OFFERYNNAU STATUDOL CYMRU

2024 Rhif 930 (Cy. 155)

YR AMGYLCHEDD HANESYDDOL, CYMRU

Rheoliadau Adeiladau Rhestredig ac Ardaloedd Cadwraeth (Gweithdrefn a Chyfradd Llog) (Cymru) 2024

Gwnaed	*9 Medi 2024*
Gosodwyd gerbron Senedd Cymru	*11 Medi 2024*
Yn dod i rym	*4 Tachwedd 2024*

WELSH STATUTORY INSTRUMENTS

2024 No. 930 (W. 155)

HISTORIC ENVIRONMENT, WALES

The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024

Made	*9 September 2024*
Laid before Senedd Cymru	*11 September 2024*
Coming into force	*4 November 2024*

£13.57

OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2024 Rhif 930 (Cy. 155)

YR AMGYLCHEDD HANESYDDOL, CYMRU

Rheoliadau Adeiladau Rhestredig ac Ardaloedd Cadwraeth (Gweithdrefn a Chyfradd Llog) (Cymru) 2024

2024 No. 930 (W. 155)

HISTORIC ENVIRONMENT, WALES

The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn wedi eu gwneud o dan bwerau a roddir i Weinidogion Cymru gan Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023 ("Deddf 2023"). Mae Deddf 2023 yn ffurfio rhan o god o gyfraith sy'n ymwneud ag amgylchedd hanesyddol Cymru. Mae'r Rheoliadau hyn hefyd yn ffurfio rhan o'r Cod hwnnw.

Mae Deddf 2023 yn gwarchod adeiladau o ddiddordeb pensaernïol neu hanesyddol arbennig, a all gynnwys adeiladau neu strwythurau. Mae'r Ddeddf honno yn darparu bod rhaid i Weinidogion Cymru gynnal rhestr o adeiladau o'r fath yng Nghymru. Ni chaniateir i fathau penodol o waith gael eu cyflawni i "adeilad rhestredig" oni bai bod y gwaith wedi ei awdurdodi gan yr awdurdod cynllunio neu gan Weinidogion Cymru. Yr enw ar yr awdurdodiad hwn yw "cydsyniad adeilad rhestredig" ac fe'i rhoddir o dan Ddeddf 2023.

Mae'r fframwaith ar gyfer ceisiadau am gydsyniad adeilad rhestredig a newidiadau iddo wedi ei nodi yn adrannau 90 i 99 o Ddeddf 2023. Mae'r fframwaith ar gyfer apelau mewn perthynas â cheisiadau am gydsyniad adeilad rhestredig wedi ei nodi yn adrannau 100 i 104 o'r Ddeddf honno. Mae darpariaethau ynghylch cyflwyno hysbysiadau a dogfennau eraill yn adran 205 o'r Ddeddf honno.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under powers given to the Welsh Ministers by the Historic Environment (Wales) Act 2023 ("the 2023 Act"). The 2023 Act forms part of a code of law relating to the historic environment of Wales. These Regulations also form part of that Code.

The 2023 Act protects buildings of special architectural or historic interest, which may include buildings or structures. That Act provides that the Welsh Ministers must maintain a list of such buildings in Wales. Particular types of works may only be carried out to a "listed building" if they are authorised by the planning authority or by the Welsh Ministers. This authorisation is called "listed building consent" and is granted under Part 3 of the 2023 Act.

The framework for applications for listed building consent and changes to it is set out in sections 90 to 99 of the 2023 Act. The framework for appeals in relation to applications for listed building consent is set out in sections 100 to 104 of that Act. There are provisions about the service of notices and other documents in section 205 of that Act.

Mae Deddf 2023 hefyd yn gwarchod ardaloedd o ddiddordeb pensaernïol neu hanesyddol arbennig. Mae'r Ddeddf honno yn ei gwneud yn ofynnol i awdurdodau cynllunio benderfynu pa ardaloedd o'r fath y mae'n ddymunol eu diogelu neu eu gwella, a dynodi ardaloedd o'r fath yn "ardaloedd cadwraeth". Yn fras, mae gwaith ar gyfer dymchwel adeilad mewn ardal gadwraeth wedi ei wahardd oni bai bod y gwaith wedi ei awdurdodi gan yr awdurdod cynllunio. Yr enw ar yr awdurdodiad hwn yw "cydsyniad ardal gadwraeth" ac fe'i rhoddir o dan Ran 4 o Ddeddf 2023.

The 2023 Act also protects areas of special architectural or historic interest. That Act requires planning authorities to determine which such areas it is desirable to preserve or enhance, and designate such areas as "conservation areas". Broadly, works for the demolition of a building in a conservation area are prohibited unless the works are authorised by the planning authority. This authorisation is called "conservation area consent" and is granted under Part 4 of the 2023 Act.

Mae'r fframwaith ar gyfer ceisiadau am gydsyniad ardal gadwraeth ac apelau mewn perthynas â cheisiadau o'r fath yn seiliedig ar y fframwaith ar gyfer adeiladau rhestredig ac fe'i nodir yn adran 163 o Ddeddf 2023.

The framework for applications for conservation area consent and appeals in relation to such applications is based on the framework for listed buildings and is set out in section 163 of the 2023 Act.

Mae **Rhan 1** o'r Rheoliadau hyn yn gwneud darpariaeth bellach ynghylch ceisiadau am gydsyniad adeilad rhestredig, pan fo'r ceisiadau hynny yn ymwneud ag adeiladau rhestredig yng Nghymru. Mae'n cynnwys darpariaeth ynghylch hysbysu pobl ynglŷn â cheisiadau am gydsyniad adeilad rhestredig a chydsyniad ardal gadwraeth, a rhoi cyhoeddusrwydd i'r ceisiadau hynny.

Part 1 of these Regulations makes further provision about applications for listed building consent, where those applications relate to listed buildings in Wales. It includes provision about notifying people about and publicising applications for, listed building consent and conservation area consent.

Mae rheoliad 3 yn gwneud darpariaeth bellach ynghylch ffurf a chynnwys cais am gydsyniad adeilad rhestredig, a sut i wneud cais o'r fath.

Regulation 3 makes further provision about the form and content of, and how to make, an application for listed building consent.

Mae rheoliad 4 yn gwneud darpariaeth ynghylch y materion y mae rhaid i'r datganiad a elwir yn ddatganiad o'r effaith ar dreftadaeth eu disgrifio a'u hesbonio. Mae adran 90(4) o Ddeddf 2023 yn ei gwneud yn ofynnol cynnwys y datganiad gyda chais am gydsyniad adeilad rhestredig.

Regulation 4 makes provision about the matters which the statement known as a heritage impact statement must describe and explain. Section 90(4) of the 2023 Act requires the statement to be included with an application for listed building consent.

Mae rheoliad 5 yn ei gwneud yn ofynnol i geisydd am gydsyniad adeilad rhestredig roi hysbysiad, cyn gwneud cais, i unrhyw berchnogion eraill ar yr adeilad. Mae hefyd yn nodi sut y mae rhaid rhoi'r hysbysiad hwnnw.

Regulation 5 requires an applicant for listed building consent to give notice, before making an application, to any other owners of the building. It also sets out how that notice must be given.

Mae rheoliad 6 yn ei gwneud yn ofynnol i geiswyr ddarparu tystysgrif gyda'u cais am gydsyniad adeilad rhestredig sy'n nodi'r camau y maent wedi eu cymryd i roi hysbysiad.

Regulation 6 requires applicants to provide a certificate with their application for listed building consent setting out the steps that they have taken to give notice.

Mae rheoliad 7 ac Atodlen 1 yn ymdrin â chydnabod cais am gydsyniad adeilad rhestredig.

Regulation 7 and Schedule 1 deal with acknowledging an application for listed building consent.

Mae rheoliad 8 yn nodi'r gofynion ar gyfer rhoi cyhoeddusrwydd i geisiadau am gydsyniad adeilad rhestredig a chydsyniad ardal gadwraeth.

Regulation 8 sets out requirements for publicising applications for listed building consent and conservation area consent.

Mae rheoliad 9 yn ei gwneud yn ofynnol i'r awdurdod cynllunio hysbysu'r cymdeithasau amwynder a restrir a Chomisiwn Brenhinol Henebion Cymru pan fydd yn cael cais am gydsyniad adeilad rhestredig sy'n cynnwys dymchwel adeilad neu ddymchwel adeilad yn rhannol.

Regulation 9 requires the planning authority to notify the listed amenity societies and the Royal Commission on the Ancient and Historical Monuments of Wales when it receives an application for listed building consent which involves demolition or partial demolition of a building.

Mae rheoliad 10 yn nodi'r weithdrefn sydd i'w dilyn pan fydd cais am gydsyniad adeilad rhestredig yn cael ei atgyfeirio at Weinidogion Cymru o dan adran 94 o Ddeddf 2023.

Regulation 10 sets out the procedure to be followed when an application for listed building consent is referred to the Welsh Ministers under section 94 of the 2023 Act.

Mae rheoliad 11 yn datgymhwyso'r gofyniad i hysbysu Gweinidogion Cymru am geisiadau am gydsyniad adeilad rhestredig yn adran 95(1) o Ddeddf 2023 mewn cysylltiad â gwaith nad yw ond yn effeithio ar y tu mewn i adeilad a ddosberthir yn Radd II (heb seren).

Regulation 11 disapplies the requirement to notify the Welsh Ministers of applications for listed building consent in section 95(1) of the 2023 Act in respect of works affecting only the interior of a building which is classified as Grade II (unstarred).

Mae rheoliad 12 yn gosod gofynion ynghylch gwneud penderfyniadau ar geisiadau am gydsyniad adeilad rhestredig.

Regulation 12 sets requirements about making decisions on applications for listed building consent.

Mae rheoliad 13 ac Atodlen 2 yn nodi'r gofynion ar gyfer hysbysu ceisydd am y penderfyniad ar ei gais am gydsyniad adeilad rhestredig, neu fod y cais wedi ei atgyfeirio at Weinidogion Cymru am benderfyniad.

Regulation 13 and Schedule 2 set out the requirements for notifying an applicant of the decision on their application for listed building consent, or that the application has been referred to the Welsh Ministers for a decision.

Mae rheoliad 14 yn cymhwyso ac yn addasu gofynion rheoliad 9, ynghylch hysbysu cymdeithasau amwynder cenedlaethol a Chomisiwn Brenhinol Henebion Cymru am geisiadau, i benderfyniadau ar geisiadau am gydsyniad adeilad rhestredig.

Regulation 14 applies and adapts the requirements of regulation 9, about notifying national amenity societies and the Royal Commission on the Ancient and Historical Monuments of Wales of applications, to decisions on applications for listed building consent.

Mae rheoliad 15 yn cymhwyso ac yn addasu darpariaethau rheoliadau 3 i 14 i geisiadau i amrywio neu ddileu amodau cydsyniad adeilad rhestredig. Mae hefyd yn cyflwyno ffurflen yn Atodlen 3.

Regulation 15 applies and adapts the provisions of regulations 3 to 14 to applications for the variation or removal of conditions of listed building consent. It also introduces a form in Schedule 3.

Mae **Rhan 2** o'r Rheoliadau hyn yn gwneud darpariaeth bellach ynghylch y weithdrefn ar gyfer apelau mewn perthynas â cheisiadau am gydsyniad adeilad rhestredig.

Part 2 of these Regulations makes further provision about the procedure for appeals in relation to applications for listed building consent.

Mae rheoliad 16 yn nodi'r weithdrefn, gan gynnwys gofynion ynghylch rhoi hysbysiad a darparu gwybodaeth, ar gyfer gwneud apêl mewn perthynas â chais am gydsyniad adeilad rhestredig.

Regulation 16 sets out the procedure, including requirements about giving notice and providing information, for making an appeal in relation to an application for listed building consent.

Mae rheoliad 17 yn nodi pryd y gellir amrywio cais am gydsyniad adeilad rhestredig ar ôl i hysbysiad o apêl gael ei roi.

Regulation 17 sets out when an application for listed building consent can be varied after notice of appeal has been given.

Mae rheoliad 18 yn rhagnodi mai 4 wythnos yw'r cyfnod pan na chaiff Gweinidogion Cymru benderfynu apêl yn erbyn methiant i roi hysbysiad o benderfyniad.

Regulation 18 prescribes that the period within which the Welsh Ministers may not determine an appeal against failure to give notice of a decision is 4 weeks.

Mae **Rhan 3** o'r Rheoliadau hyn yn gwneud darpariaeth bellach ar gyfer achosion arbennig, sef ceisiadau gan awdurdodau cynllunio ac mewn cysylltiad â thir y Goron (tir y mae buddiant y Goron neu fuddiant y Ddugiaeth ynddo).

Part 3 of these Regulations makes further provision for special cases, being applications by planning authorities and in respect of Crown land (land in which there is a Crown interest or a Duchy interest).

Mae rheoliad 19 yn gwneud darpariaeth i geisiadau gan awdurdod cynllunio am gydsyniad adeilad rhestredig i ddymchwel gael eu gwneud i Weinidogion Cymru. Mae hefyd yn cymhwyso ac yn addasu rhannau priodol o Ddeddf 2023 a'r Rheoliadau hyn at y diben hwnnw.

Regulation 19 makes provision for applications by a planning authority for listed building consent for demolition to be made to the Welsh Ministers. It also applies and modifies appropriate parts of the 2023 Act and these Regulations for that purpose.

Mae rheoliad 20 yn darparu nad oes hawl i apelio i Weinidogion Cymru yn erbyn penderfyniad a wneir gan awdurdod cynllunio ar gais gan awdurdod cynllunio am gydsyniad adeilad rhestredig.

Regulation 20 provides that there is no right to appeal to the Welsh Ministers against a decision made by a planning authority on an application by a planning authority for listed building consent.

Mae rheoliad 21 yn addasu darpariaethau yn y Rheoliadau hyn pan fydd cais am gydsyniad adeilad rhestredig yn cael ei wneud mewn cysylltiad â thir y Goron.

Regulation 21 modifies provisions of these Regulations when an application for listed building consent is made in respect of Crown land.

Mae rheoliad 22 yn gwneud darpariaeth ar gyfer y weithdrefn ar gyfer ceisiadau sy'n ymwneud â gwaith brys ar dir y Goron ac yn addasu'r Rheoliadau hyn at y diben hwnnw.

Regulation 22 makes provision for the procedure for applications relating to urgent works on Crown land and modifies these Regulations for that purpose.

Mae **Rhan 4** o'r Rheoliadau hyn yn gwneud darpariaeth mewn perthynas ag ardaloedd cadwraeth.

Part 4 of these Regulations makes provision in relation to conservation areas.

Mae rheoliad 23 yn cyfyngu'r gofyniad cyffredinol yn adran 161(1) o Ddeddf 2023 i ddymchweliad adeilad mewn ardal gadwraeth gael ei awdurdodi. Mae'n rhestru'r adeiladau nad yw'r gofyniad i ddymchweliad mewn ardaloedd cadwraeth gael ei awdurdodi yn gymwys iddynt.

Regulation 23 limits the general requirement in section 161(1) of the 2023 Act for demolition of a building in a conservation area to be authorised. It lists the buildings to which the requirement for demolition in conservation areas to be authorised does not apply.

Mae rheoliad 24 yn cymhwyso'r darpariaethau perthnasol yn y Rheoliadau hyn i geisiadau am gydsyniad ardal gadwraeth a materion cysylltiedig megis apelau. Mae hefyd yn addasu darpariaethau yn y Rheoliadau hyn at y diben hwnnw.

Regulation 24 applies the relevant provisions of these Regulations to applications for conservation area consent and related matters such as appeals. It also modifies provisions of these Regulations for that purpose.

Mae **Rhan 5** o'r Rheoliadau hyn yn gwneud darpariaeth amrywiol ac yn cynnwys diwygiadau canlyniadol. Mae hefyd yn dirymu offerynnau statudol darfodedig ac yn tynnu'n ôl gyfarwyddydau darfodedig.

Part 5 of these Regulations makes miscellaneous provision and contains consequential amendments. It also revokes obsolete statutory instruments and withdraws obsolete directions.

Mae rheoliad 25 yn nodi'r weithdrefn ar gyfer hysbysebu gorchymyn dirymu neu orchymyn addasu diwrthwynebiad a wneir o dan adran 107 o Ddeddf 2023.

Regulation 25 sets out the procedure for the advertisement of an unopposed revocation or modification order made under section 107 of the 2023 Act.

Mae rheoliad 26 yn rhagnodi'r gyfradd llog ar gyfer cost gwaith brys a gyflawnir o dan adran 145 o Ddeddf 2023.

Regulation 26 prescribes the interest rate for the cost of urgent works carried out under section 145 of the 2023 Act.

Mae rheoliad 27 ac Atodlen 4 yn gwneud diwygiadau canlyniadol. Maent yn cynnwys diwygiadau sy'n addasu'r gweithdrefnau yn y Rheoliadau hyn i geisiadau sy'n gysylltiedig â chynigion o dan Ddeddf Trafnidiaeth a Gweithfeydd 1992 neu gynigion sydd ar gyfer datblygiad o arwyddocâd cenedlaethol o dan adran 62D o Ddeddf Cynllunio Gwlad a Thref 1990.

Regulation 27 and Schedule 4 make consequential amendments. They include amendments which adapt the procedures in these Regulations to applications which are connected with proposals under the Transport and Works Act 1992 or proposals which are for a development of national significance under section 62D of the Town and Country Planning Act 1990.

Mae rheoliad 28 ac Atodlen 5 yn dirymu offerynnau statudol ac yn tynnu'n ôl gyfarwyddydau.

Regulation 28 and Schedule 5 revoke statutory instruments and withdraw directions.

Yr offerynnau statudol sydd wedi eu dirymu yw Rheoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) (Cymru) 2012 ac offerynnau diwygio dilynol, a Gorchymyn Adeiladau Rhestredig (Gwaith Brys) (Cyfradd Llog ar Dreuliau) (Cymru) 2017.

The statutory instruments which are revoked are the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 and subsequent amending instruments, and the Listed Buildings (Urgent Works) (Interest Rate on Expenses) (Wales) Order 2017.

Y Cyfarwyddydau sydd wedi eu tynnu'n ôl yw Cyfarwyddyd Ceisiadau a Phenderfyniadau Adeilad Rhestredig (Dyletswydd i Hysbysu Cymdeithasau Amwynder Cenedlaethol a'r Comisiwn Brenhinol) (Cymru) 2022, Cyfarwyddyd Ceisiadau Cydsyniad Adeilad Rhestredig (Datgymhwyso Dyletswydd i Hysbysu Gweinidogion Cymru) (Cymru) 2017 Rhif 25 a Chyfarwyddyd Ardaloedd Cadwraeth (Datgymhwyso Gofyniad i Gael Cydsyniad Ardal Gadwraeth er mwyn Dymchwel) (Cymru) 2017 Rhif 27.

