



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2021 Rhif 1189 (Cy. 297)**

**2021 No. 1189 (W. 297)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

**TOWN AND COUNTRY  
PLANNING, WALES**

Gorchymyn Gweithdrefn  
Ddatblygu (Ymgynghori)  
(Cymru) (Diwygiadau Amrywiol)  
2021

The Development Procedure  
(Consultees) (Wales)  
(Miscellaneous Amendments)  
Order 2021

**NODYN ESBONIADOL**

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

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 ("Gorchymyn 2012") a Gorchymyn Datblygiadau o Arwyddocâd Cenedlaethol (Gweithdrefn) (Cymru) 2016 ("Gorchymyn 2016") mewn perthynas ag ymgynghori cyn ymgeisio ac ymgynghori cyn rhoi caniatâd cynllunio.

Mae erthygl 2 yn diwygio'r tabl yn Atodlen 4 i Orchymyn 2012 (ymgyngoriadau cyn rhoi caniatâd cynllunio) er mwyn—

- (a) amnewid y categori o ddatblygiad sydd mewn perygl o lifogydd y mae rhaid ymgynghori â Chorff Adnoddau Naturiol Cymru yn ei gylch (erthygl 2(2)(a) a (3)(b));
- (b) ychwanegu categori o ddatblygiad y mae rhaid ymgynghori ag Awdurdodau Tân ac Achub yn ei gylch (erthygl 2(2)(b) a (3)(a) ac (c)).

Mae erthygl 1(3) yn darparu, pan fo cais am ganiatâd cynllunio wedi ei gyflwyno cyn 25 Ebrill 2022 a'i bod yn ofynnol i'r ceisydd fod wedi ymgynghori ag Awdurdod Tân ac Achub yn unol ag erthygl 2D o Orchymyn 2021 ond nad yw wedi gwneud hynny, fod y ceisydd i'w drin fel pe bai wedi cydymffurfio â gofynion erthyglau 2D a 2F o Orchymyn 2012 mewn cysylltiad â'r gofyniad i ymgynghori ag Awdurdod Tân ac Achub perthnasol.

**EXPLANATORY NOTE**

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

This Order amends the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 ("the 2012 Order") and the Developments of National Significance (Procedure) (Wales) Order 2016 ("the 2016 Order") in relation to pre-application consultation and consultation before the grant of planning permission.

Article 2 amends the table in Schedule 4 to the 2012 Order (consultations before the grant of planning permission) to—

- (a) substitute the category of development at risk of flooding on which the Natural Resources Body for Wales are to be consulted (article 2(2)(a) and (3)(b));
- (b) add a category of development on which Fire and Rescue Authorities are to be consulted (article 2(2)(b) and (3)(a) and (c)).

Article 1(3) provides that where an application for planning permission is submitted before 25 April 2022 and the applicant is required to have consulted a Fire and Rescue Authority pursuant to article 2D of the 2021 Order but has not done so, the applicant is to be treated as if they have complied with the requirements of articles 2D and 2F of the 2012 Order in respect of the requirement to consult a relevant Fire and Rescue Authority.

Mae erthygl 1(4) yn darparu na fydd y gofyniad i awdurdod cynllunio lleol ymgynghori ag Awdurdod Tân ac Achub yn gymwys mewn perthynas â chais am ganiatâd cynllunio a wneir cyn 25 Ebrill 2022.

Mae erthygl 3 yn diwygio'r tabl yn Atodlen 5 i Orchymyn 2016 (dyletswydd i ymgynghori cyn rhoi caniatâd) er mwyn—

- (a) amnewid y categori o ddatblygiad sydd mewn perygl o lifogydd y mae rhaid ymgynghori â Chorff Adnoddau Naturiol Cymru yn ei gylch (erthygl 3(2)(a) a (3));
- (b) ychwanegu categori o ddatblygiad y mae rhaid ymgynghori ag Awdurdodau Tân ac Achub yn ei gylch (erthygl 3(2)(b)).

