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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2017 Rhif 528 (Cy. 111)**

**2017 No. 528 (W. 111)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

**TOWN AND COUNTRY  
PLANNING, WALES**

Rheoliadau Cynllunio Gwlad a  
Thref (Ffioedd am Geisiadau,  
Ceisiadau Tybiedig ac Ymweliadau  
Safle) (Cymru) (Diwygio) 2017

The Town and Country Planning  
(Fees for Applications, Deemed  
Applications and Site Visits)  
(Wales) (Amendment) Regulations  
2017

**NODYN ESBONIADOL**

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cynllunio Gwlad a Thref (Ffioedd am Geisiadau, Ceisiadau Tybiedig ac Ymweliadau Safle) (Cymru) 2015 mewn cysylltiad â ffioedd am geisiadau tybiedig ac yn ei gwneud yn ofynnol—

- (a) i Weinidogion Cymru anfon copi o'r hysbysiad sy'n pennu'r amser ar gyfer talu'r ffi at yr awdurdod perthnasol ar yr un pryd ag yr anfonir yr hysbysiad at yr apelydd;
- (b) i'r awdurdod perthnasol hysbysu Gweinidogion Cymru pan fydd y ffi wedi ei thalu neu os nad yw'r ffi wedi ei thalu yn yr amser penodedig.

Mae'r Aseiad Effaith Rheoleiddiol sy'n gymwys i'r Rheoliadau hyn ar gael gan Lywodraeth Cymru yn: Parc Cathays, Caerdydd, CF10 3NQ ac ar wefan Llywodraeth Cymru yn [www.llyw.cymru](http://www.llyw.cymru).

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015 in respect of fees for deemed applications and require—

- (a) the Welsh Ministers to send a copy of the notice specifying the time for payment of the fee to the relevant authority at the same time as the notice is sent to the appellant;
- (b) the relevant authority to notify the Welsh Ministers when the fee has been paid or if the fee has not been paid in the specified time.

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.gov.wales](http://www.gov.wales).

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*Gwnaed* 5 Ebrill 2017

*Made* 5 April 2017

*Yn dod i rym* 5 Mai 2017

*Coming into force* 5 May 2017

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adran 303 o Ddeddf Cynllunio Gwlad a Thref 1990(1), yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred on them by section 303 of the Town and Country Planning Act 1990(1), make the following Regulations:

Yn unol ag adran 333(3E) o'r Ddeddf honno(2), gosodwyd drafft o'r offeryn hwn gerbron Cynulliad Cenedlaethol Cymru ac fe'i cymeradwywyd ganddo drwy benderfyniad.

In accordance with section 333(3E) of that Act(2), a draft of this instrument was laid before and approved by resolution of the National Assembly for Wales.

**Enwi, cychwyn a chymhwyso**

**Title, commencement and application**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio Gwlad a Thref (Ffioedd am Geisiadau, Ceisiadau Tybiedig ac Ymweliadau Safle) (Cymru) (Diwygio) 2017 a deuant i rym ar 5 Mai 2017.

1.—(1) The title of these Regulations is the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) (Amendment) Regulations 2017 and they come into force on 5 May 2017.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(2) These Regulations apply in relation to Wales.

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(1) 1990 p. 8. Amnewidiwyd adran 303 gan adran 199 o Ddeddf Cynllunio 2008 (p. 29) ac fe'i diwygiwyd gan adran 55 o Ddeddf Cynllunio (Cymru) 2015 (dccc 4) a pharagraffau 4(1) a 5 o Atodlen 7 iddi. Gwnaed diwygiadau eraill nad ydynt yn berthnasol i'r Rheoliadau hyn. *Gweler* adran 336(1) o Ddeddf Cynllunio Gwlad a Thref 1990 ar gyfer ystyr "prescribed".

(2) Mewnosodwyd adran 333(3E) gan adran 55 o Ddeddf Cynllunio (Cymru) 2015 a pharagraff 3 o Atodlen 7 iddi.

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(1) 1990 c. 8. Section 303 was substituted by section 199 of the Planning Act 2008 (c. 29) and was amended by section 55 of, and paragraphs 4(1) and 5 of Schedule 7 to, the Planning (Wales) Act 2015 (anaw 4). Other amendments are not relevant to these Regulations. *See* section 336(1) of the Town and Country Planning Act 1990 for the meaning of "prescribed".

