



## PLANNING COMMITTEE – 09<sup>TH</sup> SEPTEMBER 2015

**SUBJECT: INCREASE IN FEES 2015**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

---

1. As a result of The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015, the fees for the submission of planning applications are going to change from 1 October 2015 along with other legislative changes, which are set out below:
  - an increase in fees by approximately 15%, e.g. householder applications will increase from £166 to £190, and changes of use from £330 to £380;
  - fees paid in respect of applications for planning permission or for the approval of reserved matters are refunded if the LPA fail to determine the application within specified times;
  - fees are payable in respect of applications for consent, agreement or approval required by any planning condition or limitation, and any such fee is refunded if the LPA fail to determine the application within specified times;
  - fees in respect of deemed applications in enforcement proceedings are to be paid to the LPA rather than half to the LPA and half to the Welsh Ministers;
  - a fee is payable to the LPA on a revised application for approval of reserved matters where those reserved matters have previously been approved. Under the 1989 Regulations such an application was exempt from payment of a fee where conditions were met; and,
  - where applications are made for planning permission, for approval of reserved matters or for certificates of lawful use or development which relate to land in the area of two or more LPAs, a fee is payable to each LPA. Under the 1989 Regulations the fee was payable to the LPA in whose area the largest part of the land was situated.
2. Fees have been increased intermittently over the years, but apart from the introduction of fees for the agreement of information submitted as result of a condition on a planning permission, the most significant change is the requirement to refund a fee should a decision not be given within a certain period. Once a planning application has been validated, Welsh Government expects the LPA to make a decision on the proposal as quickly as possible, and in any event it is expected that 80% of applications should be determined within the statutory time limit of eight weeks (sixteen weeks where an application is subject to an Environmental Impact Assessment) unless a longer period is agreed in writing with the applicant. The LPA must seek agreement to the extension of that period if necessary. If the applicants do not give consent, they will be entitled to a refund of the fee if they have not appealed against non-determination.
3. The time period after the statutory limit when a refund should be given is:
  - 8 weeks after the determination date for applications for householder development; and,
  - 16 weeks after the determination date for all other applications.

If an extended period is agreed, the 8- and 16-week periods will run from the end of the agreed extra period.

4. This matter is brought to members' attention because it forms part of a number of measures being introduced by Welsh Government to, in their view, improve the planning service given by LPAs, which will require this Council to review its working practices. Overall performance will have to be set out in an annual monitoring report. Development Management officers and their consultees will have to ensure that applications are dealt with promptly, and where appropriate, applications are reported to the earliest Planning Committee to ensure that a decision is made within the appropriate timeframe without having to return a fee. Members' site visits often prolong the determination period, and it is intended in due course to recommend that this Council adopt the procedure already exercised by other LPAs of having them before the committee to which the application is reported. In the meantime, members are requested to check the weekly list of planning applications, and as required by the Council's constitution, advise officers within 21 days of the publication of the list of those applications they want to be reported to Planning Committee, and whether they are likely to request a site visit.

Recommendation: That the contents of the report are noted.