OFFERYNNAU STATUDOL CYMRU

2025 Rhif 690 (Cy. 114)

CYNLLUNIO SEILWAITH, CYMRU

Rheoliadau Cydsyniad Seilwaith (Y Weithdrefn Cyn Gwneud Cais a'r Weithdrefn Gwneud Cais a Darpariaethau Trosiannol) (Cymru) 2025

Gwnaed	*16 Mehefin 2025*
Gosodwyd gerbron Senedd Cymru	*17 Mehefin 2025*
Yn dod i rym	*15 Rhagfyr 2025*

WELSH STATUTORY INSTRUMENTS

2025 No. 690 (W. 114)

INFRASTRUCTURE PLANNING, WALES

The Infrastructure Consent (Pre-Application and Application Procedure and Transitional Provisions) (Wales) Regulations 2025

Made	*16 June 2025*
Laid before Senedd Cymru	*17 June 2025*
Coming into force	*15 December 2025*

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NODYN ESBONIADOL

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

Mae Deddf Seilwaith (Cymru) 2024 ("Deddf 2024") yn sefydlu proses ymgeisio a chydsynio unedig i alluogi gwneud ac ystyried ceisiadau am gydsyniad seilwaith. Mae'r broses yn gymwys i'r prosiectau seilwaith arwyddocaol a bennir yn Rhan 1 o Ddeddf 2024. Yn fras, prosiectau ynni, trafnidiaeth, gwastraff a dŵr yw'r rhain.

Mae Rhan 2 o Ddeddf 2024 yn cynnwys y gofyniad am gydsyniad seilwaith. Mae Rhan 3 o Ddeddf 2024 yn gwneud darpariaeth ynghylch gwneud cais am gydsyniad seilwaith.

Mae Rhan 4 o Ddeddf 2024 yn cynnwys darpariaeth ynghylch penodi awdurdod i archwilio ceisiadau am gydsyniad seilwaith ("yr awdurdod archwilio") ac ynghylch agweddau penodol ar y broses archwilio. Mae Rhan 5 o Ddeddf 2024 yn cynnwys darpariaethau ynghylch penderfynu ar geisiadau am gydsyniad seilwaith.

Mae'r Rheoliadau hyn yn gwneud darpariaeth ar gyfer y broses ar gyfer hysbysiad cyn gwneud cais, y modd y mae Gweinidogion Cymru i ymdrin â cheisiadau am gydsyniad seilwaith mewn cysylltiad â datblygiad o'r fath a'r broses i'w dilyn ar ôl archwilio cais am gydsyniad seilwaith.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Infrastructure (Wales) Act 2024 ("the 2024 Act") establishes a unified application and consenting process to enable making and consideration of applications for infrastructure consent. The process applies to the significant infrastructure projects that are specified in Part 1 of the 2024 Act. Broadly, they are energy, transport, waste and water projects.

Part 2 of the 2024 Act contains the requirement for infrastructure consent. Part 3 of the 2024 Act makes provision about applying for infrastructure consent.

Part 4 of the 2024 Act contains provision about appointing an authority to examine applications for infrastructure consent ("the examining authority") and about particular aspects of the examination process. Part 5 of the 2024 Act contains provisions about deciding applications for infrastructure consent.

These Regulations make provision for the process for pre-application notification, the manner in which applications for infrastructure consent in respect of such development are to be dealt with by the Welsh Ministers and the process to be followed following examination of an application for infrastructure consent.

Mae **Rhan 1** o'r Rheoliadau hyn yn ymdrin â materion rhagarweiniol.

Part 1 of these Regulations deals with preliminary issues.

Mae **Rhan 2** o'r Rheoliadau hyn yn ymdrin â hysbysu cyn gwneud cais. Mae'n cynnwys darpariaeth ynghylch hysbysiad o gais arfaethedig a derbyn hysbysiad o gais arfaethedig.

Part 2 of these Regulations deals with pre-application notification. It includes provision about notice of proposed application and acceptance of notice of proposed application.

Mae **Rhan 3** o'r Rheoliadau hyn yn ymdrin â materion cyn gwneud cais a chyhoeddusrwydd. Mae'n cynnwys darpariaeth ynghylch gofynion cyn gwneud cais, gwefan, hysbysiadau safle a hysbysiad ysgrifenedig ar gyfer ymgynghoriad a chyhoeddusrwydd yn ogystal â rhoi manylion ynghylch gofynion ychwanegol yn ôl a yw'r cais ar gyfer datblygiad yng Nghymru neu yn ardal forol Cymru. Mae hefyd yn cynnwys darpariaeth ar gyfer yr wybodaeth sydd i'w chynnwys mewn hysbysiadau ac ymatebion i ymgynghoriad cyn gwneud cais.

Part 3 of these Regulations deals with pre-application and publicity. It includes provision about pre-application requirements, website, site notices and written notice for consultation and publicity as well as details of additional requirements according to whether the application is for development is in Wales or the Welsh marine area. It also includes provision for the information to be contained in notices and responses to pre-application consultation.

Mae **Rhan 4** o'r Rheoliadau hyn yn ymdrin â cheisiadau am gydsyniad seilwaith. Mae'n cynnwys darpariaeth ynghylch y cyfnod y mae rhaid gwneud ceisiadau o'i fewn, gofynion cyffredinol a hysbysiad bod y cais wedi dod i law. Gwneir darpariaeth ynghylch ceisiadau i adeiladu gorsaf gynhyrchu, datblygiad sy'n gysylltiedig â phriffyrdd, rheilffyrdd a chyfnewidfeydd nwyddau rheilffordd, cyfleusterau harbwr a cheisiadau mewn cysylltiad â thir y Goron. Gwneir darpariaeth hefyd am ddilysrwydd ceisiadau, estyn yr amserlen ar gyfer dilysu cais, cynnwys hysbysiad o gais dilys, rhoi cyhoeddusrwydd i geisiadau dilys ac ymgynghori ag ymgyngoreion statudol.

Part 4 of these Regulations deals with applications for infrastructure consent. It includes provision about the period within which applications must be made, general requirements and notification of receipt of application. Provision is made regarding applications for the construction of a generating station, development relating to highways, railways and rail freight interchanges, harbour facilities and applications in respect of Crown land. Provision is also made on the validity of applications, extending the timescale of validating an application, content of a notice of valid application, publicity of valid applications and consulting statutory consultees.

Mae **Rhan 5** o'r Rheoliadau hyn yn gwneud darpariaeth mewn perthynas ag adroddiadau ar yr effaith leol, adroddiadau gwirfoddol gan awdurdod cynllunio neu gyngor cymuned ar yr effaith leol ac adroddiadau effaith ar y môr.

Part 5 of these Regulations makes provision in relation to local impact reports, voluntary impact reports by a planning authority or community council and marine impact reports.

Mae **Rhan 6** o'r Rheoliadau hyn yn ymdrin â'r weithdrefn ar gyfer amrywio ceisiadau.

Part 6 of these Regulations deals with the procedure for variation of applications.

Mae **Rhan 7** o'r Rheoliadau hyn yn gwneud darpariaethau trosiannol.

Mae'r darpariaethau trosiannol yn rheoliad 32 yn darparu y bydd cais am gydsyniad seilwaith a wneir yn y cyfnod o 12 mis sy'n dechrau â'r diwrnod ar ôl i'r Rheoliadau hyn ddod i rym yn bodloni gofynion adran 30 o Ddeddf 2024 ar yr amod bod y ceisydd wedi ymgynghori a'r rheini a bennir yn rheoliad 32(1) ac wedi rhoi cyhoeddusrwydd i'r cais.

Part 7 of these Regulations makes transitional provisions. The transitional provisions in regulation 32 provide that an application for infrastructure consent made in the 12 month period beginning the day after these Regulations come into force will meet the requirements of section 30 of the 2024 Act provided the applicant has consulted those specified in regulation 32(1) and publicised the application.

Mae'r Atodlen i'r Rheoliadau yn nodi'r ymgyngoreion statudol ac arbenigol y mae rhaid ymgynghori â hwy cyn y caniateir rhoi cydsyniad seilwaith yn unol â'r math o ddatblygiad y gwneir cais amdano.

The Schedule to the Regulations sets out the statutory and specialist consultees who must be consulted before the grant of infrastructure consent may be made according to the type of development being applied for.

Mae Rheoliadau Cydsyniad Seilwaith (Archwilio a Phenderfynu) (Gweithdrefn) (Cymru) 2025 (O.S. 2025/692) yn ymdrin â'r weithdrefn archwilio sy'n dilyn cais ac yn gwneud darpariaeth bellach mewn perthynas ag awdurdod archwilio, paratoi ar gyfer ceisiadau a'u harchwilio a'r prosesau ar ôl archwiliad.

Mae Rheoliadau Cydsyniad Seilwaith (Caffael Gorfodol) (Cymru) 2025 (O.S. 2025/691) yn gwneud darpariaeth atodol pan fo cais am gydsyniad seilwaith yn cynnwys archiad i awdurdodi caffael yn orfodol dir neu fuddiant mewn tir neu hawl dros dir.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

The Infrastructure Consent (Examination and Decision) (Procedure) (Wales) Regulations 2025 (S.I. 2025/692) deal with the examination procedure which follows an application and make further provision in relation to an examining authority, preparation for and the examination of applications and post-examination processes.

The Infrastructure Consent (Compulsory Acquisition) (Wales) Regulations 2025 (S.I. 2025/691) make supplementary provision where an application for infrastructure consent includes a request to authorise compulsory acquisition of land or of an interest in or right over land.

The Welsh Ministers' Code of Practice in the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

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YR ATODLEN — Ymgyngoriadau cyn rhoi Cydsyniad Seilwaith

SCHEDULE — Consultations before the grant of Infrastructure Consent

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 29(1)(h), (2), (3) a (5), 30(2) a (3), 32(4) a (5), 34(2)(c), (3) a (5), 35(1)(a), 36(4)(b), 37(4)(b), 60(2)(d), (4)(d) a (6), 62(3)(d), 129(3)(a) a (4), 132(2), 140(1) a (2)(**1**), 141(2) a 144 o Ddeddf Seilwaith (Cymru) 2024(**2**), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred on them by sections 29(1)(h), (2), (3) and (5), 30(2) and (3), 32(4) and (5), 34(2)(c), (3) and (5), 35(1)(a), 36(4)(b), 37(4)(b), 60(2)(d), (4)(d) and (6), 62(3)(d), 129(3)(a) and (4), 132(2), 140(1) and (2)(**1**), 141(2) and 144 of the Infrastructure (Wales) Act 2024(**2**), make the following Regulations.

RHAN 1
Rhagarweiniol

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Cydsyniad Seilwaith (Y Weithdrefn Cyn Gwneud Cais a'r Weithdrefn Gwneud Cais a Darpariaethau Trosiannol) (Cymru) 2025, a deuant i rym ar 15 Rhagfyr 2025.

PART 1
Preliminary

Title and coming into force

1. The title of these Regulations is the Infrastructure Consent (Pre-Application and Application Procedure and Transitional Provisions) (Wales) Regulations 2025 and they come into force on 15 December 2025.

(**1**) Am ystyr "Gweinidog priodol" *gweler* adran 140(4) o Ddeddf Seilwaith (Cymru) 2024 (dsc 3); *gweler* adran 140(3) fel arall.

(**2**) 2024 dsc 3.

(**1**) For the meaning of "appropriate Minister" *see* section 140(4) of the Infrastructure (Wales) Act 2024 (asc. 3); *see* section 140(3) otherwise.

(**2**) 2024 asc 3.

Dehongli a rhoi hysbysiadau etc

2.—(1) Yn y Rheoliadau hyn—

ystyr "ardal forol Cymru" ("*Welsh marine area*") yw'r môr sy'n gyfagos i Gymru hyd at derfyn atfor y môr tiriogaethol, ac mae'r cwestiwn ynghylch pa rannau o'r môr sy'n gyfagos i Gymru i'w benderfynu yn unol ag erthygl 6 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999;(**1**)

ystyr "awdurdod archwilio" ("*examining authority*") yw person neu banel o bersonau a benodir o dan adran 40 o Ddeddf 2024 mewn cysylltiad â chais penodol;

ystyr "awdurdod cynllunio" ("*planning authority*") yw'r awdurdod cynllunio lleol o fewn yr ystyr a roddir i "local planning authority" gan Ran 1 o DCGTh 1990 ar gyfer ardal yng Nghymru;

mae i "awdurdod priodol y Goron" ("*appropriate Crown authority*") yr ystyr a roddir yn adran 134(5) o Ddeddf 2024;

ystyr "cais" ("*application*") yw cais am gydsyniad seilwaith a wneir o dan adran 32 o Ddeddf 2024;

ystyr "ceisydd" ("*applicant*") yw person sy'n cynnig gwneud cais, neu sydd wedi gwneud cais am gydsyniad seilwaith;

ystyr "cydsyniad" ("*consent*") at ddiben cydsyniad tybiedig a chydsyniad a ddiddymwyd yw—

(a) cydsyniad neu awdurdodiad y mae'n ofynnol, o dan ddeddfiad, ei gael ar gyfer datblygiad,

(b) cydsyniad neu awdurdodiad—

(i) a gaiff awdurdodi datblygiad, a

(ii) a roddir o dan ddeddfiad, neu

(c) hysbysiad y mae'n ofynnol gan ddeddfiad ei roi mewn perthynas â datblygiad;

ystyr "cydsyniad a ddiddymwyd" ("*extinguished consent*") yw cydsyniad pan y'i cynigir y bydd y gorchymyn cydsyniad seilwaith yn dileu'r gofyniad i'r cydsyniad gael ei roi yn unol ag adran 84(1)(a) o Ddeddf 2024;

ystyr "cydsyniad seilwaith" ("*infrastructure consent*") yw'r cydsyniad sy'n ofynnol gan adran 19 o Ddeddf 2024;

ystyr "cydsyniad tybiedig" ("*deemed consent*") yw cydsyniad y cynigir y bydd y gorchymyn cydsyniad seilwaith yn tybio ei fod wedi ei roi yn unol ag adran 84(1)(b) o Ddeddf 2024;

(**1**) O.S. 1999/672.