The Directions which are withdrawn are the Listed Building Applications and Decisions (Duty to Notify National Amenity Societies and the Royal Commission) (Wales) Direction 2022, the Listed Building Consent Applications (Disapplication of Duty to Notify Welsh Ministers) (Wales) Direction 2017 No. 25 and the Conservation Areas (Disapplication of Requirement for Conservation Area Consent for Demolition) (Wales) Direction 2017 No. 27.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2024 Rhif 930 (Cy. 155)

YR AMGYLCHEDD HANESYDDOL, CYMRU

Rheoliadau Adeiladau Rhestredig ac Ardaloedd Cadwraeth (Gweithdrefn a Chyfradd Llog) (Cymru) 2024

Gwnaed	*9 Medi 2024*
Gosodwyd gerbron Senedd Cymru	*11 Medi 2024*
Yn dod i rym	*4 Tachwedd 2024*

CYNNWYS

1. Enwi, dod i rym a chod
2. Dehongli

RHAN 1
CEISIADAU

3. Gwneud cais am gydsyniad adeilad rhestredig
4. Datganiad o'r effaith ar dreftadaeth
5. Hysbysiad o gais am gydsyniad adeilad rhestredig i berchnogion adeilad
6. Y dystysgrif sydd i'w chynnwys gyda chais am gydsyniad adeilad rhestredig
7. Cydnabod cais am gydsyniad adeilad rhestredig
8. Hysbysebu ceisiadau am gydsyniad adeilad rhestredig
9. Hysbysu'r Cymdeithasau Amwynder a Chomisiwn Brenhinol Henebion Cymru
10. Atgyfeirio ceisiadau at Weinidogion Cymru
11. Datgymhwyso'r gofyniad i hysbysu Gweinidogion Cymru am geisiadau am gydsyniad adeilad rhestredig

2024 No. 930 (W. 155)

HISTORIC ENVIRONMENT, WALES

The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024

Made	*9 September 2024*
Laid before Senedd Cymru	*11 September 2024*
Coming into force	*4 November 2024*

CONTENTS

1. Title, coming into force and code
2. Interpretation

PART 1
APPLICATIONS

3. Applying for listed building consent
4. Heritage impact statement
5. Notice of application for listed building consent to owners of building
6. Certificate to be included with application for listed building consent
7. Acknowledgement of application for listed building consent
8. Advertisement of applications for listed building consent
9. Notification to the Amenity Societies and the Royal Commission on the Ancient and Historical Monuments of Wales
10. Reference of applications to the Welsh Ministers
11. Disapplication of requirement to notify the Welsh Ministers of applications for listed building consent

12. Penderfyniad ar gais
13. Hysbysiad o benderfyniad neu atgyfeiriad at Weinidogion Cymru
14. Hysbysu cymdeithasau amwynder etc. am benderfyniad
15. Cais i amrywio neu ddileu amodau

RHAN 2
APELAU

16. Apelau
17. Amrywio ceisiadau ar ôl hysbysiad o apêl
18. Penderfyniad ar gais ar ôl cyflwyno hysbysiad o apêl

RHAN 3
ACHOSION ARBENNIG

19. Datgymhwyso ac addasu: ceisiadau gan awdurdod cynllunio i ddymchwel adeilad rhestredig
20. Ceisiadau ac eithrio rhai i ddymchwel a wneir gan awdurdod cynllunio
21. Cais am gydsyniad adeilad rhestredig mewn cysylltiad â thir y Goron
22. Cyhoeddusrwydd ar gyfer ceisiadau sy'n ymwneud â gwaith brys ar dir y Goron

RHAN 4
Ardaloedd Cadwraeth

23. Datgymhwyso'r gofyniad i ddymchweliad mewn ardaloedd cadwraeth gael ei awdurdodi
24. Cymhwyso'r Rheoliadau hyn i adeiladau mewn ardaloedd cadwraeth

RHAN 5
AMRYWIOL A CHYFFREDINOL

25. Hysbysebu gorchymyn dirymu neu orchymyn addasu diwrthwynebiad
26. Cyfradd llog ar dreuliau ar gyfer gwaith brys
27. Diwygiadau canlyniadol
28. Dirymu

12. Decision on application
13. Notice of decision or referral to the Welsh Ministers
14. Notification of amenity societies etc. of decision
15. Application for variation or removal of conditions

PART 2
APPEALS

16. Appeals
17. Variation of applications after notice of appeal
18. Decision on application after service of notice of appeal

PART 3
SPECIAL CASES

19. Disapplication and modifications: applications by a planning authority for demolition of a listed building
20. Applications other than for demolition made by a planning authority
21. Application for listed building consent in respect of Crown land
22. Publicity for applications relating to urgent works on Crown land

PART 4
Conservation Areas

23. Disapplication of the requirement for demolition in conservation areas to be authorised
24. Application of these Regulations to buildings in conservation areas

PART 5
MISCELLANEOUS AND GENERAL

25. Advertisement of unopposed revocation or modification order
26. Interest rate on expenses for urgent works
27. Consequential amendments
28. Revocation

ATODLEN 1	—	Hysbysiad i'r Ceisydd ar ôl Cael Cais
ATODLEN 2	—	Hysbysiad i'r Ceisydd ar ôl Gwrthod Cydsyniad neu Roi Cydsyniad yn Ddarostyngedig i Amodau (i'w gynnwys gyda hysbysiadau o benderfyniad)
ATODLEN 3	—	Hysbysiad i'r Ceisydd ar ôl Gwrthod Amrywio neu Ddileu Amodau sydd Ynghlwm wrth Gydsyniad neu ar ôl Ychwanegu Amodau Newydd (i'w gynnwys gyda'r hysbysiadau o benderfyniad)
ATODLEN 4	—	Diwygiadau canlyniadol
ATODLEN 5	—	Dirymu a thynnu'n ôl

SCHEDULE 1	—	Notification to Applicant on Receipt of Application
SCHEDULE 2	—	Notification to Applicant on Refusal of Consent or Grant of Consent Subject to Conditions (to be included with notices of decision)
SCHEDULE 3	—	Notification to Applicant on Refusal to Vary or Remove Conditions Attached to a Consent or on the Addition of New Conditions (to be included with the notices of decision)
SCHEDULE 4	—	Consequential amendments
SCHEDULE 5	—	Revocation and withdrawal

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 90(3), (4) a (5), 91(1), (2) a (4), 92(2), 95(4) a (7), 100(4)(a), 101(3) a (5), 102(1), 103(2), 105, 106(5), 107(3)(a), 146(1), 161(2)(c), 170, 209(2) a 211(3)(a) a (4) o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023(**1**) a pharagraff 3(2)(a) o Atodlen 8 iddi, yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred on them by sections 90(3), (4) and (5), 91(1), (2) and (4), 92(2), 95(4) and (7), 100(4)(a), 101(3) and (5), 102(1), 103(2), 105, 106(5), 107(3)(a), 146(1), 161(2)(c), 170, 209(2) and 211(3)(a) and (4) of, and paragraph 3(2)(a) of Schedule 8 to, the Historic Environment (Wales) Act 2023(**1**), make the following Regulations.

Enwi, dod i rym a chod

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Adeiladau Rhestredig ac Ardaloedd Cadwraeth (Gweithdrefn a Chyfradd Llog) (Cymru) 2024.

(2) Daw'r Rheoliadau hyn i rym ar 4 Tachwedd 2024.

(3) Mae'r Rheoliadau hyn yn ffurfio rhan o god o gyfraith sy'n ymwneud ag amgylchedd hanesyddol Cymru(**2**).

Title, coming into force and code

1.—(1) The title of these Regulations is the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024.

(2) These Regulations come into force on 4 November 2024.

(3) These Regulations form part of a code of law relating to the historic environment of Wales(**2**).

(**1**) 2023 dsc 3.
(**2**) Gweler paragraffau 8 i 10 o'r Nodiadau Esboniadol i Ddeddf 2023, sydd i'w gweld yn https://www.legislation.gov.uk/asc/2023/3/notes/division/3/welsh.

(**1**) 2023 asc 3.
(**2**) See paragraphs 8 to 10 of the Explanatory Notes to the 2023 Act, which can be found at https://www.legislation.gov.uk/asc/2023/3/notes/division/3.

Dehongli

2. Yn y Rheoliadau hyn—

mae i "adeilad" ("*building*") yr ystyr a roddir gan adran 210 o Ddeddf 2023;

ystyr "awdurdod cynllunio" ("*planning authority*") yw awdurdod cynllunio lleol o fewn yr ystyr a roddir i "local planning authority" gan Ran 1 o Ddeddf Cynllunio Gwlad a Thref 1990(**1**);

mae i "cydsyniad adeilad rhestredig" ("*listed building consent*") yr ystyr a roddir gan adran 89 o Ddeddf 2023;

mae i "cydsyniad ardal gadwraeth ("*conservation area consent*") yr ystyr a roddir gan adran 162 o Ddeddf 2023;

mae i "cyfathrebiad electronig" yr ystyr a roddir i "electronic communication" gan adran 15(1) o Ddeddf Cyfathrebiadau Electronig 2000(**2**);

ystyr "cyfeiriad" ("*address*"), mewn perthynas â chyfathrebiadau electronig, yw unrhyw rif neu unrhyw gyfeiriad a ddefnyddir at ddiben cyfathrebiadau electronig;

ystyr "datganiad achos llawn" ("*full statement of case*") yw datganiad ysgrifenedig sy'n nodi manylion llawn yr achos y mae'r ceisydd neu'r apelydd yn bwriadu ei gyflwyno, ynghyd â chopïau o unrhyw ddogfennau ategol y mae'n bwriadu eu cyflwyno neu gyfeirio atynt fel tystiolaeth;

ystyr "Deddf 2023" ("*the 2023 Act*") yw Deddf yr Amgylchedd Hanesyddol (Cymru) 2023;

mae i "dyddiad perthnasol" ("*relevant date*") yr ystyr a roddir gan reoliad 5(3);

ystyr "gwaith" ("*works*") yw—

(a) mewn perthynas ag adeilad rhestredig, gwaith y mae adran 88 o Ddeddf 2023 yn gymwys iddo, a

(b) mewn perthynas ag ardal gadwraeth, gwaith y mae adran 161 o Ddeddf 2023 yn gymwys iddo;

ystyr "perchennog" ("*owner*") yw—

(a) perchennog ar yr ystad rydd-ddaliadol, neu

Interpretation

2. In these Regulations—

"the 2023 Act" ("*Deddf 2023*") means the Historic Environment (Wales) Act 2023;

"address" ("*cyfeiriad*"), in relation to electronic communications, means any number or address used for the purpose of electronic communications;

"building" (*"adeilad"*) has the meaning given by section 210 of the 2023 Act;

"conservation area consent" (*"cydsyniad ardal gadwraeth"*) has the meaning given by section 162 of the 2023 Act;

"electronic communication" (*"cyfathrebiad electronig"*) has the meaning given by section 15(1) of the Electronic Communications Act 2000(**1**);

"full statement of case" (*"datganiad achos llawn"*) means a statement in writing setting out the full particulars of the case that the applicant or appellant proposes to put forward, together with copies of any supporting documents that they intend to put forward or refer to in evidence;

"land" ("*tir"*) has the meaning given by section 210 of the 2023 Act;

"owner" (*"perchennog"*) means—

(a) an owner of the freehold estate, or

(b) a tenant under a lease granted or extended for a fixed term that has at least 7 years left to run;

"listed building consent" ("*cydsyniad adeilad rhestredig*") has the meaning given by section 89 of the 2023 Act;

"planning authority" (*"awdurdod cynllunio"*) means a local planning authority within the meaning given by Part 1 of the Town and Country Planning Act 1990(**2**);

"relevant date" (*"dyddiad perthnasol"*) has the meaning given by regulation 5(3);

"works" (*"gwaith"*) means—

(**1**) 1990 p. 8. Mewnosodwyd adran 1(1A), (1B) a (6) gan adran 18(3), (4) a (5) o Ddeddf Llywodraeth Leol (Cymru) 1994 (p. 19) ("Deddf 1994"); mewnosodwyd adran 2(1A), (1B) ac (1C) gan adran 19(1) o Ddeddf 1994; mewnosodwyd adran 2(1D) gan adran 78 o Ddeddf yr Amgylchedd 1995 (p. 25) ("Deddf 1995") a pharagraff 32(2) o Atodlen 10 iddi; mewnosodwyd adran 2(3), (4) gan adran 19(4)(c) a (d) o Ddeddf 1994; a mewnosodwyd adran 4A gan adran 67(1) o Ddeddf 1995.

(**2**) 2000 p. 7.

(**1**) 2000 c. 7.

(**2**) 1990 c. 8. Section 1(1A), (1B) and (6) were inserted by section 18(3), (4) and (5) of the Local Government (Wales) Act 1994 (c. 19) ("1994 Act"); section 2(1A), (1B) and (1C) were inserted by section 19(1) of the 1994 Act; section 2(1D) was inserted by section 78 of and paragraph 32(2) of Schedule 10 to the Environment Act 1995 (c. 25) ("1995 Act"); section 2(3), (4) were inserted by section 19(4)(c) and (d) of the 1994 Act; and section 4A was inserted by section 67(1) of the 1995 Act.

(b) tenant o dan les a roddir neu a estynnir am gyfnod penodol sydd ag o leiaf 7 mlynedd yn weddill;

mae i "tir" ("*land*") yr ystyr a roddir gan adran 210 o Ddeddf 2023.

RHAN 1

CEISIADAU

Gwneud cais am gydsyniad adeilad rhestredig

3.—(1) Yn ogystal â gofynion adran 90(2) o Ddeddf 2023, rhaid i gais am gydsyniad adeilad rhestredig—

(a) bod ar ffurflen a gyhoeddir neu a ddarperir gan Weinidogion Cymru neu ar ffurflen sydd ag effaith sylweddol debyg, a

(b) cynnwys y materion a bennir yn y ffurflen.

(2) Pan na fo cais yn cael ei wneud drwy gyfathrebiad electronig, rhaid darparu tri chopi o'r cais a'r dogfennau a gynhwysir ynddo.

(3) Nid yw paragraff (2) yn gymwys os yw'r awdurdod cynllunio y gwneir y cais iddo yn nodi bod angen darparu llai o gopïau.

(4) Rhaid i unrhyw blaniau neu unrhyw luniadau—

(a) bod wedi eu lluniadu ar raddfa a nodir, a

(b) yn achos planiau, ddangos cyfeiriad y gogledd.

Datganiad o'r effaith ar dreftadaeth

4.—(1) Rhaid i gais am gydsyniad adeilad rhestredig gynnwys datganiad y cyfeirir ato fel datganiad o'r effaith ar dreftadaeth.

(2) Rhaid i ddatganiad o'r effaith ar dreftadaeth—

(a) disgrifio diddordeb pensaernïol neu hanesyddol arbennig yr adeilad rhestredig y mae'r cais yn ymwneud ag ef a'i arwyddocâd, gan gyfeirio'n benodol at y rhan o'r adeilad rhestredig y mae'r gwaith yn effeithio arni,

(b) esbonio'r amcan y bwriedir ei gyflawni gan y gwaith a pham y mae'r gwaith yn ddymunol neu'n angenrheidiol,

(c) cynnwys crynodeb o'r opsiynau a ystyriwyd at ddiben cyflawni'r amcan yn is-baragraff (b) a'r rhesymau dros ffafrio'r cynigion y mae'r cais yn ymwneud â hwy,

(d) disgrifio'r gwaith a'r egwyddorion dylunio sydd wedi eu cymhwyso i'r gwaith,

(e) cynnwys rhestr o'r gwaith,

(a) in relation to a listed building, works to which section 88 of the 2023 Act applies, and

(b) in relation to a conservation area, works to which section 161 of the 2023 Act applies.

PART 1

APPLICATIONS

Applying for listed building consent

3.—(1) In addition to the requirements of section 90(2) of the 2023 Act, an application for listed building consent must—

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

(b) include the matters specified in the form.

(2) Where an application is not made by electronic communication, the application and the documents contained in it must be provided in triplicate.

(3) Paragraph (2) does not apply if the planning authority to which the application is made indicates that fewer copies are required.

(4) Any plans or drawings must—

(a) be drawn to an identified scale, and

(b) in the case of plans, show the direction of north.

Heritage impact statement

4.—(1) An application for listed building consent must include with it a statement referred to as a heritage impact statement.

(2) A heritage impact statement must—

(a) describe the special architectural or historic interest of the listed building to which the application relates and its significance, with particular reference to the part of the listed building affected by the works,

(b) explain the objective that the works are intended to achieve and why they are desirable or necessary,

(c) include a summary of the options considered for the purpose of achieving the objective in sub-paragraph (b) and the reasons why the proposals to which the application relates are preferred,

(d) describe the works and the design principles which have been applied to them,

(e) include a schedule of works,

(f) disgrifio sut y bydd y gwaith yn effeithio ar gymeriad yr adeilad rhestredig fel adeilad o ddiddordeb pensaernïol neu hanesyddol arbennig, gan gynnwys asesiad o effaith y gwaith ar arwyddocâd yr adeilad, ac

(g) disgrifio sut yr ymdriniwyd â materion sy'n ymwneud â mynediad i'r adeilad rhestredig, neu ynddo, ond heb gynnwys materion sy'n ymwneud â mynediad i unrhyw ran o adeilad rhestredig a ddefnyddir fel annedd breifat, neu fynediad mewn unrhyw ran o adeilad rhestredig o'r fath.

(f) describe how the works will affect the character of the listed building as a building of special architectural or historic interest, including an assessment of the impact of the works on the significance of the building, and

(g) describe how issues relating to access to, or in, the listed building have been dealt with, but excluding issues relating to access to, or in, any part of a listed building which is used as a private dwelling.

Hysbysiad o gais am gydsyniad adeilad rhestredig i berchnogion adeilad

5.—(1) Rhaid i geisydd am gydsyniad adeilad rhestredig gymryd pob cam rhesymol i roi hysbysiad o'r cais i bob person (ac eithrio'r ceisydd) sy'n berchennog ar unrhyw ran o'r adeilad rhestredig y mae'r cais yn ymwneud ag ef yn unol â pharagraff (2).

(2) Rhaid i'r hysbysiad ym mharagraff (1)—

(a) bod ar y ffurf a gyhoeddir neu a ddarperir gan Weinidogion Cymru neu ar ffurf sydd ag effaith sylweddol debyg, a

(b) cael ei roi i bob person a oedd yn berchennog ar y dyddiad perthnasol, ac eithrio pan fo paragraff (4) yn gymwys.

(3) At ddibenion y rheoliad hwn a rheoliad 6, y "dyddiad perthnasol" yw diwrnod cyntaf y cyfnod o 21 o ddiwrnodau sy'n dod i ben â'r dyddiad y gwneir y cais am gydsyniad adeilad rhestredig.

