



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2008 Rhif 502 (Cy.43)

2008 No. 502 (W.43)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

Gorchymyn Cynllunio Gwlad a
Thref (Datblygu Cyffredinol a
Ganiateir) (Diwygio) (Cymru)
2008

The Town and Country Planning
(General Permitted Development)
(Amendment) (Wales) Order
2008

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae Rhan 39 o Atodlen 2 i'r Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) 1995 yn rhoi caniatâd cynllunio mewn perthynas â chodi adeiladau sy'n angenrheidiol at ddibenion cartrefu dofednod ac adar caeth eraill i'w hamddiffyn rhag y fflw adar. Mae graddau a natur y datblygu a ganiateir yn ddarostyngedig i gyfyngiadau. Pan fo Rhan 39 yn gymwys i'r datblygu, nid oes angen unrhyw gais penodol am ganiatâd cynllunio. Mae caniatâd cynllunio yn cael ei roi gan Ran 39 yn ddarostyngedig i nifer o amodau, gan gynnwys amod fod y datblygiad yn cael ei symud ymaith erbyn 21 Mawrth 2008 fan bellaf.

Part 39 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 grants planning permission in respect of the erection of buildings necessary for the purposes of housing poultry and other captive birds to protect them from avian influenza. The extent and nature of the development permitted are subject to limitations. Where Part 39 applies, no specific application for planning permission is needed. Planning permission is granted by Part 39 subject to a number of conditions, including a condition that the development is removed, at the latest, by 21 March 2008.

Mae'r Gorchymyn hwn yn diwygio Rhan 39 drwy ymestyn y dyddiad y mae'n rhaid symud y datblygiad ymaith ar ei gyfer i 21 Mawrth 2009. Mae hefyd yn diwygio Rhan 39 gan ei gwneud yn ofynnol bod y datblygiad yn cael ei symud ymaith cyn gynted ag y bo'n ymarferol ar ôl y dyddiad estynedig.

This Order amends Part 39 by extending the date by which development must be removed to 21 March 2009. It also amends Part 39 by requiring that the development be removed, at the latest, as soon as practicable after the extended date.

Paratowyd Asesiad Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. Gellir cael copïau oddi wrth y Ganolfan Gyhoeddiadau, Llywodraeth Cynulliad Cymru, Parc Cathays, Caerdydd CF10 3NQ.

A regulatory impact assessment has been prepared in relation to this Order. Copies may be obtained from the Publications Centre, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

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2008**

Gwnaed 25 Chwefror 2008

*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 26 Chwefror 2008

Yn dod i rym 21 Mawrth 2008

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 59, 60 a 333(7) o Ddeddf Cynllunio Gwlad a Thref 1990(1) ac sydd bellach wedi'u breinio ynddynt hwy(2) yn gwneud y Gorchymyn a ganlyn—

Enwi, cychwyn a chymhwys.

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) (Diwygio) (Cymru) 2008 a daw i rym ar 21 Mawrth 2008.

(1) 1990 p.8, y mae iddi ddiwygiadau nad ydynt yn berthnasol i'r Gorchymyn hwn.

(2) Mae swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 59, 60 a 333(7), bellach yn arferadwy gan Weinidogion Cymru i'r graddau y maent yn arferadwy o ran Cymru. Cyn hynny fe'u trosglwyddwyd i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 ac Atodlen 1 iddo (O.S. 1999/672): gweler y cofnod yn Atodlen 1 ar gyfer Deddf Cynllunio Gwlad a Thref 1990 fel y'i newidiwyd gan erthygl 4 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 2000 ac Atodlen 3 iddo, (O.S. 2000/253). Yn rhinwedd paragraffau 30 a 32 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32), trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru. Yn rhinwedd Adran 333(4) o Ddeddf 1990, mae'r pwerau a roddwyd gan Adrannau 59, 60 a 333 (7) o Ddeddf 1990 yn arferadwy drwy offeryn statudol.

2008 No. 502 (W.43)

**TOWN AND COUNTRY
PLANNING, WALES**

**The Town and Country Planning
(General Permitted Development)
(Amendment) (Wales) Order
2008**

Made 25 February 2008

*Laid before the National
Assembly for Wales* 26 February 2008

Coming into force 21 March 2008

The Welsh Ministers, in exercise of the powers conferred by sections 59, 60 and 333(7) of the Town and Country Planning Act 1990(1) and now vested in them(2), make the following Order—

Title, commencement and application

1.—(1) The title of this Order is the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2008 and it will come into force on 21st March 2008.

(1) 1990 c.8, to which there are amendments not relevant to this Order.

(2) The functions of the Secretary of State under sections 59, 60 and 333(7) are now exercisable by the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672): see the entry in Schedule 1 for the Town and Country Planning Act 1990 as substituted by article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253). By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32), the functions of the National Assembly for Wales were transferred to the Welsh Ministers. By virtue of Section 333(4) of the 1990 Act, the powers conferred by sections 59, 60 and 333 (7) of the 1990 Act are exercisable by statutory instrument.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

(2) This Order applies in relation to Wales.

Diwygio'r Gorchymyn

2.—(1) Diwygir Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) 1995(1) yn unol â pharagraff (2).

(2) Yn Rhan 39 o Atodlen 2 (amddiffyn dofednod ac adar caeth eraill dros dro)—

- (a) ym mharagraff A.2(c) yn lle "on or before the relevant date" rhodder "as soon as practicable on or after the relevant date"; a
- (b) ym mharagraff A.3, yn y diffiniad o "relevant date" yn lle "2008" rhodder "2009".

Amendment of Order

2.—(1) The Town and Country Planning (General Permitted Development) Order 1995(1) is amended in accordance with paragraph (2).

(2) In Part 39 of Schedule 2 (temporary protection of poultry and other captive birds)—

- (a) in paragraph A.2(c) for "on or before the relevant date" substitute "as soon as practicable on or after the relevant date"; and
- (b) in paragraph A.3, in the definition of "relevant date" for "2008" substitute "2009".

Jane Davidson

Y Gweinidog dros yr Amgylchedd, Cynaliadwyedd a Thai, un o Weinidogion Cymru

Minister for Environment, Sustainability and Housing, one of the Welsh Ministers

25 Chwefror 2008

25 February 2008

(1) O.S. 1995/418; yr offerynnau diwygio perthnasol yw O.S. 1999/293, 2004/3156 (W.273), 2006/1282, 2006/1386 (Cy.136) and 2007/952 (Cy.83).

(1) S.I. 1995/418; relevant amending instruments are S.I. 1999/293, 2004/3156 (W.273), 2006/1282, 2006/1386 (W.136) and 2007/952 (W.83).

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