Interpretation and giving notices etc

2.—(1) In these Regulations—

"the 2024 Act" ("*Deddf 2024*") means the Infrastructure (Wales) Act 2024;

"applicant" ("*ceisydd*") means a person who proposes to make, or has made an application for infrastructure consent;

"application" ("*cais*") means an application for infrastructure consent made under section 32 of the 2024 Act;

"appropriate Crown authority" ("*awdurdod priodol y Goron*") has the meaning given in section 134(5) of the 2024 Act;

"consent" ("*cydsyniad*") for the purpose of deemed consent and extinguished consent means—

(a) a consent or authorisation that is required, under an enactment, to be obtained for development,

(b) a consent or authorisation that—

(i) may authorise development, and

(ii) is given under an enactment, or

(c) a notice that is required by an enactment to be given in relation to development;

"co-ordinates" ("*cyfesurynnau*") means—

(a) co-ordinates of latitude and longitude on the world Geodetic System 1984(**1**), or

(b) co-ordinates on the National Grid used by the Ordnance Survey;

"Crown land" ("*tir y Goron*") has the meaning given in section 134(2) of the 2024 Act;

"deemed consent" ("*cydsyniad tybiedig*") means a consent that it is proposed the infrastructure consent order will deem to have been granted in accordance with section 84(1)(b) of the 2024 Act;

"development" ("*datblygiad*") has the meaning given in section 133 of the 2024 Act;

(**1**) The World Geodetic System 1984 ("WGS 84") defines a reference frame for the earth, for use in geodesy and navigation. It was developed by the United States' National Geospatial-Intelligence Agency and is maintained by it. WGS 84 is defined at paragraph 2.1 of the United States' National Imagery and Mapping Agency Technical Report TR8350.2, third edition, amendment 1 of 3 January 2000 entitled "Department of Defense World Geodetic System 1984" https://gis-lab.info/docs/nima-tr8350.2-wgs84fin.pdf.

ystyr "cyfarwyddyd sgrinio" ("*screening direction*") yw cyfarwyddyd a wneir gan Weinidogion Cymru ynghylch pa un a yw datblygiad yn ddatblygiad AEA;

ystyr "cyfesurynnau" ("*co-ordinates*") yw—

(a) cyfesurynnau lledred a hydred ar System Geodetig y Byd 1984(**1**), neu

(b) cyfesurynnau ar y Grid Cenedlaethol a ddefnyddir gan yr Arolwg Ordnans;

ystyr "Cymru" ("*Wales*") yw ardal gyfunol y siroedd a'r bwrdeistrefi sirol yng Nghymru (gweler Rhannau 1 a 2 o Atodlen 4 i Ddeddf Llywodraeth Leol 1972);(**2**)

mae i "datblygiad" ("*development*") yr ystyr a roddir yn adran 133 o Ddeddf 2024;

ystyr "datblygiad AEA" ("*EIA development*") yw gweithgarwch—

(a) sy'n "datblygiad AEA" fel y'i diffinnir yn rheoliad 2 o Reoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru) 2017(**3**), neu

(b) sy'n gofyn am asesiad o'r effaith amgylcheddol yn unol â rheoliad 2A neu Ran 2 o Reoliadau Gwaith Morol (Asesu Effeithiau Amgylcheddol) 2007(**4**);

mae i "datganiad amgylcheddol" ("*environmental statement*") yr ystyr a roddir yn rheoliad 2(1) o'r Rheoliadau AEA Cynllunio yn achos datblygiad yng Nghymru a rheoliad 2(1) o'r Rheoliadau Morol yn achos datblygiad yn ardal forol Cymru;

ystyr "DCGTh 1990" ("*TCPA 1990*") yw Deddf Cynllunio Gwlad a Thref 1990(**5**);

ystyr "Deddf 2024" ("*the 2024 Act*") yw Deddf Seilwaith (Cymru) 2024;

"EIA development" ("*datblygiad AEA*") means activity that—

(a) is "EIA development" as defined in regulation 2 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017(**1**), or

(b) requires an environmental impact assessment in accordance with regulation 2A or Part 2 of the Marine Works (Environmental Impact Assessment) Regulations 2007(**2**);

"the EIA Regulations" ("*y Rheoliadau AEA*") means the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017(**3**) and the Marine Works (Environmental Impact Assessment) Regulations 2007(**4**);

"environmental statement" ("*datganiad amgylcheddol*") has the meaning given in regulation 2(1) of the Planning EIA Regulations in the case of development in Wales and regulation 2(1) of the Marine Regulations in the case of development in the Welsh marine area;

"examining authority" ("*awdurdod archwilio*") means a person or panel of persons appointed under section 40 of the 2024 Act in respect of a particular application;

"extinguished consent" ("*cydsyniad a ddiddymwyd*") means a consent where it is proposed the infrastructure consent order will remove the requirement for the consent to be granted in accordance with section 84(1)(a) of the 2024 Act;

"infrastructure consent" ("*cydsyniad seilwaith*") means the consent required by section 19 of the 2024 Act;

"infrastructure consent order" ("*gorchymyn cydsyniad seilwaith*") means an order made under the 2024 Act granting infrastructure consent;

"land" ("*tir*") includes buildings, monuments and land covered with waters (including the sea bed); and in relation to Part 6 of the 2024 Act (infrastructure consent orders) must be read in accordance with section 102 of that Act;

(**1**) Mae System Geodetig y Byd 1984 yn diffinio ffrâm gyfeirio ar gyfer y ddaear, i'w defnyddio ar gyfer geodeseg a llywio. Fe'i datblygwyd gan National Geospacial-Intelligence Agency yr Unol Daleithiau, sy'n gyfrifol am ei chynnal a'i chadw. Mae System Geodetig y Byd 1984 wedi ei diffinio ym mharagraff 2.1 o National Imagery and Mapping Agency Technical Report TR8350.2 yr Unol Daleithiau, trydydd argraffiad, diwygiad 1 dyddiedig 3 Ionawr 2000 o'r enw "Department of Defense World Geodetic System 1984" https://gis-lab.info/docs/nima-tr8350.2-wgs84fin.pdf.

(**2**) 1972 p. 70. Diwygiwyd Rhan 1 gan adran 1(2) o Ddeddf Llywodraeth Leol (Cymru) 1994 (p. 19) a pharagraff 1 o Atodlen 1 iddi, a diwygiwyd Rhan 2 gan adran 1(2) o'r Ddeddf honno a pharagraff 2 o Atodlen 1 iddi

(**3**) O.S. 2017/567 (Cy. 136) y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**4**) O.S. 2007/1518; yr offerynnau diwygio perthnasol yw O.S. 2011/735, O.S. 2015/446, O.S. 2017/588, O.S. 2019/25.

(**5**) 1990 p. 8.

(**1**) S.I. 2017/567 (W.136) to which there are amendments not relevant to these Regulations.

(**2**) S.I. 2007/1518; relevant amending instruments are S.I. 2011/735, S.I. 2015/446, SI 2017/588, S.I. 2019/25.

(**3**) S.I. 2017/567 (W. 136).

(**4**) S.I. 2007/1518 (as amended).

ystyr "gorchymyn cydsyniad seilwaith" ("*infrastructure consent order*") yw gorchymyn sydd wedi ei wneud o dan Ddeddf 2024 sy'n rhoi cydsyniad seilwaith;

mae "gwasanaethau cyn gwneud cais" ("*pre-application services*") i'w ddehongli yn unol ag adran 27(2) o Ddeddf 2024;

mae i "gweithgaredd a reoleiddir" yr ystyr a roddir i "regulated activity" yn rheoliad 2(1) o'r Rheoliadau AEA Morol;

ystyr "hawliad perthnasol" ("*relevant claim*") yw—

(a) hawliad o dan adran 10 o Ddeddf Prynu Gorfodol 1965(**1**) (digolledíad pan na wneir iawn am brynu tir yn orfodol neu pan na wneir iawn am effaith niweidiol sy'n deillio o brynu gorfodol);

(b) hawliad o dan Ran 1 o Ddeddf Digolledíad Tir 1973(**2**) (digolledíad am ddibrisiant yng ngwerth tir gan ffactorau ffisegol a achosir gan ddefnydd o waith cyhoeddus);

(c) hawliad o dan adran 101(3) o Ddeddf 2024;

ystyr "hysbysiad o gais arfaethedig" ("*notice of proposed application*") yw hysbysiad a roddir gan geisydd yn unol ag adran 29(1) o Ddeddf 2024;

ystyr "hysbysiad o gais dilys" ("*notice of a valid application*") yw hysbysiad o dan adran 34(2) o Ddeddf 2024;

ystyr "hysbysiad derbyn" ("*notice of acceptance*") yw hysbysiad a roddir o dan adran 29(4) o Ddeddf 2024 fod yr hysbysiad wedi ei dderbyn;

mae i "prosiect seilwaith arwyddocaol" ("*significant infrastructure project*") yr ystyr a roddir gan Ran 1 o Ddeddf 2024;

ystyr "y Rheoliadau AEA" ("*the EIA Regulations*") yw Rheoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru) 2017(**3**) a Rheoliadau Gwaith Morol (Asesu Effeithiau Amgylcheddol) 2007(**4**);

ystyr "y Rheoliadau AEA Cynllunio" ("*the Planning EIA Regulations*") yw Rheoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru) 2017(**5**);

"the Marine EIA Regulations" ("*y Rheoliadau AEA Morol*") means the Marine Works (Environmental Impact Assessment) Regulations 2007(**1**);

"notice of acceptance" ("*hysbysiad derbyn*") means a notice given under section 29(4) of the 2024 Act that the notification has been accepted;

"notice of proposed application" ("*hysbysiad o gais arfaethedig*") means a notice given by an applicant in accordance with section 29(1) of the 2024 Act;

"notice of a valid application" ("*hysbysiad o gais dilys*") means a notice under section 34(2) of the 2024 Act;

"planning authority" ("*awdurdod cynllunio*") means the local planning authority within the meaning given by Part 1 of the TCPA 1990 for an area in Wales;

"the Planning EIA Regulations" ("*y Rheoliadau AEA Cynllunio*") means the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017(**2**);

"pre-application services" ("*gwasanaethau cyn gwneud cais*") is to be interpreted in accordance with section 27(2) of the 2024 Act;

"regulated activity" ("*gweithgaredd a reoleiddir*") has the meaning given in regulation 2(1) of the Marine EIA Regulations;

"relevant claim" ("*hawliad perthnasol*") means—

(a) a claim under section 10 of the Compulsory Purchase Act 1965(**3**) (compensation where satisfaction not made for compulsory purchase of land or not made for injurious affection resulting from compulsory purchase);

(b) a claim under Part 1 of the Land Compensation Act 1973(**4**) (compensation for depreciation of land value by physical factors caused by use of public works);

(c) a claim under section 101(3) of the 2024 Act;

"significant infrastructure project" ("*prosiect seilwaith arwyddocaol*") has the meaning given by Part 1 of the 2024 Act;

"specialist consultee" (" *ymgynghorai arbenigol")* has the meaning in regulation 3(2)(b);

(**1**) 1965 p. 56.
(**2**) 1973 p. 26.
(**3**) O.S. 2017/567 (Cy. 136).
(**4**) O.S. 2007/1518 (fel y'i diwygiwyd).
(**5**) O.S. 2017/567 (Cy. 136), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**1**) S.I. 2007/1518, to which there are amendments not relevant to these Regulations.
(**2**) S.I. 2017/567 (W. 136), to which there are amendments not relevant to these Regulations.
(**3**) 1965 c. 56.
(**4**) 1973 c. 26.

ystyr "y Rheoliadau AEA Morol" ("*the Marine EIA Regulations*") yw Rheoliadau Gwaith Morol (Asesu Effeithiau Amgylcheddol) 2007;(**1**)

mae "tir" ("*land*") yn cynnwys adeiladau, henebion a thir sydd wedi ei orchuddio â dyfroedd (gan gynnwys gwely'r môr); ac mewn perthynas â Rhan 6 o Ddeddf 2024 (gorchmynion cydsyniad seilwaith) rhaid ei ddarllen yn unol ag adran 102 o'r Ddeddf honno;

mae i "tir y Goron" ("*Crown land*") yr ystyr a roddir yn adran 134(2) o Ddeddf 2024;

mae i "ymgynghorai arbenigol" ("*specialist consultee*") yr ystyr a roddir yn rheoliad 3(2)(b);

mae i "ymgynghorai statudol" ("*statutory consultee*") yr ystyr a roddir yn rheoliad 3(2)(a);

(2) Gweler adran 136 o Ddeddf 2024 mewn perthynas â darpariaeth yn y Rheoliadau hyn sy'n ei gwneud yn ofynnol i berson neu sy'n awdurdodi person i—

(a) hysbysu person arall am rywbeth, neu

(b) rhoi dogfen i berson arall (pa un a yw'r ddarpariaeth yn defnyddio'r gair "cyflwyno", "rhoi" neu derm arall).

RHAN 2

Hysbysu cyn gwneud cais

Hysbysiad o gais arfaethedig

3.—(1) Rhaid i'r hysbysiad o gais arfaethedig gynnwys—

(a) y ffurflen a gyhoeddir ar wefan a gynhelir gan Weinidogion Cymru neu ar eu rhan neu ffurflen sydd ag effaith sylweddol debyg,

(b) y manylion a bennir yn y ffurflen neu y cyfeirir atynt yn y ffurflen,

(c) ar gyfer datblygiad yng Nghymru, plan wedi ei luniadu ar raddfa a nodir sy'n dangos cyfeiriad y gogledd neu, ar gyfer datblygiad yn ardal forol Cymru, gyfesurynnau sy'n nodi'r lleoliad y mae'r cais yn ymwneud ag ef,

(**1**) O.S. 2007/1518, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

"statutory consultee" ("*ymgynghorai statudol*") has the meaning in regulation 3(2)(a);

"screening direction" ("*cyfarwyddyd* cwmpasu") means a direction made by the Welsh Ministers as to whether development is EIA development;

"TCPA 1990" ("*DCGTh 1990*) means the Town and Country Planning Act 1990(**1**);

"Wales" ("*Cymru*") means the combined area of the counties and county boroughs in Wales (see Parts 1 and 2 of Schedule 4 to the Local Government Act 1972(**2**);

"Welsh marine area" ("*ardal forol Cymru*") means the sea adjacent to Wales out as far as the seaward boundary of the territorial sea, and the question on which parts of the sea are adjacent to Wales is to be determined in accordance with article 6 of the National Assembly for Wales (Transfer of Functions) Order 1999(**3**).

(2) See section 136 of the 2024 Act in relation to provision in these Regulations which requires or authorises a person to—

(a) notify another person of something, or

(b) give a document to another person (whether the provision uses the word "serve", "give" or other term).

PART 2

Pre-application notification

Notice of proposed application

3.—(1) The notice of proposed application must consist of—

(a) the form published on a website maintained by the Welsh Ministers or on their behalf or a form substantially to the same effect,

(b) the particulars specified or referred to in the form,

(c) for development in Wales, a plan drawn to an identified scale and showing the direction of north, or for development in the Welsh marine area, co-ordinates which identify the location to which the application relates,

(**1**) 1990 c. 8.

(**2**) 1972 c. 70. Part 1 was amended by the Local Government (Wales) Act 1994 (c. 19), section 1(2) and Schedule 1, paragraph 1 and Part 2 was amended by section 1(2) and Schedule 1, paragraph 2 of that Act.

(**3**) S.I. 1999/672.

