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CYMRU

WELSH STATUTORY
INSTRUMENTS

2015 Rhif 1331 (Cy. 124)

2015 No. 1331 (W. 124)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

**Rheoliadau Cynllunio Gwlad a
Thref (Atgyfeiriadau ac Apelau)
(Gweithdrefn Sylwadau
Ysgrifenedig) (Cymru) 2015**

**The Town and Country Planning
(Referrals and Appeals) (Written
Representations Procedure) (Wales)
Regulations 2015**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn gosod y weithdrefn a'r terfynau amser mewn cysylltiad â phenderfynu ceisiadau rhagnodedig penodol a atgyfeirir at Weinidogion Cymru ac apelau (rheoliad 2) pan fo'r materion i gael eu hystyried ar sail sylwadau ysgrifenedig.

These Regulations lay down the procedure and time limits in connection with the determination of certain prescribed applications that are referred to the Welsh Ministers and appeals (regulation 2) where the matters are to be considered on the basis of written representations.

Maent yn dirymu ac yn disodli, gyda rhai newidiadau, Rheoliadau Cynllunio Gwlad a Thref (Atgyfeiriadau ac Apelau) (Gweithdrefn Sylwadau Ysgrifenedig) (Cymru) 2003 ("Rheoliadau 2003"), yn ddarostyngedig i rai darpariaethau trosiannol a darpariaethau arbed.

They revoke and replace, with some changes, the Town and Country Planning (Referrals and Appeals) (Written Representations Procedure) (Wales) Regulations 2003 ("the 2003 Regulations"), subject to transitional and saving provisions.

Y prif newidiadau a wneir gan y Rheoliadau yw cyflwyno gweithdrefn newydd a hwylusach yn Rhan 1 o'r Rheoliadau. Mae hyn yn gymwys pan fo Gweinidogion Cymru wedi penderfynu o dan adran 319B o Ddeddf Cynllunio Gwlad a Thref 1990 ("y Ddeddf") fod apêl deiliad tŷ, neu apêl ynghylch caniatâd hysbyseb neu apêl fasnachol fach, i'w thrin ar sail sylwadau ysgrifenedig.

The main changes made by the Regulations are the introduction of a new, expedited procedure in Part 1 of the Regulations. This applies where the Welsh Ministers have determined under section 319B of the Town and Country Planning Act 1990 ("the Act") that a householder, advertisement consent or minor commercial appeal is to be dealt with on the basis of representations in writing.

Mewnosodwyd adran 319B o'r Ddeddf ac adran 88E o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 ("y Ddeddf Adeiladau Rhestredig") gan Orchymyn Cynllunio Gwlad a Thref (Pennu'r Weithdrefn) (Cymru) 2014.

Section 319B of the Act and section 88E of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") were inserted by the Town and Country Planning (Determination of Procedure) (Wales) Order 2014.

Mae pŵer gan Weinidogion Cymru o dan adran 319B o'r Ddeddf ac adran 88E o'r Ddeddf Adeiladau Rhestredig i bennu'r weithdrefn sydd i'w defnyddio i benderfynu ceisiadau penodol a atgyfeirir at Weinidogion Cymru neu apelau a wneir o dan y Ddeddf a'r Ddeddf Adeiladau Rhestredig.

The Welsh Ministers have the power under section 319B of the Act and section 88E of the Listed Buildings Act to determine the procedure to be used to determine certain applications referred to the Welsh Ministers or appeals made under the Act and the Listed Buildings Act.

Gall y weithdrefn a fabwysiedir fod mewn ymchwiliad lleol, mewn gwrandawriad neu ar sail sylwadau ysgrifenedig.

Pan fo Rhan 1 o'r Rheoliadau yn gymwys, y prif newidiadau yn y weithdrefn yw'r canlynol—

- (a) bod rhaid i'r awdurdod cynllunio lleol anfon holiadur cyflawn a'r dogfennau cysylltiedig o fewn 5 diwrnod gwaith ar ôl y dyddiad dechrau (rheoliad 5);
- (b) hysbysir y partion sydd â buddiant ynglŷn â'r apêl a rhoddir cyfle iddynt dynnu'n ôl unrhyw sylwadau a wnaethant mewn perthynas â'r cais, ond ni roddir cyfle iddynt wneud unrhyw sylwadau pellach mewn perthynas â'r apêl (rheoliad 6);
- (c) ni roddir cyfle i'r apelydd nac i'r awdurdod cynllunio lleol gyflwyno eu sylwadaethau ar sylwadau'r naill â'r llall (rheoliad 7); a,
- (d) caiff Gweinidogion Cymru fynd ymlaen i wneud penderfyniad ynghylch apêl gan gymryd i ystyriaeth y sylwadau hynny, yn unig, a gyflwynwyd o fewn y terfynau amser perthnasol os yw'n ymddangos bod deunydd digonol i'w galluogi i gyrraedd penderfyniad, ac ar ôl rhoi hysbysiad ysgrifenedig o'u bwriad i wneud hynny (rheoliad 10).

Caiff Gweinidogion Cymru, pan fo'n briodol, drosglwyddo apêl o'r gweithdrefnau Rhan 1 a pharhau i ymdrin â hi o dan Ran 2 (rheoliad 9). Os penderfynir na ddylai apêl fynd ymlaen ymhellach ar sail sylwadau ysgrifenedig, caiff Gweinidogion Cymru wneud penderfyniad dilynol o dan adran 319B(4) o'r Ddeddf neu adran 88E(4) o'r Ddeddf Adeiladau Rhestredig i amrywio'r penderfyniad gwreiddiol ynglŷn â'r weithdrefn, er mwyn ystyried yr apêl naill ai mewn ymchwiliad lleol neu mewn gwrandawriad (rheoliad 3).

Gwneir mân newidiadau i Reoliadau 2003, a ddisodlir bellach gan Ran 2 o'r Rheoliadau hyn.

Mae'r Asesiad Effaith Rheoleiddiol sy'n gymwys i'r Rheoliadau hyn ar gael gan Lywodraeth Cymru ym Mharc Cathays, Caerdydd, CF10 3NQ a hefyd ar wefan Llywodraeth Cymru yn www.cymru.gov.uk.

The procedure adopted may be at a local inquiry, at a hearing or on the basis of representations in writing.

Where Part 1 of the Regulations applies, the main changes to the procedure are—

- (a) that the local planning authority must send a completed questionnaire, and associated documents, within 5 working days of the starting date (regulation 5);
- (b) interested parties are notified of the appeal and are given the opportunity to withdraw any representations they made in relation to the application, but they are not given the opportunity to make any further representations in relation to the appeal (regulation 6);
- (c) the appellant and local planning authority are not given an opportunity to comment on each others representations (regulation 7); and,
- (d) the Welsh Ministers may proceed to a decision on an appeal taking into account only those representations which were submitted within the relevant time limits, where it appears that there is sufficient material to enable a decision to be reached and after giving written notice of the intention to do so (regulation 10).

The Welsh Ministers may, where appropriate transfer an appeal from Part 1 procedures and continue to deal with it under Part 2 (regulation 9). If it is determined that the appeal should no longer proceed on the basis of representations in writing, the Welsh Ministers may make a subsequent determination under section 319B(4) of the Act or section 88E(4) of the Listed Buildings Act to vary the original determination as to procedure so that the appeal is considered at a local inquiry or at a hearing (regulation 3).

There are minor changes to the 2003 Regulations, which are now replaced by Part 2 of the Regulations.

The Regulatory Impact Assessment applicable to these Regulations is obtainable from the Welsh Government at: Cathays Park, Cardiff, CF10 3NQ and on the Welsh Government website at www.wales.gov.uk.

2015 Rhif 1331 (Cy. 124)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**Rheoliadau Cynllunio Gwlad a
Thref (Atgyfeiriadau ac Apelau)
(Gweithdrefn Sylwadau
Ysgrifenedig) (Cymru) 2015**

Gwnaed 20 Mai 2015

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 22 Mai 2015

Yn dod i rym 22 Mehefin 2015

2015 No. 1331 (W. 124)

**TOWN AND COUNTRY
PLANNING, WALES**

**The Town and Country Planning
(Referrals and Appeals) (Written
Representations Procedure) (Wales)
Regulations 2015**

Made 20 May 2015

Laid before the National Assembly for Wales
22 May 2015

Coming into force 22 June 2015

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 323 a 333 o Ddeddf Cynllunio Gwlad a Thref 1990(1) ac adrannau 89(1) a 93 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990(2) ac a freinir bellach ynddynt hwy(3) yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 323 and 333 of the Town and Country Planning Act 1990(1) and sections 89(1) and 93 of the Planning (Listed Buildings and Conservation Areas) Act 1990(2) and now vested in them(3) make the following Regulations:

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- (1) 1990 p. 8; Diwygiwyd adran 323 gan adran 18(1) o Ddeddf Tribiwnlysoedd ac Ymchwiliadau 1992 (p. 53), a pharagraff 26 o Atodlen 3 i'r Ddeddf honno, a chan adran 196(4) o Ddeddf Cynllunio 2008 (p. 29), a pharagraff 12(3) o Atodlen 10 i'r Ddeddf honno. Mewnosodwyd adran 323(1B) gan O.S. 2014/2773 (Cy. 280). Gweler adran 336 o'r Ddeddf ar gyfer ystyr "prescribed". Diwygiwyd adran 333 gan adran 118(1) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 (p. 5) a pharagraffau 1 a 14 o Atodlen 6 i'r Ddeddf honno. Gwnaed diwygiadau eraill i adrannau 323 a 333, nad ydynt yn berthnasol i'r Rheoliadau hyn.
- (2) 1990 p. 9; Mae adran 89(1) yn cymhwyso'r darpariaethau i wneud rheoliadau, a gynhwysir yn adran 323 o'r Ddeddf, i'r Ddeddf Adeiladau Rhestredig. Mewnosodwyd adran 89(1ZB) gan O.S. 2014/2773 (Cy. 280). Gweler adran 91(1) o'r Ddeddf Adeiladau Rhestredig ar gyfer ystyr "prescribed" a "the Principal Act". Diwygiwyd adran 93 gan adran 118(1) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 (p. 5) a pharagraffau 19 a 26 o Atodlen 6 i'r Ddeddf honno. Gwnaed diwygiadau eraill i adrannau 89 a 93, nad ydynt yn berthnasol i'r Rheoliadau hyn.
- (3) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 323 a 333 o'r Ddeddf ac adrannau 89, 91 a 93 o'r Ddeddf Adeiladau Rhestredig i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac i Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraffau 30 a 32 o Atodlen 11 i'r Ddeddf honno.

