

Deddf Cynllunio 2008

Adran 55 Derbyn Ceisiadau*

(Atodiad 3 [nodyn cyngor chwech: Paratoi a chyflwyno dogfennau cais](#))

(1) Bydd darpariaethau canlynol yr adran hon yn berthnasol pan fydd yr Ysgrifennydd Gwladol yn cael cais sy'n honni ei fod yn gais am orchymyn sy'n rhoi caniatâd datblygu.

(2) Bydd rhaid i'r Ysgrifennydd Gwladol, erbyn diwedd y cyfnod 28 niwrnod yn dechrau'r diwrnod ar ôl y diwrnod pan fydd yr Ysgrifennydd Gwladol yn cael y cais, benderfynu p'un ai derbyn y cais ai peidio.

(3) Caiff yr Ysgrifennydd Gwladol dderbyn y cais dim ond os yw ef neu hi yn dod i'r casgliad -

- (a) ei fod yn gais am orchymyn sy'n rhoi caniatâd datblygu,
- (b) [wedi'i ddileu]
- (c) bod angen caniatâd datblygu ar gyfer unrhyw un o'r datblygiadau y mae'r cais yn ymwneud â nhw,
- (d) [wedi'i ddileu]
- (e) bod yr ymgeisydd, o ran cais arfaethedig sydd bellach yn gais swyddogol, wedi cydymffurfio â Phennod 2 Rhan 5 (y weithdrefn cyn-ymgeisio), a
- (f) bod y cais (gan gynnwys atodiadau) o safon sy'n foddhaol ym marn yr Ysgrifennydd Gwladol.

(4) Mae'n rhaid i'r Ysgrifennydd Gwladol, wrth benderfynu p'un a all ddod i'r casgliad yn is-adran (3)(e), roi ystyriaeth i'r canlynol -

- (a) yr adroddiad ymgynghori a dderbyniwyd o dan adran 37(3)(c),
- (b) unrhyw gynrychiolaeth digonolrwydd ymgynghori a dderbyniwyd gan yr Ysgrifennydd Gwladol oddi wrth ymgynghorai sy'n awdurdod lleol, ac
- (c) i ba raddau y mae'r ymgeisydd wedi rhoi ystyriaeth i unrhyw gyfarwyddyd a roddwyd o dan adran 50.

(5) Yn is-adran (4) -

Mae "ymgynghorai sy'n awdurdod lleol" yn golygu -

- (a) awdurdod lleol yr ymgynghorwyd ag ef o dan adran 42(1)(b) ynglŷn â chais arfaethedig sydd bellach yn gais ffurfiol, neu
- (b) Awdurdod Llundain Fwyaf os ymgynghorwyd ag ef o dan adran 42(1)(c) ynglŷn â'r cais arfaethedig hwnnw;

Mae "cynrychiolaeth digonolrwydd ymgynghori" yn golygu cynrychiolaeth ynglŷn â ph'un a yw'r ymgeisydd wedi cydymffurfio, o ran y cais arfaethedig hwnnw, â dyletswyddau'r ymgeisydd o dan adrannau 42, 47 a 48.

(5A) Mae'n rhaid i'r Ysgrifennydd Gwladol, wrth benderfynu p'un a all ddod i'r casgliad yn is-adran (3)(f), roi ystyriaeth i'r graddau –

- a) y mae'r cais yn cydymffurfio â'r gofynion yn adran 37(3) (ffurf a chynnwys cais) ac unrhyw safonau a osodwyd o dan adran 37(5) a
- b) bod unrhyw gyfarwyddyd perthnasol a roddwyd o dan adran 37(4) wedi'i ddilyn mewn perthynas â'r cais.

(6) Os bydd yr Ysgrifennydd Gwladol yn derbyn y cais, rhaid iddo roi gwybod i'r ymgeisydd fod y cais wedi'i dderbyn.

(7) Os bydd yr Ysgrifennydd Gwladol o'r farn na ellir derbyn y cais, rhaid iddo -

- (a) roi gwybod i'r ymgeisydd am y penderfyniad, a
- (b) rhoi gwybod i'r ymgeisydd am resymau'r Ysgrifennydd Gwladol dros y penderfyniad hwnnw.

(8) Os bydd yr ymgeisydd yn addasu'r cais (neu'n addasu'r cais ymhellach) mewn ymateb, bydd is-adrannau (2) i (7) yn berthnasol i'r cais fel y'i haddaswyd.

* Adran 55 Deddf Cynllunio 2008 fel y'i diwygiwyd gan Ddeddf Lleoliaeth 2011

YMWADIAD – Mae hyn er gwybodaeth yn unig ac nid yw'n ddogfen gais ffurfiol. Rhestr wirio anstatudol ydyw i'w chwblhau gan yr Arolygiaeth Gynllunio (y Gyfarwyddiaeth Cynllunio Seilwaith). Nid yw ei chwblhau na hunanasesu gan yr ymgeisydd o bwys yn ystod y cam derbyn.

DS: Gweler Cyfarwyddyd Ffurflen Gais yr Adran Cymunedau a Llywodraeth Leol am arweiniad ar sut i lenwi'r ffurflen gais a'r hyn y dylid ei gynnwys ynddi.

Adran 55 Derbyn Ceisiadau

Rhestr Wirio Cais Adran 55¹

Adran 55(2) Derbyn Ceisiadau					
1	O fewn 28 niwrnod (yn dechrau'r diwrnod ar ôl iddo gael y cais), rhaid i'r Ysgrifennydd Gwladol benderfynu p'un ai derbyn y cais ai peidio.	Dyddiad derbyn	Dyddiad disgwyl 28 niwrnod	Dyddiad y penderfyniad	
		25/05/2018	22/06/2018	21/06/2018	
Adran 55(3) – caiff yr Ysgrifennydd Gwladol dderbyn cais <u>dim ond</u> os yw ef neu hi yn dod i'r casgliad:-		Sylwadau'r Arolygiaeth Gynllunio			
Adran 55(3)(a) ac adran 55(3)(c) Ei fod yn gais am orchymyn sy'n rhoi caniatâd datblygu					
2	<p>A yw'r datblygiad yn brosiect seilwaith o arwyddocâd cenedlaethol² (NSIP) (neu a yw'n ffurfio rhan o NSIP); ac a yw'r cais yn datgan, ar yr olwg gyntaf, ei fod yn gais am orchymyn caniatâd datblygu³ (DCO) o dan Ddeddf Cynllunio 2008, neu eiriau cyfatebol? A yw'r cais yn nodi'r datblygiad y mae'n ymwneud ag ef (h.y. o fewn pa gategori neu categorïau yn adrannau 14-30 y mae cynllun y cais yn dod)?</p> <p>Os nad yw'r datblygiad yn dod o fewn y categorïau yn adrannau 14-30, a yw'r Ysgrifennydd Gwladol wedi rhoi cyfarwyddyd o dan adran 35 Deddf Cynllunio 2008 i'r datblygiad gael ei drin fel datblygiad y mae angen</p>	<p>Ydy.</p> <p>Mae'r datblygiad arfaethedig a amlinellir yn Atodlen 1 y DCO drafft (DCOd) (Dogfen 3.1) ar gyfer gorsaf gynhyrchu yng Nghymru ag allbwn trydanol cyfradd gros o hyd at 299MW, sy'n dod o fewn adran 14(1)(a) Deddf Cynllunio 2008 ac yn fwy na'r trothwy 50MW a nodir yn adran 15(2) Deddf Cynllunio 2008.</p> <p>Mae hyn yn gyson â'r crynodeb a roddir ym Mluch 4 y Ffurflen Gais (Dogfen 1.2), sy'n dod i'r casgliad bod y cais ar gyfer NSIP, a hefyd yn esbonio:</p> <p><i>'Bydd Deddf Cymru 2017 yn trosglwyddo pwerau penderfynu o'r Ysgrifennydd Gwladol (o dan Ddeddf Cynllunio 2008) i Lywodraeth Cymru, o ran gorsafoedd cynhyrchu trydan hyd at gapasiti o 350MW. Fodd bynnag, nid yw'r darpariaethau hyn wedi dod i rym eto. Disgwylir i'r pwerau hyn gael eu datganoli ar 1 Ebrill 2019. Yn unol â hynny, y</i></p>			

¹ Mae cyfeiriadau yn y ddogfen hon at yr Ysgrifennydd Gwladol yn cynnwys cyfeiriadau (lle y bo'n berthnasol) at Gyfarwyddiaeth Ceisiadau a Chynlluniau Mawr yr Arolygiaeth Gynllunio sy'n cyflawni swyddogaethau yn ymwneud â chaniatáu prosiectau seilwaith o arwyddocâd cenedlaethol ar ran yr Ysgrifennydd Gwladol

² Diffinnir NSIP yn gyffredinol yn adran 14 ac amlinellir y trothwyon manwl ar gyfer pob un o'r categorïau penodol yn adrannau 15-30

³ Mae angen caniatâd datblygu ar gyfer datblygiad i'r graddau y mae'r datblygiad yn NSIP neu'n ffurfio rhan o NSIP (adran 31 Deddf Cynllunio 2008)

	caniatâd datblygu ar ei gyfer?	<i>gyfundrefn ganiatáu ar gyfer y datblygiad awdurdodedig yw Deddf Cynllunio 2008 o hyd'.</i>
3	Crynodeb - adran 55(3)(a) ac adran 55(3)(c)	Darparwyd digon o dystiolaeth i ddangos bod y cais yn NSIP yn unol ag Adrannau 14(1) a 15(2) Deddf Cynllunio 2008.
Adran 55(3)(e) Bod yr ymgeisydd, o ran y cais a gyflwynwyd, wedi cydymffurfio â Phennod 2 Rhan 5 (y weithdrefn cyn-ymgeisio)		
4	Yn unol â'r Rheoliadau AEA ⁴ , a wnaeth yr ymgeisydd (cyn cynnal ymgynghoriad yn unol ag adran 42) naill ai (a) ofyn i'r Ysgrifennydd Gwladol roi barn sgrinio mewn perthynas â'r datblygiad y mae'r cais yn ymwneud ag ef, neu (b) hysbysu'r Ysgrifennydd Gwladol yn ysgrifenedig ei fod yn bwriadu darparu datganiad amgylcheddol mewn perthynas â'r datblygiad hwnnw?	<p>(a) Na.</p> <p>Ni ofynnodd yr Ymgeisydd i'r Ysgrifennydd Gwladol roi barn sgrinio mewn perthynas â'r datblygiad arfaethedig.</p> <p>(b) Do.</p> <p>Cyflwynodd yr Ymgeisydd Adroddiad Cwmpasu AEA i'r Arolygiaeth ar 25 Mehefin 2014 fel y nodir ym mharagraffau 1.7.9 a 6.3.11 yr Adroddiad Ymgynghori (Dogfen 5.1.0). Rhoddir copi o'r llythyr eglurhaol a gyflwynwyd gyda'r Adroddiad Cwmpasu yn Atodiad 3.A.I a'r Adroddiad yn Atodiad 3.A.II (Dogfen 5.2 - Cyfrol A).</p> <p>Gwnaed y cais cyn i'r ymgynghoriad a42 ddechrau ar 13 Hydref 2014.</p> <p>Cyhoeddwyd y Barn Gwmpasu ar 1 Awst 2014 (paragraff 6.3.14 yr Adroddiad Ymgynghori (Dogfen 5.1.0)), ac fe'i darperir yn Atodiad 3.B.II (Dogfen 5.2 - Cyfrol A).</p> <p>Ym mharagraffau 8.3.1, 9.3.1 a 9.3.2 yr Adroddiad Ymgynghori (Dogfen 5.1.0), mae'r Ymgeisydd yn esbonio, yn dilyn cyfarfod â'r Arolygiaeth ar 30 Mawrth 2017 i drafod dilysrwydd y Barn Gwmpasu AEA a gyhoeddwyd yn 2014, na fydd yn cyflwyno cais cwmpasu arall. Rhoddir y nodyn o'r cyfarfod yn Atodiad 7.A.I (Dogfen 5.2 - Cyfrol C).</p> <p>Mewn llythyr hysbysu a46, dyddiedig 9 Ionawr 2018, a roddir yn Atodiad 9.I.I (Dogfen 5.2 - Cyfrol D), dywedodd yr Ymgeisydd: '<i>Fel yr hysbyswyd yn flaenorol, mae APL yn bwriadu darparu Datganiad Amgylcheddol mewn perthynas â'r datblygiad arfaethedig. Gofynnodd APL am farn gwmpasu gan yr Ysgrifennydd Gwladol cyn 16 Mai 2017 ac,</i></p>

⁴ Rheoliad 8 Rheoliadau Cynllunio Seilwaith (Asesu Effeithiau Amgylcheddol) 2017 (Rheoliadau AEA 2017), neu Reoliad 6 Rheoliadau Cynllunio Seilwaith (Asesu Effeithiau Amgylcheddol) 2009 (Rheoliadau AEA 2009) (Ile mae Rheoliad 37 Rheoliadau AEA 2017 yn berthnasol).

		<i>yn unol â'r darpariaethau trosiannol yn Rheoliad 37(2)(a) Rheoliadau Cynllunio Seilwaith (Asesu Effeithiau Amgylcheddol) 2017, bydd Rheoliadau Cynllunio Seilwaith (Asesu Effeithiau Amgylcheddol) 2009 yn parhau i fod yn berthnasol i gais APL am DCO.'</i>
5	A dderbyniwyd unrhyw gynrychiolaethau digonolrwydd ymgynghori ⁵ gan awdurdodau "A", "B", "C" a "D"; os felly, a ydynt yn cadarnhau bod yr ymgeisydd wedi cydymffurfio â'r dyletswyddau o dan adran 42, adran 47 ac adran 48?	<p>Do.</p> <p>Dinas a Sir Abertawe (yr awdurdod lleol perthnasol) yw'r awdurdod unedol. Felly, nid oes unrhyw awdurdodau 'C' na 'D'.</p> <p>Mae 1 awdurdod cynhaliol a 2 awdurdod cyfagos, y rhoddodd 2 ohonynt Ymatebion Digonolrwydd Ymgynghori yn cadarnhau naill ai bod yr Ymgeisydd wedi cydymffurfio â'i ddyletswyddau o dan a42, a47 ac a48 Deddf Cynllunio 2008 a/neu fod ganddynt "ddim sylwadau". Y rhain oedd:</p> <p>Awdurdod Cynhaliol B – Dinas a Sir Abertawe</p> <p>Awdurdod Cyfagos A – Cyngor Bwrdeistref Sirol Castell-nedd Port Talbot</p> <p>Gwahoddwyd, ond ni chafwyd, ymatebion gan yr awdurdod canlynol:</p> <p>Awdurdod Cyfagos A</p> <ul style="list-style-type: none"> • Cyngor Sir Caerfyrddin <p>Mae'r ymatebion wedi cael eu hystyried yn ofalus ac yn cadarnhau bod yr Ymgeisydd wedi cydymffurfio â'r dyletswyddau o dan A42, A47ac A48 Deddf Cynllunio 2008.</p>
Adran 42: Dyletswydd i Ymgynghori		
	A wnaeth yr ymgeisydd ymgynghori â'r unigolion perthnasol a amlinellir yn adran 42 Deddf Cynllunio 2008 ynglŷn â'r cais arfaethedig?	
6	Adran 42(1)(a) unigolion rhagnodedig ⁶ ?	Do.