(d) naill ai—

(i) datganiad yn cadarnhau y darperir datganiad amgylcheddol, neu

(ii) cyfarwyddyd sgrinio, ac

(e) manylion personau eraill y mae'r ffurflen cyn gwneud cais a gwybodaeth ategol arall wedi eu hanfon atynt.

(2) Yn ogystal â'r personau a bennir yn adran 29(1) o Ddeddf 2024, rhaid anfon yr hysbysiad o gais arfaethedig at—

(a) y person yn nhrydedd golofn y tabl yn yr Atodlen, pan fo'r cais yn ymwneud â'r categori o ddatblygiad a restrir yn ail golofn y tabl hwnnw ("ymgynghorai statudol"), a

(b) y person ym mhedwaredd golofn y tabl yn yr Atodlen, pan fo'r cais yn ymwneud â'r categori o ddatblygiad a restrir yn ail golofn y tabl hwnnw ("ymgynghorai arbenigol").

(3) Rhaid i'r hysbysiad o gais arfaethedig gynnwys unrhyw ffi y mae'n ofynnol ei thalu mewn perthynas â rhoi hysbysiad o'r fath.

(4) Rhaid i'r ffurflen a gyhoeddir gan Weinidogion Cymru yn unol â pharagraff (1)(a) gynnwys yr wybodaeth a ganlyn—

(a) enw a chyfeiriad y ceisydd,

(b) lleoliad y datblygiad arfaethedig drwy gyfeirio at gyfeiriad safle neu gyfesurynnau, ac

(c) disgrifiad annhechnegol o'r datblygiad arfaethedig.

Derbyn hysbysiad o gais arfaethedig

4. Pan dderbynnir hysbysiad o gais arfaethedig, rhaid i Weinidogion Cymru roi hysbysiad derbyn o fewn 14 o ddiwrnodau, gan ddechrau drannoeth y diwrnod y daw'r cais arfaethedig i law Gweinidogion Cymru i—

(a) yr ymgyngoreion statudol a'r ymgyngoreion arbenigol perthnasol;

(b) unrhyw berson neu bersonau a hysbysir o dan adran 29(1)(a) i (g) o Ddeddf 2024;

(c) unrhyw berson neu bersonau a nodir gan y ceisydd yn unol â rheoliad 3(1)(e).

(d) either—

(i) a statement confirming that an environmental statement will be provided, or

(ii) a screening direction, and

(e) details of other persons to whom the pre-application form and other supporting information have been sent to.

(2) In addition to the persons specified in section 29(1) of the 2024 Act, the notice of proposed application must be sent to—

(a) the person in the third column of the table in the Schedule, where the application relates to the category of development listed in the second column of that table ("statutory consultee"), and

(b) the person in the fourth column of the table in the Schedule, where the application relates to the category of development listed in the second column of that table ("specialist consultee").

(3) The notice of proposed application must be accompanied by any fee required to be paid in relation to the giving of such notification.

(4) The form published by the Welsh Ministers in accordance with paragraph (1)(a) must include the following information—

(a) the name and address of the applicant,

(b) the location of the proposed development by reference to a site address or co-ordinates, and

(c) a non-technical description of the proposed development.

Acceptance of notice of proposed application

4. Where a notice of proposed application is accepted, a notice of acceptance must be given by the Welsh Ministers within 14 days, beginning with the day after the receipt of the proposed application by the Welsh Ministers to—

(a) the relevant statutory consultees and specialist consultees;

(b) any person or persons notified under section 29(1)(a) to (g) of the 2024 Act;

(c) any person or persons identified by the applicant in accordance with regulation 3(1)(e).

RHAN 3

Ymgynghoriad a chyhoeddusrwydd cyn gwneud cais

Gofynion cyn gwneud cais

5. Rhaid i geisydd gydymffurfio â gofynion y Rhan hon cyn cyflwyno cais.

Ymgynghoriad a chyhoeddusrwydd: gwefan

6.—(1) Rhaid i'r ceisydd gyhoeddi a chynnal gwybodaeth am y datblygiad arfaethedig ar wefan o fewn 3 mis sy'n dechrau â'r diwrnod ar ôl cael yr hysbysiad derbyn gan Weinidogion Cymru.

(2) Rhaid cyhoeddi'r wybodaeth a ganlyn ar y wefan hyd nes y gwneir cais—

(a) y ffurflen gais ddrafft,

(b) copi o'r hysbysiad o gais arfaethedig,

(c) manylion drafft budd cymunedol y cynllun,

(d) disgrifiad annhechnegol o'r datblygiad arfaethedig,

(e) ar gyfer datblygiad yng Nghymru, plan wedi ei luniadu ar raddfa a nodir sy'n dangos cyfeiriad y gogledd neu, ar gyfer datblygiad yn ardal forol Cymru, gyfesurynnau sy'n nodi'r lleoliad y mae'r cais arfaethedig yn ymwneud ag ef,

(f) disgrifiadau annhechnegol o unrhyw ddogfennau, planiau, lluniadau a gwybodaeth sy'n ymwneud â datblygiad arfaethedig,

(g) drafftiau o unrhyw ddogfennau, planiau, lluniadau a gwybodaeth arall sy'n angenrheidiol i ddisgrifio'r datblygiad arfaethedig,

(h) manylion digwyddiadau ymgynghori a gynhaliwyd neu y bwriedir eu cynnal,

(i) manylion diweddariadau, amserlenni a newidiadau a wnaed i'r datblygiad arfaethedig,

(j) copi o hysbysiad derbyn y cais arfaethedig,

(k) pan fo'n gymwys, drafft o'r datganiad amgylcheddol ar gyfer y datblygiad arfaethedig,

(l) mewn achos pan gynigir y dylai gorchymyn cydsyniad seilwaith gynnwys naill ai cydsyniad tybiedig neu gydsyniad a ddiddymwyd, datganiad drafft am gydsyniadau o'r fath, ac

(m) manylion cyswllt y ceisydd, gan gynnwys cyfeiriad post ac e-bost a rhif ffôn.

PART 3

Pre-application consultation and publicity

Pre-application requirements

5. An applicant must comply with the requirements of this Part before an application is submitted.

Consultation and publicity: website

6.—(1) The applicant must publish and maintain information about the proposed development on a website within 3 months beginning with the day after receipt of the notice of acceptance by the Welsh Ministers.

(2) The following information must be published on the website until an application is made—

(a) the draft application form,

(b) a copy of the notice of proposed application,

(c) draft details of the community benefit of the scheme,

(d) a non-technical description of the proposed development,

(e) for development in Wales a plan drawn to an identified scale and showing the direction of north, or for development in the Welsh marine area, co-ordinates which identify the location to which the proposed application relates,

(f) non-technical descriptions of any documents, plans, drawings and information relating to a proposed development,

(g) drafts of any other documents, plans, drawings and information necessary to describe the proposed development,

(h) details of consultation events undertaken or proposed to be undertaken,

(i) details of up-dates, timescales and changes made to the proposed development,

(j) a copy of the notice of acceptance of the proposed application,

(k) where applicable, a draft of the environmental statement for the proposed development,

(l) in a case where it is proposed that an infrastructure consent order should include either a deemed or extinguished consent, a draft statement about such consents, and

(m) contact details for the applicant, including a postal and email address and telephone number.

(3) Rhaid lluniadu unrhyw blaniau neu luniadau sydd i'w darparu o dan y rheoliad hwn ar raddfa a nodir ac yn achos planiau rhaid dangos cyfeiriad y gogledd.

(3) Any plans or drawings to be provided under this regulation must be drawn to an identified scale and in the case of plans must show the direction of north.

Ymgynghoriad a chyhoeddusrwydd: hysbysiad safle

7.—(1) Yn achos cais arfaethedig am ddatblygiad ar dir yng Nghymru, rhaid i'r ceisydd arddangos hysbysiad ("hysbysiad safle") mewn o leiaf un man ar y tir neu gerllaw'r tir y mae'r cais arfaethedig yn ymwneud ag ef am ddim llai na 42 o ddiwrnodau.

(2) Pan fo datblygiad arfaethedig yn ymwneud â chynllun llinellol sy'n fwy na 5km o hyd, rhaid arddangos hysbysiad safle bob 5km o leiaf o ddechrau hyd at ddiwedd y llwybr arfaethedig oni bai ei bod yn anymarferol gwneud hynny.

(3) Pan fo'r hysbysiad safle, heb fod unrhyw fai ar y ceisydd, yn cael ei symud ymaith, ei guddio neu ei ddifwyno cyn i'r cyfnod o 42 o ddiwrnodau ddod i ben, caiff y ceisydd ei drin fel pe bai wedi cydymffurfio â gofynion y paragraff perthnasol os yw wedi cymryd camau rhesymol i ddiogelu'r hysbysiad safle ac, os oes angen, ei amnewid.

Consultation and publicity: site notice

7.—(1) In the case of a proposed application for development on land in Wales, the applicant must display a notice ("site notice") in at least one place on or near the land to which the proposed application relates for not less than 42 days.

(2) Where a proposed development relates to a linear scheme exceeding 5km in length, a site notice must be displayed at intervals of no more than 5km from the start to the end of the proposed route unless it is impracticable to do so.

(3) Where the site notice is, without any fault of the applicant, removed, obscured or defaced before the period of 42 days has elapsed, the applicant will be treated as having complied with the requirements of the relevant paragraph if they have taken reasonable steps to protect the site notice and if need be, replace it.

Ymgynghoriad a chyhoeddusrwydd ar gyfer datblygiad yng Nghymru: hysbysiad ysgrifenedig

8. Rhaid i'r ceisydd roi hysbysiad ysgrifenedig am y cais arfaethedig i—

(a) unrhyw un sy'n berchen ar y tir neu sy'n feddiannydd ar y tir sy'n ffinio â'r tir y mae'r datblygiad arfaethedig yn ymwneud ag ef;

(b) os yw'r datblygiad arfaethedig yng Nghymru, bob awdurdod cynllunio ar gyfer yr ardal y lleolir y datblygiad arfaethedig ynddi,

(c) yr holl ymgyngoreion statudol perthnasol a'r holl ymgyngoreion arbenigol perthnasol,

(d) os yw'r datblygiad arfaethedig wedi ei leoli mewn ardal â chyngor cymuned, y cyngor cymuned,

(e) pob Aelod o'r Senedd sy'n cynrychioli ardal y lleolir y datblygiad arfaethedig ynddi,

(f) pob Aelod o Dŷ'r Cyffredin sy'n cynrychioli ardal y lleolir y datblygiad arfaethedig ynddi,

(g) yr holl bersonau sy'n berchen ar y tir y mae datblygiad arfaethedig yn ymwneud ag ef, neu sy'n meddiannu'r tir hwnnw neu sydd â buddiant arall ynddo, neu y gellid effeithio arnynt yn y fath fodd fel y gallant wneud hawliad perthnasol, a

Consultation and publicity for development in Wales: written notice

8. The applicant must give notice in writing of the proposed application to—

(a) any owner or occupier of the land adjoining the land to which the proposed development relates,

(b) if the proposed development is in Wales, each planning authority for the area in which the proposed development is located,

(c) all relevant statutory consultees and specialist consultees,

(d) if the proposed development is located in an area for which there is a community council, the community council,

(e) each Member of the Senedd representing an area in which the proposed development is located,

(f) each Member of the House of Commons representing an area in which the proposed development is located,

(g) all persons who own, occupy or have another interest in the land to which a proposed development relates, or could be affected in such a way that they may be able to make a relevant claim, and

(h) unrhyw berson neu bersonau eraill y mae'r ceisydd yn ystyried eu bod yn briodol gan gynnwys unigolion, grwpiau neu gymdeithasau a nodwyd gan unrhyw wasanaethau cyn gwneud cais a ddarparwyd.

Ymgynghoriad a chyhoeddusrwydd ar gyfer datblygiad yng Nghymru: gofynion ychwanegol

9. Rhaid i'r ceisydd roi cyhoeddusrwydd i'r cais arfaethedig fel a ganlyn—

(a) drwy gyhoeddi'r hysbysiad mewn papur newydd sy'n cylchredeg yn yr ardal y mae'r tir y mae'r cais arfaethedig yn ymwneud ag ef wedi ei leoli ynddi am gyfnod o 7 niwrnod o leiaf, a

(b) drwy gynnal o leiaf un digwyddiad ymgysylltu â'r cyhoedd yn ardal y tir y mae'r cais yn ymwneud ag ef.

Ymgynghoriad a chyhoeddusrwydd ar gyfer datblygiad yn ardal forol Cymru: gofynion ychwanegol cyn gwneud cais am gydsyniad seilwaith

10.—(1) Yn achos cais arfaethedig ar gyfer datblygiad yn ardal forol Cymru, rhaid i'r ceisydd—

(a) rhoi hysbysiad i —

(i) unrhyw awdurdod cynllunio a ystyrir yn briodol gan y ceisydd;

(ii) yr holl ymgyngoreion statudol perthnasol a'r holl ymgyngoreion arbenigol perthnasol;

(iii) unrhyw gyngor cymuned perthnasol a ystyrir yn briodol gan y ceisydd;

(iv) unrhyw Aelod o'r Senedd a ystyrir yn briodol gan y ceisydd;

(v) unrhyw Aelod o Dŷ'r Cyffredin a ystyrir yn briodol gan y ceisydd;

(vi) Cyfoeth Naturiol Cymru;

(vii) unrhyw berson neu bersonau eraill y mae'r ceisydd yn ystyried eu bod yn briodol, gan gynnwys unigolion, grwpiau neu gymdeithasau a nodwyd gan unrhyw wasanaethau cyn gwneud cais a ddarparwyd.

(b) drwy gyhoeddi'r hysbysiad am o leiaf 7 niwrnod mewn—

(i) un neu ragor o bapurau newydd lleol sy'n debygol o ddod i sylw'r rheini y mae'r datblygiad arfaethedig yn debygol o effeithio arnynt;

(h) any other person or persons the applicant considers appropriate including individuals, groups or societies identified by any pre-application services provided.

Consultation and publicity for development in Wales: additional requirements

9. The applicant must publicise the proposed application by the following methods—

(a) by publication of the notice in a newspaper circulating in the locality in which the land to which the proposed application relates is situated for a minimum period of 7 days, and

(b) by holding at least one public engagement event in the locality of the land to which the application relates.

Consultation and publicity for development in the Welsh marine area: additional requirements before applying for infrastructure consent

10.—(1) In the case of a proposed application for development in the Welsh marine area, the applicant must—

(a) give notice to —

(i) any planning authority considered appropriate by the applicant;

(ii) all relevant statutory consultees and specialist consultees;

(iii) any relevant community council considered appropriate by the applicant;

(iv) any Member of the Senedd considered appropriate by the applicant;

(v) any Member of the House of Commons considered appropriate by the applicant;

(vi) Natural Resources Wales;

(vii) any other person or persons the applicant considers appropriate, including individuals, groups or societies identified by any pre-application services provided;

(b) by publishing the notice for at least 7 days in—

(i) one or more local newspapers which are likely to come to the attention of those likely to be affected by the proposed development;

(ii) o leiaf un cyfnodolyn pysgota priodol os oes un mewn cylchrediad;

(iii) Lloyd's List.