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- (1) 1990 c. 8; Section 323 was amended by section 18(1) of, and paragraph 26 of Schedule 3 to, the Tribunals and Inquiries Act 1992 (c. 53), and section 196(4) of, and paragraph 12(3) of Schedule 10 to, the Planning Act 2008 (c. 29). Section 323(1B) was inserted by S.I. 2014/2773 (W. 280). See section 336 of the Act for the meaning of "prescribed". Section 333 was amended by section 118(1) of, and paragraphs 1 and 14 of Schedule 6 to, the Planning and Compulsory Purchase Act 2004 (c. 5). Other amendments to sections 323 and 333 are not relevant to these Regulations.
- (2) 1990 c. 9; Section 89(1) applies the regulation-making provisions contained in section 323 of the Act to the Listed Buildings Act. Section 89(1ZB) was inserted by S.I. 2014/2773 (W. 280). See section 91(1) of the Listed Buildings Act for the meaning of "prescribed" and "the Principal Act". Section 93 was amended by section 118(1) of, and paragraphs 19 and 26 of Schedule 6 to, the Planning and Compulsory Purchase Act 2004 (c. 5). Other amendments to sections 89 and 93 are not relevant to these Regulations.
- (3) The functions of the Secretary of State under sections 323 and 333 of the Act and sections 89, 91 and 93 of the Listed Buildings Act were transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and to the Welsh Ministers by virtue of section 162 of, and paragraphs 30 and 32 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio Gwlad a Thref (Atgyfeiriadau ac Apelau) (Gweithdrefn Sylwadau Ysgrifenedig) (Cymru) 2015 a deuant i rym ar 22 Mehefin 2015.

Dehongli

2.—(1) Yn y Rheoliadau hyn—

ystyr “apêl” (“*appeal*”) yw—

(a) mewn perthynas ag adran 77 o'r Ddeddf(1) neu adran 12 neu 19 o'r Ddeddf Adeiladau Rhestredig(2), penderfynu cais sydd wedi ei atgyfeirio at Weinidogion Cymru ond nid yw'n cynnwys cais y tybir ei fod wedi ei atgyfeirio at Weinidogion Cymru yn rhinwedd rheoliad 9(3) o Reoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) (Cymru) 2012(3); a

(b) mewn perthynas ag adran 78 neu 208 o'r Ddeddf(4) neu adran 20 o'r Ddeddf Adeiladau Rhestredig(5), apêl a wnaed o dan yr adran honno;

ystyr “apêl caniatâd hysbyseb” (“*advertisement consent appeal*”) yw apêl o dan adran 78(1) o'r Ddeddf (fel y'i cymhwysir gan reoliadau a wneir o dan adran 220 o'r Ddeddf) mewn perthynas â chais hysbyseb, ac eithrio apêl yn erbyn rhoi unrhyw ganiatâd a roddir yn ddarostyngedig i amodau;

ystyr “apêl deiliad tŷ” (“*householder appeal*”) yw apêl o dan adran 78(1)(a) o'r Ddeddf mewn perthynas â chais deiliad tŷ, ond nid yw'n cynnwys—

(a) apêl yn erbyn rhoi unrhyw ganiatâd cynllunio a roddir yn ddarostyngedig i amodau; neu

(b) apêl a wneir ynghyd ag apêl o dan adran 174 o'r Ddeddf neu o dan adran 20 o'r Ddeddf Adeiladau Rhestredig;

ystyr “apêl fasnachol fach” (“*minor commercial appeal*”) yw apêl o dan adran 78(1)(a) o'r Ddeddf mewn perthynas â chais masnachol bach, ond nid yw'n cynnwys—

(1) Mewnosodwyd adran 77(6A) gan O.S. 2014/2773 (Cy. 280). Nid yw diwygiadau eraill yn berthnasol i'r Rheoliadau hyn.

(2) Mewnosodwyd adran 12(4B) gan O.S. 2014/2773 (Cy. 280). Nid yw diwygiadau eraill yn berthnasol i'r Rheoliadau hyn.

(3) O.S. 2012/793 (Cy. 108).

(4) Diwygiwyd adran 78 gan adran 197 o Ddeddf Cynllunio 2008 (p. 29) a pharagraffau 1 a 2 o Atodlen 11 i'r Ddeddf honno, a chan O.S. 2014/2773 (Cy. 280). Rhoddwyd adran 208(2)(a) a (b) yn lle adran 208(2) a (3) gan adran 23(3) o Ddeddf Cynllunio a Digolledu 1991 (p. 34); amnewidiwyd adran 208(4) i (4C) gan adran 197 o Ddeddf Cynllunio 2008 (p. 29) a pharagraffau 1 a 4(1) a (2) o Atodlen 11 i'r Ddeddf honno, a mewnosodwyd adran 208(5B) gan O.S. 2014/2773 (Cy. 280). Nid yw diwygiadau eraill i adrannau 78 a 208 yn berthnasol i'r Rheoliadau hyn.

(5) Diwygiwyd adran 20 gan O.S. 2014/2773 (Cy. 280). Nid yw'r diwygiadau eraill yn berthnasol i'r Rheoliadau hyn.

Title and commencement

1. The title of these Regulations is the Town and Country Planning (Referrals and Appeals) (Written Representations Procedure) (Wales) Regulations 2015 and they come into force on 22 June 2015.

Interpretation

2.—(1) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Town and Country Planning Act 1990;

“advertisement application” (“*cais hysbyseb*”) means an application for express consent to display an advertisement made under Part 3 of the Town and Country Planning (Control of Advertisements) Regulations 1992(1);

“advertisement consent appeal” (“*apêl caniatâd hysbyseb*”) means an appeal under section 78(1) of the Act (as applied by regulations made under section 220 of the Act) in relation to an advertisement application, except an appeal against the grant of any consent which is granted subject to conditions;

“appeal” (“*apêl*”) means, in relation to—

(a) section 77 of the Act(2) or section 12 or 19 of the Listed Buildings Act(3), the determination of an application which has been referred to the Welsh Ministers, but does not include an application which is deemed to have been referred to the Welsh Ministers by virtue of regulation 9(3) of the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012(4); and

(b) section 78 or 208 of the Act(5) or section 20 of the Listed Buildings Act(6), an appeal made under that section;

“appellant” (“*apelydd*”) means, in the case of—

(1) S.I. 1992/666; Regulation 9 was substituted by S.I. 2012/791 (W. 106). Other amendments are not relevant to these Regulations.

(2) Section 77(6A) was inserted by S.I. 2014/2773 (W. 280). Other amendments are not relevant to these Regulations.

(3) Section 12(4B) was inserted by S.I. 2014/2773 (W. 280). Other amendments are not relevant to these Regulations.

(4) S.I. 2012/793 (W. 108).

(5) Section 78 was amended by section 197 of, and paragraphs 1 and 2 of Schedule 11 to the Planning Act 2008 (c. 29) and by S.I. 2014/2773 (W. 280). Section 208(2)(a) and (b) was substituted for section 208(2) and (3) by section 23(3) of the Planning and Compensation Act 1991 (c. 34), section 208(4) to (4C) was substituted by section 197 of, and paragraphs 1 and 4(1) and (2) of Schedule 11 to, the Planning Act 2008 (c. 29) and section 208(5B) was inserted by S.I. 2014/2773 (W. 280). Other amendments to sections 78 and 208 are not relevant to these Regulations.

(6) Section 20 was amended by S.I. 2014/2773 (W. 280). Other amendments are not relevant to these Regulations.