Mae erthygl 1(5) yn darparu nad yw erthygl 3(2)(b) yn gymwys i:

- (a) ceisiadau arfaethedig yr hysbysir Gweinidogion Cymru ac awdurdodau cynllunio lleol amdanynt yn unol ag erthygl 5 o Orchymyn 2016 cyn 24 Ionawr 2022;
- (b) ceisiadau a wneir i Weinidogion Cymru o dan adran 62D o Ddeddf 1990 cyn 24 Ionawr 2022.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth: Yr Is-adran Cyllid Strategol Llywodraeth Leol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Article 1(4) provides that the requirement for a local planning authority to consult a Fire and Rescue Authority will not apply in relation to an application for planning permission made before 25 April 2022.

Article 3 amends the table in Schedule 5 to the 2016 Order (duty to consult before grant of permission) to—

- (a) substitute the category of development at risk of flooding on which the Natural Resources Body for Wales are to be consulted (article 3(2)(a) and (3));
- (b) add a category of development on which Fire and Rescue Authorities are to be consulted (article 3(2)(b)).

Article 1(5) provides that article 3(2)(b) does not apply to:

- (a) proposed applications notified to the Welsh Ministers and local planning authorities in accordance with article 5 of the 2016 Order before 24 January 2022;
- (b) applications made to the Welsh Ministers under section 62D of the 1990 Act before 24 January 2022.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

**2021 Rhif 1189 (Cy. 297)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

Gorchymyn Gweithdrefn  
Ddatblygu (Ymgynghoreion)  
(Cymru) (Diwygiadau Amrywiol)  
2021

*Gwnaed* 25 Hydref 2021

*Gosodwyd* gerbron *Senedd*  
*Cymru* 27 Hydref 2021

*Yn dod i rym yn unol ag erthygl 1(2)*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 59 a 74(1)(c) o Ddeddf Cynllunio Gwlad a Thref 1990(1) ac sydd bellach yn arferadwy ganddynt hwy(2), a thrwy arfer y pwerau a roddir iddynt gan adrannau 61Z(8) a (9), 62R a 333(4B) o'r Ddeddf honno(3), yn gwneud y Gorchymyn a ganlyn.

**2021 No. 1189 (W. 297)**

**TOWN AND COUNTRY  
PLANNING, WALES**

The Development Procedure  
(Consultees) (Wales)  
(Miscellaneous Amendments)  
Order 2021

*Made* 25 October 2021

*Laid before Senedd Cymru* 27 October 2021

*Coming into force in accordance with article 1(2)*

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 59 and 74(1)(c) of the Town and Country Planning Act 1990(1) and now exercisable by them(2), and in exercise of the powers conferred on them by sections 61Z(8) and (9), 62R and 333(4B) of that Act(3), make the following Order.

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(1) 1990 p. 8 ("Deddf 1990"). Diwygiwyd adran 59 gan adran 27 o Ddeddf Cynllunio (Cymru) 2015 (decc 4) ("Deddf 2015") a pharagraffau 1 a 3 o Atodlen 4 iddi, ac adran 55 o'r Ddeddf honno a pharagraff 5 o Atodlen 7 iddi, a chan adran 1(2) o Ddeddf Twf a Seilwaith 2013 (p. 27) a pharagraffau 1 a 4 o Atodlen 1 iddi. Mae diwygiadau i adran 74 nad ydynt yn berthnasol i'r offeryn hwn.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672); gweler y cofnod yn Atodlen 1 ar gyfer Deddf 1990 fel y'i hamnewidiwyd gan O.S. 2000/253. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraffau 30 a 32 o Atodlen 11 iddi. Gweler hefyd adran 59(4) o Ddeddf 1990 sy'n darparu mai ystyr gorchymyn datblygu o ran Cymru yw gorchymyn datblygu a wneir gan Weinidogion Cymru.

(3) Mewnosodwyd adran 61Z gan adran 17(1) a (2) o Ddeddf 2015. Mewnosodwyd adran 62R gan adran 25 o Ddeddf 2015. Mewnosodwyd adran 333(4B) gan adran 55 o Ddeddf 2015 a pharagraff 6(1) a (3) o Atodlen 7 iddi.

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(1) 1990 c. 8 ("the 1990 Act"). Section 59 was amended by section 27 of, and paragraphs 1 and 3 of Schedule 4 to, and section 55 of, and paragraph 5 of Schedule 7 to, the Planning (Wales) Act 2015 (anaw 4) ("the 2015 Act") and by section 1(2) of, and paragraphs 1 and 4 of Schedule 1 to, the Growth and Infrastructure Act 2013 (c. 27). There are amendments to section 74 which are not relevant to this instrument.