(4) Os nad yw'r ceisydd yn gallu rhoi hysbysiad i berchennog yn ei gyfeiriad, rhaid i'r ceisydd gyhoeddi hysbysiad o'r cais am gydsyniad adeilad rhestredig ar y ffurf a gyhoeddir neu a ddarperir gan Weinidogion Cymru—

(a) mewn papur newydd sy'n cylchredeg yn ardal leol yr adeilad rhestredig y mae'r cais yn ymwneud ag ef;

(b) ar neu ar ôl y dyddiad perthnasol.

Notice of application for listed building consent to owners of building

5.—(1) An applicant for listed building consent must take all reasonable steps to give notice of the application to every person (other than the applicant) who is an owner of any part of the listed building to which the application relates in accordance with paragraph (2).

(2) The notice in paragraph (1) must—

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

(b) be given to all persons who were owners on the relevant date, except where paragraph (4) applies.

(3) For the purposes of this regulation and of regulation 6, the "relevant date" is the first day of the period of 21 days ending with the date that the application for listed building consent is made.

(4) If the applicant is unable to give notice to an owner at their address, the applicant must publish notice of the application for listed building consent in the form published or provided by the Welsh Ministers—

(a) in a newspaper circulating in the locality of the listed building to which the application relates;

(b) on or after the relevant date.

Y dystysgrif sydd i'w chynnwys gyda chais am gydsyniad adeilad rhestredig

6.—(1) Rhaid i geisydd am gydsyniad adeilad rhestredig gynnwys gyda'r cais dystysgrif sy'n cydymffurfio â pharagraff (2), ar y ffurf a gyhoeddir neu a ddarperir gan Weinidogion Cymru neu ar ffurf sydd ag effaith sylweddol debyg.

Certificate to be included with application for listed building consent

6.—(1) An applicant for listed building consent must include with the application a certificate which complies with paragraph (2), in the form published or provided by the Welsh Ministers or a form substantially to the same effect.

(2) Rhaid i'r dystysgrif gael ei llofnodi gan neu ar ran y ceisydd am gydsyniad adeilad rhestredig a chynnwys un o'r datganiadau canlynol—

(a) ar y dyddiad perthnasol, mai'r ceisydd oedd unig berchennog yr adeilad rhestredig y mae'r cais yn ymwneud ag ef,

(b) bod y ceisydd wedi rhoi hysbysiad yn unol â rheoliad 5,

(c) o ran y ceisydd—

(i) nad yw'n gallu dyroddi tystysgrif yn unol ag is-baragraff (a) neu (b),

(ii) ei fod wedi rhoi hysbysiad yn unol â rheoliad 5 i rai o'r perchnogion,

(iii) ei fod wedi cymryd pob cam rhesymol i ddarganfod enwau a chyfeiriadau gweddill y perchnogion ond nad yw wedi gallu gwneud hynny, a

(iv) ei fod wedi cyhoeddi hysbysiad o'r cais mewn papur newydd lleol yn unol â rheoliad 5(4), neu

(d) o ran y ceisydd—

(i) nad yw'n gallu dyroddi tystysgrif yn unol ag is-baragraff (a), (b) neu (c),

(ii) ei fod wedi cymryd pob cam rhesymol i ddarganfod enwau a chyfeiriadau'r perchnogion ond nad yw wedi gallu gwneud hynny, a

(iii) ei fod wedi cyhoeddi hysbysiad o'r cais mewn papur newydd lleol yn unol â rheoliad 5(4).

(3) Pan fo tystysgrif yn cael ei rhoi yn unol â pharagraff (2)(b) neu (2)(c), rhaid i'r ceisydd hefyd ddarparu yn y dystysgrif—

(a) enwau'r perchnogion y rhoddwyd yr hysbysiadau iddynt,

(b) ym mha gyfeiriadau y rhoddwyd yr hysbysiadau, ac

(c) y dyddiad y rhoddwyd pob hysbysiad.

(4) Pan fo tystysgrif yn cael ei rhoi yn unol â pharagraff (2)(2)(c) neu (d), rhaid i'r ceisydd hefyd ddarparu yn y dystysgrif—

(a) rhestr o'r camau a gymerwyd i ddarganfod enwau a chyfeiriadau'r perchnogion, a

(b) enw a dyddiad y papur newydd lle y cyhoeddwyd hysbysiad o'r cais.

(5) Am ystyr "dyddiad perthnasol" gweler rheoliad 5(3).

(2) The certificate must be signed by or on behalf of the applicant for listed building consent and include one of the following statements—

(a) that on the relevant date the applicant was the only owner of the listed building to which the application relates,

(b) that the applicant has given notice in accordance with regulation 5,

(c) that the applicant—

(i) is unable to issue a certificate in accordance with sub-paragraph (a) or (b),

(ii) has given notice in accordance with regulation 5 to some of the owners,

(iii) has taken all reasonable steps to discover the names and addresses of the remainder of the owners but has been unable to do so, and

(iv) has published notice of the application in a local newspaper in accordance with regulation 5(4), or

(d) that the applicant—

(i) is unable to issue a certificate in accordance with sub-paragraph (a), (b) or (c),

(ii) has taken all reasonable steps to discover the names and addresses of the owners but has been unable to do so, and

(iii) has published notice of the application in a local newspaper in accordance with regulation 5(4).

(3) Where a certificate is given in accordance with paragraph (2)(b) or (c), the applicant must also provide in the certificate—

(a) the names of the owners to whom the notices were given,

(b) the addresses at which the notices were given, and

(c) the date on which each notice was given.

(4) Where a certificate is given in accordance with paragraph (2)(c) or (d), the applicant must also provide in the certificate—

(a) a list of the steps taken to discover the names and addresses of the owners, and

(b) the name and date of the newspaper where notice of the application was published.

(5) For the meaning of "relevant date" see regulation 5(3).

Cydnabod cais am gydsyniad adeilad rhestredig

7.—(1) Pan fo'r awdurdod cynllunio y mae'r adeilad yn ei ardal yn cael y materion a restrir ym mharagraff (2), rhaid i'r awdurdod cynllunio anfon at y person a wnaeth y cais gydnabyddiaeth yn unol â pharagraff (3).

(2) Y materion y cyfeirir atynt ym mharagraff (1) yw—

(a) cais am gydsyniad adeilad rhestredig sy'n cydymffurfio â gofynion rheoliad 3,

(b) y datganiad o'r effaith ar dreftadaeth sy'n cydymffurfio â gofynion rheoliad 4, ac

(c) y dystysgrif sy'n ofynnol gan reoliad 6.

(3) Rhaid i'r gydnabyddiaeth y cyfeirir ati ym mharagraff (1)—

(a) bod ar y ffurf a nodir yn Atodlen 1, neu ar ffurf sylweddol debyg iddi, a

(b) cael ei hanfon cyn gynted ag y bo'n rhesymol ymarferol.

(4) Os yw'r awdurdod cynllunio, ar ôl anfon y gydnabyddiaeth, yn ystyried nad yw'r cais yn cydymffurfio â gofyniad a osodir gan adran 90(2) o Ddeddf 2023 neu gan y Rheoliadau hyn, rhaid i'r awdurdod cynllunio hysbysu'r ceisydd cyn gynted ag y bo'n rhesymol ymarferol.

Hysbysebu ceisiadau am gydsyniad adeilad rhestredig

8.—(1) Pan fo cais am gydsyniad adeilad rhestredig yn cael ei wneud i awdurdod cynllunio, rhaid i'r awdurdod cynllunio gydymffurfio â pharagraffau (3) a (4), ond mae hyn yn ddarostyngedig i baragraff (2).

(2) Nid yw paragraffau (3) a (4) yn gymwys i gais am gydsyniad adeilad rhestredig i gyflawni gwaith nad yw ond yn effeithio ar y tu mewn i adeilad a ddosberthir yn adeilad rhestredig Gradd II (heb seren)(**1**).

(3) Rhaid i'r awdurdod cynllunio—

(a) cyhoeddi'r wybodaeth a ganlyn mewn hysbysiad mewn papur newydd sy'n cylchredeg yn ardal leol yr adeilad rhestredig y mae'r cais yn ymwneud ag ef—

(i) disgrifiad o natur y gwaith sy'n destun y cais,

(**1**) Gellir dod o hyd i ddosbarthiadau seren yn https://cadw.llyw.cymru/cyngor-a-chymorth/cof-cymru/chwilio-cofnodion-cadw.

Acknowledgement of application for listed building consent

7.—(1) When the planning authority in whose area the building is situated receives the matters listed in paragraph (2), the planning authority must send to the person who made the application an acknowledgement in accordance with paragraph (3).

(2) The matters referred to in paragraph (1) are—

(a) an application for listed building consent which complies with the requirements of regulation 3,

(b) the heritage impact statement which complies with the requirements of regulation 4, and

(c) the certificate required by regulation 6.

(3) The acknowledgement referred to in paragraph (1) must be—

(a) in the terms, or substantially in the terms, set out in Schedule 1, and

(b) sent as soon as reasonably practicable.

(4) If, after sending the acknowledgement, the planning authority considers that the application does not comply with a requirement imposed by section 90(2) of the 2023 Act or by these Regulations, the planning authority must notify the applicant as soon as reasonably practicable.

Advertisement of applications for listed building consent

8.—(1) Where an application for listed building consent is made to a planning authority, the planning authority must comply with paragraphs (3) and (4), but this is subject to paragraph (2).

(2) Paragraphs (3) and (4) do not apply to an application for listed building consent to carry out works affecting only the interior of a building which is classified as a Grade II (unstarred) listed building(**1**).

(3) The planning authority must—

(a) publish the following information in a notice in a newspaper circulating in the locality of the listed building to which the application relates—

(i) a description of the nature of the works which are the subject of the application,

(**1**) Star classifications can be found at https://cadw.gov.wales/advice-support/cof-cymru/search-cadw-records.

(ii) manylion ynghylch man yn yr ardal leol lle y gellir edrych ar gopi o'r cais a chopïau o'r holl blaniau a'r holl ddogfennau a gyflwynwyd gydag ef ar bob adeg resymol, a

(iii) cyfeiriad y wefan lle y gellir dod o hyd i gopïau o'r cais, y planiau a'r dogfennau y cyfeirir atynt ym mharagraff (ii), a

(b) arddangos hysbysiad sy'n cynnwys yr wybodaeth yn is-baragraff (a)—

(i) ar yr adeilad rhestredig y mae'r cais yn ymwneud ag ef neu'n agos iddo;

(ii) am o leiaf 7 niwrnod.

(4) Rhaid i'r awdurdod cynllunio sicrhau bod y cyfnod ar gyfer edrych ar y dogfennau a restrir ym mharagraff (3)(a), ar ffurf copi caled ac ar y wefan, yn o leiaf 21 o ddiwrnodau, gan ddechrau â dyddiad cyhoeddi'r hysbysiad y cyfeirir ato yn y paragraff hwnnw.

Hysbysu'r Cymdeithasau Amwynder a Chomisiwn Brenhinol Henebion Cymru

9.—(1) Mae'r rheoliad hwn yn gymwys pan fo awdurdod cynllunio yn cael cais am gydsyniad adeilad rhestredig.

(2) Rhaid i'r awdurdod cynllunio sicrhau bod y cyrff a restrir ym mharagraff (3) yn cael eu hysbysu am y cais pan fo'r cais—

(a) i ddymchwel adeilad rhestredig, neu

(b) i ddymchwel adeilad rhestredig yn rhannol.

(3) Y cyrff y mae rhaid i awdurdod cynllunio eu hysbysu yw—

(a) y Gymdeithas Henebion Hynafol (rhif elusen 209605, a elwir hefyd yn Adeiladau a Lleoedd Hanesyddol),

(b) y Cyngor Archaeoleg Brydeinig (rhif cwmni 01760254),

(c) y Grŵp Sioraidd (rhif elusen 209934),

(d) y Gymdeithas Gwarchod Adeiladau Hynafol (rhif cwmni 05743962),

(e) y Gymdeithas Fictoraidd (rhif cwmni 3940996),

(f) Cymdeithas yr Ugeinfed Ganrif (rhif cwmni 05330664), ac

(g) Comisiwn Brenhinol Henebion Cymru.

(4) Rhaid rhoi'r hysbysiad o dan y rheoliad hwn cyn gynted ag y bo'n rhesymol ymarferol.

(ii) details of a place in the locality where a copy of the application and copies of all plans and all documents submitted with it can be inspected at all reasonable hours, and

(iii) the address of the website where copies of the application, plans and documents referred to in paragraph (ii) can be found, and

(b) display a notice containing the information in sub-paragraph (a)—

(i) on or near the listed building to which the application relates;

(ii) for at least 7 days.

(4) The planning authority must ensure that the period for inspecting the documents listed in paragraph (3)(a), in both hard copy and on the website, is at least 21 days, beginning with the date of publication of the notice referred to in that paragraph.

Notification to the Amenity Societies and the Royal Commission on the Ancient and Historical Monuments of Wales

9.—(1) This regulation applies where a planning authority receives an application for listed building consent.

(2) The planning authority must ensure that the bodies listed in paragraph (3) are notified of the application where the application is for—

(a) the demolition of a listed building, or

(b) partial demolition of a listed building.

(3) The bodies that a planning authority must notify are—

(a) the Ancient Monuments Society (charity number 209605, also known as Historic Buildings and Places),

(b) the Council for British Archaeology (company number 01760254),

(c) the Georgian Group (charity number 209934),

(d) the Society for the Protection of Ancient Buildings (company number 05743962),

(e) the Victorian Society (company number 3940996),

(f) the Twentieth Century Society (company number 05330664), and

(g) the Royal Commission on the Ancient and Historical Monuments of Wales.

(4) The notification under this regulation must be given as soon as reasonably practicable.

Atgyfeirio ceisiadau at Weinidogion Cymru

10.—(1) Pan fo cais am gydsyniad adeilad rhestredig yn cael ei atgyfeirio at Weinidogion Cymru o dan adran 94 o Ddeddf 2023 (atgyfeirio cais at Weinidogion Cymru), cyn gynted ag y bo'n rhesymol ymarferol, rhaid i'r awdurdod cynllunio—

(a) cyflwyno i'r ceisydd ac i Weinidogion Cymru, ar yr un pryd, hysbysiad o atgyfeiriad, a

(b) anfon copi o ffeil y cais at Weinidogion Cymru.

(2) Rhaid i hysbysiad o atgyfeiriad—

(a) datgan bod y cais am gydsyniad adeilad rhestredig wedi ei atgyfeirio at Weinidogion Cymru,

(b) nodi'r rhesymau a roddir gan Weinidogion Cymru dros ddyroddi'r cyfarwyddyd sy'n ei gwneud yn ofynnol i'r cais gael ei atgyfeirio atynt,

(c) datgan y caiff y ceisydd gyflwyno datganiad achos llawn i Weinidogion Cymru ac esbonio beth yw hynny, a

(d) nodi'r gofynion ym mharagraff (4).

(3) Caiff ceisydd y mae hysbysiad o atgyfeiriad yn cael ei gyflwyno iddo anfon datganiad achos llawn at Weinidogion Cymru.

(4) Rhaid i geisydd sy'n anfon datganiad achos llawn—

(a) sicrhau ei fod yn dod i law Gweinidogion Cymru cyn diwedd y cyfnod o 4 wythnos sy'n dechrau â'r diwrnod y cyflwynir yr hysbysiad o atgyfeiriad, a

(b) anfon copi o'r datganiad achos llawn i'r awdurdod cynllunio ar yr un pryd ag y'i hanfonir at Weinidogion Cymru.

(5) Yn y rheoliad hwn, ystyr "ffeil y cais" yw'r cais am gydsyniad adeilad rhestredig ynghyd â'r dogfennau cysylltiedig a'r holl ohebiaeth gyda'r awdurdod cynllunio sy'n ymwneud â'r cais.

Datgymhwyso'r gofyniad i hysbysu Gweinidogion Cymru am geisiadau am gydsyniad adeilad rhestredig

11. Nid yw adran 95(1) o Ddeddf 2023 (hysbysu Gweinidogion Cymru cyn rhoi cydsyniad) yn gymwys i geisiadau am gydsyniad adeilad rhestredig i gyflawni gwaith nad yw ond yn effeithio ar y tu mewn i adeilad a ddosberthir yn adeilad rhestredig Gradd II (heb seren).

Reference of applications to the Welsh Ministers

10.—(1) Where an application for listed building consent is referred to the Welsh Ministers under section 94 of the 2023 Act (reference of application to the Welsh Ministers), as soon as reasonably practicable, the planning authority must—

(a) serve on the applicant and the Welsh Ministers, at the same time, a notice of reference, and

(b) send to the Welsh Ministers a copy of the application file.

(2) A notice of reference must—

(a) state that the application for listed building consent has been referred to the Welsh Ministers,

(b) set out the reasons given by the Welsh Ministers for issuing the direction which requires the application to be referred to them,

(c) state that the applicant may submit a full statement of case to the Welsh Ministers and explain what that is, and

(d) set out the requirements in paragraph (4).

(3) An applicant on whom a notice of reference is served may send a full statement of case to the Welsh Ministers.

(4) An applicant who sends a full statement of case must—

(a) ensure that it is received by the Welsh Ministers before the end of the period of 4 weeks beginning with the day on which the notice of reference is served, and

(b) send a copy of the full statement of case to the planning authority at the same time it is sent to the Welsh Ministers.

(5) In this regulation, "application file" means the application for listed building consent together with accompanying documents and all correspondence with the planning authority relating to the application.

Disapplication of requirement to notify the Welsh Ministers of applications for listed building consent

11. Section 95(1) of the 2023 Act (notification to Welsh Ministers before granting consent) does not apply to applications for listed building consent to carry out works affecting only the interior of a building which is classified as a Grade II (unstarred) listed building.

Penderfyniad ar gais

12.—(1) Pan fo cais am gydsyniad adeilad rhestredig yn dod gyda thystysgrif o dan reoliad 6(2)(b), (c) neu (d), o ran yr awdurdod cynllunio—

(a) ni chaiff benderfynu'r cais cyn diwedd 21 o ddiwrnodau sy'n dechrau â'r dyddiad tystysgrif perthnasol,

(b) rhaid iddo ystyried unrhyw sylwadau sy'n ymwneud â'r cais a gyflwynir, cyn diwedd y cyfnod hwnnw, gan unrhyw berson sy'n bodloni'r awdurdod cynllunio ei fod yn berchennog ar yr adeilad rhestredig, ac

(c) rhaid iddo roi hysbysiad o'i benderfyniad i bob person sydd wedi cyflwyno sylwadau yr oedd yn ofynnol iddo eu hystyried o dan is-baragraff (b).