⁵ Mae adran 55(4) Deddf Cynllunio 2008 yn darparu bod rhaid i'r Ysgrifennydd Gwladol ystyried yr adroddiad ymgynghori, ac unrhyw gynrychiolaethau digonolrwydd ymgynghori a dderbyniwyd

⁶ Amlinellir ymgynghoreion statudol yn Atodlen 1 Rheoliadau Cynllunio Seilwaith (Ceisiadau: Ffurflenni a Gweithdrefn Rhagnodedig) 2009

Cam 1

Cynhaliodd yr Ymgeisydd Ymgynghoriad Statudol Cam 1 o dan a42(1)(a) Deddf Cynllunio 2008 gydag ymgynghoreion rhagnodedig rhwng 13 Hydref ac 16 Tachwedd 2014. Mae crynodeb o'r broses ym **mharagraffau 6.4.56 i 6.4.79** yr **Adroddiad Ymgynghori (Dogfen 5.1.0)**. Rhoddir y rhestr o ymgynghoreion yn **Atodiad 4.1.1 (Dogfen 5.2, Cyfrol B, Rhan IV)**.

Cam 2

Cynhaliodd yr Ymgeisydd Ymgynghoriad Statudol Cam 2 rhwng 16 Ionawr a 19 Chwefror 2018. Crynhoir y broses ym **mharagraffau 8.4.54 ac 8.4.81** yr **Adroddiad Ymgynghori (Dogfen 5.1.0)**. Rhoddir y rhestr o ymgynghoreion yn **Atodiad 9.G.1 (Dogfen 5.2 - Cyfrol D)**.

Amlygodd yr Ymgeisydd ddau Gyngor arall fel ymgynghoreion rhagnodedig at ddibenion Ymgynghoriad Statudol Cam 2, yn dilyn ymateb Dinas a Sir Abertawe i SoCC 2018 (**paragraff 8.4.59**). Y rhain yw:

- Cyngor Tref Lluchwr, a
- Chyngor Cymuned Pengelli a Waungron.

Mae'r Arolygiaeth Gynllunio wedi amlygu'r partïon canlynol yn seiliedig ar ddehongliad rhagofalus o'r rheoliadau, nad yw'r Ymgeisydd wedi ymgynghori â nhw o dan a42. Y rhain yw:

1. Western Power Distribution Limited (South Wales) plc
2. Cadent Gas Limited
3. Energy Assets Pipelines Limited
4. Energy Assets Networks Limited
5. Energy Assets Power Networks Limited
6. Indigo Pipelines Limited (enw wedi'i newid o SSE)
7. G2 Energy IDNO Limited
8. Harlaxton Energy Networks Limited
9. Leep Electricity Networks Limited (Peel yn flaenorol)
10. Murphy Power Distribution Limited
11. UK Power Distribution Limited

		<p>12. Vattenfall Networks Limited</p> <p>Nid yw'n ymddangos bod Adroddiad Ymgynghori (Dogfen 5.1.0) yr Ymgeisydd yn rhoi esboniad clir ynglŷn â pham nad ymgynghorwyd â'r cyrff uchod. O ystyried amgylchiadau unigol yr achos hwn, ac o fabwysiadu dull rhagofalus er mwyn sicrhau bod pawb y gallai'r cais effeithio arnynt, neu sy'n debygol o fod â buddiant yn y cais o bosibl, yn cael cyfle i gyfranogi'n llawn wrth archwilio'r cais, mae'r Arolygiaeth yn awgrymu y dylai'r Ymgeisydd gynnwys y cyrff uchod ymhlith y rhai y bydd yn eu hysbysu am y cais a dderbyniwyd o dan a56(2)(a) Deddf Cynllunio 2008, oni bai bod cyfiawnhad penodol pam nad oes angen gwneud hynny.</p> <p>Cyhoeddwyd cyngor a51 ynglŷn â'r mater hwn: http://infrastructure.planninginspectorate.gov.uk/document/EN010069-000484</p>
7	Adran 42(1)(aa) y Sefydliad Rheoli Morol ⁷ ?	Amherthnasol.
8	Adran 42(1)(b) pob awdurdod lleol o fewn adran 43 ⁸ ?	<p>Do.</p> <p>Cynhaliodd yr Ymgeisydd Ymgynghoriad A42 mewn dau gam (2014 a 2018).</p> <p><u>Ymgynghoriad Statudol Cam 1</u></p> <p>Mae'r Ymgeisydd wedi ymgynghori â phob awdurdod lleol o fewn a43 fel y disgrifir yn Adran Chwech yr Adroddiad Ymgynghori (Dogfen 5.1.0).</p> <p>Awdurdod Cynhaliol ('B'):</p> <ul style="list-style-type: none"> • Dinas a Sir Abertawe (B) <p>Awdurdodau Cyfagos ('A')</p> <ul style="list-style-type: none"> • Cyngor Sir Caerfyrddin (A) • Cyngor Bwrdeistref Sirol Castell-nedd Port Talbot (A).

⁷ O ran unrhyw achos lle y byddai'r datblygiad arfaethedig yn effeithio ar unrhyw un o'r ardaloedd a nodir yn adran 42(2) Deddf Cynllunio 2008, neu a fyddai'n debygol o effeithio arnynt

⁸ Dyma'r diffiniad o "awdurdod lleol" yn adran 43(3): Yr awdurdod "B" lle mae tir yr ymgeisydd o fewn ardal yr awdurdod; yr awdurdod "A" lle mae unrhyw ran o ffin ardal A hefyd yn rhan o ffin ardal B; yr awdurdod "C" (haen uwch) lle mae tir y cais o fewn ardal yr awdurdod hwnnw; yr awdurdod "D" lle mae awdurdod o'r fath yn rhannu ffin ag awdurdod "C"

		<p>Ym mharagraff 6.4.65, mae'r Ymgeisydd yn esbonio, o ganlyniad i strwythur gweinyddol awdurdodau lleol yng Nghymru, nad oes awdurdodau Categori C na D at ddiben ymgynghoriad a42.</p> <p>Dechreuodd yr ymgynghoriad ar 8 Hydref 2014 a daeth i ben ar 16 Tachwedd 2014.</p> <p><u>Ymgynghoriad Statudol Cam 2</u></p> <p>Cynhaliodd yr Ymgeisydd ymgynghoriad statudol a42 â'r un awdurdodau lleol ag a restrwyd ar gyfer Cam 1, yn unol â pharagraff 8.4.61 yr Adroddiad Ymgynghori (Dogfen 5.1.0).</p>
9	Adran 42(1)(c) Awdurdod Llundain Fwyaf (os yw yn ardal Llundain Fwyaf)?	Amherthnasol.
10	Adran 42(1)(d) pob unigolyn o fewn un categori adran 44 neu fwy ⁹ ?	<p>Do.</p> <p><u>Cam 1</u></p> <p>Ymgynghorodd yr Ymgeisydd â phob unigolyn yng Nghategoriâu 1, 2 a 3 o dan a44 fel y disgrifir yn Adran Chwech (paragraffau 6.4.67 i 6.4.72) yr Adroddiad Ymgynghori (Dogfen 5.1.0) ar 13 Hydref 2014. Rhoddir y rhestr o fuddiannau tir yr ymgynghorwyd â nhw ac a hysbyswyd o dan a44(1)(d) yn Atodiad 4.I.I (Dogfen 5.2, Cyfrol B, Rhan IV).</p> <p><u>Cam 2</u></p> <p>Ymgynghorodd yr Ymgeisydd â phob unigolyn mewn un neu fwy o gategoriâu a44 fel y disgrifir yn Adran Wyth (paragraffau 8.4.62 i 8.4.64) yr Adroddiad Ymgynghori (Dogfen 5.1.0) ar 16 Ionawr 2018. Rhoddir y rhestr o fuddiannau tir yr ymgynghorwyd â nhw ac a hysbyswyd yn Atodiad 9.G.I (Dogfen 5.2 - Cyfrol D).</p> <p>Mae'n ymddangos bod nifer o bartïon a gafodd eu hysbysu yn ystod Ymgynghoriad Statudol Cam 2 (rhoddir y rhestr yn Atodiad 2.G.I (Dogfen 5.2 - Cyfrol D)) heb cael</p>

⁹ Categori 1: perchennog, deiliad prydles, tenant neu feddiannwr tir; Categori 2: unigolyn sydd â buddiant yn y tir neu sydd â'r pŵer i werthu a throsglwyddo'r tir neu ryddhau'r tir; Categori 3: unigolyn sydd â hawl i wneud hawliad perthnasol. Nid oes gofyniad i wirio cywirdeb y rhestr(au) na ph'un a yw'r ymgeisydd wedi gwneud ymholiadau diwyd

	cael eu cynnwys yn y Llyfr Cyfeirio (Dogfen 4.3) : Dylai'r Ymgeisydd sicrhau bod yr holl bartïon y mae angen iddynt fod yn y Llyfr Cyfeirio wedi'u rhestru ynddo, a hefyd hysbysu pawb y mae angen eu hysbysu o'r cais a dderbyniwyd o dan a56 Deddf Cynllunio 2008, a sicrhau eu bod yn gallu cyfrannu'n llawn at yr archwiliad. Mae'n rhaid i'r Ymgeisydd hefyd wirio'r sillafiad cywir a diwygio'r Llyfr Cyfeirio os bydd angen.
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Adran 45: Amserlen ar gyfer Ymgynghoriad adran 42

11	A oedd yr ymgeisydd wedi hysbysu ymgynghoreion adran 42 o'r dyddiad cau ar gyfer derbyn ymatebion i'r ymgynghoriad; ac, os felly, a oedd y dyddiad cau a nodwyd gan yr ymgeisydd yn rhoi 28 niwrnod neu fwy iddynt ymateb, yn dechrau y diwrnod ar ôl iddynt dderbyn y dogfennau ymgynghori?	<p>Oedd.</p> <p><u>Cam 1</u></p> <p>Anfonwyd y llythyr dyddiedig 8 Hydref 2014, ynghyd â'r deunydd ymgynghori, at ymgynghoreion a42. Roedd yn cadarnhau mai'r dyddiad cau ar gyfer ymateb oedd 16 Tachwedd 2013, sy'n fwy na 28 niwrnod ar ôl dyddiad y llythyr hysbysu a42. Rhoddir copi Saesneg o'r llythyr hysbysu yn Atodiad 4.I.II (Dogfen 5.2 - Cyfrol B, Rhan IV). Rhoddir copi Cymraeg o'r llythyr yn Atodiad 4.I.III.</p> <p>Nodwyd y dyddiad cau ar gyfer derbyn ymatebion i'r ymgynghoriad yn y dogfennau canlynol hefyd:</p> <ul style="list-style-type: none"> • Hysbysiad SoCC 2014 a SoCC cyhoeddedig 2014 a roddir yn Atodiadau 4.A.V i 4.A.VIII (Dogfen 5.2 - Cyfrol B, Rhan Un); • Hysbysiad a48 a roddir yn Atodiadau 4.G.I i 4.G.IV (Dogfen 5.2 - Cyfrol B, Rhan Pedwar); <p>Ym mharagraffau 6.4.74 a 6.4.75 yr Adroddiad Ymgynghori (Dogfen 5.1.0), esboniodd yr Ymgeisydd nad oedd ei gludwr wedi gallu anfon nifer fach o lythyrau ymgynghori; anfonwyd y rhain â llaw wedi hynny ar 16 Hydref 2014. Fodd bynnag, nid oedd unrhyw un o'r rhai yr oedd yr ailanfon hwn wedi effeithio arnynt dan anfantais oherwydd bod y cyfnod lleiaf o 28 niwrnod ar ôl i ymateb, yn dechrau'r diwrnod ar ôl derbyn y deunydd ymgynghori.</p> <p>Ym mharagraffau 6.4.76 i 6.4.79, mae'r Ymgeisydd yn esbonio bod partïon a(44)(1)(d) ychwanegol wedi cael eu hamlygu yn dilyn ymholiadau diwyd parhaus. Ymgynghorwyd</p>
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â'r partion ychwanegol ar y dyddiadau canlynol, a rhoddwyd cyfnodau ymgynghori unigol iddynt o 28 niwrnod o leiaf:

- 22 Rhagfyr 2014 – gofynnwyd am sylwadau erbyn 23 Ionawr 2015,
- 14 Ionawr 2015 – gofynnwyd am sylwadau erbyn 13 Chwefror 2015,
- 26 Ionawr 2015 – gofynnwyd am sylwadau erbyn 23 Chwefror 2015,
- 11 Chwefror 2015 – gofynnwyd am sylwadau erbyn 10 Mawrth 2015,
- 12 Chwefror 2015 – gofynnwyd am sylwadau erbyn 11 Mawrth 2015.

Rhoddir copi o dempled y llythyr eglurhaol yn **Atodiadau 4.I.IV a 4.I.V (Dogfen 5.2 - Cyfrol B, Rhan 4)**.

Cam 2

Anfonwyd y llythyr dyddiedig 5 Ionawr 2018, ynghyd â'r deunydd ymgynghori, at ymgynghoreion a42. Roedd yn cadarnhau mai'r dyddiad cau ar gyfer ymateb oedd 19 Chwefror 2018, sy'n fwy na 28 niwrnod ar ôl dyddiad y llythyr hysbysu a42. Rhoddir copïau Cymraeg a Saesneg o'r llythyr a anfonwyd at ymgynghoreion yn **Atodiadau 9.G.II i 9.G.V (Dogfen 5.2 - Cyfrol D)**.

Nodwyd y dyddiad cau ar gyfer derbyn ymatebion i'r ymgynghoriad yn y dogfennau canlynol hefyd:

- Hysbysiad SoCC 2018 a SoCC cyhoeddedig 2018, a roddir yn **Atodiadau 9.B.I i 9.B. IV (Dogfen 5.2 - Cyfrol D)**,
- Hysbysiad a48 a roddir yn **Atodiadau 9.F.I i 9.F.VI (Dogfen 5.2 - Cyfrol D)**.

Esboniodd yr Ymgeisydd ym **mharagraffau 8.4.72 ac 8.4.73 yr Adroddiad Ymgynghori (Dogfen 5.1.0)** y bu angen ailanfon neu ailgyfeirio nifer fach o lythyrau ymgynghori. Ailanfonwyd y rhain i gyd ac fe'u derbyniwyd erbyn 19 Ionawr 2018, a oedd yn caniatáu cyfnod o 28 niwrnod neu fwy i gyflwyno ymatebion, yn dechrau'r diwrnod ar ôl derbyn y dogfennau ymgynghori.