(2) The functions of the Secretary of State were transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry in Schedule 1 for the 1990 Act as substituted by S.I. 2000/253. The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 30 and 32 of Schedule 11 to, the Government of Wales Act 2006 (c. 32). See also section 59(4) of the 1990 Act which provides that a development order in relation to Wales means a development order made by the Welsh Ministers.

(3) Section 61Z was inserted by section 17(1) and (2) of the 2015 Act. Section 62R was inserted by section 25 of the 2015 Act. Section 333(4B) was inserted by section 55 of, and paragraph 6(1) and (3) of Schedule 7 to the 2015 Act.

## Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Gweithdrefn Ddatblygu (Ymgynghori) (Cymru) (Diwygiadau Amrywiol) 2021.

(2) Daw'r Gorchymyn hwn i rym fel a ganlyn—

- (a) daw'r erthygl hon, erthygl 2(1), (2)(a) a (3)(b) ac erthygl 3(1), (2)(a) a (3) i rym ar 1 Rhagfyr 2021;
- (b) daw erthygl 2(2)(b), (3)(a) ac (c) ac erthygl 3(2)(b) i rym ar 24 Ionawr 2022.

(3) Pan fo—

- (a) cais am ganiatâd cynllunio wedi ei gyflwyno cyn 25 Ebrill 2022; a
- (b) yn ofynnol i'r ceisydd fod wedi ymgynghori ag Awdurdod Tân ac Achub yn unol ag erthygl 2D o Orchymyn 2012 ond nad yw wedi gwneud hynny;

mae'r ceisydd i'w drin fel pe bai wedi cydymffurfio â gofynion erthyglau 2D a 2F o Orchymyn 2012 mewn cysylltiad â'r gofyniad i ymgynghori ag Awdurdod Tân ac Achub perthnasol.

(4) Pan fo cais am ganiatâd cynllunio wedi ei wneud cyn 25 Ebrill 2022, nid yw erthygl 14(1) o Orchymyn 2012 yn gymwys i'r graddau y bo'n ei gwneud yn ofynnol i awdurdod cynllunio lleol ymgynghori ag Awdurdod Tân ac Achub.

(5) Nid yw erthygl 3(2)(b) yn gymwys i—

- (a) ceisiadau arfaethedig yr hysbysir Gweinidogion Cymru ac awdurdodau cynllunio lleol amdanynt yn unol ag erthygl 5 o Orchymyn 2016 cyn 24 Ionawr 2022;
- (b) ceisiadau a wneir i Weinidogion Cymru o dan adran 62D o Ddeddf 1990 cyn 24 Ionawr 2022.

(6) Yn y Gorchymyn hwn—

ystyr “Deddf 1990” (“*the 1990 Act*”) yw Deddf Cynllunio Gwlad a Thref 1990(1);

ystyr “Gorchymyn 2012” (“*the 2012 Order*”) yw Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012(2);

ystyr “Gorchymyn 2016” (“*the 2016 Order*”) yw Gorchymyn Datblygiadau o Arwyddocâd Cenedlaethol (Gweithdrefn) (Cymru) 2016(3).

## Title, commencement, application and interpretation

1.—(1) The title of this Order is the Development Procedure (Consultees) (Wales) (Miscellaneous Amendments) Order 2021.

(2) This Order comes into force as follows—

- (a) this article, article 2(1), (2)(a) and (3)(b) and article 3(1), (2)(a) and (3) come into force on 1 December 2021;
- (b) article 2(2)(b), (3)(a) and (c) and article 3(2)(b) come into force on 24 January 2022.

(3) Where—

- (a) an application for planning permission is submitted before 25 April 2022; and
- (b) the applicant is required to have consulted a Fire and Rescue Authority pursuant to article 2D of the 2012 Order but has not done so;

the applicant is to be treated as if they have complied with the requirements of articles 2D and 2F of the 2012 Order in respect of the requirement to consult a relevant Fire and Rescue Authority.

(4) Where an application for planning permission is made before 25 April 2022, article 14(1) of the 2012 Order does not apply so far as it requires a local planning authority to consult a Fire and Rescue Authority.