(2) O ran yr awdurdod cynllunio—

(a) ni chaiff benderfynu cais am gydsyniad adeilad rhestredig cyn y diweddaraf o'r canlynol—

(i) diwedd y cyfnod y cyfeirir ato yn rheoliad 8(4) (os yw'n berthnasol), a

(ii) diwedd y cyfnod o 21 o ddiwrnodau sy'n dechrau â'r dyddiad pan arddangoswyd yr hysbysiad y cyfeirir ato yn rheoliad 8(3)(b) am y tro cyntaf, a

(b) rhaid iddo ystyried unrhyw sylwadau sy'n dod i law cyn i'r ddau gyfnod yn is-baragraff (a) ddod i ben.

(3) Yn y rheoliad hwn, ystyr "y dyddiad tystysgrif perthnasol" yw—

(a) yn achos tystysgrif o dan reoliad 6(2)(b), y dyddiad cyflwyno diweddaraf ar gyfer hysbysiad, fel y'i dangosir ar y dystysgrif;

(b) yn achos tystysgrif o dan reoliad 6(2)(c), y diweddaraf o'r canlynol—

(i) y dyddiad cyflwyno diweddaraf ar gyfer hysbysiad, fel y'i dangosir ar y dystysgrif;

(ii) dyddiad cyhoeddi'r hysbysiad mewn papur newydd lleol, fel y'i dangosir ar y dystysgrif;

(c) yn achos tystysgrif o dan reoliad 6(2)(d), ddyddiad cyhoeddi'r hysbysiad mewn papur newydd lleol, fel y'i dangosir ar y dystysgrif.

Decision on application

12.—(1) Where an application for listed building consent is accompanied by a certificate under regulation 6(2)(b), (c) or (d), the planning authority—

(a) must not determine the application before the end of 21 days beginning with the relevant certificate date,

(b) must take into account any representations relating to the application made, before the end of that period, by any person who satisfies the planning authority that they are an owner of the listed building, and

(c) must give notice of its decision to every person who has made representations which it was required to take into account under sub-paragraph (b).

(2) The planning authority—

(a) must not determine an application for listed building consent before the later of the end of the period which is—

(i) referred to in regulation 8(4) (if applicable), and

(ii) 21 days beginning with the date that the notice referred to in regulation 8(3)(b) was first displayed, and

(b) must take into account any representations which are received before both periods in sub-paragraph (a) have ended.

(3) In this regulation, "the relevant certificate date" means—

(a) in the case of a certificate under regulation 6(2)(b), the latest date of service of a notice, as shown on the certificate;

(b) in the case of a certificate under regulation 6(2)(c), the later of—

(i) the latest date of service of a notice, as shown on the certificate;

(ii) the date of publication in a local newspaper of the notice, as shown on the certificate;

(c) in the case of a certificate under regulation 6(2)(d), the date of publication in a local newspaper of the notice, as shown on the certificate.

Hysbysiad o benderfyniad neu atgyfeiriad at Weinidogion Cymru

13.—(1) Rhaid i'r awdurdod cynllunio roi hysbysiad ysgrifenedig i'r person sydd wedi gwneud cais iddo am gydsyniad adeilad rhestredig—

(a) o'r penderfyniad, neu

(b) ei fod wedi atgyfeirio'r cais at Weinidogion Cymru.

(2) Y "cyfnod penderfynu" yn adran 100(4)(a) o Ddeddf 2023 yw 8 wythnos, gan ddechrau â'r dyddiad y mae'r wybodaeth sy'n ofynnol gan reoliad 7(2) yn dod i law (ond gweler hefyd adrannau 90(6) a 100(4)(b) o'r Ddeddf honno).

(3) Pan fo'r awdurdod cynllunio yn penderfynu caniatáu'r cais yn ddarostyngedig i amodau neu ei wrthod, rhaid i'r hysbysiad y cyfeirir ato ym mharagraff (1) hefyd—

(a) cynnwys y rhesymau dros y penderfyniad, a

(b) dod gyda hysbysiad ar y ffurf a nodir yn Atodlen 2, neu ar ffurf sylweddol debyg iddi.

Notice of decision or referral to the Welsh Ministers

13.—(1) The planning authority must give written notice to the person who has made an application to them for listed building consent—

(a) of the decision, or

(b) that it has referred the application to the Welsh Ministers.

(2) The "determination period" in section 100(4)(a) of the 2023 Act is 8 weeks, starting with the date that the information required by regulation 7(2) is received (but see also sections 90(6) and 100(4)(b) of that Act).

(3) Where the planning authority decides to grant the application subject to conditions or to refuse it, the notice referred to in paragraph (1) must also—

(a) include the reasons for the decision, and

(b) be accompanied by a notification in the terms, or substantially the same terms, set out in Schedule 2.

Hysbysu cymdeithasau amwynder etc. am benderfyniad

14.—(1) Mae'r rheoliad hwn yn gymwys i benderfyniad ar gais am gydsyniad adeilad rhestredig—

(a) i ddymchwel adeilad rhestredig, neu

(b) i ddymchwel adeilad rhestredig yn rhannol.

(2) Rhaid i awdurdod cynllunio hysbysu'r cyrff yn rheoliad 9(3) am ei benderfyniad cyn gynted ag y bo'n ymarferol ar ôl gwneud y penderfyniad hwnnw.

Notification of amenity societies etc. of decision

14.—(1) This regulation applies to a decision on an application for listed building consent for—

(a) the demolition of a listed building, or

(b) partial demolition of a listed building.

(2) A planning authority must notify the bodies in regulation 9(3) of its decision as soon as practicable after making that decision.

Cais i amrywio neu ddileu amodau

15.—(1) Mae rheoliadau 3 i 14 yn gymwys i gais o dan adran 99 o Ddeddf 2023 (cais i amrywio neu ddileu amodau) fel y maent yn gymwys i gais am gydsyniad adeilad rhestredig.

(2) Wrth eu cymhwyso i gais o dan adran 99 o Ddeddf 2023, mae'r rheoliadau a gymhwysir gan baragraff (1) i'w darllen fel pe bai—

(a) unrhyw gyfeiriad at gais am gydsyniad adeilad rhestredig yn gyfeiriad at gais i amrywio neu ddileu amodau cydsyniad adeilad rhestredig, a

(b) unrhyw gyfeiriad at geisydd am gydsyniad adeilad rhestredig yn gyfeiriad at geisydd ar gyfer amrywio neu ddileu amodau cydsyniad adeilad rhestredig.

Application for variation or removal of conditions

15.—(1) Regulations 3 to 14 apply to an application under section 99 of the 2023 Act (application for variation or removal of conditions) as they apply to an application for listed building consent.

(2) In their application to an application under section 99 of the 2023 Act, the regulations applied by paragraph (1) are to be read as if—

(a) any reference to an application for listed building consent were a reference to an application for variation or removal of conditions of listed building consent, and

(b) any reference to an applicant for listed building consent were a reference to an applicant for variation or removal of conditions of listed building consent.

(3) Wrth eu cymhwyso i gais o dan adran 99 o Ddeddf 2023—

(a) mae rheoliad 9 (hysbysu'r cymdeithasau amwynder etc.) i'w ddarllen fel pe bai'r geiriau "yn ymwneud â dymchwel" wedi eu rhoi yn lle "i ddymchwel";

(b) mae rheoliad 11 (datgymhwyso'r gofyniad i hysbysu Gweinidogion Cymru) i'w ddarllen fel pe bai'r geiriau "i amrywio neu ddileu amod sy'n ymwneud â gwaith" wedi eu rhoi yn lle "i gyflawni gwaith";

(c) mae rheoliad 13(3)(b) (hysbysiad o benderfyniad neu atgyfeiriad at Weinidogion Cymru) i'w ddarllen fel pe bai'r cyfeiriad at Atodlen 2 yn gyfeiriad at Atodlen 3.

(3) In their application to an application under section 99 of the 2023 Act, read—

(a) regulation 9 (notification to the amenity societies etc.) as if "is for" there were substituted "relates to";

(b) regulation 11 (disapplication of requirement to notify Welsh Ministers) as if for "carry out works" there were substituted "vary or remove a condition relating to works";

(c) regulation 13(3)(b) (notice of decision or referral to Welsh Ministers) as if the reference to Schedule 2 were a reference to Schedule 3.

RHAN 2

APELAU

Apelau

16.—(1) Rhaid i'r ceisydd roi hysbysiad o unrhyw apêl o dan adran 100(2) o Ddeddf 2023 i Weinidogion Cymru o fewn 6 mis gan ddechrau â'r diwrnod ar ôl dyddiad y penderfyniad.

(2) Caiff Gweinidogion Cymru estyn y cyfnod ym mharagraff (1).

(3) Rhaid i'r ceisydd roi hysbysiad o unrhyw apêl o dan adran 100 o Ddeddf 2023 ar ffurflen a ddarperir neu a gyhoeddir gan Weinidogion Cymru, a chynnwys gyda'r ffurflen honno—

(a) datganiad achos llawn, a

(b) copi o'r canlynol—

(i) y cais am gydsyniad adeilad rhestredig;

(ii) yr holl wybodaeth a'r holl ddogfennau a gyflwynwyd gyda'r cais;

(iii) unrhyw hysbysiad o'r penderfyniad;

(iv) pob gohebiaeth berthnasol arall gyda'r awdurdod cynllunio.

(4) Rhaid i'r ceisydd anfon i'r awdurdod cynllunio gopi o'r hysbysiad o apêl a chopi o'r datganiad achos llawn, cyn gynted ag y bo'n rhesymol ymarferol.

(5) Mae rheoliad 5 (hysbysiad o gais i berchnogion), rheoliad 6 (tystysgrif gyda chais) a rheoliad 21 (cais mewn cysylltiad â thir y Goron) yn gymwys i apêl mewn perthynas â chais am gydsyniad adeilad rhestredig fel y maent yn gymwys i gais am gydsyniad adeilad rhestredig, ond fel pe bai cyfeiriadau at gais a cheisydd yn gyfeiriadau at apêl ac apelydd.

PART 2

APPEALS

Appeals

16.—(1) The applicant must give notice of any appeal under section 100(2) of the 2023 Act to the Welsh Ministers within 6 months beginning with the day after the date of the decision.

(2) The Welsh Ministers may extend the period in paragraph (1).

(3) The applicant must give notice of any appeal under section 100 of the 2023 Act on a form provided or published by the Welsh Ministers, and include with it—

(a) a full statement of case, and

(b) a copy of—

(i) the application for listed building consent;

(ii) all information and all documents submitted with the application;

(iii) any notice of the decision;

(iv) all other relevant correspondence with the planning authority.

(4) The applicant must send to the planning authority a copy of the notice of appeal and the full statement of case, as soon as reasonably practicable.

(5) Regulation 5 (notice of application to owners), regulation 6 (certificate with application) and regulation 21 (application in respect of Crown land) apply to an appeal in relation to an application for listed building consent as they apply to an application for listed building consent, but as if references to an application and an applicant were references to an appeal and an appellant.

Amrywio ceisiadau ar ôl hysbysiad o apêl

17.—(1) Caniateir amrywio cais am gydsyniad adeilad rhestredig y mae apêl yn ymwneud ag ef er mwyn cywiro anghysondeb rhwng yr wybodaeth yn y cais ac unrhyw un neu ragor o'r dogfennau sy'n dod gydag ef, ond mae hyn yn ddarostyngedig i baragraff (2).

(2) Ni chaniateir i'r cais gael ei amrywio os yw'n newid sylwedd y cais.

Penderfyniad ar gais ar ôl cyflwyno hysbysiad o apêl

18. Y cyfnod a ragnodir at ddiben adran 103(2) o Ddeddf 2023 (y cyfnod pan na chaiff Gweinidogion Cymru benderfynu apêl yn erbyn methiant i roi hysbysiad o benderfyniad) yw 4 wythnos.

Variation of applications after notice of appeal

17.—(1) An application for listed building consent to which an appeal relates may be varied in order to correct an inconsistency between the information in the application and any of the documents which accompany it, but this is subject to paragraph (2).

(2) The application may not be varied if it changes the substance of the application.

Decision on application after service of notice of appeal

18. The period prescribed for the purpose of section 103(2) of the 2023 Act (period within which the Welsh Ministers may not determine an appeal against failure to give notice of decision) is 4 weeks.

RHAN 3

ACHOSION ARBENNIG

Datgymhwyso ac addasu: ceisiadau gan awdurdod cynllunio i ddymchwel adeilad rhestredig

19.—(1) Mae'r rheoliad hwn yn gymwys i gais gan awdurdod cynllunio—

(a) am gydsyniad adeilad rhestredig i ddymchwel adeilad rhestredig;

(b) i amrywio neu ddileu amodau cydsyniad adeilad rhestredig i ddymchwel adeilad rhestredig.

(2) Rhaid i gais gael ei wneud i Weinidogion Cymru (gweler adran 90(1)(a) o Ddeddf 2023).

(3) Mae penderfyniad gan Weinidogion Cymru ar gais yn derfynol.

(4) Pan fo'r rheoliad hwn yn gymwys—

(a) mae rheoliad 3 (gwneud cais am gydsyniad adeilad rhestredig) i'w ddarllen fel pe bai—

(i) paragraff (1) yn cynnwys gofyniad i'r cais ddod gydag unrhyw sylwadau a geir cyn i'r ddau gyfnod yn rheoliad 12(2)(a) ddod i ben;

(ii) ym mharagraff (3), y geiriau "os yw Gweinidogion Cymru" wedi eu rhoi yn lle "os yw'r awdurdod cynllunio y gwneir y cais iddo";

PART 3

SPECIAL CASES

Disapplication and modifications: applications by a planning authority for demolition of a listed building

19.—(1) This regulation applies to an application by a planning authority for—

(a) listed building consent for the demolition of a listed building;

(b) the variation or removal of conditions of listed building consent for the demolition of a listed building.

(2) An application must be made to the Welsh Ministers (see section 90(1)(a) of the 2023 Act).

(3) The decision of the Welsh Ministers on an application is final.

(4) Where this regulation applies—

(a) regulation 3 (applying for listed building consent) is to be read as if—

(i) paragraph (1) included a requirement for the application to be accompanied by any representations received before both periods in regulation 12(2)(a) have expired;

(ii) in paragraph (3), for "the planning authority to which the application is made indicates" there were substituted "the Welsh Ministers indicate";

(b) mae rheoliad 7 (cydnabod cais am gydsyniad adeilad rhestredig) i'w ddarllen fel pe bai—

(i) ym mharagraff (1), y geiriau "Pan fo Gweinidogion Cymru" wedi eu rhoi yn lle "Pan fo'r awdurdod cynllunio y mae'r adeilad yn ei ardal";

(ii) ym mharagraff 7(4), y geiriau "Os yw Gweinidogion Cymru" wedi eu rhoi yn lle "Os yw'r awdurdod cynllunio";

(iii) pob cyfeiriad arall at awdurdod cynllunio yn gyfeiriad at Weinidogion Cymru;

(c) mae rheoliad 8 (hysbysebu ceisiadau) i'w ddarllen fel pe bai paragraff (1) o'r rheoliad hwnnw yn ei gwneud yn ofynnol i'r awdurdod cynllunio gydymffurfio â pharagraffau (3) a (4) cyn i'r awdurdod cynllunio anfon cais am gydsyniad adeilad rhestredig at Weinidogion Cymru;

(d) mae rheoliad 9 (hysbysu'r cymdeithasau amwynder etc.) i'w ddarllen fel pe bai, ym mharagraff 9(1), y gair "gwneud" wedi ei roi yn lle "cael";

(e) mae rheoliad 12 (penderfyniad ar gais) i'w ddarllen fel pe bai—

(i) ym mharagraff (1), y cyfeiriadau at yr awdurdod cynllunio yn gyfeiriadau at Weinidogion Cymru;

(ii) ym mharagraff (2)—

(aa) yn is-baragraff (a), y geiriau "ni chaiff anfon" wedi eu rhoi yn lle "ni chaiff benderfynu";

(bb) y ddyletswydd yn is-baragraff (b) yn ddyletswydd ar Weinidogion Cymru ac nid ar yr awdurdod cynllunio;

(f) mae rheoliad 15 (cais i amrywio neu ddileu amodau) i'w ddarllen fel pe bai, ym mharagraff (1), y cyfeiriad at reoliadau "3 i 14" yn gyfeiriad at reoliadau "3 i 9, 12 a 14";

(g) nid yw rheoliad 16 (apelau) yn gymwys.

Ceisiadau ac eithrio rhai i ddymchwel a wneir gan awdurdod cynllunio

20. Nid yw adran 100 o Ddeddf 2023 (yr hawl i apelio yn erbyn penderfyniad awdurdod cynllunio neu fethiant awdurdod cynllunio i wneud penderfyniad) yn gymwys i gais am gydsyniad adeilad rhestredig gan awdurdod cynllunio a benderfynir gan yr awdurdod cynllunio hwnnw.

(b) regulation 7 (acknowledgement of application for listed building consent) is to be read as if—

(i) in paragraph (1), for "the planning authority in whose area the building is situated receives" there were substituted "the Welsh Ministers receive";

(ii) in paragraph 7(4), for "the planning authority considers" there were substituted "the Welsh Ministers consider";

(iii) all other references to a planning authority were references to the Welsh Ministers;

(c) regulation 8 (advertisement of applications) is to be read as if paragraph (1) of that regulation required the planning authority to comply with paragraphs (3) and (4) before the planning authority sends an application for listed building consent to the Welsh Ministers;

(d) regulation 9 (notification to the amenity societies etc.) is to be read as if in paragraph 9(1) for "receives" there were substituted "makes";

(e) regulation 12 (decision on application) is to be read as if—

(i) in paragraph (1), references to the planning authority were to the Welsh Ministers;

(ii) in paragraph (2)—

(aa) in sub-paragraph (a), for "must not determine" there were substituted "must not send";

(bb) the duty in sub-paragraph (b) were a duty of the Welsh Ministers and not the planning authority;

(f) regulation 15 (application for variation or removal of conditions) is to be read as if in paragraph (1) the reference to regulations "3 to 14" were a reference to regulations "3 to 9, 12 and 14";

(g) regulation 16 (appeals) does not apply.

Applications other than for demolition made by a planning authority

20. Section 100 of the 2023 Act (right to appeal against planning authority decision or failure to make decision) does not apply to an application for listed building consent by a planning authority which is determined by that planning authority.

Cais am gydsyniad adeilad rhestredig mewn cysylltiad â thir y Goron

21.—(1) Mae'r rheoliad hwn yn gymwys i gais am gydsyniad adeilad rhestredig mewn cysylltiad â thir y Goron.

(2) Caniateir i'r canlynol ddod gyda chais—

(a) datganiad bod y cais yn cael ei wneud mewn cysylltiad â thir y Goron, a

(b) copi o'r awdurdodiad gan awdurdod priodol y Goron i wneud y cais.

