CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2002 Rhif 2258 (Cy.222)

CYNLLUNIO GWLAD A THREF, CYMRU

Rheoliadau Cynllunio Gwlad a Thref (Ffioedd ar gyfer Ceisiadau a Cheisiadau Tybiedig) (Diwygio Rhif 2) (Cymru) 2002

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn diwygio ymhellach, mewn perthynas â Chymru, Reoliadau Cynllunio Gwlad a Thref (Ffioedd ar Gyfer Ceisiadau a Cheisiadau Tybiedig) 1989 ("Rheoliadau 1989").

Effaith y Rheoliadau hyn fydd cynyddu'r holl ffioedd sy'n daladwy o dan Reoliadau 1989 gan tua 15% o 4 Medi 2002.

Mae rheoliad 2 yn diwygio ffioedd sy'n daladwy o dan reoliadau 10A ac 11A o Reoliadau 1989, a Rhan I o Atodlen 2 iddynt. Mae graddfeydd ffioedd yn lle'r rhai sy'n daladwy o dan Rhan II o Atodlen 1, ac Atodlen 2, i Reoliadau 1989 wedi eu pennu gan yr Atodlenni i'r Rheoliadau hyn.

Maint y ffioedd yn unig sy'n cael eu newid ac ni newidir y categorïau o ddatblygiad na sail y cyfrif.

NATIONAL ASSEMBLY FOR WALES

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend, in relation to Wales, the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 ("the 1989 Regulations").

The effect of these Regulations is that all fees payable under the 1989 Regulations are increased by approximately 15% from 4 September 2002.

Regulation 2 amends fees payable under regulations 10A and 11A of, and Part I of Schedule 2 to, the 1989 Regulations. Replacement scales of fees for those payable under Part II of Schedule 1, and Schedule 2, to the 1989 Regulations are set out in the Schedules to these Regulations.

Only the amount of the fees is changed and there is no change to the categories of development or the basis of calculation.

OFFERYNNAU STATUDOL

2002 Rhif 2258 (Cy.222)

CYNLLUNIO GWLAD A THREF, CYMRU

Rheoliadau Cynllunio Gwlad a Thref (Ffioedd ar gyfer Ceisiadau a Cheisiadau Tybiedig) (Diwygio Rhif 2) (Cymru) 2002

Wedi'u gwneud	*3 Medi 2002*
Yn dod i rym	*4 Medi 2002*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 303 o Ddeddf Cynllunio Gwlad a Thref 1990(**a**), ac sydd bellach yn arferadwy, mewn perthynas â Chymru, gan Gynulliad Cenedlaethol Cymru(**b**), drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn, dehongli a chymhwyso

1. -(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio Gwlad a Thref (Ffioedd ar gyfer Ceisiadau a Cheisiadau Tybiedig) (Diwygio Rhif 2) (Cymru) 2002 ac maent yn dod i rym ar 4 Medi 2002.

(2) Yn y Rheoliadau hyn, ystyr "Rheoliadau 1989" yw Rheoliadau Cynllunio Gwlad a Thref (Ffioedd ar gyfer Ceisiadau a Cheisiadau Tybiedig) 1989(**c**).

(3) Mae'r Rheoliadau hyn yn gymwys i Gymru.

(a) 1990 p. 8; diwygiwyd adran 303 gan baragraff 10 o Atodlen 13 i Ddeddf Diogelu'r Amgylchedd 1990 (p. 43), a chan adran 6(6) o Ddeddf Cynllunio a Iawndal 1991 (p. 34). Gweler adran 336(1) o Ddeddf Cynllunio Gwlad a Thref 1990 ar gyfer diffiniad "prescribed".

(b) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau y maent yn arferadwy mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo.

(c) O.S. 1989/193, sydd wedi ei ddiwygio, mewn perthynas â Chymru, gan O.S. 1990/2743, 1991/2735, 1992/1817, 1992/3052, 1993/3170, 1997/37 and 2002/ 1876 (Cy.185).

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(**a**), and now exercisable, in relation to Wales, by the National Assembly for Wales(**b**), 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(**c**).

(3) These Regulations apply to Wales.

(a) 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".

(b) 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).

(c) 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)

Cynnydd cyffredinol mewn ffioedd

2. -(1) Mae Rheoliadau 1989, i'r graddau y maent yn gymwys i Gymru, yn cael eu diwygio yn unol â darpariaethau'r Rheoliad hwn.

(2) Yn rheoliad 10A o Reoliadau 1989(**a**)-

(a) ym mharagraff (5)(b), yn lle "£95" rhoddwch "£110"; a

(b) ym mharagraff (6), yn lle "£190" rhoddwch "£220" ac yn lle "£9,500" rhoddwch "£11,000."

(3) Yn rheoliad 11A o Reoliadau 1989(**b**)-

(a) ym mharagraff (1)(a), yn lle "£35" rhoddwch "£40"; a

(b) ym mharagraff (1)(b), yn lle £190" rhoddwch "£220".