(2) Rhaid i'r ceisydd fod wedi cydymffurfio â pharagraff (1) cyn cyflwyno cais.

Yr wybodaeth sydd i'w chynnwys mewn hysbysiadau

11. Rhaid i hysbysiadau a ddyroddir fel rhan o gyhoeddusrwydd ac ymgynghori cyn gwneud cais o dan reoliadau 6 i 10 gynnwys yr wybodaeth a ganlyn—

(a) enw a chyfeiriad y ceisydd gan gynnwys cyfeiriad post ac e-bost a rhif ffôn,

(b) lleoliad y datblygiad arfaethedig,

(c) crynodeb o'r prif gynigion, gan gynnwys pa un a yw'r cais arfaethedig yn cynnwys archiad i awdurdodi caffael tir yn orfodol(**1**),

(d) manylion unrhyw ddigwyddiadau ymgynghori cyn gwneud cais sydd i'w cynnal,

(e) manylion y wefan o dan reoliad 6(1) a chyfeiriad lle gellir gweld dogfennau a gyhoeddir ar y wefan honno, ac

(f) y dyddiad erbyn pryd y mae unrhyw ymatebion i ddod i law, gyda'r dyddiad hwnnw heb fod yn llai na 42 o ddiwrnodau sy'n dechrau drannoeth y dyddiad y cyhoeddir yr hysbysiad.

Ymatebion i ymgynghoriad cyn gwneud cais

12.—(1) Rhaid i ymgynghorai statudol yr ymgynghorir ag ef o dan reoliad 8 neu 10 ddarparu ymateb o sylwedd o fewn 42 o ddiwrnodau gan ddechrau â'r diwrnod ar ôl i'r hysbysiad y cyfeirir ato yn rheoliad 4 gael ei roi neu unrhyw gyfnod arall y cytunir arno yn ysgrifenedig rhwng yr ymgynghorai statudol a'r ceisydd.

(2) Ymateb o sylwedd yw un sydd yn—

(a) datgan nad oes gan yr ymgynghorai statudol unrhyw sylw i'w wneud ac sy'n rhoi rhesymau dros yr ymateb hwnnw,

(b) datgan nad oes gan yr ymgynghorai statudol wrthwynebiad i'r datblygiad arfaethedig ac yn cyfeirio'r ceisydd at y cyngor sefydlog cyfredol gan yr ymgynghorai statudol ar destun yr ymgynghoriad,

(**1**) Gweler O.S. 2025/691 (Cy. 115).

(ii) at least one appropriate fishing journal if one is in circulation;

(iii) Lloyd's List.

(2) The applicant must have complied with paragraph (1) before an application is submitted.

Information to be contained in notices

11. Notices issued as part of pre-application publicity and consultation under regulations 6 to 10 must contain the following information—

(a) the name and address of the applicant including a postal and email address and telephone number,

(b) the location of the proposed development,

(c) a summary of the main proposals, including whether the proposed application includes a request to authorise the compulsory acquisition of land(**1**),

(d) details of any pre-application consultation events to be held,

(e) details of the website under regulation 6(1) and an address at which documents published on that website can be viewed, and

(f) the date by which any responses are to be received, such date being no less than 42 days beginning with the day after the date the notice is issued.

Responses to pre-application consultation

12.—(1) A statutory consultee, consulted under regulation 8 or 10 must provide a substantive response within 42 days beginning with the day after the notice referred to in regulation 4 is given or such other period as may be agreed in writing between the statutory consultee and the applicant.

(2) A substantive response is one which—

(a) states the statutory consultee has no comment to make and gives reasons for that response,

(b) states the statutory consultee has no objection to the proposed development and refers the applicant to current standing advice by the statutory consultee on the subject of the consultation,

(**1**) See S.I. 2025/691 (W.115).

(c) rhoi gwybod i'r ceisydd bod gan yr ymgynghorai statudol bryderon ynglŷn â'r datblygiad arfaethedig a sut y gellir mynd i'r afael â'r pryderon hynny, neu

(d) rhoi gwybod i'r ceisydd bod gan yr ymgynghorai statudol bryderon ynglyn â'r datblygiad arfaethedig ac y byddai'n gwrthwynebu cais a wneir ar yr un telerau neu delerau o'r un sylwedd, ac yn nodi'r rhesymau am y gwrthwynebiadau hynny.

(c) advises the applicant the statutory consultee has concerns about the proposed development and how those can be addressed, or

(d) advises the applicant the statutory consultee has concerns about the proposed development and that it would object to an application made in the same or substantially the same terms and sets out the reasons for those objections.

RHAN 4

Ceisiadau am gydsyniad seilwaith

Dehongli

13. Yn y Rhan hon mae i bob un o "cyfnewidfa nwyddau rheilffordd", "gorsaf gynhyrchu", "harbwr", "nwy", "nwyddau" a "priffordd" yr ystyr a roddir yn adran 143 o Ddeddf 2024.

Y cyfnod y mae rhaid gwneud ceisiadau o'i fewn

14.—(1) Rhaid gwneud cais o fewn 18 mis sy'n dechrau â'r diwrnod ar ôl i Weinidogion Cymru roi hysbysiad derbyn yn unol ag adran 29(4) o Ddeddf 2024.

(2) Estynnir y cyfnod ym mharagraff (1) 56 o ddiwrnodau pan fo—

(a) un neu ragor o ymgyngoreion statudol perthnasol naill ai wedi—

(i) rhoi gwybod i'r ceisydd bod gan yr ymgynghorai statudol bryderon ynglŷn â'r datblygiad arfaethedig a sut y gellir mynd i'r afael â'r pryderon hynny, neu

(ii) rhoi gwybod i'r ceisydd bod gan yr ymgynghorai statudol bryderon ynglyn â'r datblygiad arfaethedig ac y byddai'n gwrthwynebu cais a wneir ar yr un telerau neu delerau o'r un sylwedd, ac yn nodi'r rhesymau am y gwrthwynebiadau hynny, a

(b) bod y ceisydd yn rhoi hysbysiad ysgrifenedig ei fod yn dymuno estyn y cyfnod ym mharagraff (1) i fynd i'r afael â phryderon yr ymgynghorai statudol perthnasol i—

(i) Gweinidogion Cymru, a

(ii) yr ymgynghorai statudol perthnasol a roddodd gyngor o'r fath.

PART 4

Applications for infrastructure consent

Interpretation

13. In this Part "gas", "generating station", "goods", "harbour", "highway" and "rail freight interchange" each has the meaning given in section 143 of the 2024 Act.

Period within which applications must be made

14.—(1) An application must be made within 18 months beginning with the day after the Welsh Ministers give notice of acceptance in accordance with section 29(4) of the 2024 Act.

(2) The period in paragraph (1) will be extended by 56 days where—

(a) one or more relevant statutory consultees has either—

(i) advised the applicant that the statutory consultee has concerns about the proposed development and how those can be addressed, or

(ii) advised the applicant the statutory consultee has concerns about the proposed development and that it would object to an application made in the same or substantially the same terms and sets out the reasons for those objections, and

(b) the applicant gives written notice that they wish to extend the period in paragraph (1) to address the concerns of the relevant statutory consultee to—

(i) the Welsh Ministers, and

(ii) the relevant statutory consultee that provided such advice.

(3) Mae'r rheoliad hwn yn ddarostyngedig i reoliad 8 o Reoliadau Cydsyniad Seilwaith (Caffael Gorfodol) (Cymru) 2025(**1**).

Ceisiadau: gofynion cyffredinol

15.—(1) Rhaid i gais ym mhob achos—

(a) cael ei wneud ar y ffurflen a gyhoeddir gan Weinidogion Cymru neu ffurflen sydd ag effaith sylweddol debyg, a

(b) cynnwys y materion a bennir yn y ffurflen a'r wybodaeth, y dogfennau a'r deunyddiau eraill a bennir ym mharagraff (2).

(2) Yr wybodaeth, y dogfennau a'r deunyddiau eraill y mae rhaid eu cynnwys yn y cais yw—

(a) ar gyfer datblygiad yng Nghymru, plan wedi ei luniadu ar raddfa a nodir ac sy'n dangos cyfeiriad y gogledd; neu ar gyfer datblygiad yn ardal forol Cymru, cyfesurynnau sy'n nodi'r lleoliad y mae'r cais yn ymwneud ag ef,

(b) unrhyw blaniau, lluniadau a gwybodaeth arall sy'n angenrheidiol i ddisgrifio'r datblygiad arfaethedig,

(c) copi o'r hysbysiad derbyn a roddwyd gan Weinidogion Cymru,

(d) pan fo'n gymwys, datganiad amgylcheddol,

(e) datganiad ysgrifenedig ynghylch pa un a yw'r cynnig yn ymhel ag un neu ragor o'r materion a nodir yn adran 79(1) o Ddeddf Diogelu'r Amgylchedd 1990(**2**) (niwsansau statudol ac arolygiadau at y diben hwnnw) ac os felly, sut mae'r ymgeisydd yn bwriadu eu lliniaru neu gyfyngu arnynt,

(f) adroddiad sy'n nodi unrhyw safle Ewropeaidd y mae rheoliad 63 o Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017(**3**) yn gymwys iddo, neu unrhyw safle a ddynodir o dan baragraff 1 o erthygl 2 o Gonfensiwn Ramsar o Wlyptiroedd o Bwysigrwydd Rhyngwladol yn Enwedig fel Cynefin Adar Dŵr (**4**), y gallai'r datblygiad arfaethedig effeithio arno, ynghyd â digon o wybodaeth i alluogi Gweinidogion Cymru i wneud asesiad

(3) This regulation is subject to regulation 8 of the Infrastructure Consent (Compulsory Acquisition) (Wales) Regulations 2025(**1**).

Applications: general requirements

15.—(1) An application must in all cases—

(a) be made on the form published by the Welsh Ministers or a form substantially to the same effect, and

(b) include the matters specified in the form and the information, documents and other materials specified in paragraph (2).

(2) The information, documents and other materials which must be included in the application are—

(a) for development in Wales, a plan drawn to an identified scale and showing the direction of north or for development in the Welsh marine area, co-ordinates which identify the location to which the application relates,

(b) any other plans, drawings and information necessary to describe the proposed development,

(c) a copy of the notice of acceptance given by the Welsh Ministers,

(d) where applicable, an environmental statement,

(e) a written statement about whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990(**2**) (statutory nuisances and inspections therefor) and if so, how the applicant proposes to mitigate or limit them,

(f) a report identifying any European site to which regulation 63 of the Conservation of Habitats and Species Regulations 2017(**3**) applies, or any site designated under paragraph 1 of article 2 of the Ramsar Convention of Wetlands of International Importance Especially as Waterfowl Habitat(**4**), which may be affected by the proposed development, together with sufficient information to enable the Welsh

(**1**) O.S. 2025/691 (Cy. 115).
(**2**) 1990 p. 43.
(**3**) O.S. 2017/1012, fel y'i diwygiwyd gan reoliadau 3 a 24 o Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau (Diwygio) (Ymadael â'r UE) 2019 (O.S. 2019/579) a rheoliad 13 o Reoliadau Llongau Masnach (Trosglwyddiadau o Long i Long) 2020 (O.S. 2020/94).
(**4**) Yn wreiddiol y Confensiwn ar Wlyptiroedd o Bwysigrwydd Rhyngwladol yn Enwedig fel Cynefin Adar Dŵr. Agorwyd i'w lofnodi 2.2.71, ATS 1975, Rhif 0048 (daeth i rym 21.12.75).

(**1**) S.I. 2025/691 (W. 115).
(**2**) 1990 c. 43.
(**3**) S.I. 2017/1012,as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/579, regulations 3 and 24 and the Merchant Shipping (Ship-to-Ship Transfers) Regulations 2020 (S. I. 2020/94, regulation 13.
(**4**) Originally the Convention on Wetlands of International Importance Especially as Waterfowl Habitat. Opened for signature 2.2.71, ATS 1975, No 0048 (entered into force 21.12.75).

priodol o'r goblygiadau ar gyfer y safle os yw'n ofynnol gan reoliad 63 o Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017(**1**),

(g) pan fo hynny'n gymwys, asesiad o'r perygl o lifogydd,

(h) unrhyw ffi sy'n daladwy i Weinidogion Cymru, ac

(i) unrhyw ffi sy'n daladwy am wasanaethau cyn gwneud cais.

(3) Rhaid lluniadu unrhyw blaniau neu luniadau y mae'n ofynnol eu darparu o dan baragraff (2)(a) neu (b) i raddfa a nodir ac, yn achos planiau, rhaid iddynt ddangos y gogledd.

(4) Pan wneir cais yn electronig, caiff Gweinidogion Cymru a'r awdurdod cynllunio wneud archiad bod y ceisydd yn adneuo un copi caled o'r cais gyda Gweinidogion Cymru.

Hysbysiad bod cais wedi dod i law

16. Rhaid i Weinidogion Cymru cyn gynted ag y bo'n ymarferol ar ôl cael cais roi hysbysiad ei fod wedi dod i law i—

(a) y ceisydd—

(b) yn achos cais am ddatblygiad yng Nghymru—

(i) pob awdurdod cynllunio ar gyfer ardal y lleolir y datblygiad arfaethedig ynddi, ac

(ii) unrhyw bersonau eraill y mae Gweinidogion Cymru yn ystyried eu bod yn briodol, neu

(c) yn achos cais am ddatblygiad yn ardal forol Cymru—

(i) y ceisydd,

(ii) pob awdurdod cynllunio y mae Gweinidogion Cymru yn ystyried ei fod yn briodol,

(iii) Cyfoeth Naturiol Cymru, a

(iv) unrhyw bersonau eraill y mae Gweinidogion Cymru yn ystyried eu bod yn briodol.

(**1**) O.S. 2017/1012.

Ministers to make an appropriate assessment of the implications for the site if required by regulation 63 of the Conservation of Habitats and Species Regulations 2017(**1**),

(g) where applicable, a flood risk assessment,

(h) any fee payable to the Welsh Ministers, and

(i) any fee payable for pre-application services.

(3) Any plans or drawings required to be provided under paragraph (2)(a) or (b) must be drawn to an identified scale and in the case of plans, must show the north.

(4) Where an application is made electronically the Welsh Ministers and planning authority may request that the applicant deposits one hard copy of the application with the Welsh Ministers.

Notification of receipt of application

16. The Welsh Ministers must as soon as practicable after receiving an application give notice of its receipt to—

(a) the applicant,

(b) in the case of an application for development in Wales—

(i) each planning authority for an area in which the proposed development is located, and

(ii) any other persons the Welsh Ministers consider appropriate, or

(c) in the case of an application for development in the Welsh marine area—

(i) the applicant,

(ii) each planning authority the Welsh Ministers consider appropriate,

(iii) Natural Resources Wales, and

(iv) any other persons the Welsh Ministers consider appropriate.

