

Draft Regulations laid before Senedd Cymru under section 333(3E) of the Town and Country Planning Act 1990, for approval by resolution of Senedd Cymru.

DRAFT WELSH STATUTORY
INSTRUMENTS

2025 No. (W.)

**TOWN AND COUNTRY
PLANNING, WALES**

**The Town and Country Planning
(Fees for Applications, Deemed
Applications and Site Visits)
(Wales) (Amendment) Regulations
2025**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015 (“the 2015 Regulations”).

Regulation 2 of these Regulations inserts new regulation 2ZA into the 2015 Regulations. Regulation 2ZA sets out the process for updating the fees payable under new regulation 2ZA(4).

The Welsh Ministers must publish a fee document on their website detailing the amount of fees payable under regulation 2ZA(4). The document must include information about the method used to calculate fees, the amount of fees payable under paragraph 4, the time period to which fee changes relate and the timing and frequency of publication of the fee document which is subject to a requirement that it be published not less than 4 weeks before it comes into force.

The fee document must also provide information about consultation on any proposed changes to the method used to calculate fees, the time period to which proposed fee changes relate and the timing and frequency of publication of the fee document.

Regulation 3 of these Regulations amends the 2015 Regulations to the effect that the monetary amounts set

out in regulation 3 are to be published by the Welsh Ministers in accordance with new regulation 2ZA.

Paragraph (2)(c) of regulation 3 of these Regulations removes paragraph (6) of regulation 11 of the 2015 Regulations because provision to the same effect is provided for in paragraph (3) of that regulation. Paragraph (2)(a) and (d) of regulation 3 of these Regulations makes provision consequential on the omission of regulation 11(6) of the 2015 Regulations.

Regulation 4 of these Regulations amends paragraphs 1 and 10 of Part 2 of Schedule 1 to the 2015 Regulations, lowering the variable fee thresholds for residential development.

Regulation 5 of these Regulations makes transitional provision in respect of applications, amendments and site visits relating to the provisions listed in subparagraphs (a) to (j) of new regulation 2ZA(4).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government at Cathays Park, Cardiff CF10 3NQ and on the Welsh Government website at www.gov.wales.

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(Wales) (Amendment) Regulations
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Made

Coming into force

20 October 2025

The Welsh Ministers, in exercise of the powers conferred on them by sections 303(1), (2), (5)(c) and 333(2A) and (2B) of the Town and Country Planning Act 1990(1), make the following Regulations.

In accordance with section 333(3E) of that Act(2), a draft of this instrument was laid before and approved by resolution of Senedd Cymru (3).

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- (1) 1990 (c. 8). Section 303 was substituted by section 199 of the Planning Act 2008 (c. 29). There are other amendments which are not relevant to this instrument. “Prescribed” means prescribed by regulations; see section 336 of the Town and Country Planning Act 1990. The Welsh Ministers are the “appropriate authority” in relation to Wales; see section 303(7)(b) of the Town and Country Planning Act 1990. Section 333(2A) was inserted by section 118(1) of, and paragraphs 1 and 14 of Schedule 6 to the Planning and Compulsory Purchase Act 2004 (c. 5). Section 333(2B) was inserted by section 130(1)(a) of the Levelling-up and Regeneration Act 2023 (c. 55).
- (2) Section 333(3E) was inserted by paragraph 3 of Schedule 7 to the Planning (Wales) Act 2015 (anaw 4).
- (3) The references in section 333(3E) to the National Assembly for Wales now have effect as references to Senedd Cymru by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).

Title, coming into force and interpretation

1.—(1) The title of these Regulations is the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) (Amendment) Regulations 2025.

(2) These Regulations come into force on 20 October 2025.

(3) In these Regulations “the 2015 Regulations” means the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015⁽¹⁾.

Publication of fee document

2.—(1) The 2015 Regulations are amended as follows.

(2) In regulation 2(1) (interpretation), in the appropriate place, insert ““fee document” (*“dogfen ffioedd”*) means the fee document referred to in regulation 2ZA(2);”.

(3) After regulation 2 (interpretation) insert—

“Publication of fee document

2ZA.—(1) The Welsh Ministers must —

- (a) prepare and publish a fee document on a website maintained by or on behalf of the Welsh Ministers; and
- (b) make hard copies of the fee document available on request.

(2) The fee document must set out—

- (a) the method used to calculate fees;
- (b) the amount of fees payable under paragraph 4;
- (c) the time period relating to any fee changes;
- (d) subject to paragraph 3, the timing and frequency of publication of the fee document;
- (e) consultation requirements relating to any proposed changes to the matters referred to in paragraphs (a), (c) and (d); and
- (f) the date on which the fee document comes into force.

⁽¹⁾ S.I. 2015/1522 (W. 179) as amended by S.I. 2016/62 (W. 32), S.I. 2017/528 (W. 111), S.I. 2019/283 (W. 65) and S.I. 2020/745 (W. 168).

(3) The Welsh Ministers must publish the fee document on their website not less than 4 weeks before the day on which the fee document comes into force.

