OFFERYNNAU STATUDOL CYMRU

2007 Rhif 952 (Cy.83)

CYNLLUNIO GWLAD A THREF, CYMRU

Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) (Diwygio) (Cymru) 2007

Wedi'i wneud	- -	*21 Mawrth 2007*
Yn dod i rym	- -	*22 Mawrth 2007*

Mae Cynulliad Cenedlaethol 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 ynddo(**2**), yn gwneud y Gorchymyn a ganlyn—

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) (Diwygio) (Cymru) 2007 a daw i rym ar 22 Mawrth 2007.

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

Diwygio'r Gorchymyn

2.—(1) Mae Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) 1995(**3**) wedi'i ddiwygio yn unol â pharagraff (2) o'r erthygl hon.

(2) Ar ôl Rhan 38 o Atodlen 2 ychwaneger—

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

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 59, 60 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 ac Atodlen 1 iddo (O.S. 1999/672): 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 ac Atodlen 3 iddo (O.S. 2000/253). 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.

(**3**) O.S. 1995/418; yr offerynnau diwygio perthnasol yw O.S. 1999/293, 2004/3156 (Cy.273), 2006/1282 a 2006/1386 (Cy.136).

"PART 39

TEMPORARY PROTECTION OF POULTRY AND OTHER CAPTIVE BIRDS

Class A

Permitted development

A. The erection of a building where that is necessary for the purposes of housing poultry or other captive birds to protect them from avian influenza.

Development not permitted

A.1. Development is not permitted by Class A if—

(a) the development would affect a listed building or its setting;

(b) the height of the building would exceed 12 metres;

(c) where the development is within three kilometres of an aerodrome, the height of the building would exceed three metres;

(d) the area of ground which would be covered by the building would exceed 465 square metres;

(e) where development permitted by Class A is carried out more than once on land in the occupation of a particular person, the aggregate of the area of ground covered by any such development would exceed 465 square metres;

(f) where the development consists of the extension of a building, the area of ground covered by the building as extended would exceed the area of ground covered by the existing building by more than 50 per cent.

Conditions

A.2. Development is permitted by Class A subject to the following conditions—

(a) the development shall not be used for any purpose other than to house poultry or other captive birds to protect them from avian influenza;

(b) the developer shall, as soon as practicable, and in any event no later than 14 days, after commencing development, serve the relevant notice on the local planning authority; and

(c) on or before the relevant date—

(i) any building permitted by Class A shall be removed from the land; and

(ii) the land shall be restored to its condition before the development took place, or restored to such other condition as may be agreed in writing between the local planning authority and the developer.

Interpretation of Class A

A.3. For the purposes of Class A—

"approved body" means a body approved in accordance with Article 2(1)(c) of Directive 92/65/EEC(**4**) laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health

(**4**) OJ Rhif L 268, 14.9.1992, t.54-72.