



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2016 Rhif 62 (Cy. 32)

2016 No. 62 (W. 32)

**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) 2016

The Town and Country Planning
(Fees for Applications, Deemed
Applications and Site Visits) (Wales)
(Amendment) Regulations 2016

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 ("Rheoliadau 2015").

Mae rheoliad 2 yn gwneud darpariaeth ar gyfer ffioedd sy'n daladwy mewn cysylltiad ag archiadau a wneir i awdurdodau cynllunio lleol am wasanaethau cyn ymgeisio(1).

Mae rheoliad 3 yn gwneud mân ddiwygiadau i reoliadau 8(3), 9(3) a 15 o Reoliadau 2015 mewn perthynas â cheisiadau am gymeradwyaeth ar gyfer materion wrth gefn. Diwygiadau canlyniadol yw'r rhain i ddiwygiadau sydd i'w gwneud i erthyglau 22 a 23 o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 gan Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) (Diwygio) 2016.

Mae rheoliad 4 yn darparu ar gyfer ffioedd gostyngedig sy'n daladwy am geisiadau o dan adran 73 o Ddeddf Cynllunio Gwlad a Thref 1990 pan fo cais blaenorol o dan adran 96A(4) o'r Ddeddf honno wedi ei wrthod, ei wrthod yn rhannol neu heb ei benderfynu o fewn y cyfnod perthnasol(2).

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 ("the 2015 Regulations").

Regulation 2 makes provision for fees payable in respect of requests for pre-application services made to local planning authorities(1).

Regulation 3 makes minor amendments to regulations 8(3), 9(3) and 15 of the 2015 Regulations in relation to applications for approval of reserved matters. These amendments are consequential to amendments to be made to articles 22 and 23 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 by the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

Regulation 4 provides for reduced fees to be payable for applications under section 73 of the Town and Country Planning Act 1990 where an earlier application under section 96A(4) of that Act has been refused, partially refused or not determined within the relevant period(2).

(1) Ar gyfer gwasanaethau cyn ymgeisio, gweler Rheoliadau Cynllunio Gwlad a Thref (Gwasanaethau Cyn Ymgeisio) (Cymru) 2016 (O. S. 2016/61 (Cy. 31).

(2) Y cyfnod perthnasol yw 28 diwrnod neu pa bynnag gyfnod hwy a gytunir, gweler erthygl 28A o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 (O.S. 2012/801 (Cy. 110).

(1) For pre-application services, see the Town and Country Planning (Pre-Application Services) (Wales) Regulations 2016 (S.I. 2016/61 (W. 31).

(2) The relevant period is 28 days or such longer period as may be agreed, see article 28A of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (S.I. 2012/801 (W. 110).

Mae rheoliad 5 yn gwneud darpariaeth ar gyfer ffioedd sy'n daladwy mewn cysylltiad â diwygiadau i geisiadau am ddatblygiad mawr, a gyflwynir cyn bo'r awdurdod cynllunio lleol yn penderfynu'r cais (diwygiadau ar ôl cyflwyno).

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

Regulation 5 makes provision for fees payable in respect of amendments to applications for major development submitted before the local planning authority determine the application (post submission amendments).

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.

2016 Rhif 62 (Cy. 32)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

Rheoliadau Cynllunio Gwlad a
Thref (Ffioedd am Geisiadau,
Ceisiadau Tybiedig ac Ymweliadau
Safle) (Cymru) (Diwygio) 2016

Gwnaed 26 Ionawr 2016
Yn dod i rym 16 Mawrth 2016

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 303 a 333(2A) o Ddeddf Cynllunio Gwlad a Thref 1990(1), yn gwneud y Rheoliadau a ganlyn:

Yn unol ag adran 303(8) o'r Ddeddf honno, gosodwyd drafft o'r offeryn hwn gerbron Cynulliad Cenedlaethol Cymru a chymeradwywyd ef drwy benderfyniad Cynulliad Cenedlaethol Cymru.

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio Gwlad a Thref (Ffioedd am Geisiadau, Ceisiadau Tybiedig ac Ymweliadau Safle) (Cymru) (Diwygio) 2016 a deuant i rym ar 16 Mawrth 2016.