Ym **mharagraff 8.4.74**, datganodd yr Ymgeisydd fod pedwar tiffeddiannwr ychwanegol wedi cael eu hamlygu yn dilyn ymholiadau diwyd. Anfonwyd deunydd ymgynghori atynt ar 22 Ionawr 2018 a rhoddwyd hyd at 27 Chwefror 2018 iddynt ymateb, sy'n fwy na'r cyfnod lleiaf o 28 niwrnod. Rhoddir copïau o'r llythyrau eglurhaol Cymraeg a Saesneg

		<p>yn Atodiadau 9.G.VI a 9.G.VII (Dogfen 5.2 - Cyfrol D).</p> <p>Ar ôl i'r ymgynghoriad statudol ddechrau, sylwodd yr Ymgeisydd ar gamgymeriad yn Ffigur 8.3 PEIR 2018 yn ymwneud â rhifo coetiroedd hynafol yn anghywir. Felly, anfonwyd Ffigur 8.3 arall yn ei le at yr holl ymgynghoreion rhagnodedig, ynghyd â llythyr eglurhaol, ar 30 Ionawr 2018. Esbonnir hyn ym mharagraffau 8.4.75 i 8.4.79 yr Adroddiad Ymgynghori (Dogfen 5.1.0), a rhoddir y llythyr yn Atodiad 9.G.IX (Dogfen 5.2 - Cyfrol D).</p> <p>Er nad ymestynnwyd dyddiad cau'r ymgynghoriad, nid ystyrir bod hyn wedi achosi anfantais i unrhyw barti gan fod yr Ymgeisydd wedi cywiro mân gamgymeriad yn unig.</p> <p>Mae paragraff 8.4.80 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn esbonio, ar ôl diwedd yr ymgynghoriad Cam 2, fod parti ychwanegol â buddiant tir wedi cael ei amlygu nad ymgynghorwyd ag ef (HSBC Bank Plc) yn ystod y Cam hwnnw. Ymgynghorwyd â HSBC Bank Plc yn ystod yr ymgynghoriad Cam 1 ac ni chafwyd ymateb. Fe'i gadawyd allan o'r ymgynghoriad Cam 2 ar gam. Fodd bynnag, mae'r Ymgeisydd wedi ysgrifennu at HSBC Bank Plc ers hynny, gan roi copi o'r dogfennau a gafodd y partion eraill ar gyfer yr ymgynghoriad Cam 2, a chadarnhau y bydd yn cael ei gynnwys mewn unrhyw hysbysiad o dan a56 os derbynnir y cais i'w archwilio. Fel y cyfryw, nid ystyrir bod buddiannau HSBC Bank Plc wedi cael eu niweidio oherwydd iddo gael ei adael allan o'r ymgynghoriad Cam 2.</p>
<p>Adran 46: Dyletswydd i hysbysu'r Ysgrifennydd Gwladol o'r cais arfaethedig</p>		
12	<p>A gyflenwodd yr ymgeisydd wybodaeth i hysbysu'r Ysgrifennydd Gwladol o'r cais arfaethedig; ac, os felly, a gyflwynwyd y wybodaeth i'r Ysgrifennydd Gwladol ar y dyddiad y'i hanfonwyd at yr ymgynghoreion adran 42 neu cyn hynny? A wnaed hyn wrth ddechrau ymgynghori o dan adran 42 neu cyn hynny?</p>	<p>Do.</p> <p><u>Cam 1</u></p> <p>Rhoddodd yr Ymgeisydd hysbysiad o dan a46 ar 8 Hydref 2014, cyn i'r ymgynghoriad a42 ddechrau.</p> <p><u>Cam 2</u></p> <p>Mae Adran 1.8.1 yr Adroddiad Ymgynghori (Dogfen 5.1.10) yn datgan:</p> <p><i>'Ar ôl i Drax gaffael APL ym mis Rhagfyr 2016, "ail-lansiwyd" y Prosiect yn gyhoeddus ym mis Ebrill 2017'.</i></p> <p>Rhoddodd yr Ymgeisydd hysbysiad o dan a46 ar 9 Ionawr 2018, cyn i'r ymgynghoriad</p>

		<p>a42 ddechrau. Gellir ei weld yn Atodiad 9.I yr Adroddiad Ymgynghori (Dogfen 5.2). Dechreuodd y cyfnod ymgynghori ar 16 Ionawr 2018 a daeth i ben ar 19 Chwefror 2018, sef cyfnod o 32 diwrnod.</p> <p>Rhodddwyd hysbysiad arall i'r Arolygiaeth ar 29 Ionawr 2018 (Atodiad 9.I.III yr Adroddiad Ymgynghori – Dogfen 5.2) yn amlygu anghysondebau mewn ffigur PEIR 2018 ac yn rhoi copi o'r llythyr eglurhaol a anfonwyd at yr holl ymgynghoreion a42 ynglŷn â'r ffigur newydd.</p>
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Adran 47: Dyletswydd i ymgynghori â'r gymuned leol

13	<p>A baratôdd yr ymgeisydd ddatganiad ymgynghori â'r gymuned (SoCC) ynglŷn â sut yr oedd yn bwriadu ymgynghori â phobl sy'n byw yng nghyffiniau'r tir?</p>	<p>Do.</p> <p><u>Cam 1 – Datganiad Ymgynghori â'r Gymuned (SoCC) 2014</u></p> <p>Mae'r SoCC cyhoeddedig, a baratowyd ar gyfer Ymgynghoriad Cam 1 yn 2014, yn atodiadau 4.A.V a 4.A.VI yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol B Rhan Un).</p> <p>Mae Atodiad 4.A.V Atodiadau'r Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol B Rhan Un) yn cadarnhau'r ardaloedd yr oedd yr Ymgeisydd wedi'u cynnwys yn ei ymgynghoriad – y Parth Ymgynghori Craidd a'r Parth Ymgynghori Allanol (mae hyn hefyd yn cynnwys radiws pob parth o'r safle). Mae'r adran hon hefyd yn nodi mai'r cyfnod ymgynghori yw “<i>13 Hydref 2014 tan 16 Tachwedd 2014</i>”.</p> <p>Mae paragraffau 6.4.5 – 6.4.23 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn amlinellu'r dull a ddefnyddiwyd i gynnal y SoCC.</p> <p><u>Cam 2 – Datganiad Ymgynghori â'r Gymuned (SoCC)2018</u></p> <p>Mae'r SoCC cyhoeddedig, a baratowyd ar gyfer Ymgynghoriad Cam 2 yn 2018, yn atodiadau 9.B.I a 9.B.II yr Adroddiad Ymgynghori (Dogfen 5.2 - Cyfrol D).</p> <p>Mae Atodiad 9.B.I yn datgan y bydd yr ymgynghoriad hwn yn parhau am 35 niwrnod rhwng “<i>16 Ionawr 2018 a 19 Chwefror 2018</i>”. Mae hefyd yn esbonio sut y bydd yr ymgynghoriad yn cael ei gynnal ar draws dwy ardal; y Parth Ymgynghori Craidd a'r Parth Ymgynghori Allanol.</p> <p>Mae paragraffau 1.8.11 i 1.8.13 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn</p>
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		amlinellu sut y cynhaliwyd y SoCC a sut y'i cyhoeddwyd.
14	A ymgynghorwyd ag awdurdodau "B" a (lle y bo'n berthnasol) "C" ynglŷn â chynnwys y SoCC; os felly, a oedd y terfyn amser ar gyfer derbyn ymatebion yn rhoi 28 niwrnod, yn dechrau y diwrnod ar ôl y diwrnod yr oedd awdurdodau "B" a (lle y bo'n berthnasol) "C" wedi derbyn y dogfennau ymgynghori?	<p>Do.</p> <p>Dinas a Sir Abertawe, sef yr awdurdod "B" (nid oes unrhyw awdurdodau "C" perthnasol).</p> <p><u>SoCC Cam 1</u></p> <p>Mae paragraffau 6.4.5 - 6.4.23 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn rhoi manylion yr ymgynghoriad statudol â Dinas a Sir Abertawe a gynhaliwyd ynglŷn â SoCC 2014.</p> <p>Mae Atodiad 4.A.I yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol B, Rhan Un) yn cynnwys y llythyr eglurhaol a anfonwyd at Ddinas a Sir Abertawe gyda'r SoCC. Mae'n datgan:</p> <p><i>'Y dyddiad cau ar gyfer derbyn ymateb y Cyngor yw diwedd y cyfnod 28 niwrnod sy'n dechrau'r diwrnod ar ôl y diwrnod y mae'r Cyngor yn derbyn y dogfennau atodedig.'</i></p> <p><u>SoCC Cam 2</u></p> <p>Mae paragraffau 8.4.17 – 8.4.20 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn rhoi manylion yr ymgynghoriad statudol â Dinas a Sir Abertawe a gynhaliwyd ynglŷn â SoCC 2018.</p> <p>Mae Atodiad 9.A.I yr Adroddiad Ymgynghori (Dogfen 5.2) yn cynnwys y neges e-bost eglurhaol a anfonwyd at Ddinas a Sir Abertawe gyda'r SoCC. Mae'n datgan:</p> <p><i>'Y dyddiad cau ar gyfer gwneud sylwadau yw diwedd y cyfnod 28 niwrnod sy'n dechrau'r diwrnod ar ôl y diwrnod y mae'r Cyngor yn derbyn y ddogfen.'</i></p> <p>Rhoddodd Dinas a Sir Abertawe ei ymateb statudol i'r SoCC ar 1 Rhagfyr 2017. Mae wedi'i gynnwys yn Atodiad 9.A.VII yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol B).</p>
15	A yw'r ymgeisydd wedi rhoi ystyriaeth i unrhyw ymatebion a dderbyniwyd wrth baratoi'r SoCC?	Ydy.

		<p><u>Yr ymateb i SoCC Cam 1</u></p> <p>Mae Atodiad 4.A.IV yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol B) yn rhoi copi o ymateb Dinas a Sir Abertawe, dyddiedig 27 Awst 2014. Yn dilyn ymateb Dinas a Sir Abertawe, rhoddodd yr Ymgeisydd gopïau o ddogfennau ar adnau yn swyddfeydd Dinas a Sir Abertawe ym Mhenllergaer.</p> <p><u>Yr ymateb i SoCC Cam 2</u></p> <p>Mae Atodiad B 9.A.VII yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol D) yn rhoi copi o ymateb Dinas a Sir Abertawe, dyddiedig 1 Rhagfyr 2017. Mae Atodiad 9.A VIII yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol D) yn rhoi copi o ymateb yr Ymgeisydd i Ddinas a Sir Abertawe, dyddiedig 7 Rhagfyr 2017. Mae hwn yn cynnwys tabl sy'n rhestru sylwadau Dinas a Sir Abertawe a sut yr aethpwyd i'r afael â nhw.</p>
16	<p>A sicrhawyd bod y SoCC ar gael i'w archwilio mewn ffordd sy'n gymharol gyfleus i bobl sy'n byw yng nghyffiniau'r tir; ac a gyhoeddwyd hysbysiad mewn papur newydd sy'n cylchredeg yng nghyffiniau'r tir yn datgan ble a phryd y gellir archwilio'r SoCC?</p>	<p>Do.</p> <p><u>SoCC Cam 1</u></p> <p>Sicrhawyd bod SoCC 2014 ar gael mewn manau rhesymol gyfleus, o ystyried lleoliad y cynllun. Mae paragraff 6.4.23 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn esbonio bod hysbysiadau a oedd yn datgan pryd a ble y gellid archwilio'r SoCC wedi cael eu cyhoeddi yn y:</p> <ul style="list-style-type: none"> • South Wales Evening Post: 30 Medi 2014 • South Wales Evening Post: 7 Hydref 2014 <p>Mae copi o'r hysbysiadau cyhoeddiedig yn Atodiad 4.A.VII (Saesneg) a 4.A.VIII (Cymraeg) yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol B, Rhan Un).</p> <p><u>Ymgynghoriad Statudol Cam 2</u></p> <p>Sicrhawyd bod SoCC 2018 ar gael mewn manau rhesymol gyfleus, o ystyried lleoliad y cynllun. Mae paragraff 8.4.21 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn esbonio bod hysbysiadau a oedd yn datgan pryd a ble y gellid archwilio'r SoCC wedi cael eu cyhoeddi yn y:</p> <ul style="list-style-type: none"> • South Wales Evening Post: 2 Ionawr 2018 • South Wales Evening Post: 9 Ionawr 2018

		Mae copi o'r hysbysiadau cyhoeddedig yn Atodiad 9.B.I (Saesneg) a 9.B.II (Cymraeg) yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol D) .
17	A yw'r SoCC yn nodi p'un a yw'r datblygiad yn ddatblygiad AEA ¹⁰ ; ac a yw'n amlinellu sut mae'r ymgeisydd yn bwriadu rhoi cyhoeddusrwydd i'r wybodaeth amgylcheddol ragarweiniol ac ymgynghori arni?	<p>Ydy.</p> <p><u>SoCC Cam 1</u></p> <p>Mae tudalen 5 SoCC 2014, sydd wedi'i chynnwys yn Atodiadau 4.A.V a 4.A.VI yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol B), yn esbonio natur a diben PEIR 2014 a lle'r oedd ar gael i'w weld.</p> <p><u>SoCC Cam 2</u></p> <p>Mae tudalen 7 SoCC 2018, sydd wedi'i chynnwys yn Atodiad 9.B.I yr Adroddiad Ymgynghori (Dogfen 5.2 - Cyfrol D), yn amlinellu diben y PEIR a'i gyhoeddi a'r ymgynghoriad a gynhaliwyd arno yn rhan o broses ymgynghori statudol Cam 2.</p>
18	A yw'r ymgeisydd wedi cynnal yr ymgynghoriad yn unol â'r SoCC?	<p>Ydy.</p> <p><u>Ymgynghoriad Statudol Cam 1</u></p> <p>Mae Atodiad 4.B yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol B) yn cynnwys rhestr wirio cydymffurfio SoCC 2014 a baratowyd gan yr Ymgeisydd, sy'n dangos sut y cynhaliwyd yr ymgynghoriad yn unol â SoCC 2014.</p> <p><u>Ymgynghoriad Statudol Cam 2</u></p> <p>Mae Atodiad 9.C yr Adroddiad Ymgynghori (Dogfen 5.2 - Cyfrol D) yn cynnwys rhestr wirio cydymffurfio SoCC 2018 a baratowyd gan yr Ymgeisydd, sy'n dangos sut y cynhaliwyd yr ymgynghoriad yn unol â SoCC 2018.</p>
Adran 48: Dyletswydd i roi cyhoeddusrwydd i'r cais arfaethedig		

¹⁰ Rheoliad 12 Rheoliadau AEA 2017, neu Reoliad 10 Rheoliadau AEA 2009 (Ile mae Rheoliad 37 Rheoliadau AEA 2017 yn berthnasol).