- (a) apêl yn erbyn rhoi unrhyw ganiatâd cynllunio a roddir yn ddarostyngedig i amodau; neu
- (b) apêl a wneir ynghyd ag apêl o dan adran 174 o'r Ddeddf neu o dan adran 20 o'r Ddeddf Adeiladau Rhestredig;

ystyr "apelydd" ("*appellant*") yw—

- (a) yn achos cais a atgyfeirir at Weinidogion Cymru o dan adran 77 o'r Ddeddf neu adran 12 neu 19 o'r Ddeddf Adeiladau Rhestredig, y person a wnaeth y cais hwnnw i'r awdurdod cynllunio lleol;
- (b) yn achos apêl o dan adran 78 o'r Ddeddf neu adran 20 o'r Ddeddf Adeiladau Rhestredig, y person y gwrthodwyd ei gais, y caniatwyd ei gais yn ddarostyngedig i amodau neu nas penderfynwyd ei gais, gan yr awdurdod cynllunio lleol; ac
- (c) yn achos apêl o dan adran 208 o'r Ddeddf, y person y cyflwynwyd hysbysiad iddo o dan adran 207(1) o'r Ddeddf honno;

ystyr "awdurdod cynllunio lleol" ("*local planning authority*") yw—

- (a) mewn perthynas â chais o dan adran 77 o'r Ddeddf neu adran 12 neu 19 o'r Ddeddf Adeiladau Rhestredig, y corff a fyddai wedi delio â'r cais pe na bai wedi ei atgyfeirio at Weinidogion Cymru;
- (b) mewn perthynas ag apêl o dan adran 78 o'r Ddeddf neu adran 20 o'r Ddeddf Adeiladau Rhestredig, y corff a oedd yn gyfrifol am benderfynu'r cais a ysgogodd yr apêl; ac
- (c) mewn perthynas ag apêl o dan adran 208 o'r Ddeddf, y corff a gyflwynodd yr hysbysiad o dan adran 207(1) o'r Ddeddf honno;

ystyr "cais" ("*application*") yw—

- (a) mewn perthynas ag adran 77 o'r Ddeddf neu adran 12 neu 19 o'r Ddeddf Adeiladau Rhestredig, y cais a atgyfeiriwyd at Weinidogion Cymru;
- (b) mewn perthynas ag adran 78 o'r Ddeddf neu adran 20 o'r Ddeddf Adeiladau Rhestredig, y cais sy'n destun yr apêl; ac
- (c) mewn perthynas ag adran 208 o'r Ddeddf, yr hysbysiad a gyflwynwyd gan yr awdurdod cynllunio lleol o dan adran 207(1) o'r Ddeddf honno;

ystyr "cais deiliad tŷ" ("*householder application*") yw cais am—

- (a) caniatâd cynllunio ar gyfer ehangu, gwella neu addasu tŷ annedd rywfodd arall, neu

- (a) an application referred to the Welsh Ministers under section 77 of the Act or section 12 or 19 of the Listed Buildings Act, the person who made that application to the local planning authority;

- (b) an appeal under section 78 of the Act or section 20 of the Listed Buildings Act, the person whose application was refused, granted subject to conditions or not determined, by the local planning authority; and

- (c) an appeal under section 208 of the Act, the person on whom a notice has been served under section 207(1) of that Act;

"application" ("*cais*") means, in relation to—

- (a) section 77 of the Act or section 12 or 19 of the Listed Buildings Act, the application which has been referred to the Welsh Ministers;

- (b) section 78 of the Act or section 20 of the Listed Buildings Act, the application which is the subject of the appeal; and

- (c) section 208 of the Act, the notice served by the local planning authority under section 207(1) of that Act;

"document" ("*dogfen*") includes a photograph, map or plan;

"dwellinghouse" ("*tŷ annedd*") does not include a building containing one or more flats, or a flat contained within such a building;

"electronic communication" ("*cyfathrebiad electronig*") has the meaning given in section 15(1) of the Electronic Communications Act 2000(1);

"householder appeal" ("*apêl deiliad tŷ*") means an appeal under section 78(1)(a) of the Act in relation to a householder application but does not include—

- (a) an appeal against the grant of any planning permission which is granted subject to conditions; or

- (b) an appeal which is accompanied by an appeal under section 174 of the Act or under section 20 of the Listed Buildings Act;

"householder application" ("*cais deiliad tŷ*") means an application for—

- (a) planning permission for the enlargement, improvement or other alteration of a

(1) 2000 c. 7; Section 15(1) was amended by section 406(1) of, and paragraph 158 of Schedule 17 to, the Communications Act 2003 (c. 21).

ddatblygu o fewn cwrtil tŷ annedd o'r fath, neu

- (b) newid defnydd er mwyn ehangu cwrtil tŷ annedd,

at unrhyw ddiben sy'n gysylltiedig â meddiant o'r tŷ annedd, ond nid yw'n cynnwys—

- (i) unrhyw gais arall am newid defnydd,
(ii) cais am godi tŷ annedd, neu

- (iii) cais am newid nifer yr anheddau mewn adeilad;

ystyr “cais hysbyseb” (“*advertisement application*”) yw cais am ganiatâd datganedig i arddangos hysbyseb, a wneir o dan Ran 3 o Reoliadau Cynllunio Gwlad a Thref (Rheoli Hysbysebion) 1992(1);

ystyr “cais masnachol bach” (“*minor commercial application*”) yw cais am ganiatâd cynllunio ar gyfer ehangu, gwella, neu addasu rywfodd arall, adeilad presennol nad yw ei arwynebedd llawr allanol gros yn fwy na 250 metr sgwâr ar lefel y llawr daear, neu ran o'r adeilad hwnnw, a ddefnyddir yn gyfredol ar gyfer unrhyw un o'r dibenion a nodir yn yr Atodlen i'r Rheoliadau hyn, sydd yn gais am—

- (a) newid y defnydd o unrhyw un o'r dibenion a nodir ym mharagraff 1 o'r Atodlen i'r Rheoliadau hyn i unrhyw un o'r dibenion a nodir naill ai ym mharagraff 2 neu ym mharagraff 3 o'r Atodlen honno;
(b) newid y defnydd, o unrhyw un o'r dibenion a nodir ym mharagraff 2 o'r Atodlen i'r Rheoliadau hyn i unrhyw un o'r dibenion a nodir ym mharagraff 3 o'r Atodlen; neu
(c) cyflawni gwaith adeiladu neu weithgareddau eraill ar wyneb blaen siop;

mae i “cyfathrebiad electronig” yr ystyr a roddir i “electronic communication” yn adran 15(1) o Ddeddf Cyfathrebiadau Electronig 2000(2);

ystyr “diwrnod gwaith” (“*working day*”) yw diwrnod nad yw'n ddydd Sadwrn, dydd Sul, Gŵyl Banc, nac yn ŵyl gyhoeddus arall;

mae “dogfen” (“*document*”) yn cynnwys ffotograff, map neu blân;

ystyr “dyddiad dechrau” (“*starting date*”) yw dyddiad yr hysbysiad ysgrifenedig o gael apêl o dan reoliad 4 neu 12, yn ôl y digwydd;

dwellinghouse, or development within the curtilage of such a dwellinghouse, or

- (b) change of use to enlarge the curtilage of a dwelling house,

for any purpose incidental to the enjoyment of the dwellinghouse but does not include—

- (i) any other application for change of use,
(ii) an application for erection of a dwellinghouse, or
(iii) an application to change the number of dwellings in a building;

“the Listed Buildings Act” (“*y Ddeddf Adeiladau Rhestredig*”) means the Planning (Listed Buildings and Conservation Areas) Act 1990;

“local planning authority” (“*awdurdod cynllunio lleol*”) means, in relation to—

- (a) an application under section 77 of the Act or section 12 or 19 of the Listed Buildings Act, the body which would have dealt with the application had it not been referred to the Welsh Ministers;
(b) an appeal under section 78 of the Act or section 20 of the Listed Buildings Act, the body which was responsible for determining the application occasioning the appeal; and
(c) an appeal under section 208 of the Act, the body which served the notice under section 207(1) of that Act;

“minor commercial appeal” (“*apêl fasnachol fach*”) means an appeal under section 78(1)(a) of the Act in relation to a minor commercial application but does not include—

- (a) an appeal against the grant of any planning permission which is granted subject to conditions; or
(b) an appeal which is accompanied by an appeal under section 174 of the Act or under section 20 of the Listed Buildings Act;

“minor commercial application” (“*cais masnachol bach*”) means an application for planning permission for the enlargement, improvement or other alteration of an existing building of no more than 250 square metres gross external floor space at ground floor level, or part of that building, currently in use for any of the purposes set out in the Schedule to these Regulations which is an application for—

- (a) the change of use from any of the purposes set out at paragraph 1 in the Schedule to these Regulations to any of the purposes set out in either paragraph 2 or paragraph 3 of that Schedule;

(1) O.S. 1992/666; Amnewidiwyd rheoliad 9 gan O.S. 2012/791 (Cy. 106). Nid yw diwygiadau eraill yn berthnasol i'r Rheoliadau hyn.
(2) 2000 p. 7; Diwygiwyd adran 15(1) gan adran 406(1) o Ddeddf Cyfathrebiadau 2003 (p. 21), a pharagraff 158 o Atodlen 17 i'r Ddeddf honno.

