
OFFERYNNAU STATUDOL CYMRU

2012 Rhif 792 (Cy.107)

CYNLLUNIO GWLAD A THREF, CYMRU

**Rheoliadau Cynllunio Gwlad a Thref
(Coed) (Diwygio) (Cymru) 2012**

<i>Gwnaed</i> - - - -	<i>10 Mawrth 2012</i>
<i>Gosodwyd gerbron Cynulliad</i>	
<i>Cenedlaethol Cymru</i> - -	<i>13 Mawrth 2012</i>
<i>Yn dod i rym</i> - -	<i>30 Ebrill 2012</i>

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 198(8) a 333(1) o Ddeddf Cynllunio Gwlad a Thref 1990(1) ac sy'n arferadwy bellach ganddynt hwy(2), yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio Gwlad a Thref (Coed) (Diwygio) (Cymru) 2012 a deuant i rym ar 30 Ebrill 2012.

(2) Mae'r Rheoliadau hyn yn gymwys mewn perthynas â'r canlynol—

- (a) ceisiadau a wneir ar 30 Ebrill 2012 neu ar ôl hynny; a
- (b) Cymru.

Diwygio Rheoliadau Cynllunio Gwlad a Thref (Coed) 1999

2.—(1) Mae Rheoliadau Cynllunio Gwlad a Thref (Coed) 1999(3) wedi eu diwygio fel a ganlyn.

(2) Ar ôl rheoliad 9A mewnosoder—

(1) 1990 p.8. Mewnosodwyd adran 198(8) gan [Ddeddf Cynllunio a Phrynu Gorfodol 2004 \(p.5\)](#), adran 42(3). Diwygiwyd adran 333(1) gan [Ddeddf yr Amgylchedd 1995 \(p.25\)](#), adran 78 ac Atodlen 10, paragraff 32(12).

(2) Trosglwyddwyd y swyddogaethau o dan yr adrannau hynny, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 ([O.S. 1999/672](#)). Yn rhinwedd adran 162 o [Ddeddf Llywodraeth Cymru 2006 \(p.32\)](#), a pharagraff 30 o Atodlen 11 iddi, mae'r swyddogaethau hynny bellach yn arferadwy gan Weinidogion Cymru.

(3) [O.S. 1999/1892](#), y mae diwygiadau iddo nad ydynt yn berthnasol i'r offeryn hwn.

“Applications for consent under tree preservation order: Wales

9B.—(1) Subject to the following provisions of this regulation, an application for consent to the cutting down, topping, lopping or uprooting of any tree in respect of which an order is for the time being in force must—

- (a) be made in writing to the authority—
 - (i) on a form published by the Welsh Ministers for the purpose of proceedings under these Regulations; or
 - (ii) where the authority has consented to applications being made electronically, on a form published electronically by the Welsh Ministers and provided to the applicant using electronic communication for that purpose;
- (b) include the particulars specified in the form;
- (c) be accompanied, whether electronically or otherwise by—
 - (i) a plan which identifies the tree or trees to which the application relates;
 - (ii) such information as is necessary to specify the work for which consent is sought;
 - (iii) a statement of the applicant’s reasons for making the application; and
 - (iv) appropriate evidence describing any structural damage to property or in relation to tree health or safety, as applicable.

(2) Where an application is made using electronic communication, the applicant is taken to have agreed—

- (a) to the use of such communication by the authority for the purposes of the application;
- (b) that the applicant’s address for those purposes is the address incorporated into, or otherwise logically associated with, the application; and
- (c) that deemed agreement under this paragraph will subsist until the applicant gives notice in writing—
 - (i) withdrawing any address notified to the authority for that purpose; or
 - (ii) revoking that deemed agreement,

and such withdrawal or revocation will be final and must take effect on the date specified by the applicant in the notice being not less than seven days after the date on which the notice is given.”.

(3) In the Schedule (form of tree preservation order)—

- (a) omit article 6 (applications for consent under the order); and
- (b) in article 9(4)(b) for the words “statement of reasons” to “such statement” substitute “application and the documents and particulars accompanying it”.

10 Mawrth 2012

John Griffiths
Gweinidog yr Amgylchedd a Datblygu
Cynaliadwy, un o Weinidogion Cymru

EXPLANATORY NOTE

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

Mae Rheoliadau Cynllunio Gwlad a Thref (Coed) 1999 (“Rheoliadau 1999”) yn gwneud darpariaeth, ymhlith pethau eraill, ar gyfer ffurf gorchmynion cadw coed ac ar gyfer ceisiadau am gydsyniad i wneud gwaith ar goed sy'n ddarostyngedig i orchymyn.

Mae rheoliad 2(2) o'r Rheoliadau hyn yn mewnosod rheoliad 9B newydd yn Rheoliadau 1999 i wneud darpariaeth ar gyfer ffurf a chynnwys ceisiadau am gydsyniad ar gyfer gweithio ar goed yng Nghymru. Mae diwygiadau canlyniadol yn cael eu gwneud i'r Atodlen i Rheoliadau 1999 gan reoliad 2(3).

Paratowyd asesiad effaith mewn perthynas â'r Rheoliadau hyn. Gellir cael copïau gan: Y Gyfarwyddiaeth Gynllunio, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac ar-lein yn www.cymru.gov.uk.