19	A roddodd yr ymgeisydd gyhoeddusrwydd i'r cais arfaethedig, o dan adran 48, yn y modd a ragnodir yn Rheoliad 4(2) Rheoliadau Cynllunio Seilwaith (Ceisiadau: Ffurflenni a Gweithdrefn Ragnodedig) (CFfGR) 2009?	<p>Do.</p> <p><u>Ymgynghoriad Statudol Cam 1</u></p> <p>Mae Atodiad 4.G yr Adroddiad Ymgynghori (Dogfen 5.2 - Cyfrol B) yn rhoi copïau dyddiedig o'r hysbysiadau a48 a gyhoeddwyd yn Saesneg ac yn Gymraeg.</p> <p><u>Ymgynghoriad Statudol Cam 2</u></p> <p>Mae Atodiad 9.F yr Adroddiad Ymgynghori (Dogfen 5.2 - Cyfrol D) yn rhoi copïau dyddiedig o'r hysbysiadau a48 a gyhoeddwyd yn Saesneg ac yn Gymraeg.</p>	
		<i>Papur(au) newyddion</i>	<i>Dyddiad</i>
am ddwy wythnos yn olynol o leiaf mewn un papur newydd lleol neu fwy sy'n cylchredeg yn y cyffiniau y byddai'r datblygiad arfaethedig yn cael ei leoli ynddynt;		<p>Dyddiadau Cam 1:</p> <ul style="list-style-type: none"> • South Wales Evening Post • South Wales Evening Post <p>Dyddiadau Cam 2:</p> <ul style="list-style-type: none"> • South Wales Evening Post • South Wales Evening Post 	<p>06/10/2014</p> <p>13/10/2014</p> <p>02/01/2018</p> <p>09/02/2018</p>
unwaith mewn papur newydd cenedlaethol;		<p>Dyddiad Cam 1:</p> <p>The Independent</p> <p>Dyddiad Cam 2:</p> <p>The Times</p>	<p>06/10/2014</p> <p>09/01/2018</p>
unwaith yn Gazette Llundain ac, os yw'r datblygiad yn effeithio ar dir yn yr Alban, Gazette Caeredin; a		<p>Dyddiad Cam 1:</p> <p>Gazette Llundain</p> <p>Dyddiad Cam 2:</p> <p>Gazette Llundain</p>	<p>06/10/2014</p> <p>09/01/2018</p>

	Ile mae'r cais arfaethedig yn ymwneud â datblygiad ar y môr – (i) unwaith yn Rhestr Lloyds; ac (ii) unwaith mewn cyfnodolyn masnach pysgota priodol?	Amherthnasol		Amherthnasol	
20	A oedd yr hysbysiad adran 48 yn cynnwys y wybodaeth sy'n ofynnol yn Rheoliad 4(3) y Rheoliadau CFfGR?	<p>Oedd.</p> <p><u>Ymgynghoriad Statudol Cam 1</u></p> <p>Mae Atodiad 4.G yr Adroddiad Ymgynghori (Dogfen 5.2 - Cyfrol B) yn rhoi copïau dyddiedig o'r hysbysiadau a48 a gyhoeddwyd yn Saesneg ac yn Gymraeg. Mae'r rhain yn cynnwys y wybodaeth sy'n ofynnol o dan Reoliad 4(3) y Rheoliadau CFfGR.</p> <p><u>Ymgynghoriad Statudol Cam 2</u></p> <p>Mae Atodiad 9.F yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol D) yn rhoi copïau dyddiedig o'r hysbysiadau a48 a gyhoeddwyd yn Saesneg ac yn Gymraeg. Mae'r rhain yn cynnwys y wybodaeth sy'n ofynnol o dan Reoliad 4(3) y Rheoliadau CFfGR.</p>			
	Gwybodaeth	Paragraff		Gwybodaeth	Paragraff
a)	Enw a chyfeiriad yr ymgeisydd.	<u>Cam 1</u> Paragraff 1 <u>Cam 2</u> Paragraff 1	b)	Datganiad bod yr ymgeisydd yn bwriadu gwneud cais i'r Ysgrifennydd Gwladol am ganiatâd datblygu	<u>Cam 1</u> Paragraff 1 <u>Cam 2</u> Paragraff 1
c)	datganiad ynghylch p'un a yw'r cais yn ddatblygiad AEA	<u>Cam 1</u> Paragraff 5 <u>Cam 2</u> Paragraff 6	d)	crynodeb o'r prif gynigion, gan nodi lleoliad neu lwybr y datblygiad arfaethedig	<u>Cam 1</u> Paragraff 4 – 4 B xi <u>Cam 2</u> Paragraffau 3

					– 3 B xv
e)	datganiad bod y dogfennau, y cynlluniau a'r mapiau sy'n dangos natur a lleoliad y datblygiad arfaethedig ar gael i'w harchwilio yn rhad ac am ddim yn y manau (gan gynnwys o leiaf un cyfeiriad yng nghyffiniau'r datblygiad arfaethedig) ac ar yr amserau a nodwyd yn yr hysbysiad	<u>Cam 1</u> Paragraffau 7 ac 8 <u>Cam 2</u> Paragraffau 7, 8 a 9	f)	y dyddiad olaf y bydd y dogfennau, y cynlluniau a'r mapiau hynny ar gael i'w harchwilio	<u>Cam 1</u> Paragraffau 7 ac 8 <u>Cam 2</u> Paragraffau 7 ac 8
g)	p'un a godir tâl am gopïau o unrhyw un o'r dogfennau, y cynlluniau neu'r mapiau, a swm unrhyw dâl	<u>Cam 1</u> Paragraff 9 <u>Cam 2</u> Paragraff 10	h)	manylion sut i ymateb i'r cyhoeddusrwydd	<u>Cam 1</u> Paragraff 10 <u>Cam 2</u> Paragraff 11
i)	terfyn amser ar gyfer derbyn yr ymatebion hynny gan yr ymgeisydd, nad yw'n llai na 28 niwrnod ar ôl dyddiad olaf cyhoeddi'r hysbysiad	<u>Cam 1</u> Paragraff 12 <u>Cam 2</u> Paragraff 13			
21	A oes unrhyw arsylwadau mewn perthynas â'r hysbysiad adran 48 a ddarparwyd uchod?				
	Dim				
22	A anfonwyd copi o'r hysbysiad adran 48 at y cyrff ymgynghori AEA ac unrhyw unigolyn yr hysbyswyd yr ymgeisydd amdano yn unol â'r Rheoliadau AEA ¹¹ ?	Do. <u>Ymgynghoriad Statudol Cam 1</u> Mae paragraffau 6.4.51 i 6.4.53 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn esbonio			

¹¹ Rheoliad 13 Rheoliadau AEA 2017, neu Reoliad 11 Rheoliadau AEA 2009 (lle mae Rheoliad 37 Rheoliadau AEA 2017 yn berthnasol).

		<p>bod copi o'r Hysbysiad a48 wedi cael ei roi i'r cyrff ymgynghori a'r unigolion yr hysbyswyd yr Ymgeisydd amdanynt o dan Reoliad 9(1)(c) y Rheoliadau AEA ar 2 Hydref 2014.</p> <p>Mae Atodiadau 4.G.V, 4.G.VI a 4.H.I yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol B), yn rhoi copi o'r hysbysiad a'r llythyrau a anfonwyd at ymgynghoreion.</p> <p><u>Ymgynghoriad Statudol Cam 2</u></p> <p>Mae paragraffau 8.4.52 i 8.4.53 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn esbonio bod copi o'r Hysbysiad a48 wedi cael ei roi i'r cyrff ymgynghori a'r unigolion yr hysbyswyd yr Ymgeisydd amdanynt o dan Reoliad 9(1)(c) y Rheoliadau AEA ar 2 Ionawr 2018.</p> <p>Mae Atodiadau 9.F.I, 9.F.II a 9.F.VII yr Adroddiad Ymgynghori (Dogfen 5.2 – Cyfrol D), yn rhoi copi o'r hysbysiad a'r llythyrau a anfonwyd at ymgynghoreion.</p>
<p>Adran 49: Dyletswydd i ystyried ymatebion i ymgynghori a chyhoedduswydd</p>		
23	<p>A yw'r ymgeisydd wedi rhoi ystyriaeth i unrhyw ymatebion perthnasol i'r ymgynghoriad adran 42, adran 47 ac adran 48?</p>	<p>Ydy.</p> <p><u>Ymgynghoriad Statudol Cam 1</u></p> <p>Cyflwynodd yr Ymgeisydd grynodedb o'r adborth ymgynghori a gafwyd mewn ymateb i'r ymgynghoriad a42, a47 ac a48 ym Mhennod 7 yr Adroddiad Ymgynghori (Dogfen 5.1.0). Rhoddir adborth ymgynghori mewn perthynas ag a47 ac a42, ac ymatebion yr Ymgeisydd, yn Atodiadau 6.B a 6.D (Dogfen 5.2 - Cyfrol C).</p> <p>Ym mharagraff 7.4.27, cadarnhaodd yr Ymgeisydd na chafodd unrhyw ymatebion ymgynghori a nododd eu bod yn ymateb yn benodol i a48 yn gyhoeddus. Felly, mae'r Ymgeisydd wedi ystyried y gallai rhai ymatebion a47 fod yn ymatebion a48 hefyd.</p> <p><u>Ymgynghoriad Statudol Cam 2</u></p> <p>Mae Pennod 9 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn crynhoi'r adborth ymgynghori a gafwyd mewn ymateb i'r ymgynghoriad a42, a47 ac a48. Rhoddir</p>

ymatebion a gafwyd, a sylwadau'r Ymgeisydd, yn **Atodiadau 11.A ac 11.C (Dogfen 5.2 - Cyfrol E)**.

Mae **Pennod 10** yr **Adroddiad Ymgynghori (Dogfen 5.1.0)** yn esbonio sut oedd yr ymatebion ymgynghori wedi helpu i esblygu'r Prosiect. Mae **paragraff 10.1.13** yn esbonio:

I grynhoi, roedd yr adborth a gafwyd yn ystod yr ymgynghoriad Cam 1 a Cham 2 wedi llywio datblygiad y Prosiect yn y ffyrdd canlynol:

- *Diwygio lleoliadau ar gyfer arddangos deunydd ymgynghori;*
- *Dewis coridor ar gyfer llwybr Cysylltiad Nwy, tua 1.4km o hyd, yn mynd i gyfeiriad deheuol i Safle'r Offer Cynhyrchu;*
- *Dewis opsiwn ceblau tanddaear yn hytrach nag opsiwn llinell uwchben i allforio pŵer o'r Offer Cynhyrchu i'r NETS (Is-orsaf Gogledd Abertawe);*
- *Dewis coridor ar gyfer llwybr Cysylltiad Trydanol, tua 900m o hyd, i'r de-orllewin o Safle'r Offer Cynhyrchu;*
- *Dewis Llwybr Mynediad i Safle'r Prosiect o'r B4489 i'r gorllewin o Safle'r Offer Cynhyrchu, gan gynnwys ffordd fynediad wedi'i huwchraddio o'r B4489 yn ogystal â rhan newydd o ffordd fynediad o Is-orsaf Gogledd Abertawe i Safle'r Offer Cynhyrchu; a*
- *Bod y Ffatri Cynhyrchu Pŵer yn cynnwys un Generadur Tyrbin Nwy yn unig gydag un stac fflw nwy gwacáu, yn hytrach na hyd at bump;*
- *Lleihau uchder y stac o 60m ar y mwyaf i 45m ar y mwyaf;*
- *Symud Safle'r Offer Cynhyrchu i'r gogledd o Bibell Prif Gyflenwad Dŵr Cymru;*
- *Dewis Ffordd Fynediad o'r Is-orsaf i Safle'r Offer Cynhyrchu, yn dechrau cyn y ffordd gangen wreiddiol yn y maes parcio gerllaw Gorsaf Cywasgu Nwy Felindre ac yn ymestyn i'r de tuag at feysydd agored; ac*
- *Ailalinio'r Ffordd Fynediad o'r Is-orsaf i Safle'r Offer Cynhyrchu i droi ymhellach i'r de ac osgoi coetir hynafol.*

Mae'n ymddangos bod y camau wedi'u hadlewyrchu yn ffurf derfynol y cais a gyflwynwyd, a lle nad yw ymateb wedi arwain at newid yn y cais, mae'n ddigon amlwg y rhoddwyd ystyriaeth iddo.

Arweiniad ynglŷn â'r weithdrefn cyn-ymgeisio

24	I ba raddau mae'r ymgeisydd wedi rhoi ystyriaeth i arweiniad yr Adran Cymunedau a Llywodraeth Leol (DCLG) 'Deddf Cynllunio 2008: Arweiniad ar y broses cyn-ymgeisio' ¹² ?	<p>Mae paragraff 3.2.2 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn datgan:</p> <p><i>"...dilynwyd canllawiau statudol a nodiadau cyngor anstatudol hefyd wrth gynllunio a chynnal y broses ymgynghori a pharatoi'r Adroddiad Ymgynghori hwn" ac yna'n rhestru'r canllawiau DCLG hyn: Deddf Cynllunio 2008: Canllawiau ar y broses cyn-ymgeisio (yr Adran Cymunedau a Llywodraeth Leol (DCLG)), 2015 ("canllawiau cyn-ymgeisio DCLG ar Ddeddf Cynllunio 2008")."</i></p> <p>Mae Tabl 3-1 yr Adroddiad Ymgynghori (Dogfen 5.1.0) yn amlinellu sut yr ystyriwyd y canllawiau hyn wrth fynd i'r afael â'r ymgynghoriad. Mae paragraff 5.3.2 hefyd yn esbonio'r dull cymesur a ddefnyddiwyd, fel y cynghorir yn y canllawiau DCLG hyn.</p>
25	Crynodeb – adran 55(3)(e)	Mae'r cais fel y'i cyflwynwyd wedi cydymffurfio â Phennod 2 Rhan 5 (gweithdrefn cyn-ymgeisio). Cydymffurfiwyd â'r holl ddyletswyddau perthnasol.
Adran 55(3)(f) ac Adran 55(5A) Bod y cais (gan gynnwys atodiadau) o safon foddhaol o ystyried i ba raddau y mae'n cydymffurfio ag adran 37(3) (ffurf a chynnwys cais) ac unrhyw safonau a osodwyd o dan adran 37(5) ac yn dilyn unrhyw arweiniad perthnasol o dan adran 37(4)		
26	<p>A yw wedi'i lunio gan ddilyn y ffurf ragnodedig a amlinellir yn Atodiad 2 y Rheoliadau CFfGR, ac a yw'n cynnwys:</p> <ul style="list-style-type: none"> • datganiad byr sy'n esbonio pam mae'n dod o fewn cylch gorchwyl yr Ysgrifennydd Gwladol; a • datganiad byr sy'n nodi'n glir lleoliad safle'r cais, neu'r llwybr os yw'n gynllun llinol? 	<p>Ydy.</p> <p>Mae Blwch 4 y Ffurflen Gais (Dogfen 1.2) yn rhoi datganiad sy'n esbonio pam mae'r datblygiad o fewn cylch gorchwyl yr Ysgrifennydd Gwladol:</p> <p>Mae Blwch 5 y Ffurflen Gais (Dogfen 1.2) yn rhoi disgrifiad annhechnegol o'r datblygiad a gynigir:</p> <p>Mae Blwch 6 y Ffurflen Gais (Dogfen 1.2) yn rhoi datganiad sy'n nodi lleoliad y safle yn eglur:</p> <p>Dangosir lleoliad Safle'r Prosiect ar y Cynllun Lleoliad (Dogfen 2.1).</p> <p>Mae Ffigur 1 y Cynllun Gosodiad Safle Dangosol (Dogfen 2.6) yn dangos Safle'r Prosiect.</p> <p>Mae Ffigur 2 y Cynllun Gosodiad Safle Dangosol (Dogfen (Doc 2.6)) yn dangos yr Offer Cynhyrchu.</p>