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Cynllunio Gwlad a Thref 1990;

ystyr “y Ddeddf Adeiladau Rhestredig” (“*the Listed Buildings Act*”) yw Deddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990;

ystyr “holiadur” (“*questionnaire*”) yw dogfen yn y ffurf a gyflenwir gan Weinidogion Cymru i awdurdod cynllunio lleol at ddiben achosion o dan y Rheoliadau hyn, ac at y diben hwn ystyrir bod ffurflen wedi ei chyflenwi pan fo Gweinidogion Cymru wedi ei chyhoeddi ar wefan ac wedi hysbysu'r awdurdod cynllunio lleol o'r canlynol—

- (a) bod y ffurflen wedi ei chyhoeddi ar y wefan;
- (b) cyfeiriad y wefan; ac
- (c) ymhle ar y wefan y gellir cael mynediad at y ffurflen, a sut y gellir cael mynediad ati;

ystyr “hysbysiad perthnasol” (“*relevant notice*”) yw—

- (a) mewn perthynas â chais a atgyfeirir at Weinidogion Cymru o dan adran 77 o'r Ddeddf neu adran 12 neu 19 o'r Ddeddf Adeiladau Rhestredig, y cais sydd wedi ei atgyfeirio at Weinidogion Cymru; a
- (b) mewn perthynas ag apêl a ddygir o dan adran 78 neu 208 o'r Ddeddf neu adran 20 o'r Ddeddf Adeiladau Rhestredig, hysbysiad o apêl o dan adran 78 neu 208 o'r Ddeddf neu adran 21 o'r Ddeddf Adeiladau Rhestredig(1);

mae “sylwadau ysgrifenedig” (“*written representations*”) yn cynnwys dogfennau ategol; ac

nid yw “tŷ annedd” (“*dwellinghouse*”) yn cynnwys adeilad sy'n cynnwys un neu ragor o fflatiau, nac ychwaith fflat a gyhwysir o fewn adeilad o'r fath.

(2) Yn y Rheoliadau hyn mae cyfeiriadau at—

- (a) adran 78 o'r Ddeddf yn cynnwys cyfeiriadau at yr adran honno fel y'i cymhwysir i geisiadau am orchmynion cadw coed a wneir o dan y Ddeddf honno;
- (b) adran 12, 19 neu 20 o'r Ddeddf Adeiladau Rhestredig yn cynnwys cyfeiriadau at yr adrannau hynny fel y'u cymhwysir gan adran 74(3) o'r Ddeddf honno(2).

(b) the change of use from any of the purposes set out at paragraph 2 in the Schedule to these Regulations to any of the purposes set out in paragraph 3 of the Schedule; or

(c) the carrying out of building or other operations to a shop front;

“questionnaire” (“*holiadur*”) means a document in the form supplied by the Welsh Ministers to a local planning authority for the purpose of proceedings under these Regulations, and for this purpose a form is taken to be supplied where the Welsh Ministers have published it on a website and have notified the local planning authority of—

- (a) publication of the form on the website;
- (b) the address of the website; and
- (c) the place on the website where the form may be accessed and how it may be accessed;

“relevant notice” (“*hysbysiad perthnasol*”) means, in relation to an—

- (a) application referred to the Welsh Ministers under section 77 of the Act or section 12 or 19 of the Listed Buildings Act, the application which has been referred to the Welsh Ministers; and
- (b) appeal brought under section 78 or 208 of the Act or section 20 of the Listed Buildings Act a notice of appeal under section 78 or 208 of the Act or section 21 of the Listed Buildings Act(1);

“starting date” (“*dyddiad dechrau*”) means the date of the written notification of receipt of appeal under regulation 4 or 12 as the case may be;

“working day” (“*diwrnod gwaith*”) means a day which is not a Saturday, Sunday, Bank Holiday or other public holiday; and

“written representations” (“*sylwadau ysgrifenedig*”) includes supporting documents.

(2) In these Regulations references to—

- (a) section 78 of the Act include references to that section as applied to applications for tree preservation orders made under that Act;
- (b) section 12, 19 or 20 of the Listed Buildings Act include references to those sections as applied by section 74(3) of that Act(2).

(1) Ychwanegwyd adran 21(8) i (11) gan adran 197 o Ddeddf Cynllunio 2008 (p. 29) a pharagraff 5 o Atodlen 11 i'r Ddeddf honno.

(2) Diwygiwyd adran 74(3) gan O.S. 2014/2773 (Cy. 280). Nid yw'r diwygiadau eraill yn berthnasol i'r Rheoliadau hyn.

(1) Section 21(8) to (11) were added by section 197 of, and paragraph 5 of Schedule 11 to, the Planning Act 2008 (c. 29).

(2) Section 74(3) was amended by S.I. 2014/2773 (W. 280). Other amendments are not relevant to these Regulations.

(3) Mewn perthynas â defnyddio cyfathrebiadau electronig at unrhyw ddiben o'r Rheoliadau hyn y gellir ei gyflawni yn electronig—

- (a) mae'r ymadrodd "cyfeiriad" ("*address*") yn cynnwys unrhyw rif neu gyfeiriad a ddefnyddir at ddibenion cyfathrebiadau o'r fath, ac eithrio pan fo'r Rheoliadau hyn yn gosod rhwymedigaeth ar unrhyw berson i ddarparu enw a chyfeiriad i unrhyw berson arall, ni chyflawnir y rhwymedigaeth oni fydd y person y gosodir y rhwymedigaeth arno yn darparu cyfeiriad post;
- (b) mae cyfeiriadau at hysbysiadau, sylwadau neu ddogfennau eraill, neu at gopiâu o ddogfennau o'r fath, yn cynnwys cyfeiriadau at ddogfennau o'r fath neu gopiâu ohonynt ar ffurf electronig.

(4) Mae paragraffau (5) i (8) yn gymwys pan ddefnyddir cyfathrebiad electronig gan berson at y diben o gyflawni unrhyw ofyniad yn y Rheoliadau hyn i roi i unrhyw berson arall ("y derbynydd"), neu anfon ato, unrhyw ddatganiad, hysbysiad neu ddogfen arall.

(5) Ystyrir bod y gofyniad wedi ei gyflawni pan fo'r hysbysiad neu ddogfen arall a drawsyrir drwy gyfrwng y cyfathrebiad electronig—

- (a) yn un y gall y derbynydd gael mynediad iddo neu iddi;
- (b) yn ddarllenadwy ym mhob modd perthnasol; ac
- (c) yn ddigon parhaol i'w ddefnyddio neu i'w defnyddio i gyfeirio ato neu ati yn ddiweddarach.

(6) Ym mharagraff (5), ystyr "darllenadwy ym mhob modd perthnasol" ("*legible in all material respects*") yw fod yr wybodaeth, a gynhwysir yn yr hysbysiad neu ddogfen arall, ar gael i'r derbynydd i'r un graddau o leiaf â phe bai'r wybodaeth wedi ei hanfon neu ei rhoi drwy gyfrwng dogfen ar ffurf brintiedig.

(7) Pan fo'r derbynydd yn cael y cyfathrebiad electronig y tu allan i oriau busnes y derbynydd, ystyrir ei fod wedi ei gael ar y diwrnod gwaith nesaf.

(8) Mae gofyniad yn y Rheoliadau hyn bod rhaid i unrhyw ddogfen fod yn ysgrifenedig wedi ei fodloni pan fo'r ddogfen honno yn bodloni'r meini prawf ym mharagraff (5), ac mae "ysgrifenedig" ("*written*") ac ymadroddion cytras i'w dehongli yn unol â hynny.

Cymhwyso'r Rheoliadau

3.—(1) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(2) Mae Rhan 1 o'r Rheoliadau hyn yn gymwys yn unig—

(3) In relation to the use of electronic communications for any purpose of these Regulations which is capable of being effected electronically—

- (a) the expression "address" ("*cyfeiriad*") includes any number or address used for the purposes of such communications, except that where these Regulations impose an obligation on any person to provide a name and address to any other person, the obligation is not fulfilled unless the person on whom it is imposed provides a postal address;
- (b) references to notices, representations or other documents, or to copies of such documents, include references to such documents or copies of them in electronic form.

(4) Paragraphs (5) to (8) apply where an electronic communication is used by a person for the purpose of fulfilling any requirement in these Regulations to give or send any statement, notice or other document to any other person ("the recipient").

(5) The requirement is taken to be fulfilled where the notice or other document transmitted by means of the electronic communication is—

- (a) capable of being accessed by the recipient;
- (b) legible in all material respects; and
- (c) sufficiently permanent to be used for subsequent reference.

(6) In paragraph (5), "legible in all material respects" ("*darllenadwy ym mhob modd perthnasol*") means that the information contained in the notice or other document is available to the recipient to no lesser extent than it would be if sent or given by means of a document in printed form.

(7) Where the electronic communication is received by the recipient outside the recipient's business hours, it is taken to have been received on the next working day.

(8) A requirement in these Regulations that any document must be in writing is fulfilled where that document meets the criteria in paragraph (5), and "written" ("*ysgrifenedig*") and cognate expressions are to be construed accordingly.

Application of the Regulations

3.—(1) These Regulations apply in relation to Wales.

(2) Part 1 of these Regulations only applies where—

- (a) pan wneir apêl deiliad tŷ, apêl caniatâd hysbyseb neu apêl fasnachol fach mewn perthynas â chais a wnaed wedi i'r Rheoliadau hyn ddod i rym; a
- (b) pan fo Gweinidogion Cymru wedi gwneud penderfyniad o dan adran 319B o'r Ddeddf (pennu'r weithdrefn ar gyfer achosion penodol: Cymru)(1) fod y mater yn un sydd i'w benderfynu ar sail sylwadau ysgrifenedig.

