



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 1876 (Cy.185)

2002 No. 1876 (W.185)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

Rheoliadau Cynllunio Gwlad a
Thref (Ffioedd ar gyfer Ceisiadau a
Cheisiadau Tybiedig) (Diwygio)
(Cymru) 2002

The Town and Country Planning
(Fees for Applications and Deemed
Applications) (Amendment)
(Wales) Regulations 2002

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 cynyddu'r ffi sydd i'w dalu am wneud cais i awdurdod cynllunio lleol am ddyfarniad a fydd gofyn am gydsyniad o flaen llaw o dan Ran 24 o Atodlen 2 i Orchymyn Datblygu Cyffredinol a Ganiateir 1995 ar gyfer datblygiad telathrebu arfaethedig.

These Regulations increase the fee payable for an application to a local planning authority for a determination as to whether prior approval will be required for proposed telecommunications development under Part 24 of Schedule 2 to the General Permitted Development Order 1995.

Cynyddir y ffi o £35 i £190 er mwyn adlewyrchu'r cynnydd yn y gofynion rhybuddio ac ymgynghori a osoidir ar awdurdodau cynllunio lleol mewn perthynas â datblygiadau o'r fath gan Orchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) (Diwygio) (Cymru) 2002, O.S. 2002/1878 (Cy.187).

The fee is increased from £35 to £190 in order to reflect the increased notification and consultation requirements imposed on local planning authorities in relation to such developments by the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2002, S.I. 2002/1878 (W.187).

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Wedi'u gwneud 18 Gorffennaf 2002
Yn dod i rym 1 Awst 2002

Made 18th July 2002
Coming into force 1st August 2002

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 303 o Ddeddf Cynllunio Gwlad a Thref 1990(a), ac sydd bellach yn arferadwy gan y Cynulliad Cenedlaethol(b), drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred on the Secretary of State by section 303 of the Town and Country Planning Act 1990(a) and now exercisable by it(b), hereby makes the following Regulations:

Enwi, cychwyn, dehongli a chymhwyso**Citation, commencement, interpretation and application**

1. -(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio Gwlad a Thref (Ffioedd ar gyfer Ceisiadau a Cheisiadau Tybiedig) (Diwygio) (Cymru) 2002 a deuant i rym ar 1 Awst 2002.

1. -(1) These Regulations may be cited as the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (Wales) Regulations 2002 and come into force on 1st August 2002.

(2) Yn y Rheoliadau hyn, ystyr "Rheoliadau 1989" ("*the 1989 Regulations*") yw Rheoliadau Cynllunio Gwlad a Thref (Ffioedd ar gyfer Ceisiadau a Cheisiadau Tybiedig) 1989(c).

(2) In these Regulations, "the 1989 Regulations" ("*Rheoliadau 1989*") means the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989(c);

(3) Mae'r Rheoliadau hyn yn gymwys i Gymru.

(3) These Regulations apply to Wales.

(a) 1990 p.8: diwygiwyd adran 303 gan baragraff 10 o Atodlen 13 i Ddeddf Diogelu'r Amgylchedd 1990 (p.43), a chan adran 6(6) o Ddeddf Cynllunio ac Iawndal 1991(p.34). *Gweler* adran 336(1) o Ddeddf Cynllunio Gwlad a Thref 1990 i gael y diffiniad o "*prescribed*".

(b) Trosglwyddwyd cyfrifoldebau'r Ysgrifennydd Gwladol o dan adran 303, i'r graddau y maent yn arferadwy mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S.1999/672 ac Atodlen 1 iddo.

(c) O.S.1989/193; 1991/2735, 1992/1817, 1993/3170 a 1997/37 yw'r offerynnau diwygio perthnasol.

(a) 1990 c.8: section 303 was amended by paragraph 10 of Schedule 13 to the Environmental Protection Act 1990 (c.43), and section 6(6) of the Planning and Compensation Act 1991 (c.34). *See* section 336(1) of the Town and Country Planning Act 1990 for the definition of "*prescribed*".

(b) The functions of the Secretary of State under section 303 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672.

(c) S.I. 1989/193; relevant amending instruments are S.Is. 1991/2735, 1992/1817, 1992/3052, 1993/3170 and 1997/37.

**Ffioedd ar gyfer rhai ceisiadau o dan y
Gorchymyn Datblygu Cyffredinol a Ganiateir**

2. -(1) Yn rheoliad 11A o Reoliadau 1989(a), yn lle paragraff (1), rhwch-

" (1) Where an application is made to a local planning authority for their determination as to whether the prior approval of the authority will be required in relation to development under Schedule 2 to the General Permitted Development Order a fee shall be paid to the authority of the following amounts-

- (a) for an application under Parts 6, 7 or 31, £35; and
- (b) for an application under Part 24, £190".

**Fees for certain applications under the General
Permitted Development Order**

2. -(1) In regulation 11A of the 1989 Regulations(a) for paragraph (1) substitute-

" (1) Where an application is made to a local planning authority for their determination as to whether the prior approval of the authority will be required in relation to development under Schedule 2 to the General Permitted Development Order a fee shall be paid to the authority of the following amounts-

- (a) for an application under Parts 6, 7 or 31, £35; and
- (b) for an application under Part 24, £190".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(b).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(b).

18 Gorffennaf 2002

18th July 2002

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

Deputy Presiding Officer of the National Assembly.

(a) Mewnosodwyd Rheoliad 11A gan baragraff 3 o Atodlen 3 i O.S.1991/2735 ac fe'i hamnewidiwyd gan reoliad 4 o O.S.1992/3052.

(b) 1998 p.38

(a) Regulation 11A was inserted by paragraph 3 of Schedule 3 to S.I. 1991/2735 and substituted by regulation 4 of S.I. 1992/3052.

(b) 1998 c. 38.

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£1.75

W/87/08/02

ON

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ISBN 0-11-090537-7



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