(**1**) S.I. 2017/1012.

Ceisiadau ar gyfer adeiladu neu estyn gorsaf gynhyrchu: gofynion ychwanegol

17.—(1) Rhaid i gais ar gyfer adeiladu neu estyn gorsaf gynhyrchu gynnwys—

(a) yn achos cais am ddatblygiad yng Nghymru—

(i) datganiad yn nodi pwy fydd yn gyfrifol am ddylunio ac adeiladu'r cysylltiad â'r grid trydan, a

(ii) os yw'r cais yn ymwneud â gorsaf gynhyrchu y mae nwy yn danwydd ar ei chyfer, datganiad yn nodi pwy fydd yn gyfrifol am ddylunio ac adeiladu'r cysylltiad piblinell nwy â'r orsaf gynhyrchu, neu

(b) yn achos cais am ddatblygiad yn ardal forol Cymru—

(i) manylion y llwybr arfaethedig a'r dull o osod unrhyw gebl;

(ii) datganiad ynghylch unrhyw geisiadau y mae'r ceisydd yn bwriadu eu gwneud ar gyfer parthau diogelwch o dan adran 95 o Ddeddf Ynni 2004(**1**).

(2) Yn y rheoliad hwn mae i "adeiladu", mewn perthynas â hynny o orsaf gynhyrchu sy'n weithfa ynni adnewyddadwy, neu sydd i fod yn weithfa ynni adnewyddadwy, yr un ystyr ag a roddir i "construction" ym Mhennod 2 o Ran 2 o Ddeddf Ynni 2004 (gweler adran 104 o'r Ddeddf honno), ac yn y diffiniad hwn mae i "gweithfa ynni adnewyddadwy" yr un ystyr ag a roddir i "renewable energy installation" ym Mhennod 2 o Ran 2 o Ddeddf Ynni 2004 (p. 20) (gweler adran 104 o'r Ddeddf honno).

(3) Yn y rheoliad hwn mae i "estyniad", mewn perthynas â gorsaf gynhyrchu, yr ystyr a roddir i "extension" gan adran 36(9) o Ddeddf Trydan 1989(**2**).

Priffyrdd, rheilffyrdd a chyfnewidfeydd nwyddau rheilffordd

18. Rhaid i gais am ddatblygiad sy'n gysylltiedig â phriffordd neu ar gyfer adeiladu neu addasu rheilffordd neu gyfnewidfa nwyddau rheilffordd gynnwys—

(a) trawsluniadau, wedi eu lluniadu ar raddfeydd llorweddol a fertigol a nodir sy'n dangos (drwy gyfeirio at seilnod Arolwg Ordnans neu Siart) lefelau'r gwaith arfaethedig, gan gynnwys pan fo'n berthnasol—

(i) lefelau'r ddaear,

(**1**) 2004 p. 20, fel y'i diwygiwyd gan adrannau 41(2)(a), (b), (c) a (d), 41(3) a (4) o Ddeddf Cymru 2017 (p. 4).
(**2**) 1989 p. 29.

Applications for the construction or extension of a generating station: additional requirements

17.—(1) An application for the construction or extension of a generating station must include—

(a) in the case of an application for development in Wales—

(i) a statement identifying who will be responsible for designing and building the connection to the electricity grid, and

(ii) if the application relates to a gas-fuelled generating station, a statement identifying who will be responsible for designing and building the gas pipeline connection to the generating station, or

(b) in the case of an application for development in the Welsh marine area—

(i) details of the proposed route and method of installation of any cable;

(ii) a statement about any applications the applicant proposes to make for safety zones under section 95 of the Energy Act 2004(**1**).

(2) In this regulation "construction", in relation to as much of a generating station as comprises or is to comprise a renewable energy installation, has the same meaning as in Chapter 2 of Part 2 of the Energy Act 2004 (see section 104 of that Act), and in this definition "renewable energy installation" has the same meaning as in Chapter 2 of Part 2 of the Energy Act 2004 (see section 104 of that Act).

(3) In this regulation "extension" ("*estyniad*") in relation to a generating station has the meaning given by section 36(9) of the Electricity Act 1989(**2**).

Highways, railways and rail freight interchanges

18. An application for highway related development or for the construction or alteration of a railway or rail freight interchange must include—

(a) section drawings, drawn to identified horizontal and vertical scales which show (by reference to Ordnance Survey or Chart datum) the levels of the proposed works, including where relevant—

(i) ground levels,

(**1**) 2004 c. 20, as amended by Wales Act 2017 (c. 4), sections 41(2)(a), (b), (c) and (d), 41(3) and (4))
(**2**) 1989 c. 29.

(ii) uchder pob pont arfaethedig, pob traphont arfaethedig, pob dyfrbont arfaethedig, pob arglawdd arfaethedig a phob tracffordd ddyrchafedig arfaethedig,

(iii) dyfnder pob trychfa arfaethedig a phob twnnel arfaethedig,

(iv) lefelau'r gwely ac unrhyw ddyfroedd llanw neu ddyfrffordd fewndirol lle cynigir y dylid lleoli unrhyw weithfeydd,

(v) uchder pob strwythur neu ddyfais (gan gynnwys cebl, ond nid catena ac offer cysylltiedig) y bwriedir ei godi neu ei chodi uwchben dyfroedd llanw dyfrffordd fewndirol, ar ddyfroedd o'r fath neu o dan arwyneb dyfroedd o'r fath, neu ar wely dyfroedd llanw dyrffordd fewndirol neu o dan wely dyfroedd o'r fath, a

(vi) manylion gollyngfeydd draenio ar gyfer priffyrdd, a

(b) croestoriad o bob twnnel a fwriedir ac unrhyw raddiant addasedig cerbytffordd neu ffordd sy'n ffurfio rhan o system drafnidiaeth dywysedig ar y naill ochr i bob croesfan reilffordd, pob pont, pob twnnel neu bob tanffordd a fyddai'n cario'r gerbytffordd neu'r ffordd neu y byddai'n pasio drwyddynt.

(ii) the height of every proposed bridge, viaduct, aqueduct, embankment and elevated guideway,

(iii) the depth of every proposed cutting and tunnel,

(iv) the levels of the bed and any tidal waters or inland waterway in which it is proposed that any works should be situated,

(v) the height of every structure or device (including a cable, but not catenary and related equipment) intended to be erected above, on or below the surface of, or on or beneath the bed, of tidal waters of an inland waterway, and

(vi) drainage outfall details for highways, and

(b) a cross section of every intended tunnel and any altered gradient of a carriageway or a way forming part of a guided transport system on either side of every level crossing, bridge, tunnel or underpass which would carry the carriageway or way or through which it would pass.

Ceisiadau ar gyfer adeiladu neu addasu cyfleusterau harbwr: gofynion ychwanegol

19. Rhaid i gais ar gyfer adeiladu neu addasu cyfleusterau harbwr gynnwys datganiad sy'n nodi pam y mae gwneud gorchymyn cydsyniad seilwaith yn ddymunol er budd—

(a) gwella, cynnal a chadw neu reoli'r harbwr mewn modd effeithlon a darbodus, neu

(b) hwyluso cludo nwyddau neu deithwyr yn effeithlon ac yn ddarbodus ar y môr neu er budd y defnydd hamdden o longau mordwyol.

Applications for the construction or alteration of harbour facilities: additional requirements

19. An application for the construction or alteration of harbour facilities must include a statement setting out why the making of an infrastructure consent order is desirable in the interests of—

(a) securing the improvement, maintenance or management of the harbour in an efficient and economical manner, or

(b) facilitating the efficient and economic transport of goods or passengers by sea or in the interests of the recreational use of sea-going ships.

Ceisiadau mewn cysylltiad â thir y Goron: gofynion ychwanegol

20. Rhaid i gais mewn perthynas â thir y Goron gynnwys—

(a) datganiad bod y gorchymyn cydsyniad seilwaith drafft yn cynnwys darpariaeth mewn perthynas â thir y Goron neu hawliau sydd o fudd i'r Goron, a

Applications in respect of Crown land: additional requirements

20. An application in relation to Crown land must include—

(a) a statement that the draft infrastructure consent order includes provision in relation to Crown land or rights benefitting the Crown, and

(b) pan fo awdurdod priodol y Goron yn cydsynio i gynnwys y ddarpariaeth, copi o'r awdurdodiad hwnnw.

Penderfyniadau ar ddilysrwydd ceisiadau

21.—(1) Rhaid i Weinidogion Cymru roi hysbysiad o'u penderfyniad ar ddilysrwydd cais o dan adran 33(2) neu (3) o Ddeddf 2024 o fewn y cyfnod a nodir yn y rheoliad hwn.

(2) Caiff yr hysbysiad gynnwys unrhyw wybodaeth mewn perthynas â'r cais y mae Gweinidogion Cymru yn ystyried ei bod yn briodol.

(3) Y cyfnod y mae rhaid rhoi'r hysbysiad ynddo yw—

(a) yn achos cais sy'n cynnwys datganiad amgylcheddol, o fewn 42 o ddiwrnodau sy'n dechrau â'r diwrnod ar ôl i Weinidogion Cymru gael y cais, a

(b) mewn unrhyw achos arall, o fewn 28 o ddiwrnodau, gan ddechrau â'r diwrnod ar ôl i Weinidogion Cymru gael y cais.

Estyn yr amserlen ar gyfer dilysu cais

22.—(1) Caiff Gweinidogion Cymru wneud cyfarwyddyd i estyn yr amserlen ar gyfer dilysu cais.

(2) Pan fo Gweinidogion Cymru yn gwneud cyfarwyddyd, rhaid iddynt roi hysbysiad ysgrifenedig i unrhyw un y'i hysbysir bod cais dilys wedi dod i law.

(3) Rhaid i'r hysbysiad o dan baragraff (2) bennu'r dyddiad erbyn pryd y gwneir penderfyniad ar ddilysrwydd cais.

(4) Y dyddiad erbyn pryd y mae rhaid gwneud penderfyniad ar ddilysrwydd cais yw dim mwy na 14 o ddiwrnodau ar ôl y cyfnod arfaethedig o 42 neu 28 o ddiwrnodau neu unrhyw gyfnod a bennir gan Weinidogion Cymru.

Hysbysiad o gais dilys

23.—(1) Yn ogystal â'r personau a bennir yn adran 34(2) o Ddeddf 2024, rhaid i Weinidogion Cymru roi hysbysiad o gais dilys i —

(a) ymgyngoreion statudol perthnasol,

(b) ymgyngoreion arbenigol perthnasol, ac

(c) unrhyw bersonau eraill y mae Gweinidogion Cymru yn ystyried eu bod yn briodol.

(b) where the appropriate Crown authority consents to the inclusion of the provision, a copy of that authorisation.

Decisions on the validity of applications

21.—(1) The Welsh Ministers must give notice of their decision on the validity of an application under section 33(2) or (3) of the 2024 Act within the period set out in this regulation.

(2) The notice may include any information in relation to the application which the Welsh Ministers consider appropriate.

(3) The period in which the notice must be given is—

(a) in the case of an application which includes an environmental statement, within 42 days beginning with the day after the Welsh Ministers receive the application, and

(b) in any other case, within 28 days beginning with the day after the Welsh Ministers receive the application.

Extending the timescale for validating an application

22.—(1) The Welsh Ministers may make a direction to extend the timescale for validating an application.

(2) Where the Welsh Ministers make a direction, they must provide written notice to anyone notified that a valid application has been received.

(3) The notice under paragraph (2) must specify the date by which a decision on the validity of an application will be made.

(4) The date by which a decision on the validity of an application must be made is no more than 14 days after the proposed 42 or 28 day period, or such period as the Welsh Ministers determine.

Notice of a valid application

23.—(1) In addition to the persons specified in section 34(2) of the 2024 Act the Welsh Ministers must give notice of a valid application to —

(a) relevant statutory consultees,

(b) relevant specialist consultees, and

(c) any other persons the Welsh Ministers consider appropriate.

(2) Yn achos cais am ddatblygiad yng Nghymru, rhaid i Weinidogion Cymru hefyd roi hysbysiad o gais dilys i—

(a) unrhyw berchennog neu feddiannydd ar y tir, ac eithrio'r ceisydd, y mae cais yn ymwneud ag ef;

(b) yr holl bersonau sy'n berchen ar y tir y mae datblygiad arfaethedig yn ymwneud ag ef yr holl bersonnau sy'n meddiannu tir o'r fath a'r holl bersonau sydd â buddiant arall mewn tir o'r fath neu y gellid effeithio arnynt yn y fath fodd fel y gallant wneud hawliad perthnasol;

(c) unrhyw berchennog neu feddiannydd cyfagos i'r tir y mae cais yn ymwneud ag ef.

(3) Rhaid rhoi'r hysbysiad o gais dilys cyn gynted ag y bo'n ymarferol ar ôl derbyn cais.

Cynnwys hysbysiad o gais dilys

24. Rhaid i hysbysiad o gais dilys, yn ogystal â'r dyddiad cau ar gyfer cael sylwadau sy'n ofynnol gan adran 34(4)(a) o Ddeddf 2024, gynnwys yr wybodaeth a ganlyn—

(a) enw a chyfeiriad y ceisydd,

(b) datganiad sy'n nodi bod cais wedi ei wneud i Weinidogion Cymru a'i fod wedi cael ei dderbyn ganddynt,

(c) y rhif cyfeirnod a ddyrannwyd i'r cais,

(d) crynodeb o'r prif gynigion yn y cais,

(e) pa un a yw'r cais yn cynnwys archiad i awdurdodi caffael tir yn orfodol,

(f) datganiad sy'n pennu pa un a yw'r cais yn ddatblygiad AEA neu'n weithgaredd a reoleiddir o dan reoliad 2(1) o'r Rheoliadau AEA Morol,

(g) pa bryd ac ym mha le y gellir edrych ar gopi o'r cais (gan gynnwys dogfennau a gyflwynir fel rhan o'r cais),

(h) manylion y wefan o dan reoliad 25,

(i) manylion ynghylch sut y mae sylwadau ar y cais i'w gwneud,

(j) manylion ynghylch sut y mae archiad am wrandawiad llawr agored o dan adran 43 o Ddeddf 2024 i'w wneud,

(k) manylion ynghylch sut y caiff person sy'n gwneud archiad am wrandawiad llawr agored roi hysbysiad ynghylch y testunau y maent yn dymuno cyflwyno sylwadau amdanynt yn y gwrandawiad llawr agored, ac

(2) In the case of an application for development in Wales, the Welsh Ministers must also give notice of a valid application to—

(a) any owner or occupier of the land, other than the applicant, to which an application relates;

(b) all persons who own, occupy or have another interest in the land to which a proposed development relates or who could be affected in such a way that they may be able to make a relevant claim;

(c) any adjoining owner or occupier of the land to which an application relates.