(2) Section 333(3E) was inserted by section 55 of, and paragraph 3 of Schedule 7 to, the Planning (Wales) Act 2015.

## Diwygiadau mewn perthynas â ffioedd mewn cysylltiad â cheisiadau tybiedig

2.—(1) Mae Rheoliadau Cynllunio Gwlad a Thref (Ffioedd am Geisiadau, Ceisiadau Tybiedig ac Ymweliadau Safle) (Cymru) 2015(1) wedi eu diwygio fel a ganlyn.

(2) Ar ôl rheoliad 10(7) mewnosoder—

“(7A) Rhaid i Weinidogion Cymru anfon copi o'r hysbysiad y cyfeirir ato ym mharagraff (7) at yr awdurdod perthnasol ar yr un pryd ag yr anfonir yr hysbysiad at yr apelydd.

(7B) Rhaid i'r awdurdod perthnasol hysbysu Gweinidogion Cymru yn ysgrifenedig, cyn gynted ag y bo'n rhesymol ymarferol—

- (a) pan fydd yr apelydd wedi talu'r ffi yn unol â pharagraffau (6) a (7); neu
- (b) os nad yw'r apelydd wedi talu'r ffi o fewn yr amser a bennir yn yr hysbysiad y cyfeirir ato ym mharagraff (7).”

## Darpariaethau trosiannol ac arbed

3. Nid yw'r diwygiadau a wnaed gan reoliad 2 yn gymwys i gais am ganiatâd cynllunio y tybir iddo gael ei wneud, yn rhinwedd adran 177(5) o Ddeddf Cynllunio Gwlad a Thref 1990 (rhoi neu addasu caniatâd cynllunio yn dilyn apelau yn erbyn hysbysadau gorfodi)(2), mewn cysylltiad â hysbysiad gorfodi a ddyroddir cyn y daw'r Rheoliadau hyn i rym.

## Amendments in relation to fees in respect of deemed applications

2.—(1) The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015(1) are amended as follows.

(2) After regulation 10(7) insert—

“(7A) The Welsh Ministers must send a copy of the notice referred to in paragraph (7) to the relevant authority at the same time as the notice is sent to the appellant.

(7B) The relevant authority must, as soon as reasonably practicable, notify the Welsh Ministers in writing—

- (a) when the appellant has paid the fee in accordance with paragraphs (6) and (7); or
- (b) if the appellant has not paid the fee within the time specified in the notice referred to in paragraph (7).”

## Transitional and saving provisions

3. The amendments made by regulation 2 do not apply to an application for planning permission deemed to have been made, by virtue of section 177(5) of the Town and Country Planning Act 1990 (grant or modification of planning permission on appeals against enforcement notices)(2), in connection with an enforcement notice issued before these Regulations come into force.

*Jane Hutt*

Un o Weinidogion Cymru  
5 Ebrill 2017

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One of the Welsh Ministers  
5 April 2017

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(1) O.S. 2015/1522 (Cy. 179), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.  
(2) Diwygiwyd adran 177(5) gan adran 32 o Ddeddf Cynllunio a Digolledu 1991 (p. 34) a pharagraffau 8 a 24(3) o Atodlen 7 iddi, gan adran 123(1) a (6) o Ddeddf Lleoliaeth 2011 (p. 20), a chan adran 44(1) a (3) o Ddeddf Cynllunio (Cymru) 2015.

(1) S.I. 2015/1522 (W. 179) to which there are amendments that are not relevant to these Regulations.  
(2) Section 177(5) was amended by section 32 of, and paragraphs 8 and 24(3) of Schedule 7 to the Planning and Compensation Act 1991 (c. 34), by section 123(1) and (6) of the Localism Act 2011 (c. 20) and by section 44(1) and (3) of the Planning (Wales) Act 2015.

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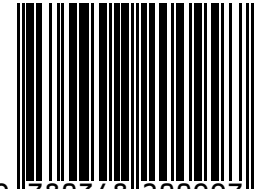
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