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WELSH STATUTORY
INSTRUMENTS

2016 Rhif 61 (Cy. 31)

2016 No. 61 (W. 31)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

**Rheoliadau Cynllunio Gwlad a
Thref (Gwasanaethau Cyn-
ymgeisio) (Cymru) 2016**

**The Town and Country Planning
(Pre-Application Services) (Wales)
Regulations 2016**

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 gwneud darpariaeth o dan adrannau 61Z1 a 61Z2 o Ddeddf Cynllunio Gwlad a Thref ("Deddf 1990") ar gyfer darparu gwasanaethau gan awdurdodau cynllunio lleol cyn bo cais cymwys wedi ei wneud ("gwasanaethau cyn-ymgeisio").

These Regulations make provision under sections 61Z1 and 61Z2 of the Town and Country Planning Act 1990 ("the 1990 Act") for the provision of services by local planning authorities before a qualifying application is made ("pre-application services").

Mae rheoliad 4 yn pennu mai ceisiadau cymwys yw ceisiadau am ganiatâd cynllunio llawn ac amlinellol a cheisiadau a wneir yn unol ag adran 73 o Ddeddf 1990.

Regulation 4 specifies that qualifying applications are applications for full and outline planning permission and applications made pursuant to section 73 of the 1990 Act.

Mae rheoliad 5 yn gwneud darpariaeth ynghylch ffurf a chynnwys deisyfiadau am wasanaethau cyn-ymgeisio a'r wybodaeth sydd i'w hanfon ynghyd â deisyfiadau o'r fath.

Regulation 5 makes provision about the form and content of requests for pre-application services and the information that is to accompany such requests.

Mae rheoliadau 6, 7 ac 8 yn gwneud darpariaeth ynghylch—

Regulations 6, 7 and 8 make provision about—

(1) y gwasanaethau cyn-ymgeisio y mae'n rhaid i awdurdodau cynllunio lleol eu darparu os gofynnir amdanynt; a

(1) pre-applications services which must be provided by local planning authorities if requested; and

(2) erbyn pa bryd y mae'n rhaid darparu gwasanaethau o'r fath.

(2) when such services are to be provided.

Mae rheoliad 9 yn gwneud darpariaeth ynglŷn â'r cofnodion sydd i'w cadw o ddeisyfiadau am wasanaethau cyn-ymgeisio ac o'r gwasanaethau cyn-ymgeisio a ddarperir. Mae'n gwneud darpariaeth hefyd ynglŷn â chyhoeddi gwybodaeth sy'n ymwneud â'r gwasanaethau, gan gynnwys manylion am y ffioedd sy'n daladwy.

Regulation 9 makes provision about the records to be kept of requests for pre-application services and pre-application services provided. It also makes provision about the publication of information relating to the services, including details of the fees payable.

Nid yw'r Rheoliadau hyn yn gymwys i geisiadau arfaethedig am ganiatâd cynllunio, a wneir i Weinidgion Cymru o dan adran 62D o Ddeddf 1990.

These Regulations do not apply to proposed applications for planning permission made to the Welsh Ministers under section 62D of the 1990 Act.

Mae Rhan 2 o Reoliadau Datblygiadau o Arwyddocâd Cenedlaethol (Cymru) 2016 yn gwneud darpariaeth ar gyfer gwasanaethau cyn-ymgeisio mewn cysylltiad â cheisiadau o'r fath.

Gellir cael yr Asesiad Effaith Rheoleiddiol sy'n berthnasol i'r Rheoliadau hyn gan Lywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac oddi ar wefan Llywodraeth Cymru yn www.llyw.cymru.

Part 2 of the Developments of National Significance (Wales) Regulations 2016 makes provision for pre-application services in respect of such applications.

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.

2016 Rhif 61 (Cy. 31)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**Rheoliadau Cynllunio Gwlad a
Thref (Gwasanaethau Cyn-
ymgeisio) (Cymru) 2016**

Gwnaed 27 Ionawr 2016
*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 1 Chwefror 2016
Yn dod i rym 16 Mawrth 2016

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 61Z1, 61Z2 a 333(2A) o Ddeddf Cynllunio Gwlad a Thref 1990(1), yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio Gwlad a Thref (Gwasanaethau Cynymgeisio) (Cymru) 2016 a deuant i rym ar 16 Mawrth 2016.