¹² Mae'n rhaid i'r Ysgrifennydd Gwladol roi ystyriaeth i'r graddau y mae'r ymgeisydd wedi rhoi ystyriaeth i'r arweiniad a gyhoeddwyd o dan adran 50

		<p>Mae Ffigur 3 y Cynllun Gosodiad Safle Dangosol (Dogfen 2.6) yn dangos y Ffordd Fynediad.</p> <p>Mae'r Cynllun Cysylltiad Nwy a Thrydan Dangosol (Dogfen 2.8) yn dangos y Cysylltiadau Nwy a Thrydan.</p> <p>O ran y Cysylltiad Nwy, mae Pennod 3 y Datganiad Amgylcheddol (Dogfen 6.1) yn cadarnhau:</p> <p><i>'Bydd y Cysylltiad Nwy ar ffurf gosodiad ar y tir a chysylltiad nwy tanddaear (y Biblinell Nwy) newydd. Bydd yn dod â nwy naturiol i'r Offer Cynhyrchu o'r System Trosglwyddo Nwy Genedlaethol. Bydd y Biblinell Nwy yn dilyn coridor llwybr gogledd-ddeheuol yn fras, rhwng y System Trosglwyddo Nwy Genedlaethol i'r de o Rhydy-pandy Road a Safle'r Offer Cynhyrchu (gweler Adran 3.5).'</i></p> <p>O ran y Cysylltiad Trydan, mae Pennod 3 y Datganiad Amgylcheddol (Dogfen 6.1) yn cadarnhau:</p> <p><i>'Ceb! trydan tanddaear yw hwn i allforio pŵer o'r Offer Cynhyrchu i System Trosglwyddo Trydan y Grid Cenedlaethol (NETS) (gweler Adran 3.6).'</i></p>		
27	A gyflwynwyd adroddiad ymgynghori gydag ef?	<p>Do.</p> <p>Mae'r cais yn cynnwys Adroddiad Ymgynghori (Dogfen 5.1.0), Crynodeb Gweithredol Adroddiad Ymgynghori ar yr Iaith Gymraeg (Dogfen 5.1.1), ac Atodiadau A – E yr Adroddiad Ymgynghori (Dogfen 5.2).</p>		
28	Lle mae cynllun yn cynnwys tair dalen ar wahân neu fwy, a ddarparwyd cynllun allwedd sy'n dangos y berthynas rhwng y gwahanol ddalenni? ¹³	<p>Do.</p> <p>Mae'r Cynllun Gosodiad Safle Dangosol (Dogfen 2.6) yn cynnwys tair dalen a chynllun allwedd.</p>		
29	A gyflwynwyd y dogfennau a'r wybodaeth a amlinellir yn Rheoliad CFfGR 5(2) gydag ef?	<p>Do.</p> <p>Mae'r cais yn cynnwys y dogfennau a'r wybodaeth sy'n ofynnol gan Reoliad CFfGR 5(2); amlinellir y rhain yn adrannau (p) a (q) isod.</p>		
Gwybodaeth		Dogfen	Gwybodaeth	Dogfen

¹³ Rheoliad 5(4) Rheoliadau Cynllunio Seilwaith (Ceisiadau: Ffurflenni a Gweithdrefn Ragnodedig) 2009

a)	Lle y bo'n berthnasol, y datganiad amgylcheddol sy'n ofynnol o dan y Rheoliadau AEA ¹⁴ ac unrhyw farn neu gyfarwyddyd cwmpasu neu sgrinio	Datganiad Amgylcheddol (ES) (Dogfen 6.1) ES Cyfrolau A - M (Dogfen 6.2) ES Ffigurau (Dogfen 6.3) ES Crynodeb Annhechnegol (Dogfen 6.4.0) ES Crynodeb Annhechnegol Cymraeg (Dogfen 6.4.1)	b)	Y gorchymyn arfaethedig drafft	Gorchymyn Caniatâd Datblygu Drafft (Dogfen 3.1)
	A yw hwn o safon foddhaol?	Ydy (gyda mân anghysondebau fel y nodir ym Mlwch 30).		A yw hwn o safon foddhaol?	Ydy
c)	Memorandwm esboniadol yn esbonio diben ac effaith darpariaethau yn y gorchymyn drafft	Memorandwm Esboniadol (Dogfen 3.2)	d)	Lle y bo'n berthnasol, llyfr cyfeirio (lle mae'r cais yn ymwneud ag unrhyw gaffael gorfodol)	Llyfr Cyfeirio (Dogfen 4.3)
	A yw hwn o safon foddhaol?	Ydy		A yw hwn o safon foddhaol?	Ydy
e)	Copi o unrhyw asesiad perygl llifogydd	ES Cyfrol G Atodiad 9.1	f)	Datganiad ynghylch p'un a yw'r cynnig yn ymwneud ag un neu fwy o'r materion a amlinellir yn adran 79(1) Deddf Diogelu'r Amgylchedd 1990	Datganiad o Gysylltiad

¹⁴ Rheoliadau AEA 2017, neu Reoliadau AEA 2009 (lle mae Rheoliad 37 Rheoliadau AEA 2017 yn berthnasol)

		(Dogfen 6.2)		(niwsans statudol) ac, os felly, sut mae'r ymgeisydd yn bwriadu eu lliniaru neu gyfyngu arnynt	(Dogfen 5.3)
	A yw hwn o safon foddhaol?	Ydy		A yw hwn o safon foddhaol?	Ydy
h)	Datganiad o resymau a datganiad ariannu (lle mae'r cais yn ymwneud ag unrhyw gaffael gorfodol)	Datganiad o Resymau (Dogfen 4.1) Datganiad Ariannu (Dogfen 4.2)	i)	Cynllun tir sy'n amlygu'r canlynol:- (i) y tir sy'n ofynnol ar gyfer y datblygiad arfaethedig, neu y bydd y datblygiad arfaethedig yn effeithio arno; (ii) lle y bo'n berthnasol, unrhyw dir y bwriedir arfer pwerau caffael gorfodol drosto neu unrhyw hawliau i ddefnyddio'r tir; (iii) unrhyw dir y bwriedir dileu hawddfreintiau, ymrwymadau caeth a hawliau preifat eraill mewn perthynas ag ef; ac (iv) ac unrhyw dir categori arbennig a thir cyfnewid	Cynllun Tir (Dogfen 2.2)
	A yw hwn o safon foddhaol?	Ydy		A yw hwn o safon foddhaol?	Ydy
j)	Cynllun gwaith sy'n dangos, mewn perthynas â nodweddion presennol:- (i) lleoliad arfaethedig neu (o ran cynllun llinol) lwybr ac aliniad arfaethedig y datblygiad a'r gwaith; (ii) a'r terfynau ar gyfer cynnal y datblygiad a'r gwaith ac unrhyw derfynau gwyrho a ddarperir yn y gorchymyn drafft	Cynllun Gwaith: (Dogfen 2.3)	k)	Lle y bo'n berthnasol, cynllun sy'n amlygu unrhyw ffordd fynediad newydd neu wedi'i newid, cau strydoedd neu ffyrdd neu unrhyw achosion o ddargyfeirio, diddymu neu greu hawliau tramwy neu hawliau mordwyo cyhoeddus	Cynllun Mynediad Hawliau Tramwy a Strydoedd: (Dogfen 2.4)
	A yw hwn o safon foddhaol?	Ydy		A yw hwn o safon foddhaol?	Ydy
l)	Lle y bo'n berthnasol, cynllun gyda	(i) Ffigurau 8.2, 8.3 ac 11.1 (Dogfen 6.3,	m)	Lle y bo'n berthnasol, cynllun gyda gwybodaeth gysylltiedig sy'n amlygu unrhyw safleoedd neu	Ffigurau 13.1 a 13.2 (Dogfen 6.3

	<p>gwybodaeth gysylltiedig sy'n amlygu:-</p> <p>(i) unrhyw safleoedd neu nodweddion cadwraeth natur statudol/anstatudol e.e. safleoedd o bwysigrwydd daearegol/tirwedd;</p> <p>(ii) cynefinoedd rhywogaethau a warchodir, cynefinoedd pwysig neu nodweddion bioamrywiaeth eraill; ac</p> <p>(iii) ardaloedd dŵr mewn cynllun rheoli basn afon,</p> <p>ynghyd ag asesiad o unrhyw effeithiau y mae'r datblygiad arfaethedig yn debygol o'u cael ar safleoedd, nodweddion, cynefinoedd neu ardaloedd o'r fath</p>	<p>Rhan 1 a Rhan 2)</p> <p>(ii) Ffigurau 3.6a, 8.2, 8.3 a 9.2 (Dogfen 6.3 Rhan 1)</p> <p>iii) Ffigurau 9.1 a 9.5 (Dogfen 6.3 Rhan 2)</p> <p>Asesiadau ym Mhenodau 8; 9 ac 11 (Dogfen 6.1). Aseiad Sgrinio'r Gyfarwydddeb Fframwaith Dŵr yn Atodiad 9.2 (Dogfen 6.2).</p>		<p>nodweddion amgylchedd hanesyddol statudol/anstatudol (e.e. henebion cofrestredig, safleoedd Treftadaeth y Byd, adeiladau rhestredig, safleoedd archaeolegol a meysydd brwydr cofrestredig) ynghyd ag asesiad o unrhyw effeithiau y mae'r datblygiad arfaethedig yn debygol o'u cael ar safleoedd, nodweddion neu adeileddau o'r fath</p>	<p>Rhan 2)</p> <p>Asesiad ym Mhennod 13 (Dogfen 6.1)</p>
	<p>A yw hwn o safon foddhaol?</p>	<p>Ydy</p>		<p>A yw hwn o safon foddhaol?</p>	<p>Ydy</p>
<p>n)</p>	<p>Lle y bo'n berthnasol, cynllun gydag unrhyw wybodaeth gysylltiedig sy'n amlygu unrhyw dir y Goron</p>	<p>Dd/B</p>	<p>o)</p>	<p>Unrhyw gynlluniau, lluniadau a thrychiadau eraill sy'n angenrheidiol i ddisgrifio'r cynnig ar gyfer caniatâd datblygu sy'n dangos manylion dylunio, golwg allanol, a gosodiad delfrydol adeiladau/adeileddau, draenio, rheoli dŵr wyneb, dull mynediad i gerbydau a cherddwyr, ac unrhyw le parcio a thirweddu</p>	<p>Cynllun Gosodiad Safle Presennol (Dogfen 2.5)</p> <p>Cynllun Gosodiad Safle Dangosol (Dogfen 2.6)</p> <p>Lluniad Gweddllun Dangosol (Dogfen 2.7)</p> <p>Cynllun Cysylltiad Nwy a Thyrdan Dangosol</p>

				(Dogfen 2.8) Cynllun Perthi (Dogfen 2.9)	
	A yw hwn o safon foddhaol?	Dd/B		A ydynt o safon foddhaol?	Ydy
p)	Unrhyw un o'r dogfennau a ragnodir gan Reoliad 6 y Rheoliadau CFfGR:	Datganiad Cysylltiad Grid (Dogfen 9.1) Datganiad Cysylltiad Nwy (Dogfen 9.2) Datganiad Cynllunio (Dogfen 10.1.0) Crynodeb Gweithredol o'r Datganiad Cynllunio (Cymraeg) (Dogfen 10.1.1)	q)	Unrhyw ddogfennau eraill yr ystyrir eu bod yn angenrheidiol i ategu'r cais.	Cyflwyniad i'r Ymgeisydd ac Arweiniad i'r Cais (Dogfen 1.1.0) Cyflwyniad i'r Ymgeisydd ac Arweiniad i'r Cais (Cymraeg) (Dogfen 1.1.1) Copiau o Hysbysiadau Papur Newydd (Dogfen 1.3) Rhestr Termau'r Prosiect (Dogfen 1.4) Manylion caniatadau a thrwyddedau eraill sy'n ofynnol (Dogfen 5.4) Adroddiad Dim Effeithiau Arwyddocaol (Dogfen 5.5) Ffotograffau a

				Ffotogyfosodiadau (Dogfen 7.1) Cynllun sy'n Dangos Lleoliadau Ffotograffau (Dogfen 7.2) Mynegai Ffotograffau (Dogfen 7.3) Datganiad Egwyddorion Dylunio (Dogfen 10.2) Datganiad o'r Penawdau Telerau Arfaethedig ar gyfer Cytundeb yn unol ag a106 Deddf Cynllunio Gwlad a Thref 1990 (Dogfen 10.3)	
	A ydynt o safon foddhaol?	Ydy		A ydynt o safon foddhaol?	Ydy
30	A oes unrhyw arsylwadau mewn perthynas â'r dogfennau a ddarparwyd uchod? Oes.				
	Rheoliad 5(2)(a) Sylwer y defnyddiwyd y byrfodd SWMP ar gyfer y Cynllun Rheoli Dŵr Wyneb a'r Cynllun Rheoli Gwastraff Safle yn y Datganiad Amgylcheddol, a allai ddrysu'r darlennydd.				
31	A yw'r cais yn cynnwys adroddiad sy'n amlygu unrhyw safle(oedd) Ewropeaidd y mae rheoliad 48 Rheoliadau	Ydy.			