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

(3) Yn y Rheoliadau hyn ystyr "Rheoliadau 2015" ("*the 2015 Regulations*") yw Rheoliadau Cynllunio

(1) 1990 p. 8. Amnewidiwyd adran 303 gan adran 199 o Ddeddf Cynllunio 2008 (p. 29) a diwygiwyd hi gan adran 27 o Ddeddf Cynllunio (Cymru) 2015 (dccc. 4) a pharagraff 18 o Atodlen 4 i'r Ddeddf honno. Gweler adran 336(1) o Ddeddf 1990 ar gyfer ystyr "prescribed". Gwnaed diwygiadau eraill nad ydynt yn berthnasol i'r Rheoliadau hyn. 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.

2016 No. 62 (W. 32)

**TOWN AND COUNTRY
PLANNING, WALES**

The Town and Country Planning
(Fees for Applications, Deemed
Applications and Site Visits) (Wales)
(Amendment) Regulations 2016

Made 26 January 2016
Coming into force 16 March 2016

The Welsh Ministers, in exercise of the powers conferred on them by sections 303 and 333(2A) of the Town and Country Planning Act 1990(1), make the following Regulations:

In accordance with section 303(8) of that Act, a draft of this instrument was laid before and approved by resolution of the National Assembly for Wales.

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) (Amendment) Regulations 2016 and they come into force on 16 March 2016.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations "the 2015 Regulations" ("*Rheoliadau 2015*") means the Town and Country

(1) 1990 c. 8. Section 303 was substituted by section 199 of the Planning Act 2008 (c. 29) and was amended by section 27 of, and paragraph 18 of Schedule 4 to, the Planning (Wales) Act 2015 (anaw. 4). See section 336(1) of the 1990 Act for the meaning of "prescribed". Other amendments are not relevant to these Regulations. 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).

Gwlad a Thref (Ffioedd am Geisiadau, Ceisiadau Tybiedig ac Ymweliadau Safle) (Cymru) 2015(1).

Diwygiadau mewn perthynas ag archiadau am wasanaethau cyn ymgeisio

2.—(1) Mae Rheoliadau 2015 wedi eu diwygio fel a ganlyn.

(2) Yn Rheoliad 1(3)—

- (a) yn is-baragraff (a), ar ôl “daw’r Rheoliadau hyn i rym;” hepgorer “a”;
- (b) yn is-baragraff (ix) ar ôl “ganiatâd cynllunio)” mewnosoder “; ac”;
- (c) ar ôl is-baragraff (b) mewnosoder—

“(c) i archiadau am ddarpariaeth o wasanaethau cyn ymgeisio gan awdurdod cynllunio lleol.”

(3) Yn rheoliad 2 yn y manau priodol mewnosoder—

“ystyr “Rheoliadau 2016” (*“the 2016 Regulations”*) yw Rheoliadau Cynllunio Gwlad a Thref (Gwasanaethau Cyn Ymgeisio) (Cymru) 2016;” ac

“mae i “datblygiad gwastraff” (*“waste development”*) yr un ystyr ag yn erthygl 2(1) o’r Gorchymyn Gweithdrefn Rheoli Datblygu.”

(4) Ar ôl rheoliad (2) mewnosoder—

“Ffioedd am archiadau am wasanaethau cyn ymgeisio o dan Reoliadau 2016

2A.—(1) Pan gyflwynir archiad i awdurdod cynllunio lleol am wasanaethau cyn ymgeisio o dan Reoliadau 2016, rhaid talu ffi i’r awdurdod hwnnw.

(2) Cyfrifir y ffi, sy’n daladwy mewn cysylltiad ag archiad am wasanaethau cyn ymgeisio, yn unol ag Atodlen 4.

(3) Rhaid talu’r ffi i’r awdurdod cynllunio lleol y cyflwynir yr archiad iddo, a rhaid ei chyflwyno ynghyd â’r archiad.

(4) Rhaid ad-dalu unrhyw ffi a delir o dan y rheoliad hwn os gwrthodir yr archiad fel un annilys.”

(5) Ar ôl Atodlen 3, mewnosoder yr Atodlen 4 a gynhwysir yn yr Atodlen i’r Rheoliadau hyn.

Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015(1).

Amendments in relation to requests for pre-application services

2.—(1) The 2015 Regulations are amended as follows.

