

**Changes to legislation:** *Planning (Wales) Act 2015, Cross Heading: Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9) is up to date with all changes known to be in force on or before 24 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULE 5

## COSTS AND PROCEDURE ON APPEALS ETC: FURTHER AMENDMENTS

*Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)*

- 19 The Planning (Listed Buildings and Conservation Areas) Act 1990 is amended as follows.

**Commencement Information**

- I1** Sch. 5 para. 19 partly in force; Sch. 5 para. 19 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)
- I2** Sch. 5 para. 19 in force at 1.3.2016 for specified purposes by S.I. 2016/52, art. 4(d) (with art. 17)
- I3** Sch. 5 para. 19 in force at 5.5.2017 in so far as not already in force by S.I. 2017/546, art. 3(e)

- 20 In section 41, in subsection (8), after “any proceedings” insert “ in England ”.

**Commencement Information**

- I4** Sch. 5 para. 20 partly in force; Sch. 5 para. 20 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)
- I5** Sch. 5 para. 20 in force at 1.3.2016 in so far as not already in force by S.I. 2016/52, art. 4(e) (with art. 17)

- 21 (1) Section 89 is amended as follows.

- (2) In subsection (1)—

- (a) in the entry relating to section 322, after “held” insert “ : England ”;
- (b) after the entry relating to section 322A, insert— “ section 322C (costs: Wales), ”;
- (c) in the entry relating to section 323, after “applications” insert “ : England ”;
- (d) after the entry relating to section 323, insert— “ section 323A (procedure for certain proceedings: Wales) ”.

- (3) Omit subsection (1ZB).

**Commencement Information**

- I6** Sch. 5 para. 21 partly in force; Sch. 5 para. 21 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)
- I7** Sch. 5 para. 21(1) in force at 1.3.2016 for specified purposes by S.I. 2016/52, art. 4(f) (with art. 17)
- I8** Sch. 5 para. 21(1)(2)(c)(d)(3) in force at 5.5.2017 in so far as not already in force by S.I. 2017/546, art. 3(e)
- I9** Sch. 5 para. 21(2)(a)(b) in force at 1.3.2016 in so far as not already in force by S.I. 2016/52, art. 4(f) (with art. 17)

- 22 In Schedule 3, in paragraph 6—

- (a) in sub-paragraph (4), after “paragraph” insert “ in England ”;
- (b) after sub-paragraph (4) insert—

“(4A) Subsections (2) and (3) of that section apply to an inquiry held under this paragraph in Wales.”;

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- (c) in sub-paragraph (5), for “such inquiry” substitute “ inquiry held by virtue of this paragraph ”;
- (d) in sub-paragraph (8), after “proceedings” insert “ in England ”.

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**Commencement Information**

- I10** Sch. 5 para. 22 partly in force; Sch. 5 para. 22 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)
- I11** Sch. 5 para. 22 in force at 1.3.2016 in so far as not already in force by S.I. 2016/52, art. 4(g) (with art. 17)

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**Changes and effects yet to be applied to :**

- Sch. 5 para. 19 cross-heading omitted by [2023 asc 3 Sch. 13 para. 192](#)