



---

OFFERYNNAU STATUDOL  
CYMRU

---

---

WELSH STATUTORY  
INSTRUMENTS

---

**2014 Rhif 1761 (Cy. 176)**

**2014 No. 1761 (W. 176)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

**TOWN AND COUNTRY  
PLANNING, WALES**

Rheoliadau Cynllunio Gwlad a  
Thref (Ffioedd am Newidiadau  
Ansylweddol) (Cymru) 2014

The Town and Country Planning  
(Fees for Non-Material Changes)  
(Wales) Regulations 2014

**NODYN ESBONIADOL**

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

**EXPLANATORY NOTE**

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

Mae'r Rheoliadau hyn yn darparu ar gyfer talu ffioedd i awdurdodau cynllunio lleol yng Nghymru mewn perthynas â cheisiadau am newidiadau ansylweddol i ganiatâd cynllunio a wneir o dan adran 96A o Ddeddf Cynllunio Gwlad a Thref 1990. Mae rheoliad 4 yn darparu ar gyfer esemptiad rhag ffioedd mewn perthynas â darparu mynedfa i dŷ annedd neu mewn tŷ annedd ar gyfer person anabl. Mae rheoliad 5 yn darparu ar gyfer esemptiad rhag ffioedd mewn achosion penodol lle mae hawliau datblygu a ganiateir wedi eu tynnu'n ôl.

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

These Regulations provide for the payment of fees to local planning authorities in Wales in respect of applications for non-material changes to planning permission made under section 96A of the Town and Country Planning Act 1990. Regulation 4 provides for an exemption from fees in relation to the provision of access to or within a dwellinghouse for a disabled person. Regulation 5 provides for an exemption from fees in certain cases where permitted development rights have been withdrawn.

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

**2014 Rhif 1761 (Cy. 176)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

**Rheoliadau Cynllunio Gwlad a  
Thref (Ffioedd am Newidiadau  
Ansylweddol) (Cymru) 2014**

*Gwnaed* 2 Gorffennaf 2014  
*Yn dod i rym* 1 Medi 2014

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

**Enwi, cychwyn a chymhwyso**

1.—(1) Enw’r Rheoliadau hyn yw Rheoliadau Cynllunio Gwlad a Thref (Ffioedd am Newidiadau Ansylweddol) (Cymru) 2014.

(2) Daw’r Rheoliadau hyn i rym ar 1 Medi 2014.

(3) Mae’r Rheoliadau hyn yn gymwys o ran Cymru.

(4) Mae’r Rheoliadau hyn yn gymwys i geisiadau o dan adran 96A(4) o Ddeddf 1990 (pŵer i wneud newidiadau ansylweddol i ganiatâd cynllunio) a wneir ar y dyddiad y daw’r Rheoliadau hyn i rym neu ar ôl hynny.

**2014 No. 1761 (W. 176)**

**TOWN AND COUNTRY  
PLANNING, WALES**

**The Town and Country Planning  
(Fees for Non-Material Changes)  
(Wales) Regulations 2014**

*Made* 2 July 2014  
*Coming into force* 1 September 2014

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

**Title, commencement and application**

1.—(1) The title of these Regulations is The Town and Country Planning (Fees for Non-Material Changes) (Wales) Regulations 2014.

(2) These Regulations come into force on 1 September 2014.

(3) These Regulations apply in relation to Wales.

(4) These Regulations apply to applications under section 96A(4) of the 1990 Act (power to make non-material changes to planning permission) made on or after the date on which these Regulations come into force.

---

(1) 1990 p. 8; rhoddwyd is-adrannau (1), (2) a (2A) o adran 303 yn lle is-adrannau (1) a (2) fel y’u deddfwyd yn wreiddiol gan Ddeddf Cynllunio a Phrynu Gorfodol 2004 (p. 5) adran 53(1) a (2). Ceir diwygiadau eraill i adran 303 ac i weddill Deddf 1990 nad ydynt yn berthnasol i’r Rheoliadau hyn.

---

(1) 1990 c. 8; sub-sections (1), (2) and (2A) of section 303 were substituted for sub-sections (1) and (2) as originally enacted by the Planning and Compulsory Purchase Act 2004 (c. 5) section 53(1) and (2). There are other amendments to section 303 and the rest of the 1990 Act which are not relevant to these Regulations.

## Dehongli

### 2. Yn y Rheoliadau hyn—

ystyr “cais gan ddeiliad aelwyd” (“*householder application*”) yw cais am newid caniatâd cynllunio sy’n ymwneud â datblygu tŷ annedd presennol, neu â datblygiad yng nghwrtil tŷ annedd o’r fath at unrhyw ddiben sy’n atodol i fwynhau’r tŷ annedd ond nid yw’n cynnwys cais am newid defnydd na chais am newid nifer yr anheddau mewn adeilad;

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

ystyr “Gorchymyn 1995” (“*the 1995 Order*”) yw Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) 1995(1);

ystyr “tŷ annedd” (“*dwellinghouse*”) yw adeilad neu ran o adeilad a ddefnyddir fel un annedd breifat ac nid at unrhyw ddiben arall.