	Cadwraeth (Cynefinoedd Naturiol ac ati) 1994 yn berthnasol iddo/iddynt; neu unrhyw safle(oedd) Ramsar y gallai'r datblygiad arfaethedig effeithio arno/arnynt, ynghyd â digon o wybodaeth a fydd yn galluogi'r Ysgrifennydd Gwladol i wneud asesiad priodol o'r goblygiadau i'r safle os yw'n ofynnol gan reoliad 48(1)? ¹⁵	<p>Darperir Adroddiad Dim Effeithiau Arwyddocaol yn Nogfen 5.5.</p> <p>Mae'r adroddiad yn amlygu safleoedd Ewropeaidd perthnasol a'r effeithiau tebygol arnynt. Ystyrir bod y wybodaeth a ddarparwyd yn yr adroddiad yn ddigonol ar gyfer derbyn.</p> <p>Sylwer: bydd yr Awdurdod Archwilio yn gallu gofyn cwestiynau yn ystod yr archwiliad. Gallai hyn olygu bod angen gwybodaeth ychwanegol i lywio'r adroddiad HRA a'r awdurdod cymwys. Yn dibynnu ar y math o wybodaeth sy'n ofynnol ac i ba raddau y mae ar gael, mae'n bosibl na fydd modd cael gafael arni yn ystod amserlen statudol yr archwiliad.</p>
32	Os yw'r Ysgrifennydd Gwladol yn gofyn amdanynt, dau gopi papur o'r ffurflen gais a dogfennau a chynlluniau ategol eraill ¹⁶	Oes
33	A yw'r ymgeisydd wedi rhoi ystyriaeth i arweiniad y DCLG 'Deddf Cynllunio 2008: Arweiniad ar lenwi ffurflen gais', ac a yw hyn wedi golygu bod y cais wedi cael ei baratoi i safon sy'n dderbyniol ym marn yr Ysgrifennydd Gwladol?	<p>Ydy.</p> <p>Mae'n ymddangos bod y cais yn cydymffurfio'n gyffredinol â'r Canllawiau, ac mae'r Arolygiaeth Gynllunio yn fodlon bod yr Ymgeisydd wedi rhoi ystyriaeth i'r Canllawiau.</p>
34	Crynodeb – adran 55(3)(f) ac adran 55(5A)	<p>Ystyrir bod y cais a gyflwynwyd yn cyd-fynd yn gyffredinol â gofynion a55(3)(f), gan ystyried a55(5a) Deddf Cynllunio 2008.</p> <p>Nid ystyrir bod y materion a amlygwyd ar y rhestr wirio yn debygol o arwain at anfantais i unrhyw unigolyn sy'n dymuno cymryd rhan yn yr archwiliad, nac atal Awdurdod Archwilio a benodir rhag archwilio'r cais o fewn y cyfnod 6 mis statudol. Fel y cyfryw, ystyrir bod y cais o safon foddhaol ac y gellir ei dderbyn.</p>
Rheoliadau Cynllunio Seilwaith (Ffioedd) 2010 (SI106)		
Ffioedd i gyd-fynd â chais		

¹⁵ Rheoliad 5(2)(g) Rheoliadau Cynllunio Seilwaith (Ceisiadau: Ffurflenni a Gweithdrefn Ragnodedig) 2009

¹⁶ Rheoliad 5(2)(r) Rheoliadau Cynllunio Seilwaith (Ceisiadau: Ffurflenni a Gweithdrefn Ragnodedig) 2009

35	A dalwyd y ffi yr un pryd ag y cyflwynwyd y cais ¹⁷ ?	Talwyd ffi'r cais (£6,939) ar 14 Mai 2018 cyn i'r cais gael ei gyflwyno.
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Llofnod Electronig	Enw	Dyddiad
Arweinydd Achos	<i>Hefin Jones</i>	21/06/2018
Arolygydd Derbyn	<i>Kelvin MacDonald</i>	21/06/2018

¹⁷ Mae'n rhaid i'r Ysgrifennydd Gwladol godi ffi ar yr ymgeisydd mewn perthynas â'r penderfyniad gan yr Ysgrifennydd Gwladol o dan adran 55. Os na fydd yr ymgeisydd yn talu'r ffi, ni fydd angen i'r Ysgrifennydd Gwladol ystyried y cais hyd nes y bydd yn derbyn y taliad. Mae'n rhaid talu'r ffi yr un pryd ag y cyflwynir y cais.

The Planning Act 2008

Section 55 Acceptance of Applications*

(Appendix 3 of [advice note six: Preparation and submission of application documents](#))

- (1) The following provisions of this section apply where the Secretary of State receives an application that purports to be an application for an order granting development consent.

- (2) The Secretary of State must, by the end of the period of 28 days beginning with the day after the day on which the Secretary of State receives the application, decide whether or not to accept the application.

- (3) The Secretary of State may accept the application only if the Secretary of State concludes -
 - (a) that it is an application for an order granting development consent,
 - (b) deleted
 - (c) that development consent is required for any of the development to which the application relates,
 - (d) deleted
 - (e) that the applicant has, in relation to a proposed application that has become the application, complied with Chapter 2 of Part 5 (pre-application procedure), and
 - (f) that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory.

- (4) The Secretary of State, when deciding whether the Secretary of State may reach the conclusion in subsection (3)(e), must have regard to -
 - (a) the consultation report received under section 37(3)(c),
 - (b) any adequacy of consultation representation received by the Secretary of State from a local authority consultee, and
 - (c) the extent to which the applicant has had regard to any guidance issued under section 50.

- (5) In subsection (4) -

“local authority consultee” means -

- (a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or
- (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

“adequacy of consultation representation” means a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48.

(5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which –

- a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5) and
- b) any applicable guidance given under section 37(4) has been followed in relation to the application.

(6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.

(7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must -

- (a) notify that view to the applicant, and
- (b) notify the applicant of the Secretary of State’s reasons for that view.

(8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

* Section 55 of the Planning Act 2008 as amended by the Localism Act 2011

DISCLAIMER - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (National Infrastructure Directorate) to complete. Completion or self assessment by the applicant does not hold weight at the acceptance stage.

NB: See DCLG Application Form Guidance for guidance on how the application form should be completed and what should be included with it.

Section 55 Acceptance of Applications

Section 55 Application Checklist¹

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Secretary of State must decide whether or not to accept the application.	Date received	28 day due date	Date of decision
		25/05/2018	22/06/2018	21/06/2018
Section 55(3) – the Secretary of State may <u>only</u> accept an application if the Secretary of State concludes that:-		Planning Inspectorate Comments		
s55(3)(a) and s55(3)(c) It is an application for an order granting development consent				
2	Is the development a nationally significant infrastructure project ² (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a development consent order ³ (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14-30 does the application scheme fall)? If the development does not fall within the categories in	<p>Yes.</p> <p>The proposed development set out in Schedule 1 of the draft DCO (dDCO) (Doc 3.1) is for a generating station in Wales with a gross rated electrical output of up to 299MW, falling within section 14(1)(a) of the PA2008 and exceeding the 50MW threshold set out in section 15(2) of the PA2008.</p> <p>This is consistent with the summary provided in Box 4 of the Application Form (Doc 1.2) which concludes that the application is for an NSIP and also explains:</p> <p><i>‘The Wales Act 2017 will transfer decision-making powers from the Secretary of State (under the Planning Act 2008) to the Welsh Government, in relation to electricity</i></p>		

¹ References in this document to the Secretary of State include references (where applicable) to the Planning Inspectorate Major Applications and Plans Directorate which carries out functions related to consenting nationally significant infrastructure projects on behalf of the Secretary of State

² NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15-30

³ Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	ss14-30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?	<i>generating stations up to a capacity of 350MW. However, these provisions have not yet come into force. The date anticipated for devolution of these powers to take effect is 1 April 2019. Accordingly, the consenting regime for the authorised development remains the PA2008’.</i>
3	Summary – s55(3)(a) and s55(3)(c)	Sufficient evidence has been provided to demonstrate that the application is an NSIP pursuant to Sections 14(1) and 15(2) of the PA2008.
s55(3)(e) The applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)		
4	In accordance with the EIA Regulations ⁴ , did the applicant (prior to carrying out consultation in accordance with s42) either (a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates, or (b) notify the Secretary of State in writing that it proposed to provide an environmental statement in respect of that development?	<p>(a) No.</p> <p>The Applicant did not request the Secretary of State to adopt a screening opinion in relation to the proposed development.</p> <p>(b) Yes.</p> <p>The Applicant submitted an EIA Scoping Report to the Inspectorate on 25 June 2014 as stated in paragraphs 1.7.9 and 6.3.11 of the Consultation Report (Doc 5.1.0). A copy of the covering letter which accompanied the Scoping Report is provided in Appendix 3.A.I and the Report in Appendix 3.A.II (Doc 5.2 - Volume A).</p> <p>The request was made before the start of s42 consultation on 13 October 2014.</p> <p>The Scoping Opinion was issued on 1 August 2014 (paragraph 6.3.14 of the Consultation Report (Doc 5.1.0)), and is provided in Appendix 3.B.II (Doc 5.2 - Volume A).</p> <p>In paragraphs 8.3.1, 9.3.1 and 9.3.2 of the Consultation Report (Doc 5.1.0) the Applicant explains that following a meeting with the Inspectorate on 30 March 2017 to discuss validity of the EIA Scoping Opinion issued in 2014, it stated that it will not be submitting another scoping request. The note of the meeting is provided in Appendix</p>

⁴ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations) (where Regulation 37 of the 2017 EIA Regulations applies).

		<p>7.A.I (Doc ref 5.2 - Volume C).</p> <p>In a s46 notification letter of 9 January 2018, which is in Appendix 9.I.I (Doc 5.2 - Volume D), the Applicant stated: ‘As previously notified, APL proposes to provide an Environmental Statement in respect of the proposed development. APL requested a scoping opinion from the Secretary of State prior to 16 May 2017 and in accordance with the transitional provisions in Regulation 37(2)(a) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 will continue to apply to the application by APL for a DCO.’</p>
5	<p>Have any adequacy of consultation representations⁵ been received from “A”, “B”, “C” and “D” authorities; and if so do they confirm that the applicant has complied with the duties under s42, s47 and s48?</p>	<p>Yes.</p> <p>The City and County of Swansea (CCS) (the relevant local authority) is the unitary authority. Therefore there are no ‘C’ or ‘D’ authorities.</p> <p>There are 1 host and 2 neighbouring authorities, of which 2 provided Adequacy of Consultation Responses (AoCR) confirming either that the Applicant had complied with their duties under s42, s47 and s48 of the PA2008 and/or that they had “no comments”. These were:</p> <p>Host Authority B - City and Council of Swansea</p> <p>Neighbouring Authority A - Neath Port Talbot County Borough Council</p> <p>Responses were invited but were not received from the following authority:</p> <p>Neighbouring Authority A</p> <ul style="list-style-type: none"> • Carmarthenshire County Council <p>The responses have been carefully considered and confirm that the Applicant has complied with the duties under S42, S47 and S48 of the PA2008.</p>

⁵ S55(4) of the PA2008 provides that the Secretary of State must have regard to the consultation report, and any adequacy of consultation representations received

s42: Duty to Consult

Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?

6 s42(1)(a) persons prescribed⁶?

Yes.

Phase 1

The Applicant undertook a Phase 1 Statutory Consultation under s42(1)(a) of the PA2008 with prescribed consultees between 13 October and 16 November 2014. A summary of the process can be found in **paragraphs 6.4.56 to 6.4.79** of the **Consultation Report (Doc 5.1.0)**. The list of consultees is provided in **Appendix 4.I.I (Doc 5.2, Volume B, Part IV)**.

Phase 2

The Applicant undertook a Phase 2 Statutory Consultation between 16 January and 19 February 2018. The process has been summarised in **paragraphs 8.4.54 and 8.4.81** of the **Consultation Report (Doc 5.1.0)**. The list of consultees is provided in **Appendix 9.G.I (Doc 5.2 - Volume D)**.

The Applicant identified two further Councils as prescribed consultees for the purposes of Phase 2 Statutory Consultation, further to CCS' response to the 2018 SoCC, (**paragraph 8.4.59**). They are:

- Llchwyr Town Council, and
- Grovesend and Waungron Community Council.

The Planning Inspectorate has identified the following parties based on a precautionary interpretation of the regulations that have not been consulted by the Applicant under

⁶ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

		<p>s42. These are:</p> <ol style="list-style-type: none"> 1. Western Power Distribution Limited (South Wales) plc 2. Cadent Gas Limited 3. Energy Assets Pipelines Limited 4. Energy Assets Networks Limited 5. Energy Assets Power Networks Limited 6. Indigo Pipelines Limited (change of name from SSE) 7. G2 Energy IDNO Limited 8. Harlaxton Energy Networks Limited 9. Leep Electricity Networks Limited (previously Peel) 10. Murphy Power Distribution Limited 11. UK Power Distribution Limited 12. Vattenfall Networks Limited <p>The Applicant's Consultation Report (Doc 5.1.0) does not appear to give a clear explanation as to why the bodies identified above have not been consulted. Given the individual circumstances of this case, and taking a precautionary approach to ensure that all persons potentially affected by, or potentially likely to have an interest in, the application are given the opportunity to participate fully in the examination of the application, the Inspectorate suggests that the Applicant may wish to include the above bodies amongst those on whom they serve notice of the accepted application under s56(2)(a) of PA2008 unless there is a specific justification why this is not necessary.</p> <p>S51 advice has been issued regarding this matter: http://infrastructure.planninginspectorate.gov.uk/document/EN010069-000484</p>
7	s42(1)(aa) the Marine Management Organisation ⁷ ?	Not applicable.
8	s42(1)(b) each local authority within s43 ⁸ ?	Yes.

⁷ In any case where the proposed development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

		<p>The Applicant carried out S42 Consultation in two phases (2014 and 2018).</p> <p><u>Phase 1 Statutory Consultation</u></p> <p>The Applicant has consulted each local authority within s43 as described in Section Six of the Consultation Report (Doc 5.1.0).</p> <p>Host ('B') Authority:</p> <ul style="list-style-type: none"> • City and County of Swansea (B) <p>Neighbouring ('A') Authorities</p> <ul style="list-style-type: none"> • Carmarthenshire County Council (A) • Neath Port Talbot County Borough Council (A). <p>In paragraph 6.4.65 the Applicant explains that due to administrative structure of local authorities in Wales, there are no Category C and D authorities for the purpose of s42 consultation.</p> <p>The consultation commenced on 8 October 2014 and ended on 16 November 2014.</p> <p><u>Phase 2 Statutory Consultation</u></p> <p>The Applicant undertook statutory s42 consultation with the same local authorities as listed for Phase 1, as per paragraph 8.4.61 of the Consultation Report (Doc 5.1.0).</p>
9	s42(1)(c) the Greater London Authority (if in Greater London area)?	Not Applicable.

