OFFERYNNAU STATUDOL CYMRU

2008 Rhif 2336 (Cy.199)

CYNLLUNIO GWLAD A THREF, CYMRU

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

Gwnaed - - - -	*31 Awst 2008*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru - -	*2 Medi 2008*
Yn dod i rym - -	*6 Hydref 2008*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 59, 61(1), 62(1) a 333(7) o Ddeddf Cynllunio Gwlad a Thref 1990(**1**) ac sy'n arferadwy bellach gan Weinidogion Cymru(**2**), yn gwneud y Gorchymyn canlynol:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Datblygu Cyffredinol) (Diwygio) (Cymru) 2008.

(2) Daw'r Gorchymyn hwn i rym ar 6 Hydref 2008.

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

Diwygio Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Datblygu Cyffredinol) 1995

2. Diwygir Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Datblygu Cyffredinol) 1995(**3**) yn unol ag erthygl 3 o'r Gorchymyn hwn.

Diwygiadau sy'n ymwneud â materion a gadwyd yn ôl

3.—(1) Yn erthygl 1(2) (dehongli)—

(**1**) 1990 p.8.

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 59, 61(1), 62(1) a 333(7) o Ddeddf Cynllunio Gwlad a Thref 1990, i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo: gweler y cofnod yn Atodlen 1 ar gyfer Deddf Cynllunio Gwlad a Thref 1990 (p.8) fel y'i hamnewidiwyd gan erthygl 4 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 2000 (O.S. 2000/253) ac Atodlen 3 iddo. Mae'r swyddogaethau wedi eu trosglwyddo ar ôl hynny i Weinidogion Cymru gan adran 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraff 30 o Atodlen 11 iddi. Yn rhinwedd adran 333(4) o Ddeddf 1990, mae'r pwerau a roddwyd gan adrannau 59, 61(1), 62(1) a 333(7) o Ddeddf 1990 yn arferadwy drwy offeryn statudol.

(**3**) O.S. 1995/419. Mae diwygiadau perthnasol wedi eu gwneud gan O.S. 1996/525, 2004/1434 (Cy.147) a 2004/3156 (Cy.273).

(a) ar ôl y diffiniad o "the Act" mewnosoder—

""access", in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

"appearance" means the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;";

(b) yn lle'r diffiniad o "landscaping" rhodder—

""landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means, the planting of trees, hedges, shrubs or grass, the formation of banks, terraces or other earthworks, the laying out or provision of gardens, courts or squares, water features, sculpture, or public art, and the provision of other amenity features;";

(c) ar ôl y diffiniad o "landscaping" mewnosoder—

""layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;";

(ch) yn lle'r diffiniad o "reserved matters" rhodder—

""reserved matters", in relation to an outline planning permission, or an application for such permission, means any of the following matters in respect of which details have not been given in the application—

(a) access;

(b) appearance;

(c) landscaping;

(d) layout; and

(e) scale, within the upper and lower limit for the height, width and length of each building stated in the application for planning permission in accordance with article 3(4);";

(d) ar ôl y diffiniad o "reserved matters" mewnosoder—

""scale" means the height, width and length of each building proposed within the development in relation to its surroundings;".

(2) Ar ôl paragraff (2) o erthygl 3 (ceisiadau am ganiatâd cynllunio amlinellol) ychwaneger—

"(3) Where layout is a reserved matter the application for outline planning permission shall state the approximate location of buildings, routes and open spaces included in the development proposed.

(4) Where scale is a reserved matter the application for outline planning permission shall state the upper and lower limit for the height, width and length of each building included in the development proposed.