(3) The notice of valid application must be given as soon as practicable following the acceptance of an application.

Content of a notice of valid application

24. A notice of valid application must, in addition to the deadline for receiving representations required by section 34(4)(a) of the 2024 Act, contain the following information—

(a) the name and address of the applicant,

(b) a statement indicating that an application has been made to the Welsh Ministers and has been accepted by them,

(c) the reference number allocated to the application,

(d) a summary of the main proposals in the application,

(e) whether the application includes a request to authorise compulsory acquisition of land,

(f) a statement specifying whether the application is EIA development or a regulated activity under regulation 2(1) of the Marine EIA Regulations,

(g) when and where a copy of the application (including documents submitted as part of the application) may be viewed,

(h) details of the website under regulation 25,

(i) details of how representations on the application are to be made,

(j) details of how a request for an open- floor hearing under section 43 of the 2024 Act is to be made,

(k) details of how a person who requests an open-floor hearing may give notice of the topics they wish to make representations on at the open floor hearing, and

(l) y dyddiad erbyn pryd y mae rhaid cael sylwadau ynghylch y datblygiad arfaethedig na chaiff fod yn llai na 42 o ddiwrnodau gan ddechrau â'r diwrnod ar ôl dyroddi'r hysbysiad.

Rhoi cyhoeddusrwydd i geisiadau dilys: gwefan

25. Pan fo Gweinidogion Cymru yn derbyn cais yn gais dilys, rhaid iddynt gyhoeddi'r wybodaeth a ganlyn ar wefan a gynhelir ganddynt hwy neu ar eu rhan—

(a) lleoliad y datblygiad arfaethedig,

(b) disgrifiad o'r datblygiad arfaethedig,

(c) ym mha le a pha bryd y gellir edrych ar y cais,

(d) sut y caniateir gwneud sylwadau mewn perthynas â'r cais,

(e) erbyn pa ddyddiad y mae rhaid i sylwadau ddod i law,

(f) yn achos cais y mae datganiad amgylcheddol yn mynd gydag ef, y ffaith bod y datblygiad arfaethedig yn ddarostyngedig i weithdrefn AEA ac—

(i) sut y gellir cael copïau o'r datganiad amgylcheddol, a

(ii) y ffi am gael copïau o'r datganiad amgylcheddol,

(g) yn unol â gofynion Deddf Rhyddid Gwybodaeth 2000(**1**) a Deddf Diogelu Data 1998(**2**), y prif adroddiadau a chyngor a roddwyd i Weinidogion Cymru ar yr adeg y cyhoeddir yr wybodaeth (os o gwbl),

(h) manylion y trefniadau ar gyfer cynnwys y cyhoedd yn y weithdrefn gwneud penderfyniadau,

(i) y weithdrefn a chyhoeddiad unrhyw wybodaeth newydd a gyflwynir wedyn gan y ceisydd, a

(j) unrhyw wybodaeth arall sy'n berthnasol i gais nad yw ond ar gael ar ôl yr adeg y cyhoeddir yr holl wybodaeth arall.

Publicity for valid applications: website

25. Where the Welsh Ministers accept an application as a valid application, they must publish the following information on a website maintained by them or on their behalf—

(a) the location of the proposed development,

(b) a description of the proposed development,

(c) where and when the application may be inspected,

(d) how representations may be made in relation to the application,

(e) the date by which representations are to be received,

(f) in the case of an application accompanied by an environmental statement, the fact that the proposed development is subject to an EIA procedure and—

(i) how copies of the environmental statement may be obtained, and

(ii) the fee for obtaining copies of the environmental statement,

(g) in accordance with the requirements of the Freedom of Information Act 2000(**1**) and the Data Protection Act 1998(**2**), the main reports and advice issued to the Welsh Ministers at the time the information is published (if any),

(h) details of the arrangements for public participation in the decision-making procedure,

(i) the procedure and publication of any new information subsequently submitted by the applicant, and

(j) any other information relevant to an application which only becomes available after the time all other information is published.

(**1**) 2000 p. 36.
(**2**) 1998 p. 29.

(**1**) 2000 c. 36.
(**2**) 1998 c. 29.

Rhoi cyhoeddusrwydd i geisiadau dilys: hysbysiadau

26.—(1) Pan dderbynnir cais dilys am ddatblygiad yng Nghymru rhaid i Weinidogion Cymru—

(a) cyhoeddi hysbysiad o'r cais, mewn un neu ragor o bapurau newydd sy'n cylchredeg yn ardal y datblygiad arfaethedig am isafswm cyfnod o un wythnos gan ddechrau o fewn 5 niwrnod gwaith sy'n dechrau â'r diwrnod ar ôl i'r cais gael ei dderbyn yn gais dilys, a

(b) arddangos o leiaf un hysbysiad safle ar y safle neu gerllaw'r safle y mae'r datblygiad arfaethedig yn ymwneud ag ef am o leiaf 42 o ddiwrnodau gan ddechrau o fewn 5 niwrnod gwaith sy'n dechrau â'r diwrnod ar ôl i'r cais gael ei dderbyn yn gais dilys.

(2) Pan fo'r cais yn ymwneud â chynllun llinellol sy'n fwy na 5km o hyd, rhaid arddangos hysbysiad safle bob 5km o leiaf o ddechrau hyd at ddiwedd y llwybr arfaethedig oni bai ei bod yn anymarferol gwneud hynny.

(3) Pan fo hysbysiad, heb unrhyw fai, yn cael ei symud ymaith, ei guddio neu ei ddifwyno cyn i'r cyfnod o 42 o ddiwrnodau ddod i ben, caiff y gofyniad ei drin fel pe cydymffurfiwyd ag ef os cymerir camau rhesymol i ddiogelu'r hysbysiad ac, os oes angen, ei amnewid.

(4) Pan dderbynnir cais dilys am ddatblygiad yn ardal forol Cymru, rhaid i Weinidogion Cymru gyhoeddi hysbysiad o'r cais mewn—

(a) un neu ragor o bapurau newydd lleol sy'n debygol o ddod i sylw'r rheini y mae'r datblygiad arfaethedig yn debygol o effeithio arnynt, am isafswm cyfnod o un wythnos gan ddechrau o fewn 5 niwrnod gwaith sy'n ddechrau â'r diwrnod ar ôl i'r cais gael ei dderbyn yn gais dilys,

(b) Lloyd's List, ac

(c) o leiaf un cyfnodolyn pysgota priodol os oes un mewn cylchrediad am isafswm cyfnod o un wythnos gan ddechrau o fewn 5 niwrnod gwaith sy'n dechrau â'r diwrnod ar ôl i'r cais gael ei dderbyn yn gais dilys.

(5) Pan fo Gweinidogion Cymru yn cyfarwyddo person arall neu gorff arall i ymgymryd â'r gofynion cyhoeddusrwydd a hysbysu yn y rheoliad hwn yn rhinwedd adrannau 35(2) neu 130(1) o Ddeddf 2024, rhaid iddo roi cadarnhad i Weinidogion Cymru ei fod wedi cydymffurfio â'r cyfarwyddyd hwnnw o fewn 14 o ddiwrnodau, gan ddechrau â'r diwrnod ar ôl iddo gael y cyfarwyddyd oddi wrth Weinidogion Cymru.

Publicity of valid applications: notices

26.—(1) Where a valid application for development in Wales is accepted, the Welsh Ministers must—

(a) publish a notice of the application, in one or more newspapers circulating in the locality of the proposed development for a minimum period of one week commencing within 5 working days beginning with the day after the application is accepted as valid, and

(b) display at least one site notice on or near the site to which the proposed development relates for at least 42 days commencing within 5 working days beginning with the day after the application is accepted as valid.

(2) Where the application relates to a linear scheme exceeding 5km in length, a site notice must be displayed at intervals of no more than 5km from the start to the end of the proposed route unless it is impracticable to do so.

(3) Where a notice is without any fault, removed, obscured or defaced before the period of 42 days has elapsed, the requirement will be treated as having been complied with if reasonable steps are taken to protect the notice and, where required, to replace it.

(4) Where a valid application is accepted for development in the Welsh marine area, the Welsh Ministers must publish notice of the application in—

(a) one or more local newspapers which are likely to come to the attention of those likely to be affected by a proposed development for a minimum period of one week commencing within 5 working days beginning with the day after the application is accepted as valid,

(b) Lloyd's List, and

(c) at least one appropriate fishing journal if one is in circulation for a minimum period of one week commencing within 5 working days beginning with the day after the application is accepted as valid.

(5) Where the Welsh Ministers direct another person or body to undertake the publicity and notification requirements in this regulation by virtue of sections 35(2) or 130(1) of the 2024 Act, it must confirm to the Welsh Ministers that they have complied with that direction within 14 days, beginning the day after they receive the direction from the Welsh Ministers.

(6) Pan gyfarwyddir unrhyw berson i gydymffurfio â'r gofynion yn y rheoliad hwn yn rhinwedd adrannau 35(2) neu 130 o Ddeddf 2024 a'i fod yn methu â gwneud hynny, caiff Gweinidogion Cymru gymryd y camau gofynnol.

(6) Where any person is directed to comply with the requirements in this regulation by virtue of sections 35(2) or 130 of the 2024 Act and fails to do so, the Welsh Ministers may take the steps required.

Ymgynghori ag ymgyngoreion statudol

27.—(1) Rhaid i ymgynghorai statudol ddarparu ymateb o sylwedd o fewn 42 o ddiwrnodau sy'n dechrau â thrannoeth y diwrnod y rhoddir hysbysiad o gais dilys neu unrhyw gyfnod arall y cytunir arno yn ysgrifenedig rhwng yr ymgynghorai statudol a Gweinidogion Cymru o dan adran 129 o Ddeddf 2024.

(2) Pan fo ymateb o sylwedd yn cynghori bod gan yr ymgynghorai statudol bryderon ynghylch y datblygiad arfaethedig o dan baragraffau (4)(c) a (d) o'r rheoliad hwn, rhaid i'r ymateb o sylwedd gynnwys datganiad sy'n nodi a yw'n ystyried y dylai ei bryderon gael eu clywed drwy—

(a) sylwadau ysgrifenedig,

(b) gwrandawiad,

(c) ymchwiliad, neu

(d) cadarnhau nad yw'n ffafrio unrhyw ddull o gynnal gweithdrefn archwilio a ddefnyddir i glywed ei bryderon.

(3) Pan fo ymgynghorai statudol yn codi pryderon yn ei ymateb o sylwedd o dan y rheoliad hwn na chawsant eu codi yn ei ymateb i'r ymgynghoriad cyn gwneud cais o dan baragraff 12 o'r Rheoliadau hyn, rhaid iddo roi ei resymau dros wneud hynny.

(4) Yn y rheoliad hwn ymateb o sylwedd yw ymateb sy'n—

(a) datgan nad oes gan yr ymgynghorai statudol unrhyw sylw i'w wneud ac yn rhoi rhesymau dros yr ymateb hwnnw,

(b) datgan nad oes gan yr ymgynghorai statudol unrhyw wrthwynebiad i'r datblygiad arfaethedig ac yn cyfeirio'r ceisydd at y cyngor sefydlog cyfredol gan yr ymgynghorai statudol ar bwnc yr ymgynghoriad,

(c) cynghori'r ceisydd fod gan yr ymgynghorai statudol bryderon ynghylch y datblygiad arfaethedig a sut y gellir mynd i'r afael â hwy, neu

(d) cynghori'r ceisydd fod gan yr ymgynghorai statudol bryderon ynghylch y datblygiad arfaethedig ac y byddai'n gwrthwynebu cais a wneir ar yr un telerau neu delerau o'r un sylwedd ac yn nodi'r rhesymau dros y gwrthwynebiadau hynny.

Consulting statutory consultees

27.—(1) A statutory consultee must provide a substantive response within 42 days beginning with the day after notice of valid application is given or such other period as may be agreed in writing between the statutory consultee and the Welsh Ministers under section 129 of the 2024 Act.

(2) Where a substantive response advises the statutory consultee has concerns about the proposed development under paragraphs (4)(c) and (d) of this regulation, the substantive response must include a statement setting out whether it considers its concerns should be heard by—

(a) written representations,

(b) hearing,

(c) inquiry, or

(d) confirms it has no preference as to the method of examination procedure used to hear their concerns.

(3) Where a statutory consultee raises concerns in its substantive response under this regulation which were not raised in their response to pre-application consultation under paragraph 12 of these Regulations, it must give reasons for doing so.

(4) In this regulation a substantive response is one which—

(a) states the statutory consultee has no comment to make and gives reasons for that response,

(b) states the statutory consultee has no objection to the proposed development and refers the applicant to current standing advice by the statutory consultee on the subject of the consultation,

(c) advises the applicant the statutory consultee has concerns about the proposed development and how those can be addressed, or

(d) advises the applicant the statutory consultee has concerns about the proposed development and that it would object to an application made in the same or substantially the same terms and sets out the reasons for those objections.

RHAN 5

Adroddiadau

Adroddiadau ar yr effaith leol

28. Rhaid i adroddiad ar yr effaith leol y mae'n ofynnol i awdurdod cynllunio ei gyflwyno o dan adran 36(1) o Ddeddf 2024 gynnwys—

(a) disgrifiad o—

(i) hanes cynllunio perthnasol y tir y mae'r cais yn ymwneud ag ef,

(ii) unrhyw ddynodiadau lleol sy'n berthnasol i'r tir y mae'r cais yn ymwneud ag ef, a

(iii) effaith debygol unrhyw gais mewn perthynas â chydsyniad tybiedig neu gydsyniad a ddiddymwyd,

(b) cadarnhad bod yr awdurdod cynllunio wedi cydymffurfio ag unrhyw gyfarwyddyd o dan adran 130 o Ddeddf 2024 sy'n ei gwneud yn ofynnol i'r awdurdod cynllunio—

(i) hysbysu personau am y cais,

(ii) rhoi cyhoeddusrwydd i'r cais, a

(c) manylion unrhyw—

(i) polisïau cynllunio sy'n gymwys yn lleol, canllawiau a dogfennau eraill sy'n berthnasol i'r cais, a

(ii) amodau drafft neu rwymedigaethau drafft y mae'r awdurdod cynllunio yn ystyried y dylid eu cynnwys yn y gorchymyn cydsyniad seilwaith (gan gynnwys mewn perthynas ag unrhyw gydsyniadau tybiedig neu gydsyniadau a ddiddymwyd) a fyddai'n lliniaru effeithiau tebygol y datblygiad arfaethedig ar ardal yr awdurdod (neu ran o ardal yr awdurdod)

(iii) rhesymau pam y mae unrhyw amodau drafft neu unrhyw rwymedigaethau drafft sy'n cael eu hawgrymu o dan baragraff 1(c)(ii) o'r rheoliad hwn yn angenrheidiol,

(iv) cynigion ar gyfer datblygiad perthnasol y mae'r awdurdod cynllunio yn eu hystyried, a

(v) cyfyngiadau'r safle.