### Ffioedd am geisiadau am newidiadau ansylweddol i ganiatâd cynllunio

3.—(1) Pan wneir cais o dan adran 96A(4) o Ddeddf 1990 (pŵer i wneud newidiadau ansylweddol i ganiatâd cynllunio) rhaid talu’r ffi a ganlyn i’r awdurdod cynllunio lleol—

- (a) os cais gan ddeiliad aelwyd yw’r cais, £25;
- (b) mewn unrhyw achos arall, £83.

(2) O ran yr awdurdod cynllunio lleol sy’n derbyn y ffi yn unol â’r rheoliad hwn—

- (a) pan nad ef yw’r awdurdod cynllunio lleol sy’n gorfod penderfynu ar y cais; a
- (b) pan fydd yn anfon y cais ymlaen at yr awdurdod hwnnw,

rhaid iddo drosglwyddo’r ffi i’r awdurdod hwnnw yr un pryd ag y bydd yn anfon y cais ymlaen ato.

(3) Rhaid i unrhyw ffi a delir yn unol â’r rheoliad hwn gael ei had-dalu os gwrthodir y cais am nad yw’n ddilys.

### Ceisiadau nad oes ffi ar eu cyfer: mynedfeydd

4.—(1) Nid yw rheoliad 3 yn gymwys pan fo’r awdurdod cynllunio lleol y gwneir y cais iddo wedi ei fodloni bod y cais yn ymwneud â’r canlynol yn unig—

- (a) cyflawni gweithrediadau i addasu neu ymestyn tŷ annedd presennol; neu

---

(1) O.S. 1995/418.

## Interpretation

### 2. In these Regulations—

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

“the 1995 Order” (“*Gorchymyn 1995*”) means the Town and Country Planning (General Permitted Development) Order 1995(1);

“dwellinghouse” (“*tŷ annedd*”) means a building or part of a building which is used as a single private dwelling and for no other purpose;

“householder application” (“*cais gan ddeiliad aelwyd*”) means an application to change a planning permission relating to development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse but does not include an application for change of use or an application to change the number of dwellings in a building.

### Fees for applications for non-material changes to planning permission

3.—(1) Where an application is made under section 96A(4) of the 1990 Act (power to make non-material changes to planning permission) the following fee must be paid to the local planning authority—

- (a) if the application is a householder application, £25;
- (b) in any other case, £83.

(2) Where the local planning authority who receive the fee in accordance with this regulation—

- (a) are not the local planning authority who have to determine the application; and
- (b) forward the application to that authority,

they must transfer the fee to that authority at the same time as they forward the application to them.

(3) Any fee paid pursuant to this regulation must be refunded if the application is rejected as invalid.

### Applications not subject to a fee: access

4.—(1) Regulation 3 does not apply where the local planning authority to whom the application is made are satisfied that it relates solely to—

- (a) the carrying out of operations for the alteration or extension of an existing dwellinghouse; or

---

(1) S.I. 1995/418.

- (b) cyflawni gweithrediadau (heblaw codi tŷ annedd) yng nghwrtwl tŷ annedd presennol,

yn y naill achos neu'r llall er mwyn darparu mynedfa i'r tŷ annedd neu yn y tŷ annedd i berson anabl sy'n preswyllo yn y tŷ annedd hwnnw, neu sy'n bwriadu dechrau preswyllo ynddo, neu er mwyn darparu cyfleusterau a fwriadwyd i sicrhau gwell diogelwch, iechyd neu gyfforddusrwydd i'r person hwnnw.

(2) Nid yw rheoliad 3 yn gymwys pan fo'r awdurdod cynllunio lleol y gwneir y cais iddo wedi ei fodloni bod y cais yn ymwneud yn unig â chyflawni gweithrediadau er mwyn darparu mynedfa i bersonau anabl i adeilad neu fangre y derbynnir y cyhoedd iddynt (am dâl neu fel arall) neu mewn adeilad neu fangre o'r fath.

(3) Yn y rheoliad hwn, ystyr "person anabl" yw—

- (a) person sydd o fewn unrhyw un neu ragor o'r disgrifiadau o bersonau y mae adran 29 o Ddeddf Cymorth Gwladol 1948(1) yn gymwys iddynt; neu
- (b) plentyn sy'n anabl at ddibenion Rhan III o Ddeddf Plant 1989(2).

### Ceisiadau nad oes ffi ar eu cyfer: datblygiad a ganiateir

5.—(1) Nid yw rheoliad 3 yn gymwys pan fo'r awdurdod cynllunio lleol y gwneir y cais iddo wedi ei fodloni—

- (a) bod y cais yn ymwneud â datblygiad sydd o fewn un neu ragor o'r dosbarthiadau a bennir yn Atodlen 2 i Orchymyn 1995 yn unig; a
- (b) nad yw'r caniatâd a roddwyd gan erthygl 3 o'r Gorchymyn hwnnw yn gymwys o ran y datblygiad hwnnw oherwydd y canlynol (ac oherwydd y canlynol yn unig)—
- (i) cyfarwyddyd a wnaed o dan erthygl 4 o'r Gorchymyn hwnnw sydd mewn grym ar y dyddiad y gwneir y cais; neu
- (ii) gofynion amod a osodwyd ar ganiatâd a roddwyd neu y bennir ei fod wedi ei roi o dan Ran 3 o Ddeddf 1990 heblaw drwy'r Gorchymyn hwnnw.