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

(3) Nid oes dim sydd yn y Rheoliadau hyn yn gymwys i—

- (a) cais neu gais arfaethedig am ganiatâd cynllunio ar gyfer datblygu tir yng Nghymru pan fo'r datblygiad y mae'r cais neu'r cais arfaethedig yn ymwneud ag ef yn ddatblygiad o arwyddocâd cenedlaethol(2); neu

(1) 1990 p. 8. Mewnosodwyd adrannau 61Z1 a 61Z2 gan adran 18 o Ddeddf Cynllunio (Cymru) 2015 (dccc 4). Mewnosodwyd adran 333(2A) 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.

(2) Mae datblygiad yn ddatblygiad o arwyddocâd cenedlaethol os yw'n bodloni'r meini prawf a bennir yn Rheoliadau Datblygiadau o Arwyddocâd Cenedlaethol (Meini Prawf Penodedig a Chydsyniadau Eilaid Rhagnodedig) (Cymru) 2016 (O.S. 2016/53) (Cy.23).

2016 No. 61 (W. 31)

**TOWN AND COUNTRY
PLANNING, WALES**

**The Town and Country Planning
(Pre-Application Services) (Wales)
Regulations 2016**

Made 27 January 2016
*Laid before the National Assembly
for Wales* 1 February 2016
Coming into force 16 March 2016

The Welsh Ministers, in exercise of the powers conferred on them by sections 61Z1, 61Z2 and 333(2A) of the Town and Country Planning Act 1990(1), make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Town and Country Planning (Pre-Application Services) (Wales) Regulations 2016 and they come into force on 16 March 2016.

(2) These Regulations apply in relation to Wales.

(3) Nothing in these Regulations applies to—

- (a) an application or proposed application for planning permission for the development of land in Wales where the development to which the application or proposed application relates is of national significance(2); or

(1) 1990 c. 8. Sections 61Z1 and 61Z2 were inserted by section 18 of the Planning (Wales) Act 2015 (anaw 4). Section 333(2A) was inserted by section 118(1) of, and paragraphs 1 and 14 of Schedule 6 to, the Planning and Compulsory Purchase Act 2004 (c. 5).

(2) Development is of national significance if it meets the criteria specified in the Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (S.I. 2016/53) (W. 23).

- (b) cais neu ofyniad am gydsyniad eilaidd(1) yr ystyria'r ceisydd y dylai penderfyniad ynglŷn ag ef gael ei wneud gan Weinidogion Cymru.

- (b) an application or requirement for a secondary consent(1) in respect of which the applicant considers a decision should be made by the Welsh Ministers.

Dehongli

2. Yn y Rheoliadau hyn—

mae i “cais deiliad tŷ” (“*householder application*”) yr un ystyr ag yn erthygl 2(1) o Orchymyn 2012;

ystyr “ceisydd” (“*applicant*”) yw person sydd yn bwriadu gwneud cais cymwys(2);

mae i “cyfathrebiad electronig” yr ystyr a roddir i “electronic communication” yn adran 15(1) o Ddeddf Cyfathrebiadau Electronig 2000(3);

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

ystyr “Gorchymyn 2012” (“*the 2012 Order*”) yw Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012(4).

Interpretation

2. In these Regulations—

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

“the 2012 Order” (“*Gorchymyn 2012*”) means the Town and Country Planning (Development Management Procedure) (Wales) Order 2012(2);

“applicant” (“*ceisydd*”) means the person proposing to make a qualifying application(3);

“electronic communication” (“*cyfathrebiad electronig*”) has the meaning given in section 15(1) of the Electronic Communications Act 2000(4); and

“householder application” (“*cais deiliad tŷ*”) has the same meaning as in article 2(1) of the 2012 Order.

Cyfathrebiadau electronig

3.—(1) Yn y Rheoliadau hyn, ac 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;

- (b) mae cyfeiriadau at ddeisyfiadau neu ddogfennau eraill, yn cynnwys cyfeiriadau at ddogfennau o'r fath ar ffurf electronig.

(2) Mae paragraffau (3) i (6) yn gymwys pan ddefnyddir cyfathrebiad electronig gan berson at y diben o gyflawni unrhyw ofyniad yn y Rheoliadau hyn i roi neu anfon deisyfiad neu unrhyw ddogfen arall i neu at unrhyw berson arall (“y derbynydd”).

Electronic communications

3.—(1) In these Regulations, and 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;

- (b) references to requests or other documents include references to such documents in electronic form.

(2) Paragraphs (3) to (6) apply where an electronic communication is used by a person for the purpose of fulfilling any requirement in these Regulations to give or send a request or any other document to any other person (“the recipient”).