PART 5

Reports

Local impact reports

28. A local impact report which a planning authority is required to submit under section 36(1) of the 2024 Act must include—

(a) a description of—

(i) the relevant planning history of the land to which the application relates,

(ii) any local designations relevant to the land to which the application relates, and

(iii) the likely impact of any application in relation to a deemed or extinguished consent,

(b) confirmation the planning authority has complied with any direction under section 130 of the 2024 Act requiring the planning authority to—

(i) notify persons of the application,

(ii) publicise the application, and

(c) details of any —

(i) locally applicable planning policies, guidance and other documents relevant to the application, and

(ii) draft conditions or obligations the planning authority considers should be included in the infrastructure consent order (including in relation to any deemed or extinguished consents) which would mitigate any likely impacts of the proposed development on the area (or part of the area) of the authority,

(iii) reasons for any draft conditions or obligations being suggested under paragraph 1(c)(ii) of this regulation being necessary,

(iv) relevant development proposals under consideration by the planning authority, and

(v) site constraints.

Adroddiadau gwirfoddol gan awdurdod cynllunio neu gyngor cymuned ar yr effaith leol

29.—(1) Mae'r rheoliad hwn yn gymwys pan fo—

(a) awdurdod cynllunio yn dewis cyflwyno adroddiad ar yr effaith leol o dan adran 36(1) neu (3) o Ddeddf 2024, neu

(b) cyngor cymuned yn cyflwyno adroddiad ar yr effaith leol o dan adran 36(2) neu (3) o'r Ddeddf honno.

(2) Rhaid i adroddiad ar yr effaith leol gynnwys—

(a) disgrifiad o effaith debygol caniatáu unrhyw gais am gydsyniad tybiedig neu gydsyniad a ddiddymwyd, a

(b) manylion unrhyw—

(i) polisïau cynllunio sy'n gymwys yn lleol, canllawiau a dogfennau eraill sy'n berthnasol i'r cais,

(ii) amodau drafft neu rwymedigaethau drafft y mae'r awdurdod cynllunio yn ystyried y dylid eu cynnwys yn y gorchymyn cydsyniad seilwaith (gan gynnwys mewn perthynas ag unrhyw gydsyniadau tybiedig neu gydsyniad a ddiddymwyd) a fyddai'n lliniaru effeithiau tebygol y datblygiad arfaethedig ar ardal yr awdurdod (neu ran o ardal yr awdurdod) a

(iii) rhesymau pam y mae unrhyw amodau sy'n cael eu hawgrymu o dan baragraff 2(b)(ii) o'r rheoliad hwn yn angenrheidiol.

Voluntary local impact reports by a planning authority or community council

29.—(1) This regulation applies where—

(a) a planning authority chooses to submit a local impact report under section 36(1) or (3) of the 2024 Act, or

(b) a community council submits a local impact report under section 36(2) or (3) of that Act.

(2) A local impact report must include—

(a) a description of the likely impact of any application for a deemed or extinguished consent being granted,

(b) details of any—

(i) locally applicable planning policies, guidance and other documents relevant to the application,

(ii) draft conditions or obligations the planning authority considers should be included in the infrastructure consent order (including in relation to any deemed or extinguished consents) which would mitigate any likely impacts of the proposed development on the area or part of the area) of the authority, and

(iii) reasons for any conditions being suggested under paragraph 2(b)(ii) of this regulation being necessary.

Adroddiadau effaith ar y môr

30.—(1) Rhaid i adroddiad effaith ar y môr a gyflwynir gan Cyfoeth Naturiol Cymru o dan adran 37 o Ddeddf 2024 gydymffurfio â'r rheoliad hwn.

(2) Rhaid i'r adroddiad hwnnw gynnwys—

(a) sylwadau ar unrhyw asesiadau amgylcheddol a'u casgliadau, a gyflwynwyd gan y ceisydd,

(b) hanes perthnasol trwydded forol yr ardal y mae'r cais yn ymwneud â hi,

(c) sylwadau ar unrhyw bolisïau a chanllawiau perthnasol ynghyd â dogfennau eraill sy'n berthnasol i'r cais, a nodwyd gan y ceisydd fel rhan o'r cais, a

(d) sylwadau ar unrhyw amodau drafft neu rwymedigaethau drafft sydd wedi eu cynnwys mewn trwydded forol dybiedig.

Marine impact reports

30.—(1) A marine impact report submitted by Natural Resources Wales under section 37 of the 2024 Act must comply with this regulation.

(2) Such a report must include—

(a) comments on any environmental assessments and their conclusions, submitted by the applicant,

(b) the relevant marine licence history of the area to which the application relates,

(c) comments on any relevant policies and guidance and other documents relevant to the application, identified by the applicant as part of the application, and

(d) comments on any draft conditions or obligations included in a deemed marine licence.

(3) Caiff yr adroddiad hwnnw gynnwys ymateb o sylwedd Cyfoeth Naturiol Cymru sy'n ofynnol o dan reoliad 27 o'r Rheoliadau hyn.

(4) Pan fo ymateb o sylwedd sy'n ofynnol o dan reoliad 27 yn cael ei gyflwyno fel rhan o'r adroddiad effaith ar y môr, bydd Cyfoeth Naturiol Cymru wedi cydymffurfio â gofynion y rheoliad hwnnw.

(3) Such report may include the substantive response of Natural Resources Wales required under regulation 27 of these Regulations.

(4) Where a substantive response required under regulation 27 is submitted as part of the marine impact report, Natural Resources Wales will have complied with the requirements of that regulation.

RHAN 6

Amrywio ceisiadau

Gweithdrefn ar gyfer amrywio ceisiadau

31.—(1) Caiff ceisydd wneud archiad i amrywio cais ar un achlysur cyn bod yr awdurdod archwilio wedi arfer ei swyddogaeth o dan adran 42(1) o Ddeddf 2024 (dyfarnu'r weithdrefn).

(2) Rhaid i archiad i amrywio cais—

(a) cael ei wneud ar ffurflen a gyhoeddir gan Weinidogion Cymru neu ffurflen sydd ag effaith sylweddol debyg,

(b) cynnwys disgrifiad o'r amrywiad,

(c) cynnwys unrhyw ffi sy'n daladwy wrth wneud archiad i amrywio cais, a

(d) cael ei wneud cyn diwedd 14 o ddiwrnodau sy'n dechrau â thrannoeth y dyddiad cau erbyn pryd y mae rhaid i Weinidogion Cymru gael sylwadau ar yr archiad.

(3) Rhaid i Weinidogion Cymru benderfynu pa un ai i dderbyn archiad i amrywio cais.

(4) Ni chaiff Gweinidogion Cymru dderbyn archiad i amrywio pan fyddai effaith yr amrywiad yn newid yn sylweddol y datblygiad y ceisir cydsyniad seilwaith ar ei gyfer.

(5) Rhaid i Weinidogion Cymru roi hysbysiad o'r penderfyniad i'r ceisydd o fewn 7 niwrnod sy'n dechrau â thrannoeth y diwrnod y daw'r archiad i amrywio i law.

(6) Pan fo Gweinidogion Cymru yn derbyn archiad i amrywio, rhaid i'r ceisydd gyflwyno'r cais wedi ei amrywio i Weinidogion Cymru—

(a) o fewn 28 o ddiwrnodau, gan ddechrau â thrannoeth y diwrnod y mae Gweinidogion Cymru yn rhoi hysbysiad bod yr archiad i amrywio wedi ei dderbyn, neu

(b) erbyn diwedd unrhyw gyfnod a gytunwyd yn ysgrifenedig rhwng y ceisydd a Gweinidogion Cymru.

PART 6

Variation of applications

Procedure for variation of applications

31.—(1) An applicant may request to vary an application on one occasion before the examining authority has exercised its function under section 42(1) of the 2024 Act (determination of procedure).

(2) A request to vary an application must—

(a) be made on a form published by the Welsh Ministers or a form substantially to the same effect,

(b) include a description of the variation,

(c) be accompanied by any fee payable when making a request to vary an application, and

(d) be made before the end of 14 days beginning with the day after the deadline by which the Welsh Ministers must receive representations on the request.

(3) The Welsh Ministers must decide whether to accept a request to vary an application.

(4) The Welsh Ministers must not accept a request to vary where the effect of the variation would be to substantially change the development for which infrastructure consent is sought.

(5) The Welsh Ministers must give notice of the decision to the applicant within 7 days beginning with the day after the day the request to vary is received.

(6) Where the Welsh Ministers accept a request to vary, the applicant must submit the varied application to the Welsh Ministers—

(a) within 28 days, beginning with the day after the Welsh Ministers give notice the request to vary has been accepted, or

(b) by the end of any period agreed in writing between the applicant and the Welsh Ministers.

(7) Caiff Gweinidogion Cymru—

(a) rhoi hysbysiad o'r cais wedi ei amrywio i unrhyw berson y maent yn ystyried ei fod yn briodol,

(b) rhoi cyhoeddusrwydd i'r cais wedi ei amrywio mewn unrhyw fodd y maent yn ystyried ei fod yn briodol.

RHAN 1

Darpariaethau trosiannol

Darpariaethau trosiannol

32.—(1) Bydd cais a wneir yn y cyfnod o 12 mis sy'n dechrau â'r diwrnod ar ôl i'r Rheoliadau hyn ddod i rym yn bodloni gofynion adran 30 o Ddeddf 2024 ar yr amod bod Gweinidogion Cymru wedi eu bodloni bod y ceisydd, yn ystod y cyfnod o 12 mis cyn i'r Rheoliadau hyn ddod i rym, wedi—

(a) ymgynghori ag—

(i) y personau a bennir yn rheoliad 8 o'r Rheoliadau hyn pan fo'r cais yn ymwneud â thir yng Nghymru; neu

(ii) y personau a nodir yn rheoliad 10 o'r Rheoliadau hyn pan fo'r cais yn ymwneud ag ardal forol Cymru, a

(b) rhoi cyhoeddusrwydd i'r cais arfaethedig mewn modd a fyddai, pe bai Rhan 3 o'r Rheoliadau hyn wedi bod mewn grym ar ddyddiad cyhoeddusrwydd o'r fath, wedi bodloni gofynion y Rhan honno.

(2) Mewn perthynas ag unrhyw geisydd sy'n dibynnu ar y darpariaethau yn y rheoliad hwn—

(a) rhaid iddo hysbysu Gweinidogion Cymru am y cais arfaethedig cyn i unrhyw gais gael ei gyflwyno,

(b) nid oes angen iddo gydymffurfio â gofynion rheoliad 3.

(3) Pan na fo Gweinidogion Cymru wedi eu bodloni bod y gofynion ym mharagraffau 1 a 2 wedi eu bodloni—

(a) rhaid iddynt hysbysu'r ceisydd cyn gynted ag y bo'n ymarferol, a

(b) ni chaiff y ceisydd ofyn am gyfarwyddyd o dan adran 131 o Ddeddf 2024 y cyfeirir ato yn rheoliad 7 o Reoliadau Cydsyniad Seilwaith (Darpariaethau Amrywiol) (Cymru) 2025(**1**).

(**1**) O. S. XXXX/2025.

(7) The Welsh Ministers may—

(a) give notice of the varied application to any person they consider appropriate,

(b) publicise the varied application in any way they consider appropriate.

PART 7

Transitional provisions

Transitional provisions

32.—(1) An application made in the 12-month period beginning the day after these Regulations come into force will meet the requirements of section 30 of the 2024 Act provided the Welsh Ministers are satisfied that during the 12 month period before these Regulations come into force the applicant has—

(a) consulted—

(i) the persons specified in regulation 8 of these Regulations where the application relates to land in Wales, or

(ii) the persons set out in regulation 10 of these Regulations where the application relates to the Welsh marine area, and

(b) publicised the proposed application in a manner which, had Part 3 of these Regulations been in force at the date of such publicity, would have fulfilled the requirements of that Part.

(2) Any applicant relying on the provisions in this regulation—

(a) must notify the Welsh Ministers of the proposed application before any application is submitted,

(b) need not comply with the requirements of regulation 3.

(3) Where the Welsh Ministers are not satisfied the requirements in paragraphs 1 and 2 have been met—

(a) they must notify the applicant as soon as practicable, and

(b) the applicant will not be permitted to seek a direction under section 131 of the 2024 Act referred to in regulation 7 of the Infrastructure Consent (Miscellaneous Provisions) (Wales) Regulations 2025(**1**).

(**1**) S. I. XXXX/2025.

Rebecca Evans

Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio, un o Weinidogion Cymru
16 Mehefin 2025

Cabinet Secretary for Economy, Energy and Planning, one of the Welsh Ministers
16 June 2025

YR ATODLEN Rheoliad 3(2)

Ymgyngoriadau cyn rhoi Cydsyniad Seilwaith

Colofn 1	*Colofn 2*	*Colofn 3*	*Colofn 4*
Paragraff	*Disgrifiad o'r Datblygiad*	*Yr Ymgynghorai Statudol Perthnasol*	*Yr Ymgynghorai Arbenigol Perthnasol*
(a)	Pob cais	Cyfoeth Naturiol Cymru Yr ymgymerwr dŵr a charthffosiaeth perthnasol Gwasanaethau Traffig Awyr Cenedlaethol Y Weinyddiaeth Amddiffyn Iechyd Cyhoeddus Cymru Trafnidiaeth Cymru	Glandŵr Cymru Gweithredwyr Rhwydwaith Dosbarthu
(b)	Datblygiad sy'n debygol o achosi cynnydd sylweddol ym maint y traffig neu newid sylweddol yng nghymeriad y traffig— (i) sy'n ymuno â chefnffordd neu'n ymadael â chefnffordd; (ii) sy'n defnyddio croesfan reilffordd dros reilffordd	Gweinidogion Cymru Gweithredwr y rhwydwaith sy'n cynnwys y rheilffordd o dan sylw neu ar ffurf y rheilffordd honno, a Gweinidogion Cymru	
(c)	Datblygiad sy'n cynnwys darparu adeilad neu biblinell mewn ardal gwaith glo a hysbyswyd gan yr Awdurdod Glo i Weinidogion Cymru	Yr Awdurdod Glo	

