

Consultation reference: WG23067

## Annex 2 - Consultation Response Form

### Review of Planning Application Fees

We want your views on our proposals to ensure local planning authorities have the necessary resources and that they are used in the most efficient and effective way.

This consultation document puts forward proposals for changes to the system of planning fees to help achieve this aim.

***Please submit your comments by 16/01/2015.***

If you have any queries on this consultation, please email:  
[planconsultations-b@wales.gsi.gov.uk](mailto:planconsultations-b@wales.gsi.gov.uk) or telephone Owen Struthers on 029 2082 6430.

#### Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Consultation reference: WG23067

Review of Planning Application Fees		
Date of consultation period: 06/10/2014 – 16/01/2015		
<b>Name</b>	George Ashworth	
<b>Organisation</b>	Monmouthshire County Council	
<b>Address</b>	The Rhadyr USK NP15 1GA	
<b>E-mail address</b>	planning@monmouthshire.gov.uk	
<b>Type</b> <i>(please select one from the following)</i>	Businesses/ Consultants	<input type="checkbox"/>
	Local Planning Authority	<input checked="" type="checkbox"/>
	Government Agency/Other Public Sector	<input type="checkbox"/>
	Professional Bodies/Interest Groups	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, social enterprises, religious, and not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above) or individual	<input type="checkbox"/>

<b>Q1a</b>	Do you agree with the proposed 15% increase in fees?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b> This would need to be reviewed and increased on annual basis until LPAs are closer to cost recovery.				

<b>Q1b</b>	If not, what do you consider to be a more appropriate change, if any?
<b>Comments:</b>   	

Consultation reference: WG23067

<b>Q2a</b>	Do you agree that introducing a refund will improve LPA performance?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: There could be cases where applicants have deliberately delayed the submission of necessary information requested by the LPA as a ploy to ensure a fee is repaid. This would make a standard period for refund difficult to enforce.				

<b>Q2b</b>	If you do not agree, what other options are available?
Comments: Remove the 6 month limit on the appeal against non-determination	

<b>Q3a</b>	Do you agree with the proposed time period of 16 and 24 weeks?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: See above.				

<b>Q3b</b>	If you do not agree, what do you consider to be an appropriate time?
Comments: See Response to Q.2b as an alternative to this sanction.	

Consultation reference: WG23067

<b>Q4a</b>	Do you agree with the proposed fee levels to accompany the discharge of planning conditions?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: The charge of £25 for a householder application and £83 for all others seem proportionate.				

<b>Q4b</b>	If you do not agree, what do you think constitutes an appropriate amount?
Comments:	

<b>Q5</b>	Do you agree with our proposed time period of 16 weeks after which the fee to accompany a discharge of condition would be refunded?
Comments: No - delays can be attributed to the quality of submission and the need for a response from a consultee. This would only lead to more applications being refused on the basis of lack of adequate information.	

<b>Q6</b>	Do you agree with the introduction of a standardised fee to accompany a confirmation that conditions have been discharged?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Consultation reference: WG23067

<b>Q7a</b>	Do you agree with proposals for the introduction of a set fee to accompany the drafting of a Section 106 planning obligation?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

The fee will vary according to the complexity of the agreement. The Council's Legal Department should be allowed to set its fee according to the time taken on each agreement.

<b>Q7b</b>	If you have answered yes, how should this fee be calculated? If not, what are your reasons?
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Comments:

<b>Q8</b>	Do you agree that the fee to accompany a ground (a) appeal should only be payable to the LPA?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

<b>Q9a</b>	Do you agree that advertisements on broadband cabinets in a specified area should be treated as a single site for the purposes of charging a fee?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

Consultation reference: WG23067

Our LPA has not sought applications for such advertisements as we consider them to be primarily for the purpose of promoting Superfast Broadband rather than the business providing the roll out.

**Q9b** If you have answered no, please explain why.

Comments:

<b>Q10a</b>	Should the applicant be entitled to a free go following approval of a reserved matters application?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:  
 There may be significant variation in the layout of a revised reserved matters application which would need comprehensive consideration by the LPA, potentially taking up significant time and resources.

**Q10b** If you have answered no, please explain why.

Comments:  
 See above.

<b>Q11a</b>	Do you agree that applications for renewable energy development should have a separate fee schedule to Section 5, Plant and Machinery?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Consultation reference: WG23067

Comments:

Q11b	Do you agree that wind turbines should also have a separate system of fee calculation?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q11c	What factors, or combination of factors, should be taken into account when is calculating the fee for wind turbines?
Comments: Scale, including site area, the number of turbinea and their height.	

Q12a	Do you agree that fees for cross-boundary planning applications should be addressed, with all constituent LPAs receiving fee income?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Consultation reference: WG23067

<b>Q12b</b>	If you have answered yes, how should this matter be addressed?
Comments: Each authority should charge according to the development proposed in each area, based on current fee scales.	

<b>Q13</b>	Do you have any comments to make about the draft partial Regulatory Impact Assessment at Annex 2?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments:				

<b>Q14</b>	We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:
Comments:	

I do not want my name/or address published with my response (please tick) <input type="checkbox"/>
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**How to Respond**

**Please submit your comments in any of the following ways:**

<b>Email</b>
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Please complete the consultation form and send it to :

[planconsultations-b@wales.gsi.gov.uk](mailto:planconsultations-b@wales.gsi.gov.uk)

[Please include ‘Planning Fees Consultation – WG23067’ in the subject line]

#### **Post**

Please complete the consultation form and send it to:

**Planning Fees Consultation  
Development Management Branch  
Planning Division  
Welsh Assembly Government  
Cathays Park  
Cardiff  
CF10 3 NQ**

#### **Additional information**

If you have any queries on this consultation, please

email: [planconsultations-b@wales.gsi.gov.uk](mailto:planconsultations-b@wales.gsi.gov.uk) or

telephone: Owen Struthers on 029 2082 6430