(3) Mae Rhan 2 o'r Rheoliadau hyn yn gymwys yn unig—

- (a) pan wneir apêl nad yw'n apêl deiliad tŷ, apêl caniatâd hysbyseb nac yn apêl fasnachol fach mewn perthynas â chais a wnaed wedi i'r Rheoliadau hyn ddod i rym; a
- (b) pan fo Gweinidogion Cymru wedi gwneud penderfyniad o dan adran 319B o'r Ddeddf neu adran 88E o'r Ddeddf Adeiladau Rhestredig (pennu'r weithdrefn ar gyfer achosion penodol: Cymru)(2) fod y mater yn un sydd i'w benderfynu ar sail sylwadau ysgrifenedig.

(4) Pan fo Gweinidogion Cymru yn amrywio penderfyniad o dan adran 319B(4) o'r Ddeddf neu o dan adran 88E(4) o'r Ddeddf Adeiladau Rhestredig fel bod achos apêl mewn ymchwiliad lleol neu mewn gwrandawriad i barhau ar sail sylwadau ysgrifenedig, yn unol â Rhan 1 neu Ran 2 o'r Rheoliadau hyn, yn ôl y digwydd, bydd y Rheoliadau hyn yn gymwys mewn perthynas â'r achos i'r cyfryw raddau a bennir gan Weinidogion Cymru ar ôl ystyried unrhyw gamau a gymerwyd eisoes mewn perthynas â'r achos hwnnw.

(5) Pan fo Gweinidogion Cymru yn amrywio penderfyniad o dan adran 319B(4) o'r Ddeddf neu o dan adran 88E(4) o'r Ddeddf Adeiladau Rhestredig fel bod achos apêl ar sail sylwadau ysgrifenedig i barhau mewn ymchwiliad lleol neu mewn gwrandawriad, bydd y Rheoliadau hyn yn peidio â bod yn gymwys.

RHAN 1

Y Weithdrefn ar gyfer Apelau Deiliad Tŷ, Apelau Caniatâd Hysbyseb ac Apelau Masnachol Bach

Hysbysu ynghylch cael apêl

4. Rhaid i Weinidogion Cymru, cyn gynted ag y bo'n ymarferol wedi i benderfyniad gael ei wneud o dan adran 319B o'r Ddeddf, hysbysu'r apelydd a'r awdurdod cynllunio lleol, mewn ysgrifen, o'r canlynol—

(1) Mewnosodwyd adran 319B gan O.S. 2014/2773 (Cy. 280).
(2) Mewnosodwyd adran 88E gan O.S. 2014/2773 (Cy. 280).

- (a) a householder, advertisement consent or minor commercial appeal is made in relation to an application which is made after these Regulations come into force; and
- (b) the Welsh Ministers have determined under section 319B of the Act (determination of procedure of certain proceedings: Wales)(1) that it is a matter which is to be determined on the basis of representations in writing.

(3) Part 2 of these Regulations only applies where—

- (a) an appeal which is not a householder, advertisement consent or minor commercial appeal is made in relation to an application which is made after these Regulations come into force; and
- (b) the Welsh Ministers have determined under section 319B of the Act or section 88E of the Listed Buildings Act (determination of procedure of certain proceedings: Wales)(2) that it is a matter which is to be determined on the basis of representations in writing.

(4) Where the Welsh Ministers vary a determination under section 319B(4) of the Act or under section 88E(4) of the Listed Buildings Act so that an appeal proceeding at a local inquiry or at a hearing is to continue on the basis of representations in writing, in accordance with Part 1 or Part 2 of these Regulations, as the case may be, these Regulations apply in relation to the proceedings to such extent as the Welsh Ministers may specify having regard to any steps already taken in relation to those proceedings.

(5) Where the Welsh Ministers vary a determination under section 319B(4) of the Act or under section 88E(4) of the Listed Buildings Act so that an appeal proceeding on the basis of representations in writing is to continue at a local inquiry or at a hearing, these Regulations will cease to apply.

PART 1

Procedure for Householder, Advertisement Consent and Minor Commercial Appeals

Notification of receipt of appeal

4. The Welsh Ministers must, as soon as practicable after a determination has been made under section 319B of the Act, advise the appellant and the local planning authority in writing—

(1) Section 319B was inserted by S.I. 2014/2773 (W. 280).
(2) Section 88E was inserted by S.I. 2014/2773 (W. 280).

- (a) y dyddiad dechrau;
- (b) y rhif cyfeirnod a ddyroddwyd i'r apêl;
- (c) y bydd yr apêl yn dilyn y gweithdrefnau a nodir yn Rhan 1 o'r Rheoliadau hyn; a
- (d) y cyfeiriad ar gyfer anfon cyfathrebiadau ysgrifenedig at Weinidogion Cymru ynglŷn â'r apêl.

Holiadur

5. Rhaid i'r awdurdod cynllunio lleol anfon y dogfennau canlynol at Weinidogion Cymru, a chopïau ohonynt at yr apelydd, er mwyn iddynt eu cael o fewn 5 diwrnod gwaith ar ôl y dyddiad dechrau—

- (a) holiadur wedi ei gwblhau; a
- (b) copi o bob un o'r dogfennau y cyfeirir atynt yn yr holiadur.

Hysbysu personau sydd â buddiant

6.—(1) Rhaid i'r awdurdod cynllunio lleol, o fewn 5 diwrnod gwaith ar ôl y dyddiad dechrau, roi hysbysiad ysgrifenedig o'r apêl i'r canlynol—

- (a) unrhyw berson a hysbyswyd neu'r ymgynghorwyd ag ef yn unol â'r Ddeddf neu orchymyn datblygu ynglŷn â'r cais; a
- (b) unrhyw berson arall a gyflwynodd sylwadau i'r awdurdod cynllunio lleol ynglŷn â'r cais hwnnw.

(2) Rhaid i hysbysiad o dan baragraff (1)—

- (a) datgan enw'r apelydd a chyfeiriad y safle y mae'r apêl yn ymwneud ag ef;
- (b) disgrifio'r datblygiad y mae'r cais yn ymwneud ag ef;
- (c) nodi'r materion yr hysbyswyd yr apelydd a'r awdurdod cynllunio lleol ohonynt o dan reoliad 4; a
- (d) datgan y bydd unrhyw sylwadau a gyflwynwyd i'r awdurdod cynllunio lleol mewn perthynas â'r cais, cyn ei benderfynu, yn cael eu hanfon gan yr awdurdod cynllunio lleol at Weinidogion Cymru a'r apelydd, ac yn cael eu hystyried gan Weinidogion Cymru wrth benderfynu'r apêl, oni thynnir y sylwadau yn ôl mewn ysgrifen o fewn 4 wythnos ar ôl y dyddiad dechrau.

Sylwadau

7.—(1) Yr hysbysiad perthnasol a'r dogfennau a gyflwynir ynghyd â'r hysbysiad perthnasol yw'r hyn a gynhwysir yn sylwadau'r apelydd mewn perthynas â'r apêl.

- (a) of the starting date;
- (b) of the reference number allocated to the appeal;
- (c) that the appeal will follow the procedures set out in Part 1 of these Regulations; and
- (d) of the address to which written communications to the Welsh Ministers about the appeal are to be sent.

Questionnaire

5. The local planning authority must send to the Welsh Ministers, and copy to the appellant, so as to be received within 5 working days of the starting date—

- (a) a completed questionnaire; and
- (b) a copy of each of the documents referred to in it.

Notice to interested parties

6.—(1) The local planning authority must give written notice of the appeal within 5 working days of the starting date to—

- (a) any person notified or consulted in accordance with the Act or a development order about the application; and
- (b) any other person who made representations to the local planning authority about that application.

(2) A notice under paragraph (1) must—

- (a) state the name of the appellant and the address of the site to which the appeal relates;
- (b) describe the development to which the application relates;
- (c) set out the matters notified to the appellant and the local planning authority under regulation 4; and
- (d) state that any representations made to the local planning authority in relation to the application, before it was determined, will be sent to the Welsh Ministers and the appellant by the local planning authority and will be considered by the Welsh Ministers when determining the appeal unless they are withdrawn in writing within 4 weeks of the starting date.

Representations

7.—(1) The relevant notice and the documents accompanying it comprise the appellant's representations in relation to the appeal.

(2) Yr holiadur cyflawn a'r dogfennau a anfonir gyda'r holiadur cyflawn yw'r hyn a gynhwysir yn sylwadau'r awdurdod cynllunio lleol mewn perthynas â'r apêl.

(3) Rhaid i Weinidogion Cymru, cyn gynted ag y bo'n ymarferol ar ôl cael y sylwadau, anfon copi o'r sylwadau a wnaed gan yr awdurdod cynllunio lleol at yr apelydd a rhaid iddynt anfon copi o'r sylwadau a wnaed gan yr apelydd at yr awdurdod cynllunio lleol.

Gwybodaeth bellach

8.—(1) Caiff Gweinidogion Cymru, mewn ysgrifen, ei gwneud yn ofynnol bod yr apelydd, yr awdurdod cynllunio lleol a phersonau eraill sydd â buddiant, yn darparu pa bynnag wybodaeth bellach a bennir sy'n berthnasol i'r apêl.