(2) In regulation 1(3)—

- (a) in sub-paragraph (a), after “these Regulations come into force;” omit “and”;
- (b) in sub-paragraph (ix), after “planning permission)” insert “; and”;
- (c) after sub-paragraph (b) insert—

“(c) to requests for the provision of pre-application services by a local planning authority.”

(3) In regulation 2 at the appropriate places insert—

““the 2016 Regulations” (*“Rheoliadau 2016”*) means the Town and Country Planning (Pre-Application Services) (Wales) Regulations 2016;” and

““waste development” (*“datblygiad gwastraff”*) has the same meaning as in article 2(1) of the Development Management Procedure Order.”

(4) After regulation 2 insert—

“Fees for requests for pre-application services under the 2016 Regulations

2A.—(1) Where a request for pre-application services is made to a local planning authority under the 2016 Regulations, a fee must be paid to that authority.

(2) The fee payable in respect of a request for pre-application services is calculated in accordance with Schedule 4.

(3) The fee must be paid to the local planning authority with whom the request is lodged and must accompany the request.

(4) Any fee paid pursuant to this regulation must be refunded if the request is rejected as invalid.”

(5) After Schedule 3 insert Schedule 4 contained in the Schedule to these Regulations.

(1) O.S. 2015/1522 (Cy. 179).

(1) S.I. 2015/1522 (W. 179).

Diwygiadau mewn perthynas â cheisiadau am gymeradwyaeth ar gyfer materion wrth gefn

3.—(1) Mae Rheoliadau 2015 wedi eu diwygio ymhellach fel a ganlyn.

(2) Yn lle rheoliad 8(3) rhodder—

“(3) Yn y rheoliad hwn mae i “cais dilys” (“valid application”), yn achos cais am ganiatâd cynllunio, yr un ystyr ag yn erthygl 22(3) o’r Gorchymyn Gweithdrefn Rheoli Datblygu, ac yn achos cais am gymeradwyaeth ar gyfer materion wrth gefn, yr un ystyr ag yn erthygl 23(3) o’r Gorchymyn hwnnw(1).”

(3) Yn rheoliad 9(3) —

(a) ar ôl “yn erthygl 22(2)” mewnosoder “neu 23(1)”; a

(b) ar ôl “o’r Gorchymyn Gweithdrefn Rheoli Datblygu” mewnosoder “yn ôl y digwydd”.

(4) Yn rheoliad 15(1) ar ôl “Pan fo cais” mewnosoder “(ac eithrio cais am gymeradwyaeth ar gyfer materion wrth gefn)”.

(5) Yn rheoliad 15(2) yn lle “erthygl 23” rhodder “erthygl 23(1)”.

Diwygiadau mewn perthynas â cheisiadau a wneir yn unol ag adran 73 o Ddeddf 1990

4.—(1) Mae Rheoliadau 2015 wedi eu diwygio ymhellach fel a ganlyn.

(2) Yn rheoliad 16(1)(a) yn lle “cais deiliad tŷ” rhodder “cais am newid gan ddeiliad tŷ”.

(3) Yn rheoliad 16(5)—

(i) ar ôl “Yn y rheoliad hwn” mewnosoder “ac ym mharagraff 5A o Ran 1 o Atodlen 1” a

(ii) yn lle “cais deiliad tŷ” (“*householder application*”) rhodder “cais am newid gan ddeiliad tŷ” (“*householder change application*”).

(4) Ym mharagraff 5 o Ran 1 o Atodlen 1, yn lle “Pan” rhodder “Yn ddarostyngedig i baragraff 5A, pan”.

(5) Ar ôl paragraff 5 mewnosoder—

“**5A.**—(1) Pan wneir cais yn unol ag adran 73 o Ddeddf 1990—

Amendments relating to applications for approval of reserved matters

3.—(1) The 2015 Regulations are further amended as follows.

(2) For regulation 8(3) substitute—

“(3) In this regulation “valid application” (“*cais dilys*”) has, in the case of an application for planning permission the same meaning as in article 22(3) of the Development Management Procedure Order, and in the case of an application for approval of reserved matters the same meaning as in article 23(3) of that Order(1).”

(3) In regulation 9(3)—

(a) after “in article 22(2)” insert “ or 23(1)”; and

(b) after “the Development Management Procedure Order” insert “ as the case may be”.