(3) Os bydd datganiad ac awdurdodiad, fel y cyfeirir atynt ym mharagraff (2), yn dod gyda chais—

(a) nid yw rheoliad 5 (hysbysiad o gais i berchnogion) yn gymwys;

(b) nid yw rheoliad 6 (y dystysgrif sydd i'w chynnwys gyda chais) yn gymwys;

(c) mae rheoliad 7(2) (cydnabod cais) yn gymwys fel pe bai'r geiriau "y datganiad a'r awdurdodiad y cyfeirir atynt yn rheoliad 21" wedi eu rhoi yn lle is-baragraff (c).

(4) Yn y rheoliad hwn—

mae i "awdurdod priodol y Goron" ("*appropriate Crown authority*") yr ystyr a roddir gan adran 207(6) o Ddeddf 2023;

mae i "tir y Goron" ("*Crown land*") yr ystyr a roddir gan adran 207(2) o Ddeddf 2023.

Application for listed building consent in respect of Crown land

21.—(1) This regulation applies to an application for listed building consent in respect of Crown land.

(2) An application may be accompanied by—

(a) a statement that the application is made in respect of Crown land, and

(b) a copy of the authorisation by the appropriate Crown authority to make the application.

(3) If an application is accompanied by a statement and an authorisation as referred to in paragraph (2)—

(a) regulation 5 (notice of application to owners) does not apply;

(b) regulation 6 (certificate to be included with application) does not apply;

(c) regulation 7(2) (acknowledgement of application) applies as if for sub-paragraph (c) there were substituted "the statement and authorisation referred to in regulation 21".

(4) In this regulation—

"appropriate Crown authority" ("*awdurdod priodol y Goron*") has the meaning given by section 207(6) of the 2023 Act;

"Crown land" ("*tir y Goron*") has the meaning given by section 207(2) of the 2023 Act.

Cyhoeddusrwydd ar gyfer ceisiadau sy'n ymwneud â gwaith brys ar dir y Goron

22.—(1) Pan fo cais yn cael ei wneud o dan adran 106(1) o Ddeddf 2023 (ceisiadau sy'n ymwneud â gwaith brys ar dir y Goron), rhaid i Weinidogion Cymru gydymffurfio â pharagraffau (3) i (6), ond mae hyn yn ddarostyngedig i baragraff (2).

(2) Nid yw paragraffau (3) i (6) yn gymwys i gais am gydsyniad adeilad rhestredig i gyflawni gwaith nad yw ond yn effeithio ar y tu mewn i adeilad a ddosberthir yn adeilad rhestredig Gradd II (heb seren).

(3) Rhaid i Weinidogion Cymru gyhoeddi hysbysiad o'r cais ac o'r ffaith bod dogfennau a deunydd arall ar gael i edrych arnynt, mewn papur newydd sy'n cylchredeg yn ardal leol yr adeilad rhestredig y mae'r cais yn ymwneud ag ef.

(4) Rhaid i'r hysbysiad ym mharagraff (3) gynnwys—

(a) arwydd o natur y gwaith sy'n destun y cais;

Publicity for applications relating to urgent works on Crown land

22.—(1) Where an application is made under section 106(1) of the 2023 Act (applications relating to urgent works on Crown land), the Welsh Ministers must comply with paragraphs (3) to (6), but this is subject to paragraph (2).

(2) Paragraphs (3) to (6) do not apply to an application for listed building consent to carry out works affecting only the interior of a building which is classified as a Grade II (unstarred) listed building.

(3) The Welsh Ministers must publish notice of the application and of the fact that documents and other material are available for inspection, in a newspaper circulating in the locality of the listed building to which the application relates.

(4) The notice in paragraph (3) must include—

(a) an indication of the nature of the works which are the subject of the application;

(b) manylion ynghylch—

(i) y man y mae'r dogfennau a'r deunydd arall sy'n ymwneud â'r cais ar gael ynddo i edrych arnynt o dan adran 106(4) o Ddeddf 2023, a'r amseroedd pan fyddant ar gael, a

(ii) gwefan lle y mae'r dogfennau a'r deunydd arall sy'n ymwneud â'r cais ar gael i edrych arnynt.

(5) Rhaid i'r dogfennau a'r deunyddiau eraill y cyfeirir atynt ym mharagraff (4) gael eu rhoi ar gael i edrych arnynt ar bob adeg resymol am o leiaf 21 o ddiwrnodau, gan ddechrau â dyddiad cyhoeddi'r hysbysiad y cyfeirir ato ym mharagraff (3).

(6) Rhaid i Weinidogion Cymru arddangos hysbysiad sy'n cynnwys yr wybodaeth y cyfeirir ati ym mharagraff (4)—

(a) ar yr adeilad y mae'r cais yn ymwneud ag ef neu'n agos iddo;

(b) am o leiaf 7 niwrnod.

(7) Mae adran 106 o Ddeddf 2023 yn gymwys i gais o dan adran 99 o'r Ddeddf honno (cais i amrywio neu ddileu amodau) fel y mae'n gymwys i gais am gydsyniad adeilad rhestredig.

(8) Nid yw'r rheoliadau a ganlyn yn gymwys i gais o dan adran 106(1) o Ddeddf 2023 (ceisiadau sy'n ymwneud â gwaith brys ar dir y Goron)—

(a) rheoliad 3 (gwneud cais am gydsyniad adeilad rhestredig);

(b) rheoliad 4 (datganiad o'r effaith ar dreftadaeth).

(9) Mae rheoliad 15(1) (cais i amrywio neu ddileu amodau) yn gymwys fel pe bai—

(a) y cyfeiriad at reoliadau 3 i 14 yn gyfeiriad at reoliadau 5 a 6;

(b) paragraff (3) wedi ei hepgor.

(b) details of—

(i) the place where, and the times at which, the documents and other material relating to the application are available for inspection under section 106(4) of the 2023 Act, and

(ii) a website where the documents and other material relating to the application are available for inspection.

(5) The documents and other materials referred to in paragraph (4) must be made available for inspection at all reasonable hours for at least 21 days, beginning with the date of publication of the notice referred to in paragraph (3).

(6) The Welsh Ministers must display a notice containing the information referred to in paragraph (4)—

(a) on or near the building to which the application relates;

(b) for at least 7 days.

(7) Section 106 of the 2023 Act applies to an application under section 99 of that Act (application for variation or removal of conditions) as it applies to an application for listed building consent.

(8) The following regulations do not apply to an application under section 106(1) of the 2023 Act (applications relating to urgent works on Crown land)—

(a) regulation 3 (applying for listed building consent);

(b) regulation 4 (heritage impact statement).

(9) Regulation 15(1) (application for variation or removal of conditions) applies as if—

(a) the reference to regulations 3 to 14 were a reference to regulations 5 and 6;

(b) paragraph (3) was omitted.

RHAN 4

Ardaloedd Cadwraeth

Datgymhwyso'r gofyniad i ddymchweliad mewn ardaloedd cadwraeth gael ei awdurdodi

23.—(1) Nid yw adran 161(1) o Ddeddf 2023 (gofyniad i ddymchweliad mewn ardaloedd cadwraeth gael ei awdurdodi) yn gymwys i'r canlynol—

(a) adeilad sydd â chyfanswm cynnwys ciwbig nad yw'n fwy na 115 o fetrau ciwbig pan gaiff ei fesur yn allanol, ac eithrio carreg fedd sy'n dyddio o flwyddyn cyn 1925;

PART 4

Conservation Areas

Disapplication of the requirement for demolition in conservation areas to be authorised

23.—(1) Section 161(1) of the 2023 Act (requirement for demolition in conservation areas to be authorised) does not apply to—

(a) a building with a total cubic content of not more than 115 cubic metres when measured externally, except a tombstone which dates from before 1925;

(b) clwyd, wal, ffens neu ffordd arall o amgáu tir sydd—

(i) pan fo wrth ymyl priffordd neu gilffordd gyfyngedig, dyfrffordd neu fan agored, yn llai nag un metr o uchder, neu

(ii) yn llai na dau fetr o uchder mewn unrhyw achos arall;

(c) adeilad a godwyd ar ôl 1913 ac sy'n cael ei ddefnyddio, neu a ddefnyddiwyd ddiwethaf, at ddibenion amaethyddiaeth neu goedwigaeth;

(d) adeilad y mae'n ofynnol ei ddymchwel—

(i) drwy orchymyn a wneir o dan adran 102 o Ddeddf Cynllunio Gwlad a Thref 1990(**1**);

(ii) drwy gytundeb a wneir o dan adran 106 o Ddeddf Cynllunio Gwlad a Thref 1990(**2**);

(iii) drwy hysbysiad gorfodi pan ddyroddir yr hysbysiad—

(aa) o dan adran 172 o Ddeddf Cynllunio Gwlad a Thref 1990(**3**), neu

(bb) o dan adran 123 neu 134 o Ddeddf 2023;

(iv) drwy amod caniatâd cynllunio a roddir o dan adran 70(**4**) neu adran 177(1)(**5**) o Ddeddf Cynllunio Gwlad a Thref 1990;

(v) drwy hysbysiad o dan adran 215 o Ddeddf Cynllunio Gwlad a Thref 1990;

(e) adeilad sydd wedi ei gynnwys mewn gorchymyn dymchwel gweithredol o dan adran 265 o Ddeddf Tai 1985(**6**);

(b) a gate, wall, fence or other way of enclosing land which—

(i) where it is next to a highway or restricted byway, waterway or open space, is less than one metre high, or

(ii) is less than two metres high in any other case;

(c) a building erected after 1913 and in use, or last used, for the purposes of agriculture or forestry;

(d) a building required to be demolished by—

(i) an order made under section 102 of the Town and Country Planning Act 1990(**1**);

(ii) an agreement made under section 106 of the Town and Country Planning Act 1990(**2**);

(iii) an enforcement notice where the notice is issued under—

(aa) section 172 of the Town and Country Planning Act 1990(**3**), or

(bb) section 123 or 134 of the 2023 Act;

(iv) a condition of planning permission granted under section 70(**4**) or section 177(1)(**5**) of the Town and Country Planning Act 1990;

(v) a notice under section 215 of the Town and Country Planning Act 1990;

(e) a building included in an operative demolition order under section 265 of the Housing Act 1985(**6**);

(**1**) 1990 p. 8. Amnewidiwyd adran 102(8) gan adran 21 o Ddeddf Cynllunio a Digolledu 1991 (p. 34) a pharagraff 6 o Atodlen 1 iddi. Mae diwygiadau eraill nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**2**) Mewnosodwyd adran 106(1A) gan adrannau 174(2)(a) a 241 o Ddeddf Cynllunio 2008 (p. 29) ("Deddf 2008"); mewnosodwyd adran 106(9)(aa) gan adran 174(2)(b) o Ddeddf 2008; a mewnosodwyd adran 106(14) gan adran 174(2)(c) o Ddeddf 2008. Mae diwygiadau eraill nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**3**) Amnewidiwyd adran 172 gan adran 5(1) o Ddeddf Cynllunio a Digolledu 1991.

(**4**) Mae diwygiadau i'r adran hon ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(**5**) Amnewidiwyd adran 177(1)(a) gan adran 32 o Ddeddf Cynllunio a Digolledu 1991 a pharagraff 24(1)(a) o Atodlen 7 iddi; amnewidiwyd adran 177(1)(c) gan adran 32 o'r Ddeddf honno a pharagraff 24(1)(b) o Atodlen 7 iddi.

(**6**) 1985 p. 68. Amnewidiwyd adran 265 gan adran 46 o Ddeddf Tai 2004 (p. 34).

(**1**) 1990 c. 8. Section 102(8) was substituted by section 21 of and paragraph 6 of Schedule 1 to, the Planning and Compensation Act 1991 (c. 34). There are other amendments which are not relevant to these Regulations.

(**2**) Section 106(1A) was inserted by sections 174(2)(a) and 241 of the Planning Act 2008 (c. 29) (the "2008 Act"); section 106(9)(aa) was inserted by section 174(2)(b) of the 2008 Act; and section 106(14) was inserted by section 174(2)(c) of the 2008 Act. There are other amendments which are not relevant to these Regulations.

(**3**) Section 172 was substituted by section 5(1) of the Planning and Compensation Act 1991.

(**4**) There are amendments to this section but none are relevant to these Regulations.

(**5**) Section 177(1)(a) was substituted by section 32 of and paragraph 24(1)(a) of Schedule 7 to, the Planning and Compensation Act 1991; section 177(1)(c) was substituted by section 32 of and paragraph 24(1)(b) of Schedule 7 to, that Act.

(**6**) 1985 c. 68. Section 265 was substituted by section 46 of the Housing Act 2004 (c. 34).

(f) adeilad sydd wedi ei gynnwys mewn ardal glirio a ddatganwyd o dan adran 289 o Ddeddf Tai 1985(**1**);

(g) adeilad ar dir a brynwyd gan awdurdod tai lleol o dan adran 290 o Ddeddf Tai 1985;

(h) adeilad sydd ar gau ar gyfer addoli rheolaidd gan y cyhoedd yn unol â darpariaeth a wneir o dan Ran 6 o Fesur Cenhadaeth a Bugeiliol 2011 (Rhif 3)(**2**) gan gynllun bugeiliol adeiladau eglwysi neu gynllun bugeiliol (gwaredu adeiladau eglwysi).

(2) Yn y rheoliad hwn—

mae i "cilffordd gyfyngedig" yr ystyr a roddir i "restricted byway" yn adran 48(4) o Ddeddf Cefn Gwlad a Hawliau Tramwy 2000(**3**) (gweler adran 48(4) a (5) o'r Ddeddf honno);

ystyr "man agored" ("*open space*") yw unrhyw dir sy'n ardd gyhoeddus neu a ddefnyddir at ddibenion hamdden gan y cyhoedd, neu dir sy'n gladdfa segur;

mae i "priffordd" yr un ystyr ag a roddir i "highway" yn Neddf Priffyrdd 1980(**4**) (gweler adran 328(1) a (2) o'r Ddeddf honno(**5**)).

(3) Gweler hefyd adran 161(2) o Ddeddf 2023 am eithriadau eraill i'r gofyniad yn adran 161(1) i ddymchweliad gael ei awdurdodi.

Cymhwyso'r Rheoliadau hyn i adeiladau mewn ardaloedd cadwraeth

24.—(1) Mae'r Rheoliadau hyn yn gymwys mewn perthynas ag adeiladau y mae adran 161 o Ddeddf 2023 (dymchwel mewn ardaloedd cadwraeth) yn gymwys iddynt fel y maent yn gymwys mewn perthynas ag adeiladau rhestredig ac eithrio—

(a) rheoliad 8(2),

(b) rheoliad 9,

(c) rheoliad 11, a

(d) rheoliad 14.

(f) a building included in a clearance area declared under section 289 of the Housing Act 1985(**1**);

(g) a building on land purchased by a local housing authority under section 290 of the Housing Act 1985;

(h) a building closed for regular public worship in accordance with provision made under Part 6 of the Mission and Pastoral Measure 2011 (No. 3)(**2**) by a pastoral church buildings scheme or a pastoral (church buildings disposal) scheme.

(2) In this regulation—

"highway" ("*priffordd"*) has the same meaning as in the Highways Act 1980(**3**) (see section 328(1) and (2) of that Act(**4**));

"open space" ("*man agored*") means any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground;

"restricted byway" ("*cilffordd gyfyngedig*") has the meaning in section 48(4) of the Countryside and Rights of Way Act 2000(**5**) (see section 48(4) and (5) of that Act).

(3) See also section 161(2) of the 2023 Act for other exceptions to the requirement in section 161(1) for demolition to be authorised.

Application of these Regulations to buildings in conservation areas

24.—(1) These Regulations apply in relation to buildings to which section 161 of the 2023 Act (demolition in conservation areas) applies as they apply in relation to listed buildings except—

(a) regulation 8(2),

(b) regulation 9,

(c) regulation 11, and

(d) regulation 14.

(**1**) Diwygiwyd adran 289(2) gan adrannau 47 a 266 o Ddeddf Tai 2004 ac Atodlenni 15 ac 16 iddi, a chan adrannau 165 a 194 o Ddeddf Llywodraeth Leol a Thai 1989 (p. 42) ac Atodlenni 9 ac 11 iddi.

(**2**) 2011 Rhif 3.
(**3**) 2000 p. 37.
(**4**) 1980 p. 66 ("Deddf 1980").
(**5**) Math o briffordd yw llwybr ceffylau – gweler adran 329(1) o Ddeddf 1980.

(**1**) Section 289(2) was amended by sections 47 and 266 of, and Schedules 15 and 16 to, the Housing Act 2004, and sections 165 and 194 of, and Schedules 9 and 11 to, the Local Government and Housing Act 1989 (c. 42).
(**2**) 2011 No. 3.
(**3**) 1980 c. 66 ("the 1980 Act").
(**4**) A bridleway is a type of highway – see section 329(1) of the 1980 Act.
(**5**) 2000 c. 37.

(2) Wrth eu cymhwyso i adeiladau y mae adran 161 o Ddeddf 2023 yn gymwys iddynt, mae'r Rheoliadau hyn yn gymwys fel pe bai—

(a) unrhyw gyfeiriad at gydsyniad adeilad rhestredig yn gyfeiriad at gydsyniad ardal gadwraeth;

(b) unrhyw gyfeiriad at gymeriad yr adeilad rhestredig yn gyfeiriad at gymeriad neu olwg yr ardal gadwraeth y mae'r adeilad ynddi;

(c) unrhyw gyfeiriad arall at adeilad rhestredig yn gyfeiriad at adeilad y mae adran 161 o Ddeddf 2023 yn gymwys iddo.

(3) Wrth ei gymhwyso i adeiladau y mae adran 161 o Ddeddf 2023 yn gymwys iddynt, mae rheoliad 4(2) i'w ddarllen fel pe bai—

(a) yn is-baragraff (a), y geiriau "gan gyfeirio'n benodol at y rhan o'r adeilad rhestredig y mae'r gwaith yn effeithio arni" wedi eu hepgor;

(b) is-baragraff (g) wedi ei hepgor.

(2) In their application to buildings to which section 161 of the 2023 Act applies, these Regulations apply as if—

(a) any reference to listed building consent were a reference to conservation area consent;

(b) any reference to the character of the listed building were a reference to the character or appearance of the conservation area in which the building is situated;

(c) any other reference to a listed building were a reference to a building to which section 161 of the 2023 Act applies.

(3) In its application to buildings to which section 161 of the 2023 Act applies, regulation 4(2) is to be read as if—

(a) in sub-paragraph (a), "with particular reference to the part of the listed building affected by the works" were omitted;

(b) as if sub-paragraph (g) were omitted.