(5) Article 3(2)(b) does not apply to—

- (a) proposed applications notified to the Welsh Ministers and local planning authorities in accordance with article 5 of the 2016 Order before 24 January 2022;
- (b) applications made to the Welsh Ministers under section 62D of the 1990 Act before 24 January 2022.

(6) In this Order—

“The 1990 Act” (“*Deddf 1990*”) means the Town and Country Planning Act 1990(1);

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

“The 2016 Order” (“*Gorchymyn 2016*”) means the Developments of National Significance (Procedure) (Wales) Order 2016(3).

(1) 1990 p. 8.

(2) O.S. 2012/801.

(3) O.S. 2016/55.

(1) 1990 c. 8.

(2) S.I. 2012/801 (W. 110).

(3) S.I. 2016/55 (W. 25).

## Diwygio Gorchymyn 2012

2.—(1) Mae Atodlen 4 i Orchymyn 2012 wedi ei diwygio fel a ganlyn.

(2) Yn y tabl—

(a) yn lle rhes (x) rhodder—

“

(x)	Datblygiad—  (i) ar dir o fewn Afonydd a'r Môr – Parth Llifogydd 3;  (ii) ar dir o fewn Afonydd a'r Môr – Parth Llifogydd 2;  (iii) ar dir o fewn Parthau Amddiffy nedig TAN 15.”	Corff Adnoddau Naturiol Cymru
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(b) ar ôl rhes (y) mewnosoder—

“

(z)	Datblygiad sy'n ymwneud ag—  (i) datblygiad gwastraff;  (ii) darparu tai annedd pan fo naill ai nifer y tai annedd sydd i'w darparu yn 10 neu ragor neu pan fwriedir cyflawni'r datblygiad ar safle sydd â'i arwynebedd yn 0.5 hectar neu fwy ac nad yw'n hysbys a yw nifer y tai annedd sydd i'w darparu yn	Yr Awdurdod Tân ac Achub perthnasol
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## Amendment of the 2012 Order

2.—(1) Schedule 4 to the 2012 Order is amended as follows.

(2) In the table—

(a) for row (x) substitute—

“

(x)	Development—  (i) on land within Rivers and Sea – Flood Zone 3;  (ii) on land within Rivers and Sea – Flood Zone 2;  (iii) on land within TAN 15 Defended Zones.”	The Natural Resources Body for Wales
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(b) after row (y) insert—

“

(z)	Development—  (i) involving waste development;  (ii) involving the provision of dwellinghouses where either the number of dwellinghouses to be provided is 10 or more or the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the number of dwellinghouses to be provided	The Fire and Rescue Authority concerned
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	<p>10 neu ragor;</p> <p>(iii) darparu adeilad neu adeiladau lle mae'r arwynebedd llawr y bwriedir ei greu gan y datblygiad yn 1,000 metr sgwâr neu ragor;</p> <p>(iv) datblygiad a gyflawnir ar safle sydd â'i arwynebedd yn 1 hectar neu fwy;</p> <p>(v) darparu 10 neu ragor o fflatiau (boed hynny drwy gynyddu nifer y fflatiau mewn adeilad presennol neu fel arall);</p> <p>(vi) darparu llety preswyl ac ynddo 10 neu ragor o ystafelloedd, nad ydynt wedi eu cynnwys mewn tai annedd neu fflatiau, nad ydynt yn cael eu defnyddio yn unig at ddibenion coginio ac nad ydynt yn gyfleusterau toiled, yn ystafelloedd gwasanaeth, yn goridoriau, yn ystafelloedd golchi dillad, yn gynteddau neu'n ystafelloedd amlbwrpas; neu</p>			<p>is 10 or more;</p> <p>(iii) involving the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more;</p> <p>(iv) carried out on a site having an area of 1 hectare or more;</p> <p>(v) involving the provision of 10 or more flats (whether by increasing the number of flats within an existing building or otherwise);</p> <p>(vi) involving the provision of residential accommodation of 10 or more rooms, not contained in dwellinghouses or flats, which are not solely used for cooking purposes and are not toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms; or</p>	
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	<p>(vii) darparu llety preswyl ac ynddo 10 neu ragor o ystafelloedd sydd wedi eu cynnwys mewn tŷ annedd neu fflat a ddefnyddir fel tŷ amlfeddiannaeth, nad ydynt yn cael eu defnyddio yn unig at ddibenion coginio ac nad ydynt yn gyfleusterau toiled, yn ystafelloedd gwasanaeth, yn goridoriau, yn ystafelloedd golchi dillad, yn gynteddau neu'n ystafelloedd amlbwrpas.</p>			<p>(vii) involving the provision of residential accommodation of 10 or more rooms contained in a dwellinghouse or flat used as a house in multiple occupation, which are not solely used for cooking purposes and are not toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms.</p>	
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”

