

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

15 January 2015

Dear Sir / Madam,

Consultation on Review of Planning Application Fees

Thank you for the opportunity to comment on this review.

The Chartered Institute for Archaeologists

The Chartered Institute for Archaeologists (CIfA) is a professional body for the study and care of the historic environment. It promotes best practice in archaeology and provides a self-regulatory quality assurance framework for the sector and those it serves. The Institute was granted a Royal Charter of Incorporation on 03 June 2014

CIfA has over 3,150 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

CIfA's Wales / Cymru Group has over 300 members practising in the public, private and voluntary sector in Wales.

Review of Planning Application Fees

General

ClfA's primary concern in responding to this review is with the funding of local authority heritage and conservation services and of the Welsh Archaeological Trusts, all of which bodies provide advice to local planning authorities with regard to the impact of development on the historic environment.

In common with all public bodies in Wales and elsewhere in the United Kingdom, these bodies are continuing to experience considerable financial pressure which in some cases is undermining their ability effectively to contribute to the management and protection of the historic environment.

Although planning fees may not be paid directly to the accounts of these services or bodies, any mechanisms which ease the financial pressure on local authorities generally may indirectly benefit them (for instance, by allowing further contributions to be made to the funding of local authority heritage services or allowing service level agreements with the Welsh Trusts to be maintained at current levels).

Given the nature of ClfA's interest in the setting of planning application fees, the Institute will not comment on the detail of the proposals in the Review.

Specific Questions

Question 1a: Do you agree with the proposed 15% increase in fees?

1.1 No comment.

Question 1b: If not, what do you consider to be a more appropriate change, if any?

1.2 No comment.

Question 2a: Do you agree that introducing a refund will improve LPA performance?

2.1 Possibly. However, if problems arise largely or wholly due to lack of resource on the part of local planning authorities, IfA would be concerned to see that such problems were not compounded by a further loss of fees.

Question 2b: If you do not agree, what other options are available?

2.2 No comment.

Question 3a: Do you agree with the proposed time period of 16 and 24 weeks?

3.1 No comment.

Question 3b: If you do not agree, what do you consider to be an appropriate time?

3.2 Not applicable.

Question 4a: Do you agree with the proposed fee levels to accompany the discharge of planning conditions?

4.1 ClfA agrees with the introduction of a fee to accompany the discharge of planning conditions that fall under article 23 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, but makes no comment as to the proposed fee levels.

Question 4b: If you do not agree, what do you think constitutes an appropriate amount?

4.2 No comment.

Question 5: Do you agree with our proposed time period of 16 weeks after which the fee to accompany a discharge of condition would be refunded?

5.1 No. The discharge of conditions relating to the historic environment before the intended public benefit has been delivered is a concern to ClfA. Since work on site is often completed before all archaeological work covered by conditions (which can include post-excavation work) is concluded, there can be pressure to discharge such conditions early. There is a risk that the proposed provision would increase that pressure and encourage local authorities in some cases prematurely to discharge conditions relating to the historic environment.

Question 6: Do you agree with the introduction of a standardised fee to accompany a confirmation that conditions have been discharged?

6.1 Yes.

Question 7a: Do you agree with the proposals for the introduction of a set fee to accompany the drafting of a Section 106 planning obligation?

7.1 No comment.

Question 7b: If you have answered yes, how should this fee be calculated? If not, what are your reasons?

7.2 Not applicable.

Question 8: Do you agree that the fee to accompany a ground (a) appeal should only be payable to the LPA?

8.1 No comment.

Question 9a: 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?

9.1 No comment.

Question 9b: If you have answered no, please explain why.

9.2 Not applicable.

Question 10a: Should the applicant be entitled to a free go following approval of a reserved matters application?

10.1 No comment.

Question 10b: If you have answered no, please explain why

10.2 Not applicable.

Question 11a: Do you agree that applications for renewable energy development should have a separate fee schedule to Section 5, Plant and Machinery?

11.1 No comment.

Question 11b: Do you agree that wind turbines should also have a separate system of fee calculation?

11.2 No comment.

Question 11c: What factors, or combination of factors, should be taken into account when is calculating the fee for wind turbines?

11.3 No comment.

Question 12a: Do you agree that fees for cross-boundary planning applications should be addressed, with all constituent LPAs receiving fee income?

12.1 No comment.

Question 12b: If you have answered yes, how should this matter be addressed?

12.2 Not applicable.

Question 13: Do you have any comments to make about the draft partial Regulatory Impact Assessment at Annex 1?

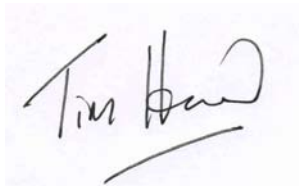
13.1 No.

Question 14: 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

14.1 No comment.

If there is anything further that I can do to assist please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Tim Howard', is centered on a light blue rectangular background.

Tim Howard LLB, Dip Prof Arch
Senior Policy Advisor