⁸ Definition of “local authority” in s43(3): The “B” authority where the application land is in the authority’s area; the “A” authority where any part of the boundary of A’s area is also a part of the boundary of B’s area; the “C” authority (upper tier) where the application land is in that authority’s area; the “D” authority where such an authority shares a boundary with a “C” authority

10	s42(1)(d) each person in one or more of s44 categories ⁹ ?	<p>Yes.</p> <p><u>Phase 1</u></p> <p>The Applicant has consulted each person in Categories 1, 2 and 3 under s44 as described in Section Six (paragraphs 6.4.67 to 6.4.72) of the Consultation Report (Doc 5.1.0) on 13 October 2014. The list of land interests consulted and notified under s44(1)(d) is provided in Appendix 4.I.I (Doc 5.2, Volume B, Part IV).</p> <p><u>Phase 2</u></p> <p>The Applicant has consulted each person in one or more s44 categories as described in Section Eight (paragraphs 8.4.62 to 8.4.64) of the Consultation Report (Doc 5.1.0) on 16 January 2018. The list of land interests consulted and notified is provided in Appendix 9.G.I (Doc 5.2 - Volume D).</p> <p>It appears that there are a number of parties who were notified during Phase 2 Statutory Consultation (list is provided in Appendix 2.G.I (Doc 5.2 - Volume D)) that do not appear to have been included in the Book of Reference (Doc 4.3):</p> <p>The Applicant must ensure that all parties that need to be in the Book of Reference are listed within it and also notify all that need to be notified of the accepted application under s56 of the PA2008 and ensuring they are able to fully participate in the examination. The Applicant should also check the correct spelling and amend the Book of Reference if necessary.</p>
s45: Timetable for s42 Consultation		
11	Did the applicant notify s42 consultees of the deadline	Yes.

⁹ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: person entitled to make a relevant claim. There is no requirement to check the accuracy of the list(s) or whether the applicant has made diligent inquiry

<p>for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?</p>	<p>Phase 1</p> <p>The letter dated 8 October 2014, together with the consultation material, was sent to s42 consultees. It confirmed a deadline of responses being 16 November 2014, which is more than 28 days after the date of the s42 notification letter. A copy of the notification letter in English is provided in Appendix 4.I.II (Doc 5.2 - Volume B, Part IV). A copy of the letter in Welsh is provided in Appendix 4.I.III.</p> <p>The deadline for receipt of consultation responses was also stated in the following documents:</p> <ul style="list-style-type: none"> • 2014 SoCC Notice and published 2014 SoCC provided in Appendices 4.A.V to 4.A.VIII (Doc 5.2 - Volume B, Part One); • S48 Notice provided in Appendices 4.G.I to 4.G.IV (Doc 5.2 - Volume B, Part Four); <p>In paragraphs 6.4.74 and 6.4.75 of the Consultation Report (Doc 5.1.0) the Applicant explained that a small number of consultation letters could not be delivered by their courier; these were subsequently hand delivered on 16 October 2014. However none of those affected by the re-delivery were prejudiced as there was still the minimum period of 28 days remaining to respond, starting the day after the receipt of the consultation material.</p> <p>In paragraphs 6.4.76 to 6.4.79 the Applicant explains that additional s(44)(1)(d) parties had been identified following on-going diligent inquiries. The additional parties were consulted on the following dates with their own consultation periods being of a minimum of 28 days:</p> <ul style="list-style-type: none"> • 22 December 2014 – request for comments by 23 January 2015, • 14 January 2015 – request for comments by 13 February 2015, • 26 January 2015 – request for comments by 23 February 2015, • 11 February 2015 – request for comments by 10 March 2015,
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- 12 February 2015 – request for comments by 11 March 2015.

A copy of the template cover letter is provided in **Appendices 4.I.IV and 4.I.V (Doc 5.2 - Volume B, Part 4)**.

Phase 2

The letter dated 5 January 2018, together with the consultation material, was sent to 542 consultees. It confirmed a deadline of responses being 19 February 2018, which is more than 28 days after the date of the 542 notification letter. Copies of the letter sent to consultees in English and Welsh are provided in **Appendices 9.G.II to 9.G.V (Doc 5.2 - Volume D)**.

The deadline for receipt of consultation responses was also stated in the following documents:

- 2018 SoCC Notice and published 2018 SoCC, provided in **Appendices 9.B.I to 9.B. IV (Doc 5.2 - Volume D)**,
- S48 Notice, provided in **Appendices 9.F.I to 9.F.VI (Doc 5.2 - Volume D)**.

The Applicant explained in **paragraphs 8.4.72 and 8.4.73** of the **Consultation Report (Doc 5.1.0)** that there was a small number of consultation letters which required re-delivery or redirection. They were all subsequently re-issued and received by 19 January 2018, which allowed for a deadline to submit responses of 28 or more days starting the day after receipt of the consultation documents.

In **paragraph 8.4.74** the Applicant stated that following diligent enquiry, four additional landowners were identified and subsequently sent consultation material on 22 January 2018, and given until 27 February 2018 to provide response, more than the minimum 28 days. Copies of the cover letters in English and Welsh are provided in **Appendices 9.G.VI and 9.G.VII (Doc 5.2 - Volume D)**.

Following the commencement of statutory consultation, the Applicant identified an error in 2018 PEIR Figure 8.3 relating to incorrect numbering of ancient woodlands.

		<p>Therefore a replacement Figure 8.3 was issued to all prescribed consultees, together with an explanatory covering letter, on 30 January 2018. This is explained in paragraphs 8.4.75 to 8.4.79 of the Consultation Report (Doc 5.1.0), and the letter is provided in Appendix 9.G.IX (Doc 5.2 - Volume D).</p> <p>Although the consultation deadline was not extended it is not considered that any party was prejudiced by this as the Applicant merely corrected a minor error.</p> <p>Paragraph 8.4.80 of the Consultation Report (Doc 5.1.0) explains that following the end of Phase 2 consultation, an additional party with a land interest was identified who had not been consulted (HSBC Bank Plc) during that Phase. HSBC Bank Plc was consulted during Phase 1 consultation and no response was received. In error they were then omitted from the Phase 2 consultation. However, the Applicant has since written to HSBC Bank Plc, provided a copy of the documents other parties received for Phase 2 consultation and confirmed that they will be included in any notification under s56 if the application is accepted for examination. As such, it is not considered that HSBC Bank Plc's interests have been prejudiced by their omission from Phase 2 consultation.</p>
<p>s46: Duty to notify Secretary of State of proposed application</p>		
12	<p>Did the applicant supply information to notify the Secretary of State of the proposed application; and if so was the information supplied to the Secretary of State on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?</p>	<p>Yes.</p> <p><u>Phase 1</u></p> <p>The Applicant gave notice under s46 on 8 October 2014, which was before the beginning of s42 consultation.</p> <p><u>Phase 2</u></p> <p>Section 1.8.1 of the Consultation Report (Doc 5.1.10) specifies:</p> <p><i>'After acquisition of APL by Drax in December 2016 the Project was publicly "re-launched" in April 2017'.</i></p> <p>The Applicant gave notice under s46 on 9 January 2018, which was before the</p>

		<p>beginning of s42 consultation. This can be found in Appendix 9.I of the Consultation Report (Doc 5.2). The consultation period opened on 16 January 2018 and closed on 19 February 2018, a period of 32 days.</p> <p>A further notification was issued to the Inspectorate on 29 January 2018 (Appendix 9.I.III of the Consultation Report – Doc 5.2) highlighting discrepancies in a 2018 PEIR figure and providing a copy of the covering letter sent to all s42 consultees relating to the replacement figure.</p>
s47: Duty to consult local community		
13	<p>Did the applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?</p>	<p>Yes.</p> <p><u>Phase 1 – Statement of Community Consultation 2014</u></p> <p>The published SoCC, prepared for Phase 1 Consultation in 2014, are in appendices 4.A.V and 4.A.VI of the Consultation Report (Doc 5.2 – Volume B Part One).</p> <p>Appendix 4.A.V of the Consultation Report Appendices (Doc 5.2 - Volume B Part One) confirms areas the Applicant included in their consultation – the Core Consultation Zone and the Outer Consultation Zone (this also includes the radius each zone is from the site). This section also includes the period of consultation to be the “<i>13th October 2014 to the 16th November 2014</i>”.</p> <p>Paragraphs 6.4.5 – 6.4.23 of the Consultation Report (Doc 5.1.0) outline the approach taken to carry out the SoCC.</p> <p><u>Phase 2 – Statement of Community Consultation 2018</u></p> <p>The published SoCC, prepared for Phase 2 Consultation in 2018, are in appendices 9.B.I and 9.B.II of the Consultation Report (Doc 5.2 - Volume D).</p> <p>Appendix 9.B.I states that the period for this consultation will run for 35 days between</p>

		<p>the dates “16th January 2018 to the 19th February 2018”. It also explains how the consultation will be carried out across two areas; the Core Consultation Zone and the Outer Consultation Zone.</p> <p>Paragraphs 1.8.11 to 1.8.13 of the Consultation Report (Doc 5.1.0) outline the how the SoCC was carried out and how it was published.</p>
14	<p>Were “B” and (where relevant) “C” authorities consulted about the content of the SoCC; and if so was the deadline for receipt of responses 28 days beginning with the day after the day that “B” and (where applicable) “C” authorities received the consultation documents?</p>	<p>Yes.</p> <p>CCS as the “B” authority (there are no relevant “C” authorities).</p> <p><u>Phase 1 SoCC</u></p> <p>Paragraphs 6.4.5 - 6.4.23 of the Consultation Report (Doc 5.1.0) detail the statutory consultation with CCS undertaken on the 2014 SoCC.</p> <p>Appendix 4.A.I of the Consultation Report (Doc 5.2 - Volume B, Part One) includes the cover letter issued to CCS with the SoCC. This states:</p> <p><i>‘The deadline for the receipt of the Council’s response is the end of the period of 28 days beginning with the day after the day on which the Council receives the attached documents.’</i></p> <p><u>Phase 2 SoCC</u></p> <p>Paragraphs 8.4.17 – 8.4.20 of the Consultation Report (Doc 5.1.0) detail the statutory consultation with CCS undertaken on the 2018 SoCC.</p> <p>Appendix 9.A.I of the Consultation Report (Doc 5.2) includes the covering e-mail issued to CCS with the SoCC. This states:</p> <p><i>‘The deadline for comment is the end of the period of 28 days that begins with the day after the day on which the Council receives the document.’</i></p> <p>CCS provided their statutory response on the SoCC on 1 December 2017. This is contained in Appendix 9.A.VII of the Consultation Report (Doc 5.2 – Volume B).</p>

15	Has the applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p> <p><u>Phase 1 SoCC response</u></p> <p>Appendix 4.A.IV of the Consultation Report (Doc 5.2 – Volume B) provides a copy of CCS response, dated 27 August 2014. Following CCS’ response, the Applicant deposited copies of documents at CCS’ office in Penllergaer.</p> <p><u>Phase 2 SoCC</u></p> <p>Appendix B 9.A.VII of the Consultation Report (Doc 5.2 – Volume D) provides a copy of CCS’ response, dated 1 December 2017. Appendix 9.A VIII of the Consultation Report (Doc 5.2 – Volume D) provides a copy of the Applicant’s response to CCS, dated 7 December 2017. This included a table listing CCS’ comments and how they have been addressed.</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes.</p> <p><u>Phase 1 SoCC</u></p> <p>The 2014 SoCC was made available at places which are reasonably convenient having regard to the location of the scheme. Paragraph 6.4.23 of the Consultation Report (Doc 5.1.0) explains that the notices stating when and where the SoCC could be inspected were published in:</p> <ul style="list-style-type: none"> • South Wales Evening post: 30 September 2014 • South Wales Evening post: 7 October 2014 <p>A copy of the published notices can be found in Appendix 4.A.VII (English) and 4.A.VIII (Welsh) of the Consultation Report (Doc 5.2 - Volume B, Part One).</p> <p><u>Phase 2 Statutory Consultation</u></p> <p>The 2018 SoCC was made available at places which are reasonably convenient having</p>

		<p>regard to the location of the scheme. Paragraph 8.4.21 of the Consultation Report (Doc 5.1.0) explains that the notices stating when and where the SoCC could be inspected were published in:</p> <ul style="list-style-type: none"> • South Wales Evening Post: 2 January 2018 • South Wales Evening Post: 9 January 2018 <p>A copy of the published notices Appendix 9.B.I (English) and 9.B.II (Welsh) of the Consultation Report (Doc 5.2 – Volume D).</p>
17	Does the SoCC set out whether the development is EIA development ¹⁰ ; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?	<p>Yes.</p> <p><u>Phase 1 SoCC</u></p> <p>Page 5 of the 2014 SoCC, which is included in Appendices 4.A.V and 4.A.VI of the Consultation Report (Doc 5.2 – Volume B), explains the nature and purpose of the 2014 PEIR and where it was made available to view.</p> <p><u>Phase 2 SoCC</u></p> <p>Page 7 of the 2018 SoCC, which is included Appendix 9.B.I of the Consultation Report (Doc 5.2 - Volume D), sets out the purpose of the PEIR and the publication and consultation undertaken on it as part of the Phase 2 statutory consultation process.</p>
18	Has the applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p> <p><u>Phase 1 Statutory Consultation</u></p> <p>Appendix 4.B of the Consultation Report (Doc 5.2 – Volume B) includes a 2014 SoCC compliance checklist prepared by the Applicant which demonstrates how the consultation was undertaken in accordance with the 2014 SoCC.</p> <p><u>Phase 2 Statutory Consultation</u></p>

¹⁰ Regulation 12 of the 2017 EIA Regulations, or Regulation 10 of the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies).