(4) The fees payable, as mentioned in paragraph 2(b), are the fees payable, including any additional fees, under the provisions listed in sub-paragraphs (a) to (j) below—

- (a) regulation 2A(2) and Part 1 of Schedule 4 (fees payable under regulation 2A), paragraph 2 and Part 2 of Schedule 4 (fees in respect of requests for pre-application services);
- (b) regulation 3(2) (fees for planning applications) and Part 1 of Schedule 1 (fees in respect of applications and deemed applications for planning permission or for approval of reserved matters), paragraphs 3(1), 4(2) and (3), 5, 5A, 6(b), 7, 13(2)(a) and (b) and Part 2 of Schedule 1;
- (c) regulation 11(3)(b) (fees for applications for certificates of lawful use or development);
- (d) regulation 12(2) and Schedule 2 (fees for advertisements scale of fees in respect of applications for consent to display advertisements), paragraphs 1, 2 and 3;
- (e) regulation 13(1)(a) and (b) (fees for certain applications under the General Permitted Development Order);
- (f) regulation 14(4) and (5) (fees in respect of the monitoring of mining and landfill sites);
- (g) regulation 15(1)(a) and (b) (fees for applications made under planning condition);
- (h) regulation 16(1)(a) and (b) (fees for applications for non-material changes to planning permission);
- (i) regulation 16A(3) (fees for post submission amendments to major development applications);
- (j) regulation 16B(2) (fees for applications for certificates of appropriate alternative development)”.

Amendment of fees

3.—(1) The 2015 Regulations are further amended as follows.

(2) In regulation 11 (fees for applications for certificates of lawful use or development)—

- (a) in paragraph 3, for “Subject to paragraphs (6) to (9)” substitute “Subject to paragraphs (7) to (9)”;
- (b) in paragraph 3(b), for “£230” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (c) omit paragraph 6;
- (d) in paragraph 9, for “in accordance with paragraphs (3), (6) and (7)”, substitute “in accordance with paragraphs (3) and (7)”.

(3) In paragraph 1 of regulation 13 (fees for certain applications under the General Permitted Development Order)—

- (a) in sub-paragraph (a), for “£100” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (b) in sub-paragraph (b), for “£460” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

(4) In regulation 14 (fees in respect of the monitoring of mining and landfill sites)—

- (a) in paragraph 4, for “£400” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (b) in paragraph 5, for “£135” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

(5) In paragraph 1 of regulation 15 (fees for applications made under planning condition)—

- (a) in sub-paragraph (a) for “£35” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (b) in sub-paragraph (b), for “£115” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

(6) In paragraph 1 of regulation 16 (fees for applications for non-material changes to planning permission)—

- (a) in sub-paragraph (a), for “£35” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (b) in sub-paragraph (b), for “£115” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

(7) In paragraph 3 of regulation 16A (fees for post submission amendments to major development applications), for “£230” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

(8) In paragraph 2 of regulation 16B (fees for applications for certificates of appropriate alternative development), for “£230” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

(9) In Part 1 of Schedule 1 (fees in respect of applications and deemed applications for planning permission or for approval of reserved matters)—

- (a) in paragraph 3(1), for “£460” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (b) in paragraph 4(2), for “£460” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (c) in paragraph 4(3), for “£460” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (d) in paragraph 5, for “£230” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (e) in paragraph 5A(3)—
 - (i) in sub-paragraph (a), for “£190” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
 - (ii) in sub-paragraph (b), for “£115” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (f) in paragraph 6(b), for “£230” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;

- (g) in paragraph 7, for “£230” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (h) in paragraph 13(2)(a), for “£460” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (i) in paragraph 13(2)(b)—
 - (i) for “£11,500”, substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
 - (ii) for “£120”, substitute “amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.
 - (iii) for “£150,000”, substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

(10) In Part 2 of Schedule 1 (scale of fees in respect of applications made or deemed to be made), in the “fee payable” column of the table—

- (a) for any amount, other than an amount described in sub-paragraph (b) or (c), substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (b) for any amount described as being additional, substitute “amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”;
- (c) for any amount described as being subject to a maximum in total, substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

(11) In Schedule 2 (fees for advertisements scale of fees in respect of applications for consent to display advertisements) in the “fee payable” column of the table, for any fee of an amount specified, substitute “The amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

(12) In Part 1 of Schedule 4 (fees payable under regulation 2A), in paragraph 2, for “£25” substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

(13) In Part 2 of Schedule 4 (fees in respect of requests for pre-application services) in the “fee

payable” column of the table, for any fee of an amount specified in the table substitute “the amount published by the Welsh Ministers in accordance with regulation 2ZA (publication of fee document)”.

Amendment of variable fee thresholds for residential development

4.—(1) The 2015 Regulations are further amended as follows.

(2) In Part 2 of Schedule 1 (scale of fees in respect of applications made or deemed to be made)—

- (a) in paragraph 1(a) in the “fee payable” column of the table, for each reference to 2.5 hectares, substitute “1.2 hectares”;
- (b) in paragraphs 1(b) and 10(a) and (b), in the “fee payable” column of the table, for each reference to “50” substitute “25”.

Transitional Provision

5.—(1) Regulations 3 and 4 do not apply to applications, amendments and site visits relating to those provisions listed in sub-paragraphs (a) to (j) of regulation 2ZA(4), made or deemed to be made before the date on which the fee document referred to in regulation 2ZA(2) comes into force in accordance with regulation 2ZA(2)(f).

(2) In this regulation “site visit” has the meaning given in regulation 2(1) of the 2015 Regulations.

Name

Cabinet Secretary for Economy, Energy and Planning,
one of the Welsh Ministers

Date