
WELSH STATUTORY INSTRUMENTS

2015 No. 1522

The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015

Exceptions – permission granted by General Permitted Development Order not applying

- 5.—(1) Regulation 3 does not apply where the local planning authority are satisfied that—
- (a) the application relates solely to development which is within one or more of the classes specified in Schedule 2 to the General Permitted Development Order(1); and
 - (b) the permission granted by article 3 of that Order (permitted development)(2) does not apply in respect of that development by reason of (and only by reason of)—
 - (i) a direction made under article 4 of that Order (directions restricting permitted development)(3) which is in force on the date when the application is made; or
 - (ii) the requirements of a condition imposed on a permission granted or deemed to be granted under Part 3 of the 1990 Act (control over development)(4) otherwise than by that Order.

(2) Applications referred to in paragraph (1)(a) must be construed as including applications for planning permission for the continuance of a use of land, or the retention of buildings or works, without compliance with a condition subject to which a previous planning permission was granted, where the condition prohibits or limits the carrying out of any development within one or more of the classes specified in Schedule 2 to the General Permitted Development Order.

(1) Schedule 2 was amended by section 76(7) of the Utilities Act 2000 (c. 27) and S.I. 1996/528, S.I. 1997/366, S.I. 1999/1661, S.I. 2001/1149, S.I. 2001/4050, S.I. 2002/1878 (W. 187), S.I. 2003/2155, S.I. 2004/945, S.I. 2006/124 (W. 17), S.I. 2006/1386 (W. 136), S.I. 2007/952 (W. 83), S.I. 2008/502 (W. 43), S.I. 2009/2193 (W. 185), S.I. 2011/2085, S.I. 2012/1346 (W. 167), S.I. 2012/2318 (W. 252), S.I. 2013/1776 (W. 177), S.I. 2014/592 (W. 69) and S.I. 2014/2692. Other amendments are not relevant to these Regulations.

(2) Article 3 was amended by section 76(7) of the Utilities Act 2000 (c. 27), S.I. 1999/293, S.I. 1999/1783, S.I. 2004/3156 and S.I. 2006/1386. Other amendments are not relevant to these Regulations.

(3) Article 4 was amended by S.I. 1996/528, S.I. 2006/124 (W. 17), S.I. 2006/1386 (W. 136) and S.I. 2013/1776 (W. 177). Other amendments are not relevant to these Regulations.

(4) Part 3 was amended by: section 16(1) of the Transport and Works Act 1992 (c. 42); sections 40 and 41 of the Planning and Compulsory Purchase Act 2004 (c. 5) and section 21 of the Growth and Infrastructure Act 2013 (c. 27). Other amendments are not relevant to these Regulations.