(2) Rhaid darparu'r cyfryw wybodaeth mewn ysgrifen o fewn pa bynnag gyfnod a bennir gan Weinidogion Cymru.

(3) Caiff Gweinidogion Cymru ddiystyru unrhyw wybodaeth bellach oni ddarparwyd yr wybodaeth honno yn unol â pharagraff (1).

Trosglwyddo apêl o Ran 1

9.—(1) Ar unrhyw adeg cyn penderfynu apêl, caiff Gweinidogion Cymru benderfynu nad yw'r gweithdrefnau a nodir yn y Rhan hon bellach yn addas ar gyfer yr apêl honno.

(2) Pan wneir penderfyniad o'r fath, rhaid i Weinidogion Cymru hysbysu'r apelydd a'r awdurdod cynllunio lleol mewn ysgrifen o'r canlynol—

- (a) y trosglwyddir yr apêl o'r gweithdrefnau a nodir yn Rhan 1 o'r Rheoliadau hyn; a
- (b) y bydd yr apêl yn mynd ei blaen yn unol â Rhan 2 o'r Rheoliadau hyn, i ba bynnag raddau a bennir gan Weinidogion Cymru ar ôl ystyried unrhyw gamau a gymerwyd eisoes mewn perthynas â'r achos honno.

Penderfynu ar apelau deiliad tŷ, apelau caniatâd hysbyseb ac apelau masnachol bach o dan Ran 1

10.—(1) Caiff Gweinidogion Cymru, ar ôl rhoi hysbysiad ysgrifenedig o'u bwriad i wneud hynny i'r apelydd ac i'r awdurdod cynllunio lleol, fynd ymlaen i wneud penderfyniad ar apêl gan gymryd i ystyriaeth y sylwadau hynny yn unig a anfonwyd o fewn y terfynau amser perthnasol, pan fo'n ymddangos bod deunydd digonol i'w galluogi i gyrraedd penderfyniad.

(2) Ym mharagraff (1) ystyr "terfynau amser perthnasol" ("*relevant time limits*") yw'r terfynau amser a ragnodir gan y Rheoliadau hyn, neu pan fo Gweinidogion Cymru wedi arfer y pŵer o dan reoliad 19, unrhyw derfyn amser diweddarach.

(2) The completed questionnaire and documents sent with it comprise the local planning authority's representations in relation to the appeal.

(3) The Welsh Ministers must, as soon as practicable after receipt, send a copy of the representations made by the local planning authority to the appellant and must send a copy of the representations made by the appellant to the local planning authority.

Further information

8.—(1) The Welsh Ministers may in writing require the appellant, local planning authority and other interested persons, to provide such further information relevant to the appeal as may be specified.

(2) Such information must be provided in writing within such period as the Welsh Ministers may specify.

(3) The Welsh Ministers may disregard any further information unless that information has been provided pursuant to paragraph (1).

Transfer of appeal from Part 1

9.—(1) At any time before an appeal is determined, the Welsh Ministers may determine that the procedures set out in this Part are no longer suitable for that appeal.

(2) Where such a determination is made the Welsh Ministers must notify the appellant and the local planning authority in writing that—

- (a) the appeal is to be transferred from the procedures set out in Part 1 of these Regulations; and
- (b) the appeal will proceed in accordance with Part 2 of these Regulations to such extent as the Welsh Ministers may specify having regard to any steps already taken in relation to those proceedings.

Decision on householder, advertisement consent and minor commercial appeals under Part 1

10.—(1) The Welsh Ministers may, after giving the appellant and the local planning authority written notice of the intention to do so, proceed to a decision on an appeal taking into account only those representations which have been sent within the relevant time limits, where it appears that there is sufficient material to enable a decision to be reached.

(2) In paragraph (1) "relevant time limits" ("*terfynau amser perthnasol*") means the time limits prescribed by these Regulations, or where the Welsh Ministers have exercised the power under regulation 19, any later time limit.

Hysbysu ynghylch penderfyniad ar apelau deiliad tŷ, apelau caniatâd hysbyseb ac apelau masnachol bach o dan Ran 1

11. Rhaid i Weinidogion Cymru, mewn ysgrifen, hysbysu'r canlynol o'u penderfyniad ar apêl a'u rhesymau dros gyrraedd y penderfyniad hwnnw—

- (a) yr apelydd;
- (b) yr awdurdod cynllunio lleol;
- (c) unrhyw berson â buddiant a ofynnodd am gael ei hysbysu o'r penderfyniad; a
- (d) unrhyw berson arall a ofynnodd am gael ei hysbysu o'r penderfyniad, ac yr ystyria Gweinidogion Cymru y byddai'n rhesymol ei hysbysu.

RHAN 2

Gweithdrefn ar gyfer Apelau Eraill

Hysbysu ynghylch cael apêl

12. Rhaid i Weinidogion Cymru, cyn gynted ag y bo'n ymarferol wedi i benderfyniad gael ei wneud o dan adran 319B o'r Ddeddf neu adran 88E o'r Ddeddf Adeiladau Rhestredig, hysbysu'r apelydd a'r awdurdod cynllunio lleol, mewn ysgrifen, o'r canlynol—

- (a) y dyddiad dechrau;
- (b) y rhif cyfeirnod a ddyroddwyd i'r apêl;
- (c) y bydd yr apêl yn dilyn y gweithdrefnau a nodir yn Rhan 2 o'r Rheoliadau hyn; a
- (d) y cyfeiriad ar gyfer anfon cyfathrebiadau ysgrifenedig at Weinidogion Cymru ynglŷn â'r apêl.

Holiadur

13. Rhaid i'r awdurdod cynllunio lleol anfon y dogfennau canlynol at Weinidogion Cymru, a chopïau ohonynt at yr apelydd, er mwyn iddynt eu cael o fewn 2 wythnos ar ôl y dyddiad dechrau—

- (a) holiadur wedi ei gwblhau; a
- (b) copi o bob un o'r dogfennau y cyfeirir atynt yn yr holiadur.

Hysbysu personau sydd â buddiant

14.—(1) Rhaid i'r awdurdod cynllunio lleol roi hysbysiad ysgrifenedig o'r apêl i'r canlynol er mwyn iddynt eu cael o fewn 2 wythnos ar ôl y dyddiad dechrau—

Notification of decision on householder, advertisement consent and minor commercial appeals under Part 1

11. The Welsh Ministers must notify the decision on an appeal, and their reasons for reaching that decision, in writing to—

- (a) the appellant;
- (b) the local planning authority;
- (c) any interested person who has asked to be notified of the decision; and
- (d) any other person who has asked to be notified of the decision whom the Welsh Ministers consider it reasonable to notify.

PART 2

Procedure for Other Appeals

Notification of receipt of appeal

12. The Welsh Ministers must, as soon as practicable after a determination has been made under section 319B of the Act or section 88E of the Listed Buildings Act, advise the appellant and the local planning authority in writing—

- (a) of the starting date;
- (b) of the reference number allocated to the appeal;
- (c) that the appeal will follow the procedures set out in Part 2 of these Regulations; and
- (d) of the address to which written communications to the Welsh Ministers about the appeal are to be sent.

Questionnaire

13. The local planning authority must send to the Welsh Ministers, and copy to the appellant, so as to be received within 2 weeks of the starting date—

- (a) a completed questionnaire; and
- (b) a copy of each of the documents referred to in it.

Notice to interested persons

14.—(1) The local planning authority must give written notice of the appeal, so as to be received within 2 weeks of the starting date, to—

- (a) unrhyw berson a hysbyswyd neu'r ymgynghorwyd ag ef yn unol â'r Ddeddf, y Ddeddf Adeiladau Rhestredig neu orchymyn datblygu, yn ôl y digwydd, ynglŷn â'r cais; a
 - (b) unrhyw berson arall a gyflwynodd sylwadau i'r awdurdod cynllunio lleol ynglŷn â'r cais hwnnw.
- (2) Rhaid i hysbysiad o dan baragraff (1)—
- (a) datgan enw'r apelydd a chyfeiriad y safle y mae'r apêl yn ymwneud ag ef;
 - (b) disgrifio'r datblygiad y mae'r cais yn ymwneud ag ef;
 - (c) nodi'r materion yr hysbyswyd yr apelydd a'r awdurdod cynllunio lleol ohonynt o dan reoliad 12;
 - (d) datgan y bydd copïau o unrhyw sylwadau a wneir gan unrhyw berson a grybwyllir ym mharagraff (1) yn cael eu hanfon at Weinidogion Cymru ac at yr apelydd;
 - (e) datgan y bydd unrhyw sylwadau o'r fath yn cael eu hystyried gan Weinidogion Cymru wrth benderfynu'r apêl oni thynnir y sylwadau yn ôl gan unrhyw berson a grybwyllir ym mharagraff (1), o fewn 6 wythnos ar ôl y dyddiad dechrau; ac
 - (f) datgan y caniateir anfon sylwadau ysgrifenedig pellach at Weinidogion Cymru er mwyn iddynt eu cael o fewn 6 wythnos ar ôl y dyddiad dechrau.