RHAN 5

AMRYWIOL A CHYFFREDINOL

Hysbysebu gorchymyn dirymu neu orchymyn addasu diwrthwynebiad

25.—(1) Mae'r rheoliad hwn yn gymwys pan fydd yn ofynnol i awdurdod cynllunio gyhoeddi hysbysiad o orchymyn a wneir o dan adran 107 o Ddeddf 2023 (addasu a dirymu cydsyniad).

(2) At ddibenion paragraff 3(2) o Atodlen 8 i Ddeddf 2023 (y weithdrefn ar gyfer gorchmynion sy'n addasu neu'n dirymu cydsyniad adeilad rhestredig), y ffordd y mae rhaid i awdurdod cynllunio gyhoeddi'r hysbysiad hwnnw yw mewn papur newydd sy'n cylchredeg yn yr ardal leol y mae'r adeilad rhestredig y mae'r gorchymyn yn ymwneud ag ef ynddi.

Cyfradd llog ar dreuliau ar gyfer gwaith brys

26.—(1) Y gyfradd llog a bennir at ddiben adran 146(1) o Ddeddf 2023 (adennill costau gwaith diogelu) yw 2% y flwyddyn yn uwch na chyfradd sylfaenol Banc Lloegr.

PART 5

MISCELLANEOUS AND GENERAL

Advertisement of unopposed revocation or modification order

25.—(1) This regulation applies when a planning authority is required to publish notice of an order made under section 107 of the 2023 Act (modification and revocation of consent).

(2) For the purpose of paragraph 3(2) of Schedule 8 to the 2023 Act (procedure for orders modifying or revoking listed building consent), the way that a planning authority must publish that notice is in a newspaper circulating in the locality where the listed building to which the order relates is situated.

Interest rate on expenses for urgent works

26.—(1) The rate of interest specified for the purpose of section 146(1) of the 2023 Act (recovery of costs of preservation works) is 2% per annum above the Bank of England base rate.

(2) Yn y rheoliad hwn, ystyr "cyfradd sylfaenol Banc Lloegr" ar gyfer unrhyw ddiwrnod penodol yw—

(a) os yw gorchymyn o dan adran 19 o Ddeddf Banc Lloegr 1998(**1**) mewn grym, unrhyw gyfradd sy'n cyfateb i'r gyfradd a ddisgrifir yn is-baragraff (b), neu os nad oes unrhyw gyfradd,

(b) y gyfradd a gyhoeddwyd fel y gyfradd fasnachu swyddogol yng nghyfarfod Pwyllgor Polisi Ariannol Banc Lloegr a gynhaliwyd ddiwethaf cyn y diwrnod hwnnw.

Diwygiadau canlyniadol

27. Mae Atodlen 4 yn cynnwys diwygiadau canlyniadol.

Dirymu

28. Mae Atodlen 5 yn cynnwys dirymiadau.

(2) In this regulation, "the Bank of England base rate" for any particular day means—

(a) if an order under section 19 of the Bank of England Act 1998(**1**) is in force, any rate equivalent to the rate described in sub-paragraph (b), or if there is none,

(b) the rate announced as the official dealing rate at the meeting of the Monetary Policy Committee of the Bank of England last held before that day.

Consequential amendments

27. Schedule 4 contains consequential amendments.

Revocation

28. Schedule 5 contains revocations.

Jane Hutt

Ysgrifennydd y Cabinet dros Ddiwylliant, Cyfiawnder Cymdeithasol, Trefnydd a'r Prif Chwip, un o Weinidogion Cymru
9 Medi 2024

Cabinet Secretary for Culture, Social Justice, Trefnydd and Chief Whip, one of the Welsh Ministers

9 September 2024

(**1**) 1998 p. 11.

(**1**) 1998 c. 11.

ATODLEN 1 Rheoliad 7(3)(a)

Hysbysiad i'r Ceisydd ar ôl Cael Cais

1. Daeth eich cais dyddiedig ……*rhowch y dyddiad*

i law ar ……..*rhowch y dyddiad*

*[Nid ydym wedi cwblhau ein harchwiliad o ffurf y cais a'r planiau a'r dogfennau cysylltiedig eto er mwyn penderfynu a yw eich cais yn cydymffurfio â'r gofynion statudol. Os byddwn yn penderfynu, yn dilyn archwiliad pellach, fod y cais yn annilys am fethu â chydymffurfio â gofynion o'r fath, byddwn yn eich hysbysu'n ysgrifenedig cyn gynted â phosibl.]
**dilëwch os nad yw'n briodol*

2. Os, erbyn …….…….
rhowch ddyddiad o 8 wythnos sy'n dechrau â'r dyddiad y daw'r cais, y dystysgrif a'r datganiad o'r effaith ar dreftadaeth i law

(a) nad ydych wedi cael hysbysiad gan yr awdurdod hwn—

(i) bod eich cais yn annilys;

(ii) o'n penderfyniad;

(iii) bod eich cais wedi cael ei atgyfeirio at Weinidogion Cymru i'w benderfynu, neu

(b) nad ydym wedi cytuno â chi yn ysgrifenedig y byddwn yn estyn y dyddiad erbyn pryd y mae rhaid i ni roi ein penderfyniad, fe gewch apelio.

3. Mae'r hawl i apelio, a'r weithdrefn ar gyfer apelio, yn adrannau 100 i 102 o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023.

4. Rhaid i chi gyflwyno unrhyw apêl ar ffurflen y gallwch ei chael gan Weinidogion Cymru.

5. Os ydych yn apelio yn erbyn penderfyniad sy'n gwrthod y cais neu sy'n ei ganiatáu yn ddarostyngedig i amodau, rhaid i chi gyflwyno unrhyw apêl yn ystod y cyfnod sy'n dod i ben â/ag ……...…….
rhowch ddyddiad o 6 mis sy'n dechrau â'r diwrnod ar ôl dyddiad y penderfyniad

SCHEDULE 1 Regulation 7(3)(a)

Notification to Applicant on Receipt of Application

1. Your application dated ……*insert date*

was received on……..*insert date*

*[We have not yet completed our examination of the form of application and accompanying plans and documents to decide whether your application complies with the statutory requirements. If, on further examination, we find that the application is invalid for failure to comply with such requirements, we will notify you in writing as soon as possible.]
**delete if not appropriate*

2. If by ……..…….
insert date 8 weeks beginning with the date the application, certificate and heritage impact statement are received

(a) you have not received notice from this authority—

(i) that your application is invalid;

(ii) of our decision;

(iii) that your application has been referred to the Welsh Ministers for decision, or

(b) we have not agreed with you in writing that we will extend the date by which we must give our decision, you may appeal.

3. The right to, and procedure for, appeal is in sections 100 to 102 of the Historic Environment (Wales) Act 2023.

4. You must submit any appeal on a form which you can obtain from the Welsh Ministers.

5. If you are appealing against a decision which refuses the application or grants it subject to conditions, you must submit any appeal during the period ending with ……...…….
insert date 6 months beginning with the day after the date of the decision

ATODLEN 2 Rheoliad 13 (3)(b)

Hysbysiad i'r Ceisydd ar ôl Gwrthod Cydsyniad neu Roi Cydsyniad yn Ddarostyngedig i Amodau (i'w gynnwys gyda hysbysiadau o benderfyniad)

1. Os ydych wedi eich tramgwyddo gan benderfyniad yr awdurdod cynllunio i wrthod cydsyniad ar gyfer y gwaith neu i'w roi yn ddarostyngedig i amodau, fe gewch apelio i Weinidogion Cymru. Mae'r hawl i apelio, a'r weithdrefn ar gyfer apelio, yn adrannau 100 i 102 o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023.

2. Rhaid i chi gyflwyno unrhyw apêl ar ffurflen y gallwch ei chael gan Weinidogion Cymru. Rhaid i chi gyflwyno unrhyw hysbysiad o apêl yn ystod y 6 mis sy'n dechrau â'r diwrnod ar ôl dyddiad y penderfyniad.

3. Caiff Gweinidogion Cymru ganiatáu cyfnod hwy i chi roi hysbysiad o apêl, ond ni fyddant fel arfer yn fodlon gwneud hynny oni bai bod amgylchiadau arbennig.

4. Os yw cydsyniad yn cael ei wrthod, neu'n cael ei roi yn ddarostyngedig i amodau (pa un ai gan yr awdurdod cynllunio neu gan Weinidogion Cymru), os yw'r amodau ym mharagraff 6 wedi eu bodloni, mae gan y perchennog yr hawliau a ddisgrifir ym mharagraff 8.

5. Yn y paragraffau a ganlyn, ystyr "tir cysylltiedig" yw tir sy'n cynnwys yr adeilad, sy'n cydffinio ag ef neu sy'n gyfagos iddo ac a berchnogir gyda'r adeilad, ac ystyr "defnyddiadwy" yw bod modd gwneud defnydd rhesymol fuddiol ohono.

6. Yr amodau yw bod perchennog yr adeilad a'r tir cysylltiedig yn honni—

(a) bod yr adeilad a'r tir cysylltiedig yn annefnyddiadwy yn eu cyflwr presennol,

(b) nad yw'n bosibl gwneud yr adeilad na'r tir cysylltiedig yn ddefnyddiadwy—

(i) mewn achos pan fo cydsyniad adeilad rhestredig wedi ei roi yn ddarostyngedig i amodau neu wedi ei addasu drwy osod amodau, drwy gyflawni'r gwaith y mae'r cydsyniad yn ymwneud ag ef yn unol â'r amodau, a

SCHEDULE 2 Regulation 13 (3)(b)

Notification to Applicant on Refusal of Consent or Grant of Consent Subject to Conditions (to be included with notices of decision)

1. If you are aggrieved by the decision of the planning authority to refuse consent for the works or to grant it subject to conditions, you may appeal to the Welsh Ministers. The right to, and procedure for, appeal is in sections 100 to 102 of the Historic Environment (Wales) Act 2023.

2. You must submit any appeal on a form which you can obtain from the Welsh Ministers. You must submit any notice of appeal during the 6 months starting with the day after the date of the decision.

3. The Welsh Ministers may allow a longer period for you to give notice of appeal, but they will not normally be prepared to do that unless there are special circumstances.

4. If consent is refused, or is granted subject to conditions (whether by the planning authority or the Welsh Ministers), if the conditions in paragraph 6 are satisfied, the owner has the rights described in paragraph 8.

5. In the following paragraphs, "associated land" means land which includes, adjoins or is adjacent to the building and is owned with the building, and "usable" means capable of reasonably beneficial use.

6. The conditions are that the owner of the building and associated land claims that the building and the associated land—

(a) are unusable in their existing state,

(b) cannot be made usable—

(i) in a case where listed building consent has been granted subject to conditions or modified by the imposition of conditions, by carrying out the works to which the consent relates in accordance with the conditions, and

(ii) mewn unrhyw achos, drwy gyflawni unrhyw waith arall y rhoddwyd cydsyniad ar ei gyfer neu y mae'r awdurdod cynllunio neu Weinidogion Cymru wedi ymrwymo i roi cydsyniad ar ei gyfer,

(c) na ellir gwahanu'n sylweddol y defnydd o'r tir cysylltiedig oddi wrth y defnydd o'r adeilad rhestredig, a

(d) y dylid trin y tir cysylltiedig, ynghyd â'r adeilad, fel un daliad.

7. Mae rhagor o fanylion am ystyr "yn ddefnyddiadwy yn eu cyflwr presennol/ei gyflwr presennol" yn adran 109(7) ac (8) o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023.

8. Os bodlonir yr amodau ym mharagraff 6, caiff y perchennog gyflwyno hysbysiad prynu i'r awdurdod cynllunio y mae'r adeilad yn ei ardal, sy'n ei gwneud yn ofynnol i'r awdurdod cynllunio brynu buddiant y perchennog yn yr adeilad a'r tir cysylltiedig.

9. Mae rhagor o fanylion am yr hawl hon yn adrannau 109 i 112 o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023.

(ii) in any case, by carrying out any other works for which consent has been granted or for which the planning authority has, or the Welsh Ministers have, undertaken to grant consent,

(c) that the use of the associated land is substantially inseparable from the use of the listed building, and

(d) that the associated land ought to be treated, together with the building, as a single holding.

7. There is more detail about the meaning of "usable in their/its existing state" in section 109(7) and (8) of the Historic Environment (Wales) Act 2023.

8. If the conditions in paragraph 6 are satisfied, the owner may serve a purchase notice on the planning authority in whose area the building is situated, requiring the planning authority to purchase the owner's interest in the building and associated land.

9. There is further detail about this right in sections 109 to 112 of the Historic Environment (Wales) Act 2023.

ATODLEN 3 Rheoliad 15 (3)(c)

Hysbysiad i'r Ceisydd ar ôl Gwrthod Amrywio neu Ddileu Amodau sydd Ynghlwm wrth Gydsyniad neu ar ôl Ychwanegu Amodau Newydd (i'w gynnwys gyda'r hysbysiadau o benderfyniad)

1. Cewch apelio i Weinidogion Cymru os ydych wedi eich tramgwyddo gan benderfyniad yr awdurdod cynllunio—

(a) i wrthod amrywio neu ddileu'r amodau sydd ynghlwm wrth gydsyniad, neu

(b) i gynnwys amodau newydd.

2. Mae'r hawl i apelio, a'r weithdrefn ar gyfer apelio, yn adrannau 100 i 102 o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023.

3. Rhaid i chi gyflwyno unrhyw apêl ar ffurflen y gallwch ei chael gan Weinidogion Cymru. Rhaid i chi gyflwyno unrhyw hysbysiad o apêl yn ystod y cyfnod o 6 mis sy'n dechrau â'r diwrnod ar ôl dyddiad y penderfyniad.

4. Caiff Gweinidogion Cymru ganiatáu cyfnod hwy i chi roi hysbysiad o apêl, ond ni fyddant fel arfer yn fodlon gwneud hynny oni bai bod amgylchiadau arbennig.

SCHEDULE 3 Regulation 15 (3)(c)

Notification to Applicant on Refusal to Vary or Remove Conditions Attached to a Consent or on the Addition of New Conditions (to be included with the notices of decision)

1. You may appeal to the Welsh Ministers if you are aggrieved by the decision of the planning authority to—

(a) refuse to vary or remove the conditions attached to a consent, or

(b) include new conditions.

2. The right to, and procedure for, appeal is in sections 100 to 102 of the Historic Environment (Wales) Act 2023.

3. You must submit any appeal on a form which you can obtain from the Welsh Ministers. You must submit any notice of appeal during the period of 6 months starting with the day after the date of the decision.

4. The Welsh Ministers may allow a longer period for you to give notice of appeal, but they will not normally be prepared to do that unless there are special circumstances.

ATODLEN 4 Rheoliad 27

Diwygiadau canlyniadol

Rheoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Swyddogaethau a Chyfrifoldebau) (Cymru) 2007

1. Yn Atodlen 1 i Reoliadau Awdurdodau Lleol (Trefniadau Gweithrediaeth) (Swyddogaethau a Chyfrifoldebau) (Cymru) 2007(**1**), yn Rhan A, rhes 22, yn yr ail golofn, yn lle "rheoliadau 3" hyd at y diwedd, rhodder "Rheoliadau Adeiladau Rhestredig ac Ardaloedd Cadwraeth (Gweithdrefn a Chyfradd Llog) (Cymru) 2024".

Rheoliadau Ceisiadau Trafnidiaeth a Gweithfeydd (Gweithdrefn Adeiladau Rhestredig, Ardaloedd Cadwraeth a Henebion Hynafol) 1992

2. Mae Rheoliadau Ceisiadau Trafnidiaeth a Gweithfeydd (Gweithdrefn Adeiladau Rhestredig, Ardaloedd Cadwraeth a Henebion Hynafol) 1992(**2**) wedi eu diwygio fel a ganlyn.

3. Yn rheoliad 2, yn y diffiniad o "conservation area consent" a "listed building consent", ar ôl "Act" mewnosoder "in relation to areas and buildings in England, and have the same meanings respectively as in section 162 and section 89 of the Historic Environment (Wales) Act 2023 in relation to areas and buildings in Wales".

4. Yn rheoliad 3—

(a) ar ddiwedd y pennawd mewnosoder "in relation to England";

(b) ym mharagraff (1), ar ôl "required" mewnosoder "in relation to a listed building or conservation area in England,".

5. Ar ôl rheoliad 3 mewnosoder—

"Modification of procedures for listed building consent and conservation area consent in relation to a listed building or conservation area in Wales

3A.—(1) This regulation applies where listed building consent or conservation area consent is required in relation to a listed building or

(**1**) O.S. 2007/399 (Cy. 45), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**2**) O.S. 1992/3138, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

SCHEDULE 4 Regulation 27

Consequential amendments

The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007

1. In Schedule 1 to the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007(**1**), in Part A, row 22, in the second column, for "regulations 3" to the end, substitute "the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024".

The Transport and Works Applications (Listed Buildings, Conservation Areas and Ancient Monuments Procedure) Regulations 1992

2. The Transport and Works Applications (Listed Buildings, Conservation Areas and Ancient Monuments Procedure) Regulations 1992(**2**) are amended as follows.

3. In regulation 2, in the definition of "conservation area consent" and "listed building consent", after "Act" insert "in relation to areas and buildings in England, and have the same meanings respectively as in section 162 and section 89 of the Historic Environment (Wales) Act 2023 in relation to areas and buildings in Wales".

4. In regulation 3—

(a) at the end of the heading, insert "in relation to England";

(b) in paragraph (1), after "required" insert "in relation to a listed building or conservation area in England,".

5. After regulation 3 insert—

"Modification of procedures for listed building consent and conservation area consent in relation to a listed building or conservation area in Wales

3A.—(1) This regulation applies where listed building consent or conservation area consent is required in relation to a listed building or

(**1**) S.I. 2007/399 (W. 45), to which there are amendments not relevant to these Regulations.

(**2**) S.I. 1992/3138, to which there are amendments not relevant to these Regulations.

conservation area in Wales for the purposes of proposals included in a section 6 application and either—

(a) the application for consent has been made not later than 10 weeks after the section 6 application, or

(b) the Secretary of State considers it appropriate that this regulation should apply and has given a direction to that effect.

(2) Where this regulation applies, the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 have effect with the modifications in Schedule 1A."

6. Ar ôl Atodlen 1 mewnosoder—

"SCHEDULE 1A

Regulation 3A

Modifications of the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024

1. The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 apply as if—

(a) in the Welsh text, in regulation 3(1), there were inserted before sub-paragraph (a)—

"(za) cynnwys unrhyw drychiadau, unrhyw fodelau, unrhyw ffotograffau ac unrhyw ddeunyddiau eraill sy'n angenrheidiol i ddisgrifio'r gwaith a chaiff gynnwys—

(i) trychiadau manwl,

(ii) darnau o blaniau a thrychiadau a gyflwynwyd, neu sydd i'w cyflwyno, gyda chais o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992, neu

(iii) pan na fo unrhyw ddeunyddiau o'r fath wedi eu llunio ar ddyddiad y cais, disgrifiad ysgrifenedig clir o'r gwaith y bwriedir ei gyflawni yn yr adeilad neu i'r adeilad, wedi ei ategu gan unrhyw ddeunyddiau eraill y gall y ceisydd yn rhesymol eu darparu,";

conservation area in Wales for the purposes of proposals included in a section 6 application and either—

(a) the application for consent has been made not later than 10 weeks after the section 6 application, or

(b) the Secretary of State considers it appropriate that this regulation should apply and has given a direction to that effect.