(1) Ar gyfer diffiniad o “secondary consent” (“*cydsyniad eilaidd*”) gweler adran 62H o Ddeddf 1990, a fewnosodwyd gan adran 20 o Ddeddf Cynllunio (Cymru) 2015. Mae cydsyniadau eilaidd wedi eu rhagnodi at ddibenion adran 62H gan Reoliadau Datblygiadau o Arwyddocâd Cenedlaethol (Meini Prawf Penodedig a Chydsyniadau Eilaidd Rhagnodedig) (Cymru) 2016 (O.S. 2016/53) (Cy. 23).

(2) Ar gyfer “cais cymwys” (“*qualifying application*”) gweler adran 61Z(4) o Ddeddf Cynllunio (Cymru) 2015 a rheoliad 4.

(3) 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.

(4) O.S. 2012/801 (Cy. 110) a ddiwygiwyd gan O.S. 2015/1330 (Cy. 123). Gwnaed diwygiadau eraill nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) For definition of “secondary consent” see section 62H of the 1990 Act, inserted by section 20 of the Planning (Wales) Act 2015. Secondary consents are prescribed for the purposes of section 62H by the Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (S.I. 2016/53) (W.23).

(2) S.I. 2012/801 (W. 110) amended by S.I. 2015/1330 (W. 123). Other amendments are not relevant to these Regulations.

(3) For “qualifying application” see section 61Z(4) of the Planning (Wales) Act 2015 and regulation 4.

(4) 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).

(3) Ystyrir bod y gofyniad wedi ei gyflawni pan fo'r deisyfiad neu ddogfen arall a drosglwyddir 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.

(4) Ym mharagraff (3), ystyr “darllenadwy ym mhob modd perthnasol” (“*legible in all material respects*”) yw fod yr wybodaeth a gynhwysir yn y deisyfiad neu ddogfen arall ar gael i'r derbynydd i'r un graddau, o leiaf, ag y byddai pe bai'r wybodaeth wedi ei hanfon neu ei rhoi drwy gyfrwng dogfen ar ffurf brintiedig.

(5) Pan fo'r derbynydd yn cael y cyfathrebiad electronig y tu allan i oriau busnes y derbynydd, ystyrir ei fod wedi cael y cyfathrebiad electronig ar y diwrnod gwaith nesaf; ac at y diben hwn ystyr “diwrnod gwaith” (“*working day*”) yw diwrnod nad yw'n ddydd Sadwrn, dydd Sul, Gŵyl Banc nac unrhyw ŵyl gyhoeddus arall yng Nghymru.

(6) Mae gofyniad yn y Gorchymyn hwn, y dylai unrhyw ddogfen fod yn ysgrifenedig wedi ei fodloni pan fo'r ddogfen honno yn bodloni'r meini prawf ym mharagraff (3), ac mae “ysgrifenedig” (“*written*”) ac ymadroddion cytras i'w dehongli yn unol â hynny.

Ceisiadau cymwys

4. Ceisiadau cymwys at ddibenion adran 61Z1(4) o Ddeddf 1990 (Cymru: gwasanaethu cyn-ymgeisio) yw ceisiadau am ganiatâd cynllunio a wneir i awdurdod cynllunio lleol ar gyfer datblygu tir yng Nghymru ac eithrio ceisiadau yn unol ag adran 73A o Ddeddf 1990 (caniatâd cynllunio ar gyfer datblygiad a gyflawnwyd eisoes)(1).

Deisyfiad am wasanaethau cyn-ymgeisio

5.—(1) Rhaid i unrhyw ddeisyfiad am wasanaethau cyn-ymgeisio mewn cysylltiad â chais cymwys fod—

- (a) yn ysgrifenedig i'r awdurdod cynllunio lleol ar ffurflen a gyhoeddwyd gan Weinidogion Cymru (neu ffurflen sydd, o ran sylwedd, yn cael yr un effaith);
- (b) yn cynnwys y manylion a bennir neu y cyfeirir atynt yn y ffurflen a gyhoeddwyd gan Weinidogion Cymru; ac

(3) The requirement is taken to be fulfilled where the request 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.

(4) In paragraph (3), “legible in all material respects” (“*darllenadwy ym mhob modd perthnasol*”) means that the information contained in the request 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.

(5) Where the electronic communication is received by the recipient outside the recipient's business hours, it will be taken to have been received on the next working day; and for this purpose “working day” (“*diwrnod gwaith*”) means a day which is not a Saturday, Sunday, Bank Holiday or other public holiday in Wales.