(4) In regulation 15(1) after “Where an application” insert “(other than an application for approval of reserved matters)”.

(5) In regulation 15(2) for “article 23” substitute “article 23(1)”.

Amendments relating to applications made pursuant to section 73 of the 1990 Act

4.—(1) The 2015 Regulations are further amended as follows.

(2) In regulation 16(1)(a) for “householder application” substitute “householder change application”.

(3) In regulation 16(5)—

(i) after “In this regulation” insert “ and in paragraph 5A of Part 1 of Schedule 1” and

(ii) for “householder application” (“*cais deiliad tŷ*”) substitute “householder change application” (“*cais am newid gan ddeiliad tŷ*”).

(4) In paragraph 5 of Part 1 of Schedule 1, for “Where” substitute “Subject to paragraph 5A, where”.

(5) After paragraph 5 insert—

“**5A.**—(1) Where application is made pursuant to section 73 of the 1990 Act —

(1) Diwygiwyd erthygl 22(3) gan O.S. 2016/59 (Cy. 29)

(1) Article 22(3) was amended by S.I. 2016/59 (W.29)

- (a) yn dilyn gwrthod, neu wrthod yn rhannol, gais cynharach o dan 96A(4) o Ddeddf 1990 a wnaed gan neu ar ran yr un ceisydd; neu
- (b) pan nad yw'r awdurdod cynllunio lleol wedi rhoi hysbysiad o'i benderfyniad mewn cysylltiad â chais cynharach o dan 96A(4) o Ddeddf 1990, a wnaed gan neu ar ran yr un ceisydd, o fewn y cyfnod a bennir yn erthygl 28A(7) o'r Gorchymyn Gweithdrefn Rheoli Datblygu(1);

a'r holl amodau a nodir yn is-baragraff (2) wedi eu bodloni, y ffi sy'n daladwy yw'r ffi a bennir yn is-baragraff (3).

(2) Yr amodau y cyfeirir atynt yn is-baragraff (1) yw—

- (a) y gwnaed y cais o fewn 6 mis yn dilyn—
 - (i) dyddiad gwrthod neu wrthod yn rhannol y cais cynharach; neu
 - (ii) yn ôl fel y digwydd, diwedd y cyfnod a bennir yn erthygl 28A(7) o'r Gorchymyn Gweithdrefn Rheoli Datblygu mewn perthynas â'r cais cynharach;
- (b) bod yr awdurdod cynllunio lleol y cyflwynir y cais iddo wedi ei fodloni bod y cais yn ymwneud â datblygiad o'r un cymeriad neu ddisgrifiad â'r datblygiad yr oedd y cais cynharach yn ymwneud ag ef (ac nid yn ymwneud ag unrhyw ddatblygiad arall);
- (c) bod y ffi a oedd yn daladwy mewn cysylltiad â'r cais cynharach wedi ei thalu; a
- (d) nad yw'r ceisydd eisoes wedi talu ffi o dan y paragraff hwn mewn cysylltiad â chais blaenorol a wnaed yn unol ag adran 73 o Ddeddf 1990, a oedd yn ymwneud â datblygiad o'r un cymeriad neu ddisgrifiad â'r datblygiad y mae'r cais presennol yn ymwneud ag ef.

(3) Y ffi yw—

- (a) os yw'r cais yn gais am newid gan ddeiliad tŷ, £160;
- (b) mewn unrhyw achos arall, £95.”

- (a) following the refusal or partial refusal of an earlier application under section 96A(4) of the 1990 Act made by or on behalf of the same applicant; or
- (b) where the local planning authority have not given notice of their decision in respect of an earlier application under section 96A(4) of the 1990 Act made by or on behalf of the same applicant within the period specified in article 28A(7) of the Development Management Procedure Order(1);

and all the conditions set out in sub-paragraph (2) are satisfied, the fee payable is the fee specified in sub-paragraph (3).

(2) The conditions referred to in sub-paragraph (1) are—

- (a) the application is made within 6 months following—
 - (i) the date of the refusal or partial refusal of the earlier application; or
 - (ii) as the case may be, expiry of the period specified in article 28A(7) of the Development Management Procedure Order in relation to the earlier application;
- (b) the local planning authority to whom application is made are satisfied that the application relates to development of the same character or description as the development to which the earlier application related (and to no other development);
- (c) the fee payable in respect of the earlier application was paid; and
- (d) the applicant has not already paid a fee under this paragraph in respect of a previous application made pursuant to section 73 of the 1990 Act that related to development of the same character or description as the development to which the current application relates.