Sylwadau

15.—(1) Tybir mai'r hysbysiad perthnasol a'r dogfennau a gyflwynir ynghyd â'r hysbysiad perthnasol yw'r hyn a gynhwysir yn sylwadau'r apelydd mewn perthynas â'r apêl.

(2) Caiff yr awdurdod cynllunio lleol ddewis trin yr holiadur a'r dogfennau a anfonir gydag ef fel sylwadau'r awdurdod cynllunio lleol mewn perthynas â'r apêl a phan wnânt felly, rhaid i'r awdurdod cynllunio lleol hysbysu Gweinidogion Cymru a'r apelydd o hynny, wrth anfon yr holiadur at Weinidogion Cymru, a chopi at yr apelydd, yn unol â rheoliad 13.

(3) Pan nad yw'r awdurdod cynllunio lleol yn gwneud dewisiad fel y disgrifir ym mharagraff (2), rhaid iddo sicrhau bod Gweinidogion Cymru yn cael 2 gopi o unrhyw sylwadau ysgrifenedig pellach o fewn 6 wythnos ar ôl y dyddiad dechrau.

(4) Rhaid i apelydd sy'n dymuno gwneud unrhyw sylwadau pellach i'r rheini ym mharagraff (1) anfon 2 gopi o'r sylwadau pellach hynny at Weinidogion Cymru er mwyn iddynt eu cael o fewn 6 wythnos ar ôl y dyddiad dechrau.

- (a) any person notified or consulted in accordance with the Act, the Listed Buildings Act or a development order, as the case may be, about the application; and
- (b) any other person who made representations to the local planning authority about that application.

(2) A notice under paragraph (1) must—

- (a) state the name of the appellant and the address of the site to which the appeal relates;
- (b) describe the development to which the application relates;
- (c) set out the matters notified to the appellant and local planning authority under regulation 12;
- (d) state that copies of any representations made by any person mentioned in paragraph (1) will be sent to the Welsh Ministers and the appellant;
- (e) state that any such representations will be considered by the Welsh Ministers when determining the appeal unless any person mentioned in paragraph (1) withdraws them within 6 weeks of the starting date; and
- (f) state that further written representations may be sent to the Welsh Ministers so as to be received within 6 weeks of the starting date.

Representations

15.—(1) The relevant notice, and the documents accompanying it, will be deemed to comprise the appellant's representations in relation to the appeal.

(2) The local planning authority may elect to treat the questionnaire, and the documents sent with it, as its representations in relation to the appeal and, where they do so, they must notify the Welsh Ministers and the appellant accordingly when they send to the Welsh Ministers, and copy to the appellant, the questionnaire in accordance with regulation 13.

(3) Where the local planning authority does not elect as described in paragraph (2), they must ensure that 2 copies of any further written representations are received by the Welsh Ministers within 6 weeks of the starting date.

(4) An appellant who wishes to make any further representations to those in paragraph (1) must send 2 copies of those further representations to the Welsh Ministers so as to be received within 6 weeks of the starting date.

(5) Rhaid i Weinidogion Cymru, cyn gynted ag y bo'n ymarferol ar ôl eu cael, anfon copi at yr apelydd o unrhyw sylwadau a anfonwyd atynt gan yr awdurdod cynllunio lleol, a rhaid iddynt anfon copi at yr awdurdod cynllunio lleol o unrhyw sylwadau a anfonwyd atynt gan yr apelydd.

(6) Rhaid i'r apelydd a'r awdurdod cynllunio lleol anfon 2 gopi o unrhyw sylwadaethau ysgrifenedig sydd ganddynt ar sylwadau'r naill a'r llall at Weinidogion Cymru er mwyn iddynt eu cael o fewn 9 wythnos ar ôl y dyddiad dechrau a rhaid i Weinidogion Cymru, cyn gynted ag y bo'n ymarferol ar ôl eu cael, anfon copi o'r sylwadaethau pellach hynny at y parti arall.

(7) Caiff Gweinidogion Cymru ddiystyru unrhyw wybodaeth bellach oddi wrth yr apelydd a'r awdurdod cynllunio lleol, nas ceir o fewn 9 wythnos ar ôl y dyddiad dechrau, oni fydd Gweinidogion Cymru wedi gofyn am yr wybodaeth honno.

(8) Pan fo parti y mae'r rheoliad hwn yn gymwys iddo yn dewis defnyddio cyfathrebiadau electronig i gyflwyno, anfon, copïo neu anfon copi o unrhyw sylwadau, holiadur neu ddogfen arall, mae'r rheoliad hwn yn cael effaith yn ddarostyngedig i'r addasiadau canlynol—

- (a) os y parti sy'n dewis felly yw'r awdurdod cynllunio lleol, rhodder "y" yn lle'r geiriau "2 gopi o'r" ym mharagraff (3) a hepgorer y geiriau "2 gopi o" ym mharagraff (6);
- (b) os y parti sy'n dewis felly yw'r apelydd, rhodder "y" yn lle'r geiriau "2 gopi o'r" ym mharagraff (4) a hepgorer y geiriau "2 gopi o" ym mharagraff (6).

Sylwadau personau sydd â buddiant

16.—(1) Caiff person a hysbyswyd o dan reoliad 14(1) ac sy'n dymuno anfon sylwadau at Weinidogion Cymru wneud hynny ar yr amod bod Gweinidogion Cymru yn cael y sylwadau o fewn 6 wythnos ar ôl y dyddiad dechrau.

(2) Rhaid i Weinidogion Cymru—

- (a) anfon copi at yr apelydd ac at yr awdurdod cynllunio lleol o unrhyw sylwadau y mae Gweinidogion Cymru yn eu cael gan unrhyw berson arall mewn perthynas â'r apêl, cyn gynted ag y bo'n ymarferol ar ôl eu cael; a
- (b) pennu cyfnod o ddim llai na 2 wythnos, y mae'n rhaid i Weinidogion Cymru gael ynddo unrhyw sylwadaethau ysgrifenedig ar y sylwadau.

(3) Caiff Gweinidogion Cymru ddiystyru sylwadaethau a wneir gan yr awdurdod cynllunio lleol o dan baragraff (2)(b) os methodd yr awdurdod â rhoi'r hysbysiad sy'n ofynnol gan reoliad 14.

(5) The Welsh Ministers must, as soon as practicable after receipt, send to the appellant a copy of any representations sent to them by the local planning authority and must send to the local planning authority a copy of any representations sent to them by the appellant.

(6) The appellant and the local planning authority must send to the Welsh Ministers 2 copies of any written comments they have on each other's representations so as to be received within 9 weeks of the starting date and the Welsh Ministers must, as soon as practicable after receipt, send a copy of those further comments to the other party.

(7) The Welsh Ministers may disregard further information from the appellant and the local planning authority which is not received within 9 weeks of the starting date unless that further information has been requested by them.

(8) Where a party to which this regulation applies elects to use electronic communications for submitting, sending, copying, or sending a copy of any representations, questionnaire or other document, this regulation has effect subject to the following modifications—

- (a) where the party so electing is the local planning authority, the words "2 copies of" in paragraphs (3) and (6) are omitted;
- (b) where the party so electing is the appellant, the words "2 copies of" in paragraphs (4) and (6) are omitted.

Interested persons' representations

16.—(1) A person who has been notified under regulation 14(1), and who wishes to send representations to the Welsh Ministers, may do so provided they are received by the Welsh Ministers within 6 weeks of the starting date.

(2) The Welsh Ministers must—

- (a) send to the appellant and the local planning authority, as soon as practicable after receipt, a copy of any representations received by the Welsh Ministers from any other person in relation to the appeal; and
- (b) specify a period of not less than 2 weeks within which any written comments on the representations must be received by the Welsh Ministers.

(3) The Welsh Ministers may disregard comments made by the local planning authority under paragraph (2)(b) if the authority has failed to give the notice required by regulation 14.

Penderfynu ar apêl

17.—(1) Caiff Gweinidogion Cymru fynd ymlaen i wneud penderfyniad ar apêl gan gymryd i ystyriaeth y sylwadau ysgrifenedig hynny yn unig a gafwyd o fewn y terfynau amser perthnasol.

(2) Caiff Gweinidogion Cymru, ar ôl rhoi hysbysiad ysgrifenedig o'u bwriad i wneud hynny i'r apelydd ac i'r awdurdod cynllunio lleol, fynd ymlaen i wneud penderfyniad ar apêl er na wnaed unrhyw sylwadau ysgrifenedig o fewn y terfynau amser perthnasol os yw'n ymddangos i Weinidogion Cymru fod ganddynt ddeunydd digonol ger eu bron i'w galluogi i gyrraedd penderfyniad ar sail rhinweddau'r achos.

(3) Yn y rheoliad hwn, ystyr "terfynau amser perthnasol" ("*relevant time limits*") yw'r terfynau amser a ragnodir gan y Rheoliadau hyn neu, os yw Gweinidogion Cymru wedi arfer y pŵer o dan reoliad 19, unrhyw derfyn amser diweddarach.

Hysbysu ynghylch y penderfyniad

18. Rhaid i Weinidogion Cymru, mewn ysgrifen, hysbysu'r canlynol o'u penderfyniad ar apêl a'u rhesymau dros gyrraedd y penderfyniad hwnnw—

- (a) yr apelydd;
- (b) yr awdurdod cynllunio lleol;
- (c) unrhyw berson â buddiant a ofynnodd am gael ei hysbysu o'r penderfyniad; a
- (d) unrhyw berson arall a ofynnodd am gael ei hysbysu o'r penderfyniad, ac yr ystyria Gweinidogion Cymru y byddai'n rhesymol ei hysbysu.