(6) A requirement in these Regulations that any document should be in writing is fulfilled where that document meets the criteria in paragraph (3), and “written” (“*ysgrifenedig*”) and cognate expressions are to be construed accordingly.

Qualifying applications

4. Qualifying applications for the purposes of section 61Z1(4) of the 1990 Act (Wales: pre-application services) are applications for planning permission made to a local planning authority for the development of land in Wales except applications pursuant to section 73A of the 1990 Act (planning permission for development already carried out)(1).

Request for pre-application services

5.—(1) Any request for pre-application services in respect of a qualifying application must—

- (a) be made in writing to the local planning authority on a form published by the Welsh Ministers (or a form substantially to the like effect);
- (b) include the particulars specified or referred to in the form published by the Welsh Ministers; and

(1) Mewnodsodwyd adran 73A gan adran 32 o Ddeddf Cynllunio a Digolledu 1991 (p. 34), a pharagraff 16(1) o Atodlen 7 i'r Ddeddf honno.

(1) Section 73A was inserted by section 32 of, and paragraph 16(1) of Schedule 7 to, the Planning and Compensation Act 1991 (c. 34).

- (c) wedi ei gyflwyno ynghyd ag—
- (i) unrhyw blaniau neu luniadau a bennir neu y cyfeirir atynt yn y ffurflen a gyhoeddwyd gan Weinidogion Cymru; a
 - (ii) y ffi y mae'n ofynnol ei thalu mewn cysylltiad â deisyfiad am wasanaethau cyn-ymgeisio(1).

(2) Rhaid i unrhyw blaniau neu luniadau y mae'n ofynnol eu darparu gan baragraff (1)(c)(i) fod wedi eu lluniadu ar raddfa a nodir, ac, yn achos planiau, rhaid iddynt ddangos cyfeiriad y gogledd.

(3) Yn y Rheoliadau hyn, ystyr “deisyfiad dilys am wasanaethau cyn-ymgeisio” (“*valid request for pre-application services*”) yw deisyfiad am wasanaethau cyn-ymgeisio mewn cysylltiad â chais cymwys sy'n cydymffurfio â gofynion y rheoliad hwn.

(4) Pan fo'r awdurdod cynllunio lleol yn cael cais dilys am wasanaethau cyn-ymgeisio, rhaid iddo, cyn gynted ag y bo'n rhesymol ymarferol, anfon cydnabyddiaeth o'r deisyfiad at y ceisydd, gan ddatgan erbyn pa ddyddiad y mae'n rhaid darparu gwasanaethau cyn-ymgeisio o dan reoliad 6(3).

Dyletswydd i ddarparu gwasanaethau cyn-ymgeisio

6.—(1) Pan fo awdurdod cynllunio lleol yn cael deisyfiad dilys am wasanaethau cyn-ymgeisio, rhaid i'r awdurdod ddarparu'r gwasanaethau cyn-ymgeisio a bennir ym mharagraff (2) o fewn y cyfnod a bennir neu y cyfeirir ato ym mharagraff (3).

(2) Y gwasanaethau cyn-ymgeisio a bennir yn y paragraff hwn yw—

- (a) os yw'r deisyfiad am wasanaethau cyn-ymgeisio yn ymwneud â chais deiliad tŷ arfaethedig, darparu i'r ceisydd yr wybodaeth a bennir yn rheoliad 7; neu
- (b) mewn unrhyw achos arall, darparu i'r ceisydd yr wybodaeth a bennir yn rheoliadau 7 ac 8.

(3) Y cyfnod a bennir yn y paragraff hwn yw—

- (a) 21 diwrnod sy'n dechrau gyda'r diwrnod y ceir deisyfiad dilys am wasanaethau cyn-ymgeisio, neu pa bynnag gyfnod arall a gytunir mewn ysgriflen rhwng y ceisydd a'r awdurdod; neu
- (b) pan fo'r ffi sy'n ofynnol mewn cysylltiad â deisyfiad am wasanaethau cyn-ymgeisio wedi ei thalu â siec a'r siec honno wedyn yn cael ei

(c) be accompanied by—

- (i) any plans or drawings specified or referred to in the form published by the Welsh Ministers; and
- (ii) the fee required to be paid in respect of a request for pre-application services(1).

(2) Any plans or drawings required to be provided by paragraph (1)(c)(i) must be drawn to an identified scale and, in the case of plans, must show the direction of north.