(3) O dan y pennawd “Dehongli’r Tabl”—

- (a) ar ddiwedd paragraff (m) hepgorer “ac”;
- (b) yn lle paragraff (n) rhodder—

“(n) ym mharagraff (x)—

ystyr “Afonydd a’r Môr – Parth Llifogydd 3” (“*Rivers and Sea – Flood Zone 3*”) yw ardal lle y mae mwy nag 1 siawns mewn 100 o lifogydd o afonydd a mwy nag 1 siawns mewn 200 o lifogydd o’r môr mewn blwyddyn benodol, gan gynnwys newid yn yr hinsawdd;

ystyr “Afonydd a’r Môr – Parth Llifogydd 2” (“*Rivers and Sea – Flood Zone 2*”) yw ardal lle y mae llai nag 1 siawns mewn 100 o lifogydd o afonydd a llai nag 1 siawns mewn 200 o lifogydd o’r môr ond mwy nag 1 siawns mewn 1000 o lifogydd o’r afonydd a’r môr mewn blwyddyn benodol, gan gynnwys newid yn yr hinsawdd; ac

”

(3) Under the heading “Interpretation of Table”—

- (a) at the end of paragraph (m) omit “and”;
- (b) for paragraph (n) substitute—

“(n) in paragraph (x)—

“Rivers and Sea —Flood Zone 3” (“*Afonydd a’r Môr – Parth Llifogydd 3*”) means an area with a greater than 1 in 100 chance of flooding from rivers and a greater than 1 in 200 chance of flooding from the sea in a given year, including climate change;

“Rivers and Sea —Flood Zone 2” (“*Afonydd a’r Môr – Parth Llifogydd 2*”) means an area with less than a 1 in 100 chance of flooding from rivers and less than 1 in 200 chance of flooding from the sea but greater than 1 in 1000 chance of flooding from the rivers and sea in a given year, including climate change; and

ystyr “Parthau Amddiffynnol TAN 15” (“*TAN 15 Defended Zones*”) yw ardaloedd lle y mae seilwaith rheoli perygl llifogydd yn darparu safon ofynnol o ddiogelwch rhag llifogydd o 1 mewn 100 o afonydd ac 1 mewn 200 o’r môr (ynghyd â newid yn yr hinsawdd a bwrdd rhydd) fel y nodir yn y Map Llifogydd ar gyfer Cynllunio a gyhoeddir gan Gyfoeth Naturiol Cymru;”;

(c) ar ôl paragraff (n) mewnosoder—

“(o) ym mharagraff (z) nid yw “tŷ amlfeddiannaeth” yn cynnwys bloc o fflatiau wedi ei drosi y mae adran 257 o Ddeddf Tai 2004 yn gymwys iddo ond fel arall mae iddo yr un ystyr ag a roddir i “house in multiple occupation” yn adran 254 o Ddeddf Tai 2004.”

“TAN 15 Defended Zones” (“*Parthau Amddiffynedig TAN 15*”) means areas where flood risk management infrastructure provides a minimum standard of protection against flooding of 1 in 100 from rivers and 1 in 200 from the sea (plus climate change and freeboard) as set out in the Flood Map for Planning published by Natural Resources Wales;”;

(c) after paragraph (n) insert—

“(o) in paragraph (z) “house in multiple occupation” does not include a converted block of flats to which section 257 of the Housing Act 2004 applies but otherwise has the same meaning as in section 254 of the Housing Act 2004.”

### Diwygio Gorchymyn 2016

3.—(1) Mae Atodlen 5 i Orchymyn 2016 wedi ei diwygio fel a ganlyn.