RHAN 3

Amrywiol

Caniatáu rhagor o amser

19. Caiff Gweinidogion Cymru, mewn achos penodol, roi cyfarwyddiadau sy'n estyn y terfynau amser a ragnodir gan y Rheoliadau hyn.

Trawsyrru dogfennau

20. Caniateir anfon neu gyflenwi hysbysiadau neu ddogfennau y mae'n ofynnol neu yr awdurdodir eu hanfon neu eu cyflenwi o dan y Rheoliadau hyn—

- (a) drwy'r post; neu
- (b) drwy ddefnyddio cyfathrebiadau electronig i drawsyrri'r hysbysiad neu'r ddogfen (yn ôl y digwydd) at berson ym mha bynnag gyfeiriad a bennir am y tro gan y person hwnnw at ddiben o'r fath.

Decision on appeal

17.—(1) The Welsh Ministers may proceed to a decision on an appeal taking into account only such written representations as have been received within the relevant time limits.

(2) The Welsh Ministers may, after giving the appellant and the local planning authority written notice of its intention to do so, proceed to a decision on an appeal notwithstanding that no written representations have been made within the relevant time limits if it appears to the Welsh Ministers that they have sufficient material before them to enable them to reach a decision on the merits of the case.

(3) In this regulation, "relevant time limits" ("*terfynau amser perthnasol*") means the time limits prescribed by these Regulations or where the Welsh Ministers have exercised the power under regulation 19, any later time limit.

Notification of decision

18. The Welsh Ministers must notify the decision on an appeal, and their reasons for reaching that decision, in writing to—

- (a) the appellant;
- (b) the local planning authority;
- (c) any interested person who has asked to be notified of the decision; and
- (d) any other person who has asked to be notified of the decision whom the Welsh Ministers consider it reasonable to notify.

PART 3

Miscellaneous

Allowing further time

19. The Welsh Ministers may in a particular case give directions which extend the time limits prescribed by these Regulations.

Transmission of documents

20. Notices or documents required or authorised to be sent or supplied under these Regulations may be sent or supplied by—

- (a) post; or
- (b) using electronic communications to transmit the notice or document (as the case may be) to a person at such address as may for the time being be specified by that person for such purpose.

Tynnu'n ôl y cydsyniad i ddefnyddio cyfathrebiadau electronig

21. Pan nad yw person bellach yn fodlon derbyn y defnydd o gyfathrebiadau electronig at unrhyw ddiben o'r Rheoliadau hyn y gellir ei gyflawni yn electronig, rhaid i'r person roi hysbysiad ysgrifenedig sydd—

- (a) yn tynnu'n ôl unrhyw gyfeiriad yr hysbyswyd Gweinidogion Cymru neu awdurdod cynllunio lleol ohono at y diben hwnnw, neu
- (b) yn dirymu unrhyw gytundeb yr ymunwyd ynddo gyda Gweinidogion Cymru neu awdurdod cynllunio lleol at y diben hwnnw,

a bydd tynnu'n ôl neu ddirymu felly yn derfynol ac yn cael effaith ar ddyddiad a bennir gan y person yn yr hysbysiad, ond ddim llai nag 1 wythnos ar ôl y dyddiad y rhoddir yr hysbysiad.

Dirymu, darpariaethau trosiannol a darpariaethau arbed

22.—(1) Yn ddarostyngedig i baragraff (2), mae Rheoliadau Cynllunio Gwlad a Thref (Atgyfeiriadau ac Apelau) (Gweithdrefn Sylwadau Ysgrifenedig) (Cymru) 2003(1) ("Rheoliadau 2003") wedi eu dirymu.

(2) Yn ddarostyngedig i baragraff (3), penderfynir apêl, gan gynnwys apêl deiliad tŷ, apêl caniatâd hysbyseb neu apêl fasnachol fach o dan Reoliadau 2003 pan fo'r apêl—

- (a) i gael ei hystyried ar sail sylwadau ysgrifenedig; a
- (b) wedi ei gwneud mewn perthynas â chais, gan gynnwys cais deiliad tŷ, cais caniatâd hysbyseb neu gais masnachol bach, a wnaed cyn i'r Rheoliadau hyn ddod i rym.

(3) Pan fo penderfyniad a wnaed gan Weinidogion Cymru ar apêl yr oedd Rheoliadau 2003 yn gymwys iddi yn cael ei wrthdroi yn ddiweddarach mewn achos gerbron unrhyw lys, bydd y penderfyniad yn cael ei ail-wneud yn unol â Rhan 2 o'r Rheoliadau hyn.

Withdrawal of consent to use electronic communications

21. Where a person is no longer willing to accept the use of electronic communications for any purpose of these Regulations which is capable of being effected electronically, the person must give notice in writing—

- (a) withdrawing any address notified to the Welsh Ministers or to a local planning authority for that purpose, or
- (b) revoking any agreement entered into with the Welsh Ministers or with a local planning authority for that purpose,

and such withdrawal or revocation is final and takes effect on a date specified by the person in the notice but not less than 1 week after the date on which the notice is given.

Revocation, transitional and saving provisions

22.—(1) Subject to paragraph (2), the Town and Country Planning (Referrals and Appeals) (Written Representations Procedure) (Wales) Regulations 2003(1) ("the 2003 Regulations") are revoked.

(2) Subject to paragraph (3), an appeal, including a householder appeal, advertisement consent appeal or a minor commercial appeal, will be determined under the 2003 Regulations where the appeal is—

- (a) to be considered on the basis of representations in writing; and
- (b) made in relation to an application, including a householder application, advertisement consent application or a minor commercial application, which was made before these Regulations come into force.

(3) Where a decision of the Welsh Ministers on an appeal to which the 2003 Regulations applied is subsequently quashed in proceedings before any court, the decision will be re-determined in accordance with Part 2 of these Regulations.

Carl Sargeant

Y Gweinidog Cyfoeth Naturiol, un o Weinidogion
Cymru
20 Mai 2015

Minister for Natural Resources, one of the Welsh
Ministers
20 May 2015

(1) O.S. 2003/390 (Cy. 52).

(1) S.I. 2003/390 (W. 52).

Dibenion Datblygu Masnachol Bach

Minor Commercial Development Uses

Siopau

1. Defnydd ar gyfer pob un o'r dibenion canlynol neu unrhyw un neu ragor ohonynt—

- (a) ar gyfer manwerthu nwyddau ac eithrio bwyd poeth,
- (b) fel swyddfa bost,
- (c) ar gyfer gwerthu tocynnau neu fel asiantaeth deithio,
- (d) ar gyfer gwerthu brechdanau neu fwyd oer arall i'w fwyta i ffwrdd o'r fangre,
- (e) ar gyfer trin gwallt,
- (f) ar gyfer trefnu angladdau,
- (g) ar gyfer arddangos nwyddau sydd ar werth,
- (h) ar gyfer hurio nwyddau neu eitemau domestig neu bersonol,
- (i) ar gyfer golchi neu lanhau dillad neu ffabrigau yn y fangre,
- (j) ar gyfer derbyn nwyddau i'w golchi, eu glanhau, neu eu hatgyweirio,

pan fo'r gwerthu, yr arddangos neu'r gwasanaeth i aelodau o'r cyhoedd sy'n ymweld.

Gwasanaethau ariannol a phroffesiynol

2. Defnydd ar gyfer darparu—

- (a) gwasanaethau ariannol,
- (b) gwasanaethau proffesiynol (ac eithrio gwasanaethau iechyd neu feddygol), neu
- (c) unrhyw wasanaethau eraill (gan gynnwys defnydd fel swyddfa fetio) y mae'n briodol eu darparu mewn ardal siopa,

pan ddarperir y gwasanaethau yn bennaf i aelodau o'r cyhoedd sy'n ymweld.

Bwyd a diod

3. Defnydd ar gyfer gwerthu bwyd neu ddiod ar gyfer ei fwyta neu ei yfed yn y fangre neu fwyd poeth ar gyfer ei fwyta i ffwrdd o'r fangre.

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Shops

1. Use for all or any of the following purposes—

- (a) for the retail sale of goods other than hot food,
- (b) as a post office,
- (c) for the sale of tickets or as a travel agency,
- (d) for the sale of sandwiches or other cold food for consumption off the premises,
- (e) for hairdressing,
- (f) for the direction of funerals,
- (g) for the display of goods for sale,
- (h) for the hiring out of domestic or personal goods or articles,
- (i) for the washing or cleaning of clothes or fabrics on the premises,
- (j) for the reception of goods to be washed, cleaned or repaired,

where the sale, display or service is to visiting members of the public.

Financial and professional services

2. Use for the provision of—

- (a) financial services,
- (b) professional services (other than health or medical services), or
- (c) any other services (including use as a betting office) which it is appropriate to provide in a shopping area,

where the services are provided principally to visiting members of the public.

Food and drink

3. Use for the sale of food or drink for consumption on the premises or of hot food for consumption off the premises.

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**TOWN AND COUNTRY
PLANNING, WALES**

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