(4) Yn Rhan I o Atodlen 1 i Reoliadau 1989-

(a) ym mharagraffau 4(1) a 6(2), yn lle "£190" rhoddwch "£220";

(b) ym mharagraffau 7, 7A(**c**) a 7B(**ch**), yn lle "£95" rhoddwch "£110"; a

(c) ym mharagraff 15(2), yn lle "£190", rhoddwch "£220" ac yn lle "£4,750" rhoddwch "£5,500".

(5) Yn lle Rhan II o Atodlen 1 i Reoliadau 1989 (graddfeydd ffioedd), rhoddwch y Rhan II newydd a bennir gan Atodlen 1 i'r Rheoliadau hyn.

(6) Yn lle Atodlen 2 i Reoliadau 1989 (graddfeydd ffioedd ar gyfer ceisiadau hysbyseb), rhoddwch yr Atodlen 2 newydd a bennir gan Atodlen 2 i'r Rheoliadau hyn.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**d**)

3 Medi 2002

Jane Davidson

Y Gweinidog dros Addysg a Dysgu Gydol Oes

(a) Mewnosdwyd Rheoliad 10A gan reoliad 4 o O.S. 1992/1817.

(b) Mewnosodwyd Rheoliad 11A gan baragraff 3 o Atodlen 3 i O.S. 1991/2735 ac amnewidiwyd paragraff (1) gan reoliad 2 o O.S. 2002/1876 (Cy.185).

(c) Mewnosodwyd paragraff 7A gan reoliad 6(b) o O.S. 1992/1817.

(ch) Mewnosodwyd paragraff 7B gan reoliad 5 o O.S. 1992/3052.

(d) 1998 p. 38.

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(**a**)-

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

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

(3) In regulation 11A of the 1989 Regulations(**b**)-

(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(**c**) and 7B(**d**), 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(**e**)

3rd September 2002

Minister for Education and Lifelong Learning

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

(b) 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).

(c) Paragraph 7A was inserted by regulation 6(b) of S.I. 1992/1817.

(d) Paragraph 7B was inserted by regulation 5 of S.I. 1992/3052.

(e) 1998 c. 38.

ATODLEN 1 **SCHEDULE 1**

Rheoliad 2(5) 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) 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) 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 by 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) 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 development does not exceed 465 square metres, £40; (ii) where the area of gross floor space to be created by the development exceeds 465 square metres but does not exceed 540 square metres, £220; and (iii) where the area of gross floor space to be created by the development exceeds 540 square metres, £220 for the first 540 square metres and £220 for each 75 square metres in excess of that figure, subject to a maximum of £11,000.

4. The erection of glasshouses on land used for the purposes of agriculture.	(a) Where the gross floor space to be created by the development does not exceed 465 square metres, £40;(b) where the gross floor space to be created by the development exceeds 465 square metres, £1,235.
5. The erection, alteration or replacement of plant or machinery.	£220 for each 0.1 hectare of the site area, subject to a maximum of £11,000.
6. The enlargement, improvement or other alteration of existing dwellinghouses.	(a) Where the application relates to one dwellinghouse, £110; (b) where the application relates to 2 or more dwellinghouses, £220.
7. (a) The carrying out of operations (including the erection of a building) within the curtilage of an existing dwellinghouse, for purposes ancillary to the enjoyment of the dwellinghouse as such, or the erection or construction of gates, fences, walls or other means of enclosure along a boundary of the curtilage of an existing dwellinghouse; or (b) the construction of carparks, 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.	£110.
8. The carrying out of any operations connected with exploratory drilling for oil or natural gas.	£220 for each 0.1 hectare of the site area, subject to a maximum of £16,500.
9. The carrying out of any operations not coming within any of the above categories.	£110 for each 0.1 hectare of the site area, subject to a maximum of - (a) in the case of operations for the winning and working of minerals, £16,500; (b) in other cases, £1,100.
II. Uses of Land	
10. The change of use of a building to use as one or more separate dwellinghouses.	(a) Where the change of use is from a previous use as a single dwellinghouse to use as two or more single dwellinghouses, £220 for each additional dwellinghouse to be created by the development, subject to a maximum of £11,000; (b) in other cases, £220 for each dwellinghouse to be created by the development, subject to a maximum of £11,000.
11. (a) The use of land for the disposal of refuse or waste materials or for the deposit of material remaining after minerals have been extracted from land; or (b) for use of land for the storage of minerals in the open.	£110 for each 0.1 hectare of the site area, subject to a maximum of £16,500.
12. The making of a material change in the use of a building or land (other than a material change of use coming within any of the above categories).	£220.

ATODLEN 2 **SCHEDULE 2**

Rheoliad 2(6) Regulation 2(6)

SCALE OF FEES IN RESPECT OF APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS MADE ON OR AFTER 4 SEPTEMBER 2002

Category of development	*Fee payable*
1. Advertisements displayed on business premises, on the forecourt of business premises or on other land within the curtilage of business premises, wholly with reference to all or any of the following matters - (a) the nature of the business or other activity carried on on the premises; (b) the goods sold or the services provided on the premises; or (c) the name and qualifications of the person carrying on such business or activity or supplying such goods or services.	£60.
2. Advertisements for the purposes of directing members of the public to, or otherwise drawing attention to the existence of, business premises which are in the same locality as the site on which the advertisement is to be displayed but which are not visible from that site.	£60.
3. All other advertisements.	£220.

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