(3) The fee is—

- (a) if the application is a householder change application, £160;
- (b) in any other case, £95.”

(1) Mewnosodwyd erthygl 28A gan O.S. 2014/1772 (Cy. 183).

(1) Article 28A was inserted by S.I.2014/1772 (W. 183).

Diwygiadau mewn perthynas â ffioedd am ddiwygiadau ar ôl cyflwyno, i geisiadau am ddatblygiad mawr

5.—(1) Mae Rheoliadau 2015 wedi eu diwygio ymhellach fel a ganlyn.

(2) Ar ôl rheoliad 16, mewnosoder—

“Ffioedd am ddiwygiadau ar ôl cyflwyno, i geisiadau am ddatblygiad mawr

16A.—(1) Pan fo diwygiad i gais dilys y mae paragraff (2) yn gymwys iddo wedi ei gyflwyno i awdurdod cynllunio lleol yn unol ag erthygl 22(1A) o’r Gorchymyn Gweithdrefn Rheoli Datblygu, rhaid talu’r ffi a bennir ym mharagraff (3) i’r awdurdod cynllunio lleol.

(2) Mae’r paragraff hwn yn gymwys i ddiwygiad i gais dilys am ddatblygiad mawr.

(3) Y ffi yw £190.

(4) Yn y rheoliad hwn—

(a) mae i “cais dilys” (“*valid application*”) yr un ystyr ag yn erthygl 22(3) o’r Gorchymyn Gweithdrefn Rheoli Datblygu;

(b) mae i “datblygiad mawr” (“*major development*”) yr un ystyr ag yn erthygl 2(1) o’r Gorchymyn Gweithdrefn Rheoli Datblygu.”

Darpariaeth drosiannol

6. Nid yw’r darpariaethau ym mharagraffau (2) a (3) o reoliad 3 o’r Rheoliadau hyn yn gymwys i gais am gymeradwyaeth ar gyfer materion wrth gefn a wneir cyn y daw’r Rheoliadau hyn i rym.

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

Amendments in relation to fees for post submission amendments to applications for major development

5.—(1) The 2015 Regulations are further amended as follows.

(2) After regulation 16, insert—

“Fees for post submission amendments to major development applications

16A.—(1) Where an amendment to a valid application to which paragraph (2) applies has been submitted to a local planning authority in accordance with article 22(1A) of the Development Management Procedure Order, the fee specified in paragraph (3) must be paid to the local planning authority.

(2) This paragraph applies to an amendment to a valid application for major development.

(3) The fee is £190.

(4) In this regulation—

(a) “valid application” (“*cais dilys*”) has the same meaning as in article 22(3) of the Development Management Procedure Order;

(b) “major development” (“*datblygiad mawr*”) has the same meaning as in article 2(1) of the Development Management Procedure Order.”

Transitional Provision

6. The provisions in paragraphs (2) and (3) of regulation 3 of these Regulations do not apply in relation to an application for the approval of reserved matters made before these Regulations come into force.

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

Carl Sargeant

YR ATODLEN Rheoliad 2(5)

“ATODLEN 4

Ffioedd mewn Cysylltiad ag
Archiadau am Wasanaethau Cyn
Ymgeisio

RHAN 1

Ffioedd taladwy o dan Reoliad 2A

1.—(1) Yn ddarostyngedig i baragraff 2 o'r Rhan hon, cyfrifir y ffi sy'n daladwy o dan reoliad 2A yn unol â'r tabl a nodir yn Rhan 2 a pharagraffau 3 i 5.

(2) Yn y Rhan hon—

- (a) mae cyfeiriad at gategori yn gyfeiriad at gategori o ddatblygiadau arfaethedig a bennir yn y tabl a nodir yn Rhan 2; ac mae cyfeiriad at gategori â rhif yn gyfeiriad at y categori sy'n dwyn y rhif hwnnw yn y tabl; a
- (b) mae i “cais deiliad tŷ” (“*householder application*”) yr un ystyr ag yn erthygl 2(1) o'r Gorchymyn Gweithdrefn Rheoli Datblygu.

