CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2002 Rhif 1875 (Cy.184)

CYNLLUNIO GWLAD A THREF, CYMRU

Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) (Diwygio) (Cymru) 2002

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn diwygio, mewn perthynas â Chymru, Orchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) 1987 ("y Gorchymyn Dosbarthiadau Defnydd"), sy'n dynodi dosbarthiadau at ddibenion adran 55(2)(f) o Ddeddf Cynllunio Gwlad a Thref 1990. Nid yw newid defnydd o adeilad neu dir arall yn golygu datblygu at ddibenion y Ddeddf os yw'r defnydd newydd a'r defnydd blaenorol, ill dau, o fewn yr un dosbarth penodedig.

Y diwygiad i'r Gorchymyn Dosbarthiadau Defnydd yw eithrio o Ddosbarth B8 (Storio neu ddosbarthu) ddefnydd o adeilad neu dir arall ar gyfer storio neu fel canolfan ddosbarthu ar gyfer deunydd ymbelydrol neu wastraff ymbelydrol (fel y'u diffinnir yn Neddf Sylweddau Ymbelydrol 1993), os yw'r adeilad neu'r tir arall wedi ei leoli yng Nghymru.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2002 No. 1875 (W.184)

TOWN AND COUNTRY PLANNING, WALES

The Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2002

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends, in relation to Wales, the Town and Country Planning (Use Classes) Order 1987 ("the Use Classes Order"), which specifies classes for the purposes of section 55(2)(f) of the Town and Country Planning Act 1990. A change of use of a building or other land does not involve development for the purposes of the Act if the new use and the former use are both within the same specified class.

The amendment to the Use Classes Order is to exclude from Class B8 (Storage or distribution) use of a building or other land for the storage of or as a distribution centre for radioactive material or radioactive waste (as defined in the Radioactive Substances Act 1993), if the building or other land is situated in Wales.

OFFERYNNAU STATUDOL

2002 Rhif 1875 (Cy.184)

CYNLLUNIO GWLAD A THREF, CYMRU

Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) (Diwygio) (Cymru) 2002

Wedi'i wneud	*18 Gorffennaf 2002*
Yn dod i rym	*12 Awst 2002*

Mae Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol"), drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 55(2)(f) a 333(7) o Ddeddf Cynllunio Gwlad a Thref 1990(**a**), ac sydd bellach yn arferadwy gan y Cynulliad Cenedlaethol(**b**), drwy hyn yn gwneud y Gorchymyn canlynol:

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) (Diwygio) (Cymru) 2002 ac mae'n dod i rym ar 12 Awst 2002.

(2) Mae'r Gorchymyn hwn yn gymwys i Gymru.

Diwygio Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) 1987

2.-(1) Mae'r Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) 1987(**c**) yn cael ei ddiwygio fel a ganlyn.

(2) Yn Erthygl 3 (dosbarthiadau defnydd) mewnosodwch:

"(7) Where a building or other land is situated in Wales, class B8 (storage or distribution) does not include use of that building or land for the storage of, or as a distribution centre for,

(a) 1990 p.8.

(b) Trosglwyddwyd pwerau'r Ysgrifennydd Gwladol, i'r graddau y maent yn arferadwy mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan Erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo.

(c) O.S.1987/764. Offerynnau diwygio perthnasol yw O.S. 1991/1567, O.S. 1992/610, O.S. 1992/657, O.S. 1994/724, O.S. 1995/297 ac O.S. 1999/293.

STATUTORY INSTRUMENTS

2002 No. 1875 (W.184)

TOWN AND COUNTRY PLANNING, WALES

The Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2002

Made	*18th July 2002*
Coming into force	*12th August 2002*

The National Assembly for Wales ("the National Assembly"), in exercise of the powers conferred upon the Secretary of State by sections 55(2)(f) and 333(7) of the Town and Country Planning Act 1990(**a**), and now exercisable by the National Assembly (**b**), hereby makes the following Order:

Citation, commencement and application

1.-(1) This Order may be cited as the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2002 and comes into force on 12th August 2002.

(2) This Order applies to Wales.

Amendment to the Town and Country Planning (Use Classes) Order 1987

2.-(1) The Town and Country Planning (Use Classes) Order 1987(**c**) is amended as follows.

(2) In Article 3 (use classes) insert:

"(7) Where a building or other land is situated in Wales, class B8 (storage or distribution) does not include use of that building or land for the storage of, or as a distribution centre for,

(a) 1990 c.8.

(b) The powers of the Secretary of State, insofar as exercisable in relation to Wales, were 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).

(c) S.I. 1987/764. Relevant amending instruments are S.I. 1991/1567, S.I. 1992/610, S.I. 1992/657, S.I. 1994/724, S.I. 1995/297 and S.I. 1999/293.

radioactive material or radioactive waste.

(8) For the purpose of paragraph (7), "radioactive material" and "radioactive waste" have the meanings assigned to those terms in the Radioactive Substances Act 1993(**a**)."

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**b**).

18 Gorffennaf 2002

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

(a) 1993 p.12.

(b) 1998 p.38.

radioactive material or radioactive waste.

(8) For the purpose of paragraph (7), "radioactive material" and "radioactive waste" have the meanings assigned to those terms in the Radioactive Substances Act 1993(**a**)."

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**b**).

18th July 2002

The Deputy Presiding Officer of the National Assembly

(a) 1993 c. 12.

(b) 1998 c. 38.

OFFERYNNAU STATUDOL

2002 Rhif 1875 (Cy.184)

CYNLLUNIO GWLAD A THREF, CYMRU

Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) (Diwygio) (Cymru) 2002

STATUTORY INSTRUMENTS

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TOWN AND COUNTRY PLANNING, WALES

The Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2002

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