(2) Where this regulation applies, the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 have effect with the modifications in Schedule 1A."

6. After Schedule 1 insert—

"SCHEDULE 1A

Regulation 3A

Modifications of the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024

1. The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 apply as if—

(a) in the Welsh text, in regulation 3(1), there were inserted before sub-paragraph (a)—

"(za) cynnwys unrhyw drychiadau, unrhyw fodelau, unrhyw ffotograffau ac unrhyw ddeunyddiau eraill sy'n angenrheidiol i ddisgrifio'r gwaith a chaiff gynnwys—

(i) trychiadau manwl,

(ii) darnau o blaniau a thrychiadau a gyflwynwyd, neu sydd i'w cyflwyno, gyda chais o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992, neu

(iii) pan na fo unrhyw ddeunyddiau o'r fath wedi eu llunio ar ddyddiad y cais, disgrifiad ysgrifenedig clir o'r gwaith y bwriedir ei gyflawni yn yr adeilad neu i'r adeilad, wedi ei ategu gan unrhyw ddeunyddiau eraill y gall y ceisydd yn rhesymol eu darparu,";

(b) in the English text, in regulation 3(1), there were inserted before sub-paragraph (a)—

"(za) include such sections, models, photographs and other materials as are necessary to describe the works and may include—

(i) detailed sections,

(ii) extracts from plans and sections submitted, or to be submitted, with an application under section 6 of the Transport and Works Act 1992, or

(iii) where no such materials have been prepared at the date of the application, a clear written description of the works proposed to be carried out at or to the building, supported by such other materials as the applicant is reasonably able to provide,";

(c) in the Welsh text, in regulation 6, after paragraph (2)(a) there were inserted—

"(aa) bod—

(i) hysbysiad o'r cais cydredol wedi ei roi yn unol â rheolau a wnaed o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992 i'r holl bersonau (ac eithrio'r ceisydd) a oedd, ar ddechrau cyfnod o 28 o ddiwrnodau a ddaeth i ben â dyddiad y cais cydredol, yn berchnogion ar yr adeilad;

(ii) pob hysbysiad o'r fath yn cynnwys datganiad bod cais am gydsyniad adeilad rhestredig neu gydsyniad ardal gadwraeth wedi ei wneud, neu i'w wneud, mewn cysylltiad â'r adeilad, ";

(d) in the English text, in regulation 6, after paragraph (2)(a) there were inserted—

"(aa) that—

(i) notice of the concurrent application has been given in accordance with rules made under section 6 of the Transport and Works Act 1992 to all the persons

(b) in the English text, in regulation 3(1), there were inserted before sub-paragraph (a)—

"(za) include such sections, models, photographs and other materials as are necessary to describe the works and may include—

(i) detailed sections,

(ii) extracts from plans and sections submitted, or to be submitted, with an application under section 6 of the Transport and Works Act 1992, or

(iii) where no such materials have been prepared at the date of the application, a clear written description of the works proposed to be carried out at or to the building, supported by such other materials as the applicant is reasonably able to provide,";

(c) in the Welsh text, in regulation 6, after paragraph (2)(a) there were inserted—

"(aa) bod—

(i) hysbysiad o'r cais cydredol wedi ei roi yn unol â rheolau a wnaed o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992 i'r holl bersonau (ac eithrio'r ceisydd) a oedd, ar ddechrau cyfnod o 28 o ddiwrnodau a ddaeth i ben â dyddiad y cais cydredol, yn berchnogion ar yr adeilad;

(ii) pob hysbysiad o'r fath yn cynnwys datganiad bod cais am gydsyniad adeilad rhestredig neu gydsyniad ardal gadwraeth wedi ei wneud, neu i'w wneud, mewn cysylltiad â'r adeilad, ";

(d) in the English text, in regulation 6, after paragraph (2)(a) there were inserted—

"(aa) that—

(i) notice of the concurrent application has been given in accordance with rules made under section 6 of the Transport and Works Act 1992 to all the persons

(other than the applicant) who, at the beginning of a period of 28 days ending with the date of the concurrent application, were owners of the building;

(ii) every such notice contains a statement that an application for listed building consent or conservation area consent has been, or is to be, made in respect of the building,";

(e) in the Welsh text, after paragraph (3) there were inserted—

"(4) At ddiben y rheoliad hwn, ystyr "perchennog" yw—

(a) person sydd, am y tro, â hawl i waredu ffi syml yr adeilad (pa un a yw mewn meddiant neu rifersiwn) ac nad yw'n forgeisai nad yw mewn meddiant, neu

(b) person sy'n dal les neu gytundeb sydd ag o leiaf 3 blynedd yn weddill, neu berson sydd â hawl i rent ac elw'r tir o dan les neu gytundeb o'r fath.";

(f) in the English text, after paragraph (3) there were inserted—

"(4) For the purpose of this regulation, "owner" means—

(a) a person who is, for the time being, entitled to dispose of the fee simple of the building (whether in possession or reversion) and who is not a mortgagee not in possession, or

(b) a person holding, or entitled to the rents and profits of the land under, a lease or agreement which has at least 3 years to run.";

(other than the applicant) who, at the beginning of a period of 28 days ending with the date of the concurrent application, were owners of the building;

(ii) every such notice contains a statement that an application for listed building consent or conservation area consent has been, or is to be, made in respect of the building,";

(e) in the Welsh text, after paragraph (3) there were inserted—

"(4) At ddiben y rheoliad hwn, ystyr "perchennog" yw—

(a) person sydd, am y tro, â hawl i waredu ffi syml yr adeilad (pa un a yw mewn meddiant neu rifersiwn) ac nad yw'n forgeisai nad yw mewn meddiant, neu

(b) person sy'n dal les neu gytundeb sydd ag o leiaf 3 blynedd yn weddill, neu berson sydd â hawl i rent ac elw'r tir o dan les neu gytundeb o'r fath.";

(f) in the English text, after paragraph (3) there were inserted—

"(4) For the purpose of this regulation, "owner" means—

(a) a person who is, for the time being, entitled to dispose of the fee simple of the building (whether in possession or reversion) and who is not a mortgagee not in possession, or

(b) a person holding, or entitled to the rents and profits of the land under, a lease or agreement which has at least 3 years to run.";

(g) in the Welsh text, after regulation 6 there were inserted—

"**Ffurf y dystysgrif**

6A. Rhaid i dystysgrif sy'n ofynnol gan reoliad 6(2)(aa) fod ar y ffurf a ganlyn—

"Tystysgrif AA

Rwyf yn ardystio:

1. (Fy mod i) (Bod y ceisydd) [*dileer fel y bo'n briodol*] wedi cyflwyno, yn unol â rheolau a wnaed o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992, yr holl hysbysiadau y mae'n ofynnol eu cyflwyno i'r personau (ac eithrio'r ceisydd) a oedd, ar ddechrau'r cyfnod o 28 o ddiwrnodau a ddaeth i ben â dyddiad cais o dan adran 6, yn berchnogion yr adeilad.

2. Bod pob hysbysiad o'r fath yn cynnwys datganiad bod cais (am gydsyniad adeilad rhestredig) (ac) (am gydsyniad ardal gadwraeth) [*dileer fel y bo'n briodol*] wedi ei wneud mewn cysylltiad â'r adeilad.

Llofnodwyd ……..

(Ar ran) ……

Dyddiad……";

(h) in the English text, after regulation 6 there were inserted—

"**Form of certificate**

6A. A certificate which is required by regulation 6(2)(aa) must be in the form—

"Certificate AA

I certify that:

1. (I have) (The applicant has) [*delete as appropriate*] served, in accordance with rules made under section 6 of the Transport and Works Act 1992, all the notices required to be served on the persons (other than the applicant) who, at the beginning of the period of 28 days ending with the date of an application under section 6, were the owners of the building.

(g) in the Welsh text, after regulation 6 there were inserted—

"**Ffurf y dystysgrif**

6A. Rhaid i dystysgrif sy'n ofynnol gan reoliad 6(2)(aa) fod ar y ffurf a ganlyn—

"Tystysgrif AA

Rwyf yn ardystio:

1. (Fy mod i) (Bod y ceisydd) [*dileer fel y bo'n briodol*] wedi cyflwyno, yn unol â rheolau a wnaed o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992, yr holl hysbysiadau y mae'n ofynnol eu cyflwyno i'r personau (ac eithrio'r ceisydd) a oedd, ar ddechrau'r cyfnod o 28 o ddiwrnodau a ddaeth i ben â dyddiad cais o dan adran 6, yn berchnogion yr adeilad.

2. Bod pob hysbysiad o'r fath yn cynnwys datganiad bod cais (am gydsyniad adeilad rhestredig) (ac) (am gydsyniad ardal gadwraeth) [*dileer fel y bo'n briodol*] wedi ei wneud mewn cysylltiad â'r adeilad.

Llofnodwyd ……..

(Ar ran) ……

Dyddiad……";

(h) in the English text, after regulation 6 there were inserted—

"**Form of certificate**

6A. A certificate which is required by regulation 6(2)(aa) must be in the form—

"Certificate AA

I certify that:

1. (I have) (The applicant has) [*delete as appropriate*] served, in accordance with rules made under section 6 of the Transport and Works Act 1992, all the notices required to be served on the persons (other than the applicant) who, at the beginning of the period of 28 days ending with the date of an application under section 6, were the owners of the building.

2. Every such notice contains a statement that an application for (listed building consent) (and) (conservation area consent) [*delete as appropriate*] has been made in respect of the building.

Signed ……..

(On behalf of)……

Date……";

(i) in the Welsh text, in regulation 8—

(i) after paragraph (3) there were inserted—

"(3A) O ran y gofyniad ym mharagraff (3)—

(a) mae'n gymwys fel pe bai'n ofyniad ar y ceisydd, nid yr awdurdod cynllunio, a

(b) rhaid ei fodloni heb fod yn fwy na 14 o ddiwrnodau cyn nac ar ôl dyddiad y cais.

(3B) Caniateir cyfuno'r hysbysiad ym mharagraff (3)(a) ag unrhyw hysbysiad o'r cais cydredol y mae'n ofynnol i'r ceisydd ei gyhoeddi mewn papur newydd lleol gan reolau a wneir o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992.";

(ii) in paragraph (4) for "21 o ddiwrnodau" there were substituted "42 o ddiwrnodau";

(iii) after paragraph (4) there were inserted—

"(5) Yn y rheoliad hwn, ystyr "cais cydredol" yw cais a wneir o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992, sy'n ymwneud â chynigion y mae rhoi cydsyniad adeilad rhestredig neu gydsyniad ardal gadwraeth yn ofynnol ar eu cyfer.";

(j) in the English text, in regulation 8—

(i) after paragraph (3) there were inserted—

"(3A) The requirement in paragraph (3)—

(a) applies as if it were a requirement on the applicant, not the planning authority, and

(b) must be met not more than 14 days before nor after the date of the application.

2. Every such notice contains a statement that an application for (listed building consent) (and) (conservation area consent) [*delete as appropriate*] has been made in respect of the building.

Signed ……..

(On behalf of)……

Date……";

(i) in the Welsh text, in regulation 8—

(i) after paragraph (3) there were inserted—

"(3A) O ran y gofyniad ym mharagraff (3)—

(a) mae'n gymwys fel pe bai'n ofyniad ar y ceisydd, nid yr awdurdod cynllunio, a

(b) rhaid ei fodloni heb fod yn fwy na 14 o ddiwrnodau cyn nac ar ôl dyddiad y cais.

(3B) Caniateir cyfuno'r hysbysiad ym mharagraff (3)(a) ag unrhyw hysbysiad o'r cais cydredol y mae'n ofynnol i'r ceisydd ei gyhoeddi mewn papur newydd lleol gan reolau a wneir o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992.";

(ii) in paragraph (4) for "21 o ddiwrnodau" there were substituted "42 o ddiwrnodau";

(iii) after paragraph (4) there were inserted—

"(5) Yn y rheoliad hwn, ystyr "cais cydredol" yw cais a wneir o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992, sy'n ymwneud â chynigion y mae rhoi cydsyniad adeilad rhestredig neu gydsyniad ardal gadwraeth yn ofynnol ar eu cyfer.";

(j) in the English text, in regulation 8—

(i) after paragraph (3) there were inserted—

"(3A) The requirement in paragraph (3)—

(a) applies as if it were a requirement on the applicant, not the planning authority, and

(b) must be met not more than 14 days before nor after the date of the application.

(3B) The notice in paragraph (3)(a) may be combined with such notice of the concurrent application as the applicant is required to publish in a local newspaper by rules made under section 6 of the Transport and Works Act 1992.";

(ii) in paragraph (4) for "21 days" there were substituted "42 days";

(iii) after paragraph (4) there were inserted—

"(5) In this regulation "concurrent application" means an application made under section 6 of the Transport and Works Act 1992, relating to proposals for which the granting of listed building consent or conservation area consent is required."

Gorchymyn Awdurdodau Parciau Cenedlaethol (Cymru) 1995

7. Yn Atodlen 5 i Orchymyn Awdurdodau Parciau Cenedlaethol (Cymru) 1995(**1**), hepgorer paragraff 15.

Gorchymyn Ad-drefnu Llywodraeth Leol (Cymru) (Diwygiadau Canlyniadol) 1996

8. Yn Atodlen 1 i Orchymyn Ad-drefnu Llywodraeth Leol (Cymru) (Diwygiadau Canlyniadol) 1996(**2**), hepgorer paragraff 13.

Gorchymyn Awdurdodau Parciau Cenedlaethol (Cymru) (Diwygio) 1996

9. Yn yr Atodlen i Orchymyn Awdurdodau Parciau Cenedlaethol (Cymru) (Diwygio) 1996(**3**), yn Rhan 2 hepgorer paragraff 15 a fewnosodwyd.

Gorchymyn Cynllunio Gwlad a Thref (Cyfathrebiadau Electronig) (Cymru) (Rhif 1) 2004

10. Yng Ngorchymyn Cynllunio Gwlad a Thref (Cyfathrebiadau Electronig) (Cymru) (Rhif 1) 2004(**4**)—

(a) hepgorer erthygl 13;

(b) hepgorer Atodlen 4.

(1) O.S. 1995/2803, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.
(2) O.S. 1996/525, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.
(3) O.S. 1996/534, y mae diwygiad iddo nad yw'n berthnasol i'r Rheoliadau hyn.
(4) O.S. 2004/3156, y mae diwygiad iddo nad yw'n berthnasol i'r Rheoliadau hyn.

(3B) The notice in paragraph (3)(a) may be combined with such notice of the concurrent application as the applicant is required to publish in a local newspaper by rules made under section 6 of the Transport and Works Act 1992.";

(ii) in paragraph (4) for "21 days" there were substituted "42 days";

(iii) after paragraph (4) there were inserted—

"(5) In this regulation "concurrent application" means an application made under section 6 of the Transport and Works Act 1992, relating to proposals for which the granting of listed building consent or conservation area consent is required."

The National Park Authorities (Wales) Order 1995

7. In Schedule 5 to the National Park Authorities (Wales) Order 1995(**1**), omit paragraph 15.

The Local Government Reorganisation (Wales) (Consequential Amendments) Order 1996

8. In Schedule 1 to the Local Government Reorganisation (Wales) (Consequential Amendments) Order 1996(**2**), omit paragraph 13.

The National Park Authorities (Wales) (Amendment) Order 1996

9. In the Schedule to the National Park Authorities (Wales) (Amendment) Order 1996(**3**), in Part 2 omit inserted paragraph 15.

The Town and Country Planning (Electronic Communications) (Wales) (No 1) Order 2004

10. In the Town and Country Planning (Electronic Communications) (Wales) (No 1) Order 2004(**4**)—

(a) omit article 13;

(b) omit Schedule 4.

(1) S.I. 1995/2803, to which there are amendments not relevant to these Regulations.
(2) S.I. 1996/525, to which there are amendments not relevant to these Regulations.
(3) S.I. 1996/534, to which there is an amendment not relevant to these Regulations.
(4) S.I. 2004/3156, to which there is an amendment not relevant these Regulations.

Rheoliadau Datblygiadau o Arwyddocâd Cenedlaethol (Cymru) 2016

11. Mae Rheoliadau Datblygiadau o Arwyddocâd Cenedlaethol (Cymru) 2016(**1**) wedi eu diwygio fel a ganlyn.

12. Yn Atodlen 4—

(a) yn lle paragraff 2 yn Rhan 2 rhodder—

"**2.**—(1) Wrth eu cymhwyso i gais am gydsyniad adeilad rhestredig sy'n gysylltiedig â chais am ddatblygiad o arwyddocâd cenedlaethol o dan adran 62D o Ddeddf Cynllunio Gwlad a Thref 1990, mae Rheoliadau Adeiladau Rhestredig ac Ardaloedd Cadwraeth (Gweithdrefn a Chyfradd Llog) (Cymru) 2024 yn gymwys fel a ganlyn.

Y ddarpariaeth	*Yr addasiad neu'r datgymhwysiad*
Rheoliad 3 (gwneud cais am gydsyniad adeilad rhestredig)	Mae rheoliad 3 i'w ddarllen fel pe bai, ym mharagraff (3), y geiriau "os yw Gweinidogion Cymru" wedi eu rhoi yn lle "os yw'r awdurdod cynllunio y gwneir y cais iddo".
Rheoliad 7 (cydnabod cais am gydsyniad adeilad rhestredig)	Mae rheoliad 7 i'w ddarllen fel pe bai'r canlynol wedi ei roi yn ei le— **"7.** Os yw Gweinidogion Cymru yn ystyried nad yw cais yn cydymffurfio â gofyniad a osodir gan adran 90(2) o Ddeddf 2023 neu gan y Rheoliadau hyn, rhaid i Weinidogion Cymru hysbysu'r ceisydd cyn gynted ag y bo'n rhesymol ymarferol."
Rheoliad 8 (hysbysebu ceisiadau am gydsyniad adeilad rhestredig)	Nid yw rheoliad 8 yn gymwys.
Rheoliad 9 (hysbysu'r cymdeithasau amwynder etc.)	Mae rheoliad 9 i'w ddarllen fel pe bai'r cyfeiriadau at awdurdod cynllunio yn gyfeiriadau at Weinidogion Cymru.