2. Pan fo archiad am wasanaethau cyn ymgeisio yn ymwneud â chais arfaethedig gan ddeiliad tŷ, y ffi sy'n daladwy yw £25.

3. Pan fo'r ffi, mewn cysylltiad ag unrhyw gategori, i'w chyfrifo drwy gyfeirio at arwynebedd y safle, rhaid cymryd mai'r arwynebedd hwnnw yw arwynebedd y tir y mae'r cais arfaethedig yn ymwneud ag ef.

4. Mewn perthynas â datblygiad arfaethedig yng nghategori 2 neu 3, rhaid penderfynu'r arwynebedd llawr gros a grëir gan y datblygiad arfaethedig yn ôl mesuriad allanol yr arwynebedd llawr, pa un a oes bwriad ai peidio i'w ffinio (yn gyfan gwbl neu'n rhannol) gyda waliau allanol adeilad.

5. Pan fo archiad am wasanaethau cyn ymgeisio yn ymwneud â mwy nag un categori, mae ffi sengl yn daladwy, sef yr uchaf o'r ffioedd a gyfrifir yn unol â phob categori o'r fath.

SCHEDULE Regulation 2(5)

“SCHEDULE 4

Fees in Respect of Requests for Pre-
Application Services

PART 1

Fees payable under Regulation 2A

1.—(1) Subject to paragraph 2 of this Part, the fee payable under regulation 2A is calculated in accordance with the table set out in Part 2 and paragraphs 3 to 5.

(2) In this Part—

- (a) a reference to a category is to a category of proposed development specified in the table set out in Part 2; and a reference to a numbered category is to the category so numbered in the table; and
- (b) “householder application” (“*cais deiliad tŷ*”) has the same meaning as in article 2(1) of the Development Management Procedure Order.

2. Where a request for pre-application services relates to a proposed householder application, the fee payable is £25.

3. Where, in respect of any category, the fee is to be calculated by reference to the site area, that area must be taken as consisting of the area of land to which the proposed application relates.

4. In relation to proposed development within category 2 or 3, the area of the gross floor space to be created by the proposed development must be ascertained by external measurement of the floor space, whether or not it is to be bounded (wholly or partly) by external walls of a building.

5. Where a request for pre-application services relates to proposed development within more than one category, a single fee is payable which is the higher or highest of the fees calculated in accordance with each such category.

RHAN 2

Ffioedd mewn Cysylltiad ag Archiadau am Wasanaethau Cyn Ymgeisio

<i>Categori o ddatblygiad arfaethedig</i>	<i>Ffi daladwy</i>
1. Codi tai annedd	<p>(a) Pan fo—</p> <ul style="list-style-type: none">(i) nifer y tai annedd sydd i'w creu gan y datblygiad arfaethedig yn un i naw, £250,(ii) nifer y tai annedd sydd i'w creu gan y datblygiad arfaethedig yn 10 i 24, £600,(iii) nifer y tai annedd sydd i'w creu gan y datblygiad arfaethedig yn fwy na 24, £1,000; <p>(b) pan fo nifer y tai annedd sydd i'w creu yn anhysbys ac—</p> <ul style="list-style-type: none">(i) arwynebedd y safle arfaethedig yn ddim mwy na 0.49 hecтар, £250,(ii) arwynebedd y safle arfaethedig yn 0.5 i 0.99 hecтар, £600,(iii) arwynebedd y safle arfaethedig yn fwy na 0.99 hecтар, £1,000.
2. Codi adeiladau (ac eithrio tai annedd)	<p>(a) Pan fo'r—</p> <ul style="list-style-type: none">(i) arwynebedd llawr gros sydd i'w greu gan y datblygiad arfaethedig yn ddim mwy na 999 metr sgwâr, £250,(ii) arwynebedd llawr gros sydd i'w greu gan y datblygiad arfaethedig yn 1,000 i 1,999 metr sgwâr, £600,(iii) arwynebedd llawr gros sydd i'w greu gan y datblygiad arfaethedig yn fwy na 1,999 metr sgwâr, £1,000; <p>(b) pan nad yw'r arwynebedd llawr gros sydd i'w greu gan y datblygiad arfaethedig yn hysbys ac—</p> <ul style="list-style-type: none">(i) nad yw'r arwynebedd safle arfaethedig yn fwy na 0.49 hecтар, £250,(ii) arwynebedd arfaethedig y safle yn 0.5 i 0.99 hecтар, £600,(iii) arwynebedd arfaethedig y safle yn fwy na 0.99 hecтар, £1,000.
3. Gwneud newid sylweddol yn y defnydd o adeilad neu dir	<p>(a) Pan fo'r archiad am wasanaethau cyn ymgeisio yn ymwneud â chais arfaethedig am ganiatâd i wneud newid sylweddol yn y defnydd o adeilad ac—</p> <ul style="list-style-type: none">(i) nad yw arwynebedd llawr gros y datblygiad arfaethedig yn fwy na 999 metr sgwâr, £250,(ii) pan fo arwynebedd llawr gros y datblygiad arfaethedig yn 1,000 i 1,999 metr sgwâr, £600,(iii) pan fo arwynebedd llawr gros y datblygiad arfaethedig yn fwy na 1,999 metr sgwâr, £1,000;