		Appendix 9.C of the Consultation Report (Doc 5.2 - Volume D) includes a 2018 SoCC compliance checklist prepared by the Applicant which demonstrates how the consultation was undertaken in accordance with the 2018 SoCC.
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s48: Duty to publicise the proposed application

19	Did the applicant publicise the proposed application, under s48, in the prescribed manner set out in Regulation 4(2) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009?	<p>Yes.</p> <p><u>Phase 1 Statutory Consultation</u></p> <p>Appendix 4.G of the Consultation Report (Doc 5.2 - Volume B) provides dated copies of the published s48 notices in English and Welsh.</p> <p><u>Phase 2 Statutory Consultation</u></p> <p>Appendix 9.F of the Consultation Report (Doc 5.2 - Volume D) provides dated copies of the published s48 notices English and Welsh.</p>
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		<i>Newspaper(s)</i>	<i>Date</i>
for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;	<p>Phase 1 Dates:</p> <ul style="list-style-type: none"> • South Wales Evening Post • South Wales Evening Post <p>Phase 2 Dates:</p> <ul style="list-style-type: none"> • South Wales Evening Post • South Wales Evening Post 	<p>06/10/2014</p> <p>13/10/2014</p> <p>02/01/2018</p> <p>09/02/2018</p>	
once in a national newspaper;	<p>Phase 1 Date:</p> <p>The Independent</p> <p>Phase 2 Date:</p> <p>The Times</p>	<p>06/10/2014</p> <p>09/01/2018</p>	

	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	Phase 1 Date: London Gazette		06/10/2014	
		Phase 2 Date: London Gazette		09/01/2018	
	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	N/A		N/A	
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	<p>Yes.</p> <p><u>Phase 1 Statutory Consultation</u></p> <p>Appendix 4.G of the Consultation Report (Doc 5.2 - Volume B) provides dated copies of the s48 notices in English and Welsh. These include the information required under Regulation 4(3) of the APFP Regulations.</p> <p><u>Phase 2 Statutory Consultation</u></p> <p>Appendix 9.F of the Consultation Report (Doc 5.2 – Volume D) provides dated copies of the s48 notices in English and Welsh. These include the information required under Regulation 4(3) of the APFP Regulations.</p>			
	Information	Paragraph		Information	Paragraph
a)	The name and address of the applicant.	<u>Phase 1</u> Paragraph 1 <u>Phase 2</u>	b)	A statement that the applicant intends to make an application for development consent to the Secretary of State	<u>Phase 1</u> Paragraph 1 <u>Phase 2</u>

		Paragraph 1			Paragraph 1
c)	a statement as to whether the application is EIA development	<u>Phase 1</u> Paragraph 5 <u>Phase 2</u> Paragraph 6	d)	a summary of the main proposals, specifying the location or route of the proposed development	<u>Phase 1</u> Paragraph 4 – 4 B xi <u>Phase 2</u> Paragraphs 3 – 3 B xv
e)	a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice	<u>Phase 1</u> Paragraph 7 & 8 <u>Phase 2</u> Paragraphs 7, 8 & 9	f)	the latest date on which those documents, plans and maps will be available for inspection	<u>Phase 1</u> Paragraph 7 & 8 <u>Phase 2</u> Paragraph 7 & 8
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	<u>Phase 1</u> Paragraph 9 <u>Phase 2</u> Paragraph 10	h)	details of how to respond to the publicity	<u>Phase 1</u> Paragraph 10 <u>Phase 2</u> Paragraph 11
i)	a deadline for receipt of those responses by the applicant, being not less than 28 days	<u>Phase 1</u>			

	following the date when the notice is last published	Paragraph 12 <u>Phase 2</u> Paragraph 13	
21	Are there any observations in respect of the s48 notice provided above?		
	None		
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the applicant in accordance with the EIA Regulations ¹¹ ?	<p>Yes.</p> <p><u>Phase 1 Statutory Consultation</u></p> <p>Paragraphs 6.4.51 to 6.4.53 of the Consultation Report (Doc 5.1.0) explain that a copy of the s48 Notice was issued to the consultation bodies and to those persons notified to the Applicant under Regulation 9(1)(c) of the EIA Regulations on 2 October 2014.</p> <p>Appendices 4.G.V, 4.G.VI and 4.H.I of the Consultation Report (Doc 5.2 – Volume B), provide a copy of the notice and the letters sent to consultees.</p> <p><u>Phase 2 Statutory Consultation</u></p> <p>Paragraphs 8.4.52 to 8.4.53 of the Consultation Report (Doc 5.1.0) explain that a copy of the s48 Notice was issued to the consultation bodies and to those persons notified to the Applicant under Regulation 9(1)(c) of the EIA Regulations on 2 January 2018.</p> <p>Appendices 9.F.I, 9.F.II and 9.F.VII of the Consultation Report (Doc 5.2 – Volume D), provide a copy of the notice and the letters sent to consultees.</p>	

¹¹ Regulation 13 of the 2017 EIA Regulations, or Regulation 11 of the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies).

s49: Duty to take account of responses to consultation and publicity

23 Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?

Yes.

Phase 1 Statutory Consultation

The Applicant presented the summary of consultation feedback received in response to the s42, s47 and s48 consultation in **Chapter 7** of the **Consultation Report (Doc 5.1.0)**. Consultation feedback in relation to s47 and s42 and the Applicant's responses are provided in **Appendices 6.B** and **6.D (Doc 5.2 - Volume C)**.

In **paragraph 7.4.27** the Applicant confirmed that it did not receive any consultation responses that identified themselves as responding specifically to s48 publicity. The Applicant has therefore considered that some s47 responses may also be s48 responses.

Phase 2 Statutory Consultation

Chapter 9 of the **Consultation Report (Doc 5.1.0)** provides the summary of consultation feedback received in response to the s42, s47 and s48 consultation. Responses received and the Applicant's comments are provided in **Appendices 11.A** and **11.C (Doc 5.2 - Volume E)**.

Chapter 10 of the **Consultation Report (Doc 5.1.0)** explains how the consultation responses helped evolve the Project. **Paragraph 10.1.13** explains:

In summary, feedback received during the Phase 1 and Phase 2 consultation informed the development of the Project in the following ways:

- *Locations for display of consultation materials amended;*
- *Selection of a Gas Connection route corridor, approximately 1.4 km in length, running in a southerly direction to the Generating Equipment Site;*
- *Selection of an underground cable option as opposed to overhead line option to export power from the Generating Equipment to the NETS (Swansea North Substation);*

		<ul style="list-style-type: none"> • Selection of an <i>Electrical Connection</i> route corridor, approximately 900m in length, to the southwest of the <i>Generating Equipment Site</i>; • Selection of the <i>Access Route</i> to the <i>Project Site</i> from the <i>B4489</i> to the west of the <i>Generating Equipment Site</i>, including an upgraded access road from the <i>B4489</i> as well as a new section of access road from the <i>Swansea North Substation</i> to the <i>Generating Equipment Site</i>; and • The <i>Power Generation Plant</i> is made up of only one <i>Gas Turbine Generator</i> with one exhaust gas flue stack, rather than up to five; • Reduction of stack height from a maximum of 60 m to a maximum of 45 m; • <i>Generating Equipment Site</i> moved north of the <i>Welsh Water Water Main</i>; • Selection of an <i>Access Road</i> from the <i>Substation</i> to the <i>Generating Equipment Site</i>, beginning before the original spur at the car park adjacent to the <i>Felindre Gas Compressor Station</i> and extending southwards towards open fields; and • <i>Realignment</i> of <i>Access Road</i> from the <i>Substation</i> to the <i>Generating Equipment Site</i> to curve further south and avoid ancient woodland. <p>The actions appear to be reflected in the final form of the application submitted, and where a response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
Guidance about pre-application procedure		
24	To what extent has the applicant had regard to DCLG guidance 'The Planning Act 2008: Guidance on the pre-application process' ¹² ?	<p>Paragraph 3.2.2 of the Consultation Report (Doc 5.1.0) states that:</p> <p><i>"...statutory guidance and non-statutory advice notes have also been followed in the design and delivery of the consultation process and preparation of this Consultation Report" and then lists this DCLG guidance: The Planning Act 2008: Guidance on the pre-application process (Department of Communities and Local Government (DCLG)), 2015 ("the PA 2008 DCLG pre-application guidance")."</i></p> <p>Table 3-1 of the Consultation Report (Doc 5.1.0) sets out how this guidance has</p>

¹² The Secretary of State must have regard to the extent to which the applicant has had regard to guidance issued under s50

		been taken into account in the approach to consultation. Paragraph 5.3.2 also explains the proportionate approach taken, as advised in this DCLG guidance.
25	Summary - s55(3)(e)	The application as submitted has complied with Chapter 2 of Part 5 (pre-application procedure). All relevant duties have been complied with.
	s55(3)(f) and s55(5A) The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)	
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Secretary of State; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes.</p> <p>Box 4 of the Application Form (Doc 1.2) gives a statement explaining why the development falls within the remit of the Secretary of State:</p> <p>Box 5 of the Application Form (Doc 1.2) gives a non-technical description of the development proposal:</p> <p>Box 6 of the Application Form (Doc 1.2) gives a statement that clearly identifies the location of the site:</p> <p>The location of the Project Site is shown on the Location Plan (Doc 2.1).</p> <p>Figure 1 of the Indicative Site Layout Plan (Doc 2.6) identifies the Project Site.</p> <p>Figure 2 of the Indicative Site Layout Plan (Doc 2.6) identifies the Generating Equipment.</p> <p>Figure 3 of the Indicative Site Layout Plan (Doc 2.6) identifies the Access Road.</p> <p>The Indicative Gas and Electrical Connection Plan (Doc 2.8) identifies the Gas and Electrical Connections.</p> <p>In relation to the Gas Connection, Chapter 3 of the Environmental Statement (Doc 6.1) confirms:</p> <p><i>'The Gas Connection will be in the form of a new above ground installation (AGI) and</i></p>

		<p><i>underground gas connection (the Gas Pipeline). This is to bring natural gas to the Generating Equipment from the National Gas Transmission System. The Gas Pipeline will follow an approximate north-south route corridor, between the National Gas Transmission System south of Rhydy-pandy Road and the Generating Equipment Site (see Section 3.5)'. In relation to the Electrical Connection, Chapter 3 of the Environmental Statement (Doc 6.1) confirms: 'This is an underground electrical cable to export power from the Generating Equipment to the National Grid Electricity Transmission System (NETS) (see Section 3.6)'.</i></p>	
27	Is it accompanied by a consultation report?	<p>Yes. The application is accompanied by a Consultation Report (Doc 5.1.0), a Welsh Language Consultation Report Executive Summary (Doc 5.1.1), and Consultation Report Appendices A – E (Doc 5.2).</p>	
28	Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets? ¹³	<p>Yes. The Indicative Site Layout Plan (Doc 2.6) has three sheets and a key plan.</p>	
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	<p>Yes. The application is accompanied by the documents and information required by APFP Regulation 5(2); these are set out in sections (p) and (q) below.</p>	
Information		Document	
a)	Where applicable, the environmental	Environmental	b) The draft proposed order
			Draft

¹³ Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

	statement required under the EIA Regulations ¹⁴ and any scoping or screening opinions or directions	Statement (ES) (Doc 6.1) ES Volumes A - M (Doc 6.2) ES Figures (Doc 6.3) ES Non-Technical Summary (Doc 6.4.0) ES Welsh Language Non-Technical Summary (Doc 6.4.1)			Development Consent Order (Doc 3.1)
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30).		Is this of a satisfactory standard?	Yes
c)	An explanatory memorandum explaining the purpose and effect of provisions in the draft order	Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a book of reference (where the application involves any compulsory acquisition)	Book of Reference (Doc 4.3)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes

¹⁴ The 2017 EIA Regulations, or the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies)

e)	A copy of any flood risk assessment	ES Volume G Appendix 9.1 (Doc 6.2)	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the applicant proposes to mitigate or limit them	Statement of Engagement (Doc 5.3)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
h)	A statement of reasons and a funding statement (where the application involves any compulsory acquisition)	Statement of Reasons (Doc 4.1) Funding Statement (Doc 4.2)	i)	A land plan identifying:- (i) the land required for, or affected by, the proposed development; (ii) where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land	Land Plan (Doc 2.2)
	Are these of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
j)	A works plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and	Works Plan: (Doc 2.3)	k)	Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	Rights of Way and Streets Access Plan: (Doc 2.4)

	works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order			
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes
l)	Where applicable, a plan with accompanying information identifying:- (i) any statutory/non-statutory sites or features of nature conservation e.g. sites of geological/ landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development	(i) Figures 8.2, 8.3 and 11.1 (Doc 6.3, Part 1 and Part 2) (ii) Figures 3.6a, 8.2, 8.3 and 9.2 (Doc 6.3 Part 1) iii) Figures 9.1 and 9.5 (Doc 6.3 Part 2) Assessments in Chapters 8; 9 and 11 (Doc 6.1). Water Framework Directive Screening Assessment in Appendix 9.2 (Doc 6.2).	m)	Where applicable, a plan with accompanying information identifying any statutory/non-statutory sites or features of the historic environment, (e.g. scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the proposed development
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes

n)	Where applicable, a plan with any accompanying information identifying any Crown land	N/A	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	Existing Site Layout Plan (Doc 2.5) Indicative Site Layout Plan (Doc 2.6) Indicative Elevation Drawing (Doc 2.7) Indicative Gas and Electric Connection Plan (Doc 2.8) Hedgerow Plan (Doc 2.9)
	Is this of a satisfactory standard?	N/A		Are they of a satisfactory standard?	Yes
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Grid Connection Statement (Doc 9.1) Gas Connection Statement (Doc 9.2) Planning Statement (Doc	q)	Any other documents considered necessary to support the application.	Introduction to the Applicant and Guide to the Application (Doc 1.1.0) Introduction to the Applicant and Guide to the Application

		<p>10.1.0) Planning Statement Executive Summary (Welsh) (Doc 10.1.1)</p>			<p>(Welsh) (Doc 1.1.1) Copies of Newspaper Notices (Doc 1.3) Project Glossary (Doc 1.4) Details of other consents and licences required (Doc 5.4) No Significant Effects Report (Doc 5.5) Photographs and Photomontages (Doc 7.1) Plan Identifying Locations of Photographs (Doc 7.2) Index of Photographs (Doc 7.3) Design Principles Statement (Doc 10.2) Statement of Proposed Heads of</p>
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				Terms for an Agreement Pursuant to s106 of the TCPA 1990 (Doc 10.3)
	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?
				Yes
30	Are there any observations in respect of the documents provided above? Yes.			
	<p>Regulation 5(2)(a)</p> <p>It is noted that in the Environmental Statement both the Surface Water Management Plan and the Site Waste Management Plan have been abbreviated to SWMP, which may be confusing to the reader.</p>			
31	Is the application accompanied by a report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the proposed development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by regulation 48(1)? ¹⁵	<p>Yes.</p> <p>A No Significant Effects Report is provided in Doc 5.5.</p> <p>The report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p> <p>Note: the Examining Authority will be able to ask questions during the examination. This may result in additional information being required to inform the HRA report and the competent authority. Depending upon the type and availability of information required, it may not be possible to obtain this during the statutory timetable of the examination.</p>		

¹⁵ Regulation 5(2)(g) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

32	If requested by the Secretary of State, two paper copies of the application form and other supporting documents and plans ¹⁶	Yes
33	Has the applicant had regard to DCLG guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Secretary of State considers satisfactory?	Yes. The application appears to be in general conformity with the Guidance and the Planning Inspectorate is satisfied that the applicant has had regard to the Guidance.
34	Summary - s55(3)(f) and s55(5A)	It is considered that the submitted application generally accords with the requirements of s55(3)(f) having regard to s55(5a) of the PA2008. It is not considered that the issues identified on the checklist are likely to prejudice any persons wishing to take part in the examination, or to prevent an appointed Examining Authority from examining the application within the statutory 6 month period. As such, the application is considered to be of a satisfactory standard and can be accepted.
The Infrastructure Planning (Fees) Regulations 2010 (SI106)		
Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁷ ?	The Application fee (£6,939) was paid on 14 May 2018 before the submission of the application.

¹⁶ Regulation 5(2)(r) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

¹⁷ The Secretary of State must charge the applicant a fee in respect of the decision by the Secretary of State under section 55. If the applicant fails to pay the fee, the Secretary of State need not consider the application until payment is received by the Secretary of State. The fee must be paid at the same time that the application is made.

Electronic Signature	Name	Date
Case Leader	<i>Hefin Jones</i>	21/06/2018
Acceptance Inspector	<i>Kelvin MacDonald</i>	21/06/2018