(2) Mae'r cyfeiriad ym mharagraff (1)(a) at gais sy'n ymwneud â datblygiad sydd o fewn un neu ragor o'r dosbarthiadau a bennir yn Atodlen 2 i Orchymyn 1995

- (b) the carrying out of operations (other than the erection of a dwellinghouse) in the curtilage of an existing dwellinghouse,

for the purpose, in either case, of providing means of access to or within the dwellinghouse for a disabled person who is resident in, or is proposing to take up residence in, that dwellinghouse, or of providing facilities designed to secure that person's greater safety, health or comfort.

(2) Regulation 3 does not apply where the local planning authority to whom the application is made are satisfied that it relates solely to the carrying out of operations for the purpose of providing means of access for disabled persons to or within a building or premises to which members of the public are admitted (whether on payment or otherwise).

(3) In this regulation, "disabled person" means—

- (a) a person who is within any of the descriptions of persons to whom section 29 of the National Assistance Act 1948(1) applies; or
- (b) a child who is disabled for the purposes of Part III of the Children Act 1989(2).

### Applications not subject to a fee: permitted development

5.—(1) Regulation 3 does not apply where the local planning authority to whom the application is made are satisfied—

- (a) that the application relates solely to development which is within one or more of the classes specified in Schedule 2 to the 1995 Order; and
- (b) that the permission granted by article 3 of that Order does not apply in respect of that development by reason of (and only by reason of)—
- (i) a direction made under article 4 of that Order which is in force on the date when the application is made; or
- (ii) the requirements of a condition imposed on a permission granted or deemed to be granted under Part 3 of the 1990 Act otherwise than by that Order.

(2) The reference in paragraph (1)(a) to an application which relates to development which is within one or more of the classes specified in Schedule

(1) 1948 p. 29. Mae adran 29(1) wedi ei diwygio gan Ddeddf Llywodraeth Leol 1972 (p. 70) adran 195, Atodlen 23, paragraff 2 a Deddf Plant 1989 (p. 41) adran 108(5) a (6), Atodlen 13, paragraff 11(2), Atodlen 14, paragraff 1. Ceir diwygiadau eraill nad ydynt yn berthnasol i'r Rheoliadau hyn.

(2) 1989 p. 41. Ceir diwygiadau i'r Ddeddf hon nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) 1948 c. 29 section 29(1) has been amended by the Local Government Act 1972 (c. 70) section 195, Schedule 23, paragraph 2 and the Children Act 1989 (c. 41) section 108(5) and (6), Schedule 13, paragraph 11(2), Schedule 14, paragraph 1. There are other amendments which are not relevant to these Regulations.

(2) 1989 c. 41. There are amendments to this Act which are not relevant to these Regulations.

i'w ddehongli fel pe bai'n cynnwys cais am newidiadau ansylweddol i ganiatâd cynllunio i barhau â defnydd tir, neu i gadw adeiladau neu waith, heb gydymffurfio ag amod y rhoddyd caniatâd cynllunio blaenorol odano, pan fo'r amod o dan sylw yn gwahardd cyflawni unrhyw ddatblygiad sydd o fewn un neu ragor o'r dosbarthiadau hynny neu'n cyfyngu ar gyflawni datblygiad o'r fath.

2 to the 1995 Order is to be construed as including an application for non-material changes to a planning permission for the continuance of a use of land, or the retention of buildings or works, without compliance with a condition subject to which a previous planning permission has been granted, where the condition in question prohibits or limits the carrying out of any development which is within one or more of those classes.

*Carl Sargeant*

Y Gweinidog Tai ac Adfywio, un o Weinidogion  
Cymru

Minister for Housing and Regeneration, one of the  
Welsh Ministers

2 Gorffennaf 2014

2 July 2014

---

© © Hawlfraint y Goron 2014

---

© Crown copyright 2014

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.





---

OFFERYNNAU STATUDOL  
CYMRU

---

---

WELSH STATUTORY  
INSTRUMENTS

---

**2014 Rhif 1761 (Cy. 176)**

**2014 No. 1761 (W. 176)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

**TOWN AND COUNTRY  
PLANNING, WALES**

Rheoliadau Cynllunio Gwlad a  
Thref (Ffioedd am Newidiadau  
Ansylweddol) (Cymru) 2014

The Town and Country Planning  
(Fees for Non-Material Changes)  
(Wales) Regulations 2014

£4.25

W2025/07/14

ON

ISBN 978-0-348-10975-7



9 780348 109757