(d)	(i) Datblygiad sy'n cael effaith ffisegol ar heneb gofrestredig (ii) Datblygiad sy'n debygol o fod yn weladwy o heneb gofrestredig ac sy'n bodloni un o'r meini prawf a ganlyn— (aa) ei fod o fewn pellter o 0.5 km o unrhyw bwynt o berimedr heneb gofrestredig, (bb) ei fod o fewn pellter o 1 km o berimedr heneb gofrestredig a bod ei uchder yn 15 o fetrau neu ragor, neu fod ei arwynebedd yn 0.2 hectar neu ragor, (cc) ei fod o fewn pellter o 2 km o berimedr heneb gofrestredig a bod ei uchder yn 50 metr neu ragor, neu fod ei arwynebedd yn 0.5 hectar neu ragor, (dd) ei fod o fewn pellter o 3 km o berimedr heneb gofrestredig a bod ei uchder yn 75 o fetrau neu ragor, neu fod ei arwynebedd yn 1 hectar neu ragor, neu (ee) ei fod o fewn pellter o 5 km o berimedr heneb gofrestredig a bod ei uchder yn 100 metr neu ragor, neu fod ei arwynebedd yn 1 hectar neu ragor. (iii) Datblygiad sy'n debygol o effeithio ar safle neu leoliad parc hanesyddol cofrestredig neu ardd hanesyddol gofrestredig, (iv) Datblygiad o fewn tirwedd hanesyddol gofrestredig y mae Asesiad o'r Effaith Amgylcheddol yn ofynnol ar ei gyfer, neu (v) Datblygiad sy'n debygol o effeithio ar werth byd-eang eithriadol un o Safleoedd Treftadaeth y Byd.	Gweinidogion Cymru	
(e)	Datblygiad sy'n cynnwys unrhyw dir y mae theatr arno		Yr Ymddiriedolaeth Theatrau
(f)	Datblygiad sy'n golygu — (i) colli dim llai nag 20 hectar o dir amaethyddol graddau 1, 2 neu 3a a ddefnyddir am y tro (neu a ddefnyddiwyd ddiwethaf) at ddibenion amaethyddol, neu (ii) colli llai nag 20 hectar o dir amaethyddol graddau 1, 2 neu 3a a ddefnyddir am y tro (neu a ddefnyddiwyd ddiwethaf) at ddibenion amaethyddol, mewn amgylchiadau pan fo'r datblygiad yn debygol o arwain at golli rhagor o	Gweinidogion Cymru	

	dir amaethyddol sy'n dod i gyfanswm o 20 hectar neu ragor		
(g)	Datblygiad— (i) sy'n debygol o amharu ar y defnydd o dir, neu arwain at golli'r defnydd o dir, a ddefnyddir fel maes chwarae, neu (ii) sydd ar dir: (aa) a ddefnyddiwyd fel maes chwarae ar unrhyw adeg yn ystod y blynyddoedd cyn gwneud y cais perthnasol ac sy'n parhau heb ei ddatblygu, (bb) a ddyrannwyd i'w ddefnyddio fel maes chwarae mewn cynllun datblygu neu mewn cynigion ar gyfer cynllun o'r fath neu ar gyfer ei addasu neu ei amnewid, neu (iii) sy'n golygu gosod arwyneb artiffisial, arwyneb o waith dyn neu arwyneb cyfansawdd ar lain chwarae yn lle arwyneb o laswellt.	Cyngor Chwaraeon Cymru	
(h)	Datblygiad— (i) sy'n ymwneud â datblygiad gwastraff; (ii) sy'n ymwneud â darparu adeilad lle mae'r arwynebedd llawr i'w greu gan y datblygiad yn 1,000 metr sgwâr neu ragor; (iii) a gyflawnir ar safle sydd ag arwynebedd o 1 hectar neu ragor	Yr Awdurdod Tân ac Achub o dan sylw	
(i)	Datblygiad sy'n cynnwys gofyniad am drwydded forol dybiedig	Ystad y Goron Y Cyd-bwyllgor Cadwraeth Natur Asiantaeth y Môr a Gwylwyr y Glannau Trinity House Porthladdoedd Ymddiriedolaeth a Gedwir yn Ôl Yr awdurdod harbwr lleol Porthladdoedd lleol Gweinidogion Cymru	Y Gymdeithas Hwylio Frenhinol Yr ymddiriedolaeth archaeolegol yng Nghymru o dan sylw Siambr Morgludiant y DU Ffederasiwn Cenedlaethol Cymdeithasau Pysgotwyr Cymdeithas Pysgotwyr Cymru

		Comisiwn Brenhinol Henebion Cymru Awdurdodau Pysgodfeydd a Chadwraeth y Glannau	
(j)	Datblygiadau sy'n debygol o effeithio ar yr amgylchedd morwrol neu arfordirol, neu'r diwydiant morgludiant	Asiantaeth y Môr a Gwylwyr y Glannau	
(k)	Datblygiad a all effeithio ar yr amgylchedd morol	Y Cyd-bwyllgor Cadwraeth Natur	
(l)	Datblygiad a all effeithio ar yr amgylchedd morol o fewn dyfroedd tiriogaethol Lloegr	Y Sefydliad Rheoli Morol	
(m)	Datblygiadau sy'n debygol o effeithio ar fordwyo mewn dyfroedd llanw	Trinity House	
(n)	Datblygiad sy'n ymwneud â meysydd awyr neu sy'n debygol o effeithio ar faes awyr neu ei weithrediad presennol neu yn y dyfodol	Yr Awdurdod Hedfan Sifil	
(o)	Datblygiad sy'n debygol o effeithio ar Ystad y Goron neu sydd wedi ei leoli ar Dir y Goron	Ystad y Goron	
(p)	Datblygiad sy'n debygol o effeithio ar ardal sydd o dan reolaeth awdurdod harbwr	Yr Awdurdod Harbwr o dan sylw Yr Awdurdod Mordwyo o dan sylw Cymdeithas Porthladdoedd Prydain	
(q)	Datblygiad sy'n cynnwys rheilffordd neu sy'n debygol o effeithio ar reilffordd	Gweithredwyr rhwydwaith	
(r)	Datblygiad sy'n cynnwys darparu seilwaith trydan		Gweithredwyr Rhwydwaith Datblygiad

SCHEDULE Regulation 3(2)

Consultations before the grant of Infrastructure Consent

Column 1	*Column 2*	*Column 3*	*Column 4*
Paragraph	*Description of Development*	*Relevant Statutory Consultee*	*Relevant Specialist Consultee*
(a)	All applications	Natural Resources Wales The relevant water and sewerage undertaker National Air Traffic Services Ministry of Defence Public Health Wales Transport for Wales	Canal and River Trust Distribution Network Operators
(b)	Development likely to result in a material increase in the volume or material change in the character of traffic— (i) entering or leaving a trunk road; (ii) using a level crossing over a railway.	The Welsh Ministers The operator of the network which includes or consists of the railway in question and the Welsh Ministers	
(c)	Development which involves the provision of a building or pipeline in an area of coal working notified by the Coal Authority to the Welsh Ministers	The Coal Authority	
(d)	(i) Development which has a physical impact on a scheduled monument (ii) Development likely to be visible from a scheduled monument and which meets one of the following criteria— (aa) it is within a distance of 0.5 km from any point of the perimeter of a scheduled monument, (bb) it is within a distance of 1 km from the perimeter of a scheduled monument and is 15 metres or more in height, or has an area of 0.2 hectares or more,	The Welsh Ministers	

	(cc) it is within a distance of 2 km from the perimeter of a scheduled monument and is 50 metres or more in height, or has an area of 0.5 hectares or more, (dd) it is within a distance of 3 km from the perimeter of a scheduled monument and is 75 metres or more in height, or has an area of 1 hectare or more, or (ee) it is within a distance of 5 km from the perimeter of a scheduled monument and is 100 metres or more in height, or has an area of 1 hectare or more. (iii) Development likely to affect the site of a registered historic park or garden or its setting, (iv) Development within a registered historic landscape that requires an Environmental Impact Assessment, (v) Development likely to have an impact on the outstanding universal value of a World Heritage Site.		
(e)	Development involving any land on which there is a theatre		The Theatres Trust
(f)	Development which involves — (i) the loss of not less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, or (ii) the loss of less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, in circumstances in which the development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares or more.	The Welsh Ministers	
(g)	Development which— (i) is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field, or (ii) is on land which has been: (aa) used as a playing field at any time in the years before the making of the relevant application and which remains undeveloped, (bb) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement, or (iii) involves the replacement of the grass surface of a playing pitch on a playing field with an artificial,	The Sports Council for Wales	

	man-made or composite surface.		
(h)	Development— (i) involving waste development (ii) involving the provision of a building where the floor space to be created by the development is 1,000 square metres or more (iii) carried out on a site having an area of 1 hectare or more	The Fire and Rescue Authority concerned	
(i)	Development that includes a requirement for a deemed marine licence	The Crown Estate The Joint Nature Conservation Committee The Maritime and Coastguard Agency Trinity House Reserved Trust Ports Local harbour authority Local ports Welsh Ministers Royal Commission on Ancient and Historic Monuments of Wales Inshore Fisheries and Conservation Authorities	The Royal Yachting Association Concerned Welsh archaeological trust UK Chamber of Shipping National Federation of Fishermen's Organisations Welsh Fishermen's Association
(j)	Developments likely to affect the maritime or coastal environment, or the shipping industry	The Maritime and Coastguard Agency	
(k)	Development which may impact the marine environment	Joint Nature Conservation Committee	
(l)	Development which may affect the marine environment within English territorial waters	The Marine Management Organisation	
(m)	Developments likely to affect navigation in tidal waters	Trinity House	

(n)	Development relating to airports or which are likely to affect an airport or its current or future operation	The Civil Aviation Authority	
(o)	Development likely to affect the Crown Estate or is located on Crown Land	The Crown Estate	
(p)	Development likely to affect an area under control of a harbour authority	Harbour Authority concerned Navigation Authority concerned Associated British Ports	
(q)	Development which includes railway or is likely to affect railway	Network operators	
(r)	Development which includes the provision of electricity infrastructure		Distribution Network Operators

Dehongli'r Tabl

Yn y Tabl uchod—

(a) Ym mharagraff (b)—

mae i "rhwydwaith" a "gweithredwr" yr un ystyr ag a roddir i "network" ac "operator" yn y drefn honno yn adran 83(1) o Ddeddf Rheilffyrdd 1993(**1**) (darparu gwasanaethau rheilffordd); a

mae i "cefnffordd" yr un ystyr ag yn adran 143 o Ddeddf 2024;

(b) ym mharagraff (d)—

mae i "heneb gofrestredig" yr un ystyr ag yn adran 3(7) o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023(**2**) (dyletswydd i gynnal a chyhoeddi cofrestr o henebion);

mae cyfeiriad at uchder datblygiad i'w ddehongli fel cyfeiriad at ei uchder wedi ei fesur o lefel y ddaear; ac at ddibenion y paragraff hwn ystyr "lefel y ddaear" yw lefel arwyneb y ddaear yn union gerllaw'r datblygiad o dan sylw neu, pan na fo lefel arwyneb y ddaear y lleolir y datblygiad arno yn wastad, lefel rhan uchaf yr arwyneb yn union gerllaw'r datblygiad;

ystyr "parc hanesyddol cofrestredig neu ardd hanesyddol gofrestredig" a "tirwedd hanesyddol gofrestredig" yw'r parc, yr ardd neu'r dirwedd a gynhwysir yn y Gofrestr o Dirweddau, Parciau a Gerddi o Ddiddordeb Hanesyddol Arbennig yng Nghymru a gynhelir gan Weinidogion Cymru;

ystyr "Safle Treftadaeth y Byd" yw tir sy'n ymddangos ar Restr Treftadaeth y Byd a gedwir o dan erthygl 11(2) o Gonfensiwn UNESCO ar Amddiffyn Treftadaeth Ddiwylliannol a Naturiol y Byd a fabwysiadwyd ym Mharis ar 16 Tachwedd 1972;

(c) Ym mharagraff (e), mae i "theatr" yr un ystyr ag a roddir i "theatre" yn adran 5 o Ddeddf yr Ymddiriedolaeth Theatrau 1976(**3**) (dehongli);

(d) Ym mharagraff (g)—

ystyr "maes chwarae" yw'r cyfan o safle sy'n cwmpasu o leiaf un llain chwarae;

ystyr "llain chwarae" yw man wedi ei amlinellu y mae, ynghyd ag unrhyw redegfa iddo, yn 0.2 hectar neu'n fwy, ac a ddefnyddir ar gyfer pêl-droed, pêl-droed Americanaidd, rygbi, criced, hoci, lacrós, rownderi, pêl fas, pêl feddal, pêl-droed Awstralaidd, pêl-droed Gwyddelig, bando, hyrli, polo neu polo beiciau.

Interpretation of Table

In the above Table—

(a) In paragraph (b)—

"network" and "operator" have the same meaning as in section 83(1) of the Railways Act 1993(**1**) (the provision of railway services), and

"trunk road" has the same meaning as in section 143 of the 2024 Act.

(b) In paragraph (d)—

"scheduled monument" has the same meaning as in section 3(7) of the Historic Environment (Wales) Act 2023(**2**) (duty to maintain and publish schedule of monuments);

Reference to the height of development is to be construed as a reference to its height when measured from ground level; and for the purposes of this paragraph "ground level" means the level of the surface of the ground immediately adjacent to the development in question, or where the level of the surface of the ground on which it is situated is not uniform, the level of the highest part of the surface adjacent to it;

"registered historic park or garden" and "registered historic landscape" means the park, garden or landscape included in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales maintained by the Welsh Ministers;

"World Heritage Site" means land appearing on the World Heritage List kept under article 11(2) of the UNESCO Convention for the Protection of the World Cultural and Natural Heritage adopted at Paris on 16th November 1972;

(c) In paragraph (e), "theatre" has the same meaning as in section 5 of the Theatres Trust Act 1976(**3**) (interpretation);

(d) In paragraph (g)—

"playing field" means the whole of a site which encompasses at least one playing pitch;

"playing pitch" means a delineated area which, together with run-off area, is of 0.2 hectares or more and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo.

(**1**) 1993 p. 43.
(**2**) 2023 dsc 3.
(**3**) 1976 p. 27.

(**1**) 1993 c. 43.
(**2**) 2023 asc 3.
(**3**) 1976 c. 27.

(e) Ym mharagraffau (i) a (p) mae i “awdurdod harbwr” yr ystyr a roddir yn adran 143 o Ddeddf 2024;

(f) ym mharagraff (n) mae i “maes awyr” yr ystyr a roddir i “airport” gan adran 82(1) o Ddeddf Meysydd Awyr 1986(**1**);

(g) Ym mharagraff (r) ystyr “Gweithredwyr Rhwydwaith Datblygiad” yw cwmnïau sydd wedi eu trwyddedu i weithredu’r rhwydweithiau sy’n dosbarthu trydan o’r grid trosglwyddo cenedlaethol i’r defnyddwyr terfynol.

(e) In paragraphs (i) and (p) “harbour authority” has the meaning given in section 143 of the 2024 Act;

(f) In paragraph (n) “airport” has the meaning given by section 82(1) of the Airports Act 1986(**1**);

(g) In paragraph (r) “Distribution Network Operators” means companies licensed to operate the networks that distribute electricity from the national transmission grid to end users.

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

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(**1**) 1986 p. 31.

(**1**) 1986 c. 31.

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