(2) Yn y tabl—

(a) yn lle rhes (u) rhodder—

“

(u)	Datblygiad—	Corff Adnoddau Naturiol Cymru”
	(i) ar dir o fewn Afonydd a’r Môr – Parth Llifogydd 3;	
	(ii) ar dir o fewn Afonydd a’r Môr – Parth Llifogydd 2;	
	(iii) ar dir o fewn Parthau Amddiffynedig TAN 15.	

### Amendment of the 2016 Order

3.—(1) Schedule 5 to the 2016 Order is amended as follows.

(2) In the table—

(a) for row (u) substitute—

“

(u)	Development—	The Natural Resources Body for Wales”
	(i) on land within Rivers and Sea — Flood Zone 3;	
	(ii) on land within Rivers and Sea — Flood Zone 2;	
	(iii) on land within TAN 15 Defended Zones.	



(b) ar ôl rhes (v) mewnosoder—

“(w)	Datblygiad sy'n ymwneud ag—	Yr Awdurdod Tân ac Achub perthnasol ”
	(i) datblygiad gwastraff;	
	(ii) darparu adeilad neu adeiladau lle mae'r arwynebedd llawr y bwriedir ei greu gan y datblygiad yn 1,000 metr sgwâr neu ragor; neu	
	(iii) datblygiad a gyflawnir ar safle sydd ag arwynebedd o 1 hectar neu ragor.	

(3) O dan y pennawd “Dehongli'r Tabl”, yn lle paragraff (j) rhodder—

“ym mharagraff (u)—

- (i) ystyr “Afonydd a'r Môr – Parth Llifogydd 3” (“*Rivers and Sea – Flood Zone 3*”) yw ardal lle y mae mwy nag 1 siawns mewn 100 o lifogydd o afonydd a mwy nag 1 siawns mewn 200 o lifogydd o'r môr mewn blwyddyn benodol, gan gynnwys newid yn yr hinsawdd;
- (ii) ystyr “Afonydd a'r Môr – Parth Llifogydd 2” (“*Rivers and Sea – Flood Zone 2*”) yw ardal lle y mae llai nag 1 siawns mewn 100 o lifogydd o afonydd a llai nag 1 siawns mewn 200 o lifogydd o'r môr ond mwy nag 1 siawns mewn 1000 o lifogydd o'r afonydd a'r môr mewn blwyddyn benodol, gan gynnwys newid yn yr hinsawdd; a

(b) after row (v) insert—

“(w)	Development—	The Fire and Rescue Authority concerned ”
	(i) involving waste development;	
	(ii) involving the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or	
	(iii) carried out on a site having an area of 1 hectare or more.	

(3) Under the heading “Interpretation of Table” for paragraph (j) substitute—

“in paragraph (u)—

- (i) “Rivers and Sea —Flood Zone 3” (“*Afonydd a'r Môr – Parth Llifogydd 3*”) means an area with a greater than 1 in 100 chance of flooding from rivers and a greater than 1 in 200 chance of flooding from the sea in a given year, including climate change;
- (ii) “Rivers and Sea —Flood Zone 2” (“*Afonydd a'r Môr – Parth Llifogydd 2*”) means an area with less than 1 in 100 chance of flooding from rivers and less than 1 in 200 chance of flooding from the sea but greater than 1 in 1000 chance of flooding from the rivers and sea in a given year, including climate change; and

(iii) ystyr “Parthau Amddiffynnol TAN 15” (“*TAN 15 Defended Zones*”) yw ardaloedd lle y mae seilwaith rheoli perygl llifogydd yn darparu safon ofynnol o ddiogelwch rhag llifogydd o 1 mewn 100 o afonydd ac 1 mewn 200 o’r môr (ynghyd â newid yn yr hinsawdd a bwrdd rhydd) fel y nodir yn y Map Llifogydd ar gyfer Cynllunio a gyhoeddir gan Gyfoeth Naturiol Cymru.”

(iii) “TAN 15 Defended Zones” (“*Parthau Amddiffynedig TAN 15*”) means areas where flood risk management infrastructure provides a minimum standard of protection against flooding of 1 in 100 from rivers and 1 in 200 from the sea (plus climate change and freeboard) as set out in the Flood Map for Planning published by Natural Resources Wales.”

*Julie James*

Y Gweinidog Newid Hinsawdd, un o Weinidogion  
Cymru  
25 Hydref 2021

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Minister for Climate Change, one of the Welsh  
Ministers  
25 October 2021

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