(3) In these Regulations a “valid request for pre-application services” (“*deisyfiad dilys am wasanaethau cyn-ymgeisio*”) means a request for pre-application services in respect of a qualifying application which complies with the requirements of this regulation.

(4) When the local planning authority receive a valid request for pre-application services, the authority must, as soon as is reasonably practicable, send the applicant an acknowledgement of the request stating the date by which pre-application services must be provided under regulation 6(3).

Duty to provide pre-application services

6.—(1) Where a local planning authority receive a valid request for pre-application services, the authority must provide the pre-application services specified in paragraph (2) within the period specified or referred to in paragraph (3).

(2) The pre-application services specified in this paragraph are—

- (a) if the request for pre-application services relates to a proposed householder application, the provision to the applicant of the information specified in regulation 7; or
- (b) in any other case, the provision to the applicant of the information specified in regulations 7 and 8.

(3) The period specified in this paragraph is—

- (a) 21 days beginning with the day on which a valid request for pre-application services is received, or such other period as may be agreed in writing between the applicant and the authority; or
- (b) where the fee required in respect of a request for pre-application services has been paid by a cheque which is subsequently dishonoured,

(1) *Gweler* Rheoliadau Cynllunio Gwlad a Thref (Ffioedd am Geisiadau, Ceisiadau Tybiedig ac Ymweliadau Safle) (Cymru) 2015 (O.S. 2015/1522) (Cy. 179), a ddiwygiwyd gan O.S. 2016/62 (Cy. 32), ar gyfer y ffioedd sy'n daladwy mewn cysylltiad â deisyfiadau am wasanaethau cyn-ymgeisio.

(1) *See* the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits (Wales) Regulations 2015 (S.I. 2015/1522) (W. 179) amended by S.I. 2016/62 (W.32) for fees payable in respect of requests for pre-application services.

dychwelyd heb ei thalu, y cyfnod fel a bennir yn is-baragraff (a) wedi ei gyfrifo gan ddiystyru'r cyfnod rhwng y dyddiad yr anfonodd yr awdurdod hysbysiad ysgrifenedig at y ceisydd fod y siec wedi ei dychwelyd heb ei thalu a'r dyddiad pan fodlonir yr awdurdod ei fod wedi cael swm llawn y ffi.

(4) Rhaid i unrhyw wybodaeth a roddir i'r ceisydd fod mewn ysgrifen.

Gwybodaeth sydd i'w darparu gan awdurdodau cynllunio lleol: pob cais cymwys arfaethedig

7. Yr wybodaeth a bennir yn y rheoliad hwn yw gwybodaeth mewn perthynas â'r canlynol—

- (a) hanes cynllunio'r tir y bwriedir cyflawni'r datblygiad arfaethedig arno, i'r graddau y mae'n berthnasol i'r cais arfaethedig;
- (b) darpariaethau'r cynllun datblygu, i'r graddau y maent yn faterol berthnasol i'r cais arfaethedig;
- (c) unrhyw ganllawiau cynllunio atodol, i'r graddau y maent yn faterol berthnasol i'r cais arfaethedig;
- (d) unrhyw ystyriaethau eraill sydd, neu a allai fod yn faterol berthnasol ym marn yr awdurdod; ac
- (e) asesiad dechreuol o'r datblygiad arfaethedig ar sail yr wybodaeth a ddarperir o dan baragraffau (a) i (d).

Gwybodaeth ychwanegol sydd i'w darparu gan awdurdodau cynllunio lleol: ceisiadau cymwys arfaethedig ac eithrio ceisiadau deiliaid tai arfaethedig

8.—(1) Yr wybodaeth a bennir yn y rheoliad hwn yw gwybodaeth mewn perthynas â'r canlynol—

- (a) a yw'n debygol ai peidio y bydd rhwymedigaethau cynllunio (yn yr ystyr a roddir i "planning obligations" yn adran 106 o Ddeddf 1990 (rhwymedigaethau cynllunio) (1)) yn ofynnol, ac os ydyw, dynodiad o gwmpas tebygol y cyfryw rhwymedigaethau cynllunio, gan gynnwys dynodiad o unrhyw swm y caniateir ei gwneud yn ofynnol i'w dalu i'r awdurdod;

the period specified in sub-paragraph (a) calculated disregarding the period between the date when the authority sent the applicant written notice of the dishonouring of the cheque and the date when the authority are satisfied they have received the full amount of the fee.

(4) Any information given to the applicant must be given in writing.

