Secretary of State by section 303 of the Town and Country Planning Act 1990(**1**), and now exercisable, in relation to Wales, by the National Assembly for Wales(**2**), hereby make 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 No. 2) (Wales) Regulations 2002 and come into force on 4th September 2002.

(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, as they apply to Wales, are amended in accordance with the provisions of this regulation.

(2) In regulation 10A of the 1989 Regulations(**4**)—

(a) in paragraph (5)(b), for "£95" substitute "£110"; and

(**1**) 1990 c. 8; section 303 was amended by paragraph 10 of Schedule 13 to the Environmental Protection Act 1990 (c. 43), and by section 6(6) of the Planning and Compensation Act 1991 (c. 34). See section 336(1) of the Town and Country Planning Act 1990 for the definition of "prescribed".

(**2**) The functions of the Secretary of State under section 303 were, so far as exercisable in relation to Wales, transferred 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).

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

(**4**) Regulation 10A was inserted by regulation 4 of S.I. 1992/1817.

(b) in paragraph (6), for "£190" substitute "£220", and for "£9,500" substitute "£11,000".

(3) In regulation 11A of the 1989 Regulations(**5**)—

(a) in paragraph (1)(a), for "£35" substitute "£40"; and

(b) in paragraph (1)(b), for "£190" substitute "£220".

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

(a) in paragraphs 4(1) and 6(2), for "£190" substitute "£220";

(b) in paragraphs 7, 7A(**6**) and 7B(**7**), for "£95" substitute "£110"; and

(c) in paragraph 15(2), for "£190" substitute "£220" and for "£4,750" substitute "£5,500".

(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.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**8**)

Jane Davidson
Minister for Education and Lifelong Learning

3rd September 2002

(**5**) Regulation 11A was inserted by paragraph 3 of Schedule 3 to S.I. 1991/2735 and paragraph (1) was substituted by regulation 2 of S.I. 2002/1876 (W. 185).
(**6**) Paragraph 7A was inserted by regulation 6(b) of S.I. 1992/1817.
(**7**) Paragraph 7B was inserted by regulation 5 of S.I. 1992/3052.
(**8**) 1998 c. 38.

SCHEDULE 1 Regulation 2(5)

PART II OF SCHEDULE 1 TO THE 1989 REGULATIONS

SCALE OF FEES IN RESPECT OF APPLICATIONS MADE OR DEEMED TO BE MADE ON OR AFTER 4 SEPTEMBER 2002

Category of development	*Fee payable*
I. Operations	
1. The erection of dwellinghouses (other than development within category 6 below).	(a) (a) Where the application is for outline planning permission, £220 for each 0.1 hectare of the site area, subject to a maximum of £5,500; (b) in other cases, £220 for each dwellinghouse to be created by the development, subject to a maximum of £11,000.
2. The erection of buildings (other than buildings in categories 1,3,4,5 or 7).	(a) (a) Where the application is for outline planning permission, £220 for each 0.1 hectare of the site area, subject to a maximum of £5,500; (b) in other cases— (i) where no floor space is to be created by the development, £110; (ii) where the area of gross floor space to be created b the development does not exceed 40 square metres £110; (iii) where the area of gross floor space to be created by the development exceeds 40 square metres but does not exceed 75 square metres, £220; and (iv) where the area of gross floor space to be created by the development exceeds 75 square metres, £220 for each 75 square metres, subject to a maximum of £11,000.
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) (a) Where the application is for outline planning permission, £220 for each 0.1 hectare of the site area, subject to a maximum of £5,500; (b) in other cases— (i) where the area of gross floor space to be created by the