- (b) Pan fo'r archiad am wasanaethau cyn ymgeisio yn ymwneud â chais arfaethedig am ganiatâd i wneud newid sylweddol yn y defnydd o dir ac—
- (i) nad yw arwynebedd y safle arfaethedig yn fwy na 0.49 hectar, £250,
 - (ii) arwynebedd y safle yn 0.5 i 0.99 hectar, £600,
 - (iii) arwynebedd y safle yn fwy na 0.99 hectar, £1,000.

4. Cloddio a gweithio
mwynau neu ddefnyddio tir
ar gyfer dyddodion
gweithfeydd mwynau(1) £600.

5. Datblygiad gwastraff £600. „

(1) Ar gyfer y diffiniad o "mineral-working deposit" gweler adran 336 o Ddeddf 1990.

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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.

PART 2

Fees in Respect of Requests for Pre-Application Services

<i>Category of proposed development</i>	<i>Fee Payable</i>
1. The erection of dwellinghouses	<p>(a) Where—</p> <ul style="list-style-type: none">(i) the number of dwellinghouses to be created by the proposed development is one to nine, £250,(ii) the number of dwellinghouses to be created by the proposed development is 10 to 24, £600,(iii) the number of dwellinghouses to be created by the proposed development exceeds 24, £1,000; <p>(b) where the number of dwellinghouses to be created is not known and—</p> <ul style="list-style-type: none">(i) the proposed site area does not exceed 0.49 hectares, £250,(ii) the proposed site area is 0.5 to 0.99 hectares, £600,(iii) the proposed site area exceeds 0.99 hectares, £1,000.
2. The erection of buildings (other than dwellinghouses)	<p>(a) Where—</p> <ul style="list-style-type: none">(i) the area of the gross floor space to be created by the proposed development does not exceed 999 square metres, £250,(ii) the area of the gross floor space to be created by the proposed development is 1,000 to 1,999 square metres, £600,(iii) the area of the gross floor space to be created by the proposed development exceeds 1,999 square metres, £1,000; <p>(b) where the gross floor space to be created by the proposed development is not known and—</p> <ul style="list-style-type: none">(i) the proposed site area does not exceed 0.49 hectares, £250,(ii) the proposed site area is 0.5 to 0.99 hectares, £600,(iii) the proposed site area exceeds 0.99 hectares, £1,000.
3. The making of a material change in the use of a building or land	<p>(a) Where the request for pre-application services relates to a proposed application for permission for a material change in the use of a building and—</p> <ul style="list-style-type: none">(i) the area of the gross floor space of the proposed development does not exceed 999 square metres, £250,(ii) where the area of the gross floor space of the proposed development is 1,000 to 1,999 square metres, £600,

- (iii) where the area of the gross floor space of the proposed development exceeds 1,999 square metres, £1,000;
- (b) where the request for pre-application services relates to a proposed application for permission for a material change in the use of land and—
 - (i) the site area does not exceed 0.49 hectares, £250,
 - (ii) the site area is 0.5 to 0.99 hectares, £600,
 - (iii) the site area exceeds 0.99 hectares, £1,000.

4. The winning and working of minerals or the use of land for mineral-working deposits(1) £600.

5. Waste development £600.

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(1) For the definition of “mineral-working deposit” see section 336 of the 1990 Act.

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