Information to be provided by local planning authorities: all proposed qualifying applications

7. The information specified in this regulation is information in relation to the following—

- (a) the planning history of the land on which the proposed development is to be carried out, so as far relevant to the proposed application;
- (b) the provisions of the development plan, so far as material to the proposed application;
- (c) any supplementary planning guidance, so far as material to the proposed application;
- (d) any other considerations which are or could be material in the opinion of the authority; and
- (e) an initial assessment of the proposed development on the basis of the information provided under paragraphs (a) to (d).

Additional information to be provided by local planning authorities: proposed qualifying applications other than proposed householder applications

8.—(1) The information specified in this regulation is information in relation to the following—

- (a) whether planning obligations (within the meaning of section 106 of the 1990 Act (planning obligations)(1)) are likely to be required and, if so, an indication of the likely scope of such planning obligations, including an indication of any sum which may be required to be paid to the authority;

(1) Amnewidiwyd adran 106 gan adran 12(1) o Ddeddf Cynllunio a Digolledu 1991 (p. 31) ac fe'i diwygiwyd gan adran 174(2) o Ddeddf Cynllunio 2008 (p. 29) ac adran 7 o Ddeddf Twf a Seilwaith 2013 (p. 27) a pharagraff 3 o Atodlen 2 i'r Ddeddf honno.

(1) Section 106 was substituted by section 12(1) of the Planning and Compensation Act 1991(c. 31) and amended by section 174(2) of the Planning Act 2008 (c. 29) and section 7 of, and paragraph 3 of Schedule 2 to, the Growth and Infrastructure Act 2013 (c. 27).

- (b) a yw'n debygol ai peidio y bydd atebolrwydd i dalu Ardoll Seilwaith Cymunedol(1) yn codi, ac os ydyw, dynodiad o'r swm tebygol; ac
- (c) manylion am unrhyw ddogfennau a manylion neu dystiolaeth a fyddai'n ofynnol er mwyn i unrhyw gais dilynol fod yn gais dilys.

(2) Yn y rheoliad hwn mae i "cais dilys" ("valid application") yr un ystyr ag yn erthygl 22 o Orchymyn 2012.

Monitro a datganiad o wasanaethau

9.—(1) Rhaid i awdurdodau cynllunio lleol gadw cofnod o'r canlynol—

- (a) pob deisyfiad dilys a gânt am wasanaethau cyn-ymgeisio; a
- (b) gwasanaethau cyn-ymgeisio a ddarperir mewn cysylltiad â cheisiadau cymwys.

(2) Rhaid i'r cofnodion y cyfeirir atynt ym mharagraff (1) ganiatáu adnabod y tir y mae'r cais cymwys yn ymwneud ag ef.

(3) Rhaid i bob awdurdod cynllunio lleol gyhoeddi ar ei wefan—

- (a) datganiad sy'n rhoi manylion am y gwasanaethau cyn-ymgeisio a ddarperir ganddo mewn cysylltiad â cheisiadau cymwys;
- (b) y ffurflen y cyfeirir ati yn rheoliad 5(1)(a); ac
- (c) manylion am y ffioedd sy'n daladwy mewn cysylltiad â deisyfiadau am wasanaethau cyn-ymgeisio.

- (b) whether a liability to pay a Community Infrastructure Levy(1) is likely to arise, and if so, an indication of the likely amount; and
- (c) details of any documents and particulars or evidence that would be required for a subsequent application to be a valid application.

(2) In this regulation "valid application" ("cais dilys") has the same meaning as in article 22 of the 2012 Order.

Monitoring and statement of services

9.—(1) Local planning authorities must maintain a record of—

- (a) each valid request for pre-application services received by them; and
- (b) pre-applications services provided in respect of qualifying applications.

(2) The records referred to in paragraph (1) must identify the land to which the qualifying application relates.

(3) Each local planning authority must publish on its website—

- (a) a statement which gives particulars of the pre-application services provided by them in respect of qualifying applications;
- (b) the form referred to in regulation 5(1)(a); and
- (c) details of the fees payable in respect of requests for pre-application services.

Carl Sargeant

Y Gweinidog Adnoddau Naturiol, un o Weinidogion Cymru
27 Ionawr 2016

Minister for Natural Resources, one of the Welsh Ministers
27 January 2016

(1) *Gweler* adran 205 o Ddeddf Cynllunio 2008 (p. 29) am y diffiniad o "Community Infrastructure Levy" ("Ardoll Seilwaith Cymunedol").

(1) *See* section 205 of the Planning Act 2008 (c. 29) for definition of Community Infrastructure Levy.

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