(**1**) O.S. 2016/56 (Cy. 26), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

The Developments of National Significance (Wales) Regulations 2016

11. The Developments of National Significance (Wales) Regulations 2016(**1**) are amended as follows.

12. In Schedule 4—

(a) for paragraph 2 in Part 2 substitute—

"**2.**—(1) In their application to an application for listed building consent which is connected to an application for a nationally significant development under section 62D of the Town and Country Planning Act 1990, the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 apply as follows.

Provision	*Modification or disapplication*
Regulation 3 (applying for listed building consent)	Regulation 3 is to be read as if, in paragraph (3), for "the planning authority to which the application is made" there were substituted "the Welsh Ministers".
Regulation 7 (acknowledgement of application for listed building consent)	Regulation 7 is to be read as if there were substituted— **"7.** If the Welsh Ministers consider that an application does not comply with a requirement imposed by section 90(2) of the 2023 Act or by these Regulations, the Welsh Ministers must notify the applicant as soon as reasonably practicable."
Regulation 8 (advertisement of applications for listed building consent)	Regulation 8 does not apply.
Regulation 9 (notification to amenity societies etc.)	Regulation 9 is to be read as if the references to a planning authority were references to the Welsh Ministers.

(**1**) S.I. 2016/56 (W. 26), to which there are amendments not relevant to these Regulations.

Rheoliad 12 (penderfyniad ar gais)	Mae rheoliad 12 yn gymwys fel pe bai'r canlynol wedi ei roi yn ei le—	Regulation 12 (decision on application)	Regulation 12 applies as if there were substituted—
	"12. Rhaid i Weinidogion Cymru roi hysbysiad o'u penderfyniad cyn diwedd y cyfnod penderfynu ("*determination period*") y cyfeirir ato yn adran 62L o Ddeddf Cynllunio Gwlad a Thref 1990."		**"12.** The Welsh Ministers must give notice of their decision before the end of the determination period referred to in section 62L of the Town and Country Planning Act 1990."
Rheoliad 13 (hysbysiad o benderfyniad neu atgyfeiriad at Weinidogion Cymru)	Mae rheoliad 13 i'w ddarllen fel pe bai—	Regulation 13 (notice of decision or referral to the Welsh Ministers)	Regulation 13 is to be read as if—
	(a) ym mharagraff (1)—		(a) in paragraph (1)—
	(i) yn y geiriau o flaen is-baragraff (a), y cyfeiriad at yr awdurdod cynllunio yn gyfeiriad at Weinidogion Cymru;		(i) in the words before sub-paragraph (a), the reference to the planning authority were to the Welsh Ministers;
	(ii) is-baragraff (b) a'r "neu" o'i flaen wedi eu hepgor;		(ii) sub-paragraph (b) and "or" before it were omitted;
	(b) y geiriau—		(b) for paragraph (2) there were substituted—
	"(2) Rhaid i'r penderfyniad gael ei roi cyn diwedd y cyfnod penderfynu o fewn yr ystyr a roddir i "determination period" yn adran 62L o Ddeddf Cynllunio Gwlad a Thref 1990."		"(2) The decision must be given before the end of the determination period within the meaning of section 62L of the Town and Country Planning Act 1990.";
	wedi eu rhoi yn lle paragraff (2);		
	(c) ym mharagraff (3)—		(c) in paragraph (3)—
	(i) y geiriau "Pan fo Gweinidogion Cymru yn penderfynu" wedi eu rhoi yn lle "Pan fo'r		(i) for "the planning authority decides" there were substituted

	awdurdod cynllunio yn penderfynu”;		“the Welsh Ministers decide”;
	(ii) is-baragraff (b) a’r “a” o’i flaen wedi eu hepgor.		(ii) sub-paragraph (b) and the “and” before it were omitted.
Rheoliad 19 (ceisiadau gan awdurdod cynllunio i ddymchwel adeilad rhestredig)	Nid yw rheoliad 19 yn gymwys.	Regulation 19 (applications by a planning authority for demolition of a listed building)	Regulation 19 does not apply
Rheoliad 22 (cyhoeddusrwydd ar gyfer ceisiadau sy’n ymwneud â gwaith brys ar dir y Goron)	Nid yw rheoliad 22 yn gymwys.	Regulation 22 (publicity for applications relating to urgent works on Crown land)	Regulation 22 does not apply.

(2) Yn y paragraff hwn, mae i “cydsyniad adeilad rhestredig” yr ystyr a roddir yn adran 89 o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023.”;

(2) In this paragraph, “listed building consent” has the meaning given in section 89 of the Historic Environment (Wales) Act 2023.”;

(b) ym mharagraff 3(2) o Ran 2—

(i) yn lle “adran 8 o’r Ddeddf Adeiladau Rhestredig,” rhodder “adran 89 o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023,”;

(ii) yn lle’r geiriau o “rheoliadau 3(1), 3(2) a 6 (datganiadau dylunio a mynediad)” hyd at y diwedd rhodder “rheoliadau 3 a 4 o Reoliadau Adeiladau Rhestredig ac Ardaloedd Cadwraeth (Gweithdrefn a Chyfradd Llog) (Cymru) 2024.”

(b) in paragraph 3(2) of Part 2—

(i) for “section 8 of the Listed Building Act,” substitute “section 89 of the Historic Environment (Wales) Act 2023,”;

(ii) for “regulations 3(1), 3(2) and 6 (design and access statements)” to the end substitute “regulations 3 and 4 of the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024.”

13. Yn Atodlen 5—

13. In Schedule 5—

(a) yn lle paragraff 2 o Ran 2 rhodder—

(a) for paragraph 2 of Part 2 substitute—

“**2.**—(1) Wrth eu cymhwyso mewn perthynas â chydsyniad ardal gadwraeth sy’n gysylltiedig â chais am ddatblygiad o arwyddocâd cenedlaethol o dan adran 62D o Ddeddf Cynllunio Gwlad a Thref 1990, mae Rheoliadau Adeiladau Rhestredig ac Ardaloedd Cadwraeth (Gweithdrefn a Chyfradd Llog) (Cymru) 2024 yn gymwys gyda’r addasiadau a’r eithriadau a ganlyn (a gweler rheoliad 24 o’r Rheoliadau hynny).

“**2.**—(1) In their application in relation to a conservation area consent which is connected to an application for a nationally significant development under section 62D of the Town and Country Planning Act 1990, the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 apply with the following modifications and exceptions (and see regulation 24 of those Regulations).

Y ddarpariaeth	*Yr addasiad neu'r datgymhwysiad*	*Provision*	*Modification or disapplication*
Rheoliad 3 (gwneud cais am gydsyniad adeilad rhestredig)	Mae rheoliad 3 i'w ddarllen fel pe bai, ym mharagraff (3), y geiriau "os yw Gweinidogion Cymru" wedi eu rhoi yn lle "os yw'r awdurdod cynllunio y gwneir y cais iddo".	Regulation 3 (applying for listed building consent)	Regulation 3 is to be read as if, in paragraph (3), for "the planning authority to which the application is made" there were substituted "the Welsh Ministers".
Rheoliad 7 (cydnabod cais am gydsyniad adeilad rhestredig)	Mae rheoliad 7 i'w ddarllen fel pe bai'r canlynol wedi ei roi yn ei le— **"7.** Os yw Gweinidogion Cymru yn ystyried nad yw cais yn cydymffurfio â gofyniad a osodir gan adran 90(2) o Ddeddf 2023 neu gan y Rheoliadau hyn, rhaid i Weinidogion Cymru hysbysu'r ceisydd cyn gynted ag y bo'n rhesymol ymarferol."	Regulation 7 (acknowledgement of application for listed building consent)	Regulation 7 is to be read as if there were substituted— **"7.** If the Welsh Ministers consider that an application does not comply with a requirement imposed by section 90(2) of the 2023 Act or by these Regulations, the Welsh Ministers must notify the applicant as soon as reasonably practicable."
Rheoliad 8 (hysbysebu ceisiadau)	Nid yw rheoliad 8 yn gymwys.	Regulation 8 (advertisement of applications)	Regulation 8 does not apply.
Rheoliad 12 (penderfyniad ar gais)	Mae rheoliad 12 i'w ddarllen fel pe bai'r canlynol wedi ei roi yn ei le— "**12.** Rhaid i Weinidogion Cymru roi hysbysiad o'u penderfyniad cyn diwedd y cyfnod penderfynu ("*determination period*") y cyfeirir ato yn adran 62L o Ddeddf Cynllunio Gwlad a Thref 1990."	Regulation 12 (decision on application)	Regulation 12 is to be read as if there were substituted— "**12.** The Welsh Ministers must give notice of their decision before the end of the determination period referred to in section 62L of the Town and Country Planning Act 1990."
Rheoliad 13 (hysbysiad o benderfyniad neu atgyfeiriad at Weinidogion Cymru)	Mae rheoliad 13 i'w ddarllen fel pe bai— (a) ym mharagraff (1)— (i) yn y geiriau o flaen is-baragraff (a), y cyfeiriad at yr awdurdod cynllunio yn gyfeiriad at Weinidogion Cymru; (ii) is-baragraff (b) a'r "neu" o'i flaen wedi eu hepgor;	Regulation 13 (notice of decision or referral to the Welsh Ministers)	Regulation 13 is to be read as if— (a) in paragraph (1)— (i) in the words before sub-paragraph (a), the reference to the planning authority were to the Welsh Ministers; (ii) sub-paragraph (b) and the "or" before it were omitted;

(b) y geiriau—	(b) for paragraph (2) there were substituted—
"(2) Rhaid i'r penderfyniad gael ei roi cyn diwedd y cyfnod penderfynu o fewn yr ystyr a roddir i "determination period" yn adran 62L o Ddeddf Cynllunio Gwlad a Thref 1990."	"(2) The decision must be given before the end of the determination period within the meaning of section 62L of the Town and Country Planning Act 1990.";
wedi eu rhoi yn lle paragraff (2);	
(c) ym mharagraff (3)—	(c) in paragraph (3)—
(i) y geiriau "Pan fo Gweinidogion Cymru yn penderfynu" wedi eu rhoi yn lle "Pan fo'r awdurdod cynllunio yn penderfynu";	(i) for "the planning authority decides" there were substituted "the Welsh Ministers decide";
(ii) is-baragraff (b) a'r "a" o'i flaen wedi eu hepgor.	(ii) sub-paragraph (b) and the "and" before it were omitted.
Rheoliad 19 (ceisiadau gan awdurdod cynllunio i ddymchwel adeilad rhestredig) — Nid yw rheoliad 19 yn gymwys.	Regulation 19 (applications by a planning authority for demolition of a listed building) — Regulation 19 does not apply.
Rheoliad 22 (cyhoeddusrwydd ar gyfer ceisiadau sy'n ymwneud â gwaith brys ar dir y Goron) — Nid yw rheoliad 22 yn gymwys.	Regulation 22 (publicity for applications relating to urgent works on Crown land) — Regulation 22 does not apply.
(2) Yn y paragraff hwn, mae i "cydsyniad ardal gadwraeth" yr ystyr a roddir yn adran 162 o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023.";	(2) In this paragraph, "conservation area consent" has the meaning given in section 162 of the Historic Environment (Wales) Act 2023."
(b) ym mharagraff 3(2) o Ran 2—	(b) in paragraph 3(2) of Part 2—
(i) yn lle "adran 74 o'r Ddeddf Adeiladau Rhestredig" rhodder "adran 162 o Ddeddf yr Amgylchedd Hanesyddol (Cymru) 2023,";	(i) for "section 74 of the Listed Buildings Act,", substitute "section 162 of the Historic Environment (Wales) Act 2023,";
(ii) yn lle'r geiriau o "rheoliad 3(1) a (2)" hyd at y diwedd rhodder "rheoliad 3 o Reoliadau Adeiladau Rhestredig ac Ardaloedd Cadwraeth (Gweithdrefn a Chyfradd Llog) (Cymru) 2024."	(ii) for "regulation 3(1) and (2)" to the end substitute "regulation 3 of the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024."

Rheoliadau Cynllunio Gwlad a Thref (Ceisiadau Atgyfeiriedig a Gweithdrefn Apelau) (Cymru) 2017

14. Mae Rheoliadau Cynllunio Gwlad a Thref (Ceisiadau Atgyfeiriedig a Gweithdrefn Apelau) (Cymru) 2017(**1**) wedi eu diwygio fel a ganlyn.

15. Yn rheoliad 3(1)—

(a) hepgorer y diffiniad o "Rheoliadau 2012";

(b) ar ôl y diffiniad o "Rheoliadau 2015" mewnosoder—

"ystyr "Rheoliadau 2024" ("*the 2024 Regulations*") yw Rheoliadau Adeiladau Rhestredig ac Ardaloedd Cadwraeth (Gweithdrefn a Chyfradd Llog) (Cymru) 2024;";

(c) yn y diffiniad o "datganiad achos llawn", yn lle is-baragraff (a)(ii) rhodder "rheoliad 2(1) o Reoliadau 2024;";

(d) yn y diffiniad o "cais atgyfeiriedig", yn lle "cais y bernir ei fod wedi ei atgyfeirio i Weinidogion Cymru yn rhinwedd rheoliad 9(3) o Reoliadau 2012" rhodder "cais gan awdurdod cynllunio lleol a wneir o dan reoliad 19(2) o Reoliadau 2024".

16. Mae rheoliad 54 wedi ei hepgor.

(**1**) O.S. 2017/544 (Cy. 121), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017

14. The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017(**1**) are amended as follows.

15. In regulation 3(1)—

(a) omit the definition of "the 2012 Regulations";

(b) after the definition of "the 2015 Regulations", insert—

""the 2024 Regulations" ("*Rheoliadau 2024*") means the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024;";

(c) in the definition of "full statement of case", for sub-paragraph (a)(ii) substitute "regulation 2(1) of the 2024 Regulations;";

(d) in the definition of "referred application", for "an application which is deemed to have been referred to the Welsh Ministers by virtue of regulation 9(3) of the 2012 Regulations" substitute "an application by a local planning authority which is made under regulation 19(2) of the 2024 Regulations".

16. Regulation 54 is omitted.

(**1**) S.I. 2017/544 (W. 121), to which there are amendments not relevant to these Regulations.

ATODLEN 5 Rheoliad 28

Dirymu a thynnu'n ôl

1. Mae'r offerynnau statudol a ganlyn wedi eu dirymu—

(a) Rheoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) (Cymru) 2012(**1**);

(b) Rheoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) (Cymru) (Diwygio) 2015(**2**);

(c) Rheoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) (Cymru) (Diwygio) 2016(**3**);

(d) Rheoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) (Cymru) (Diwygio) 2017(**4**);

(e) Rheoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) (Cymru) (Diwygio Rhif 2) 2017(**5**);

(f) Gorchymyn Adeiladau Rhestredig (Gwaith Brys) (Cyfradd Llog ar Dreuliau) (Cymru) 2017(**6**);

(g) Rheoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) (Cymru) (Diwygio) 2021(**7**).

2. Mae Rheoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990(**8**) wedi eu dirymu o ran Cymru, i'r graddau y maent yn parhau mewn grym.

3. Mae'r Cyfarwyddydau a ganlyn wedi eu tynnu'n ôl—

(a) Cyfarwyddyd Ceisiadau a Phenderfyniadau Adeilad Rhestredig (Dyletswydd i Hysbysu Cymdeithasau Amwynder Cenedlaethol a'r Comisiwn Brenhinol) (Cymru) 2022(**9**);

(b) Cyfarwyddyd Ceisiadau Cydsyniad Adeilad Rhestredig (Datgymhwyso Dyletswydd i Hysbysu Gweinidogion Cymru) (Cymru)(**10**);

(**1**) O.S. 2012/793 (Cy. 108).
(**2**) O.S. 2015/1332 (Cy. 125).
(**3**) O.S. 2016/91 (Cy. 44).
(**4**) O.S. 2017/545 (Cy. 122).
(**5**) O.S. 2017/638 (Cy. 144).
(**6**) O.S. 2017/640 (Cy. 146).
(**7**) O.S. 2021/832 (Cy. 194).
(**8**) O.S. 1990/1519.
(**9**) LlC 22-40.
(**10**) 2017 Rhif 25.

SCHEDULE 5 Regulation 28

Revocation and withdrawal

1. The following statutory instruments are revoked—

(a) the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012(**1**);

(b) the Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment) Regulations 2015(**2**);

(c) the Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment) Regulations 2016(**3**);

(d) the Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment) Regulations 2017(**4**);

(e) the Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment No. 2) Regulations 2017(**5**);

(f) the Listed Buildings (Urgent Works) (Interest Rate on Expenses) (Wales) Order 2017(**6**);

(g) the Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment) Regulations 2021(**7**).

2. The Planning (Listed Buildings and Conservation Areas) Regulations 1990(**8**) are revoked in relation to Wales, to the extent that they remain in force.

3. The following Directions are withdrawn—

(a) the Listed Building Applications and Decisions (Duty to Notify National Amenity Societies and the Royal Commission) (Wales) Direction 2022(**9**);

(b) the Listed Building Consent Applications (Disapplication of Duty to Notify Welsh Ministers) (Wales) Direction(**10**);

(**1**) S.I. 2012/793 (W. 108).
(**2**) S.I. 2015/1332 (W. 125).
(**3**) S.I. 2016/91 (W. 44).
(**4**) S.I. 2017/545 (W. 122).
(**5**) S.I. 2017/638 (W. 144).
(**6**) S.I. 2017/640 (W. 146).
(**7**) S.I. 2021/832 (W. 194).
(**8**) S.I. 1990/1519.
(**9**) WG 22-40.
(**10**) 2017 No. 25.

(c) Cyfarwyddyd Ardaloedd Cadwraeth (Datgymhwyso Gofyniad i gael Cydsyniad Ardal Gadwraeth er mwyn Dymchwel) (Cymru)(**1**).

©ⓗHawlfraint y Goron 2024

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.

(c) the Conservation Areas (Disapplication of Requirement for Conservation Area Consent for Demolition) (Wales) Direction(**1**).

© Crown copyright 2024

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

(**1**) 2017 Rhif 27.

(**1**) 2017 No. 27.

tso
a Williams Lea company

Cyhoeddwyd gan TSO (Y Llyfrfa), cwmni Williams Lea,
ac ar gael o:

Arlein
www.tsoshop.co.uk

Post, Ffôn ac E-bost
TSO
Blwch Post 29, Norwich, NR3 1GN
Archebionf ffôn/ Ymholiadau cyffredinol 0333 202 5070
E-bost: customer.services@tso.co.uk
Ffôn Testun: 0333 202 5077

Published by TSO (The Stationery Office), a Williams Lea company,
and available from:

Online
www.tsoshop.co.uk

Mail, Telephone & E-mail
TSO
PO Box 29, Norwich, NR3 1GN
Telephone orders/General enquiries: 0333 202 5070
E-mail: customer.services@tso.co.uk
Textphone: 0333 202 5077

ISBN 978-0-348-39601-0
9 780348 396010