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WELSH STATUTORY
INSTRUMENTS

2020 Rhif 1004 (Cy. 223)

2020 No. 1004 (W. 223)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

Gorchymyn Ceisiadau Cynllunio
(Addasiadau a Datgymhwyso Dros
Dro) (Rhif 2) (Cymru)
(Coronafeirws) 2020

The Planning Applications
(Temporary Modifications and
Disapplication) (No. 2) (Wales)
(Coronavirus) Order 2020

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 ("Gorchymyn 2012") a Gorchymyn Datblygiadau o Arwyddocâd Cenedlaethol (Gweithdrefn) (Cymru) 2016 ("Gorchymyn 2016"). Mae'n diwygio darpariaethau yn y Gorchymynion hynny er mwyn estyn y cyfnod pan fo gofynion penodol wedi eu haddasu neu eu datgymhwyso.

Mae erthygl 2 yn diwygio erthygl 2G(2)(b) o Orchymyn 2012 er mwyn estyn cyfnod yr argyfwng pan fo'r gofynion cyhoeddusrwydd a hysbysu ar gyfer ymgynghori cyn ymgeisio wedi eu haddasu. Mae hefyd yn estyn cyfnod yr argyfwng at ddibenion yr amser sydd gan gynghorau cymuned i wneud sylwadau ar geisiadau yr hysbysir hwy amdanynt. Daw cyfnod yr argyfwng i ben ar 8 Ionawr 2021.

Mae erthygl 3 yn diwygio erthygl 12(6A)(b) o Orchymyn 2016 er mwyn estyn y cyfnod pan na fo copiâu caled o geisiadau ar gyfer datblygiadau o arwyddocâd cenedlaethol yn ofynnol. Daw'r cyfnod hwnnw i ben ar 8 Ionawr 2021.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac ar wefan Llywodraeth Cymru ar www.llyw.cymru.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 ("the 2012 Order") and the Developments of National Significance (Procedure) (Wales) Order 2016 ("the 2016 Order"). It amends provisions in those Orders to extend the period during which certain requirements are modified or disappplied.

Article 2 amends article 2G(2)(b) of the 2012 Order to extend the emergency period during which the publicity and notice requirements for pre-application consultation are modified. It also extends the emergency period for the purposes of the time which community councils have to make representations on applications notified to them. The emergency period ends on 8 January 2021.

Article 3 amends article 12(6A)(b) of the 2016 Order to extend the period during which hard copies of applications for developments of national significance are not required. That period ends on 8 January 2021.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Welsh Government at Cathays Park, Cardiff, CF10 3NQ and is published on the Welsh Government website at www.gov.wales.

2020 Rhif 1004 (Cy. 223)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**Gorchymyn Ceisiadau Cynllunio
(Addasiadau a Datgymhwysu Dros
Dro) (Rhif 2) (Cymru)
(Coronafeirws) 2020**

Gwnaed 16 Medi 2020
Gosodwyd gerbron Senedd Cymru 17 Medi 2020
Yn dod i rym 18 Medi 2020

2020 No. 1004 (W. 223)

**TOWN AND COUNTRY
PLANNING, WALES**

**The Planning Applications
(Temporary Modifications and
Disapplication) (No. 2) (Wales)
(Coronavirus) Order 2020**

Made 16 September 2020
Laid before Senedd Cymru 17 September 2020
Coming into force 18 September 2020

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 61Z(8) a (9), 62(11), 62R a 333(4B) o Ddeddf Cynllunio Gwlad a Thref 1990(1), a thrwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 59, 62(1) a (2), 71(1), (2)(a) a (2A) a 333(7) o'r Ddeddf honno(2) sydd bellach yn arferadwy ganddynt hwy(3) (fel y'u cymhwysir yn

The Welsh Ministers, in exercise of the powers conferred on them by sections 61Z(8) and (9), 62(11), 62R and 333(4B) of the Town and Country Planning Act 1990(1), and in exercise of the powers conferred on the Secretary of State by sections 59, 62(1) and (2), 71(1), (2)(a) and (2A) and 333(7) of that Act(2) now exercisable by them(3) (as applied in the case of

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- (1) 1990 p. 8. Mewnosodwyd adran 61Z gan adran 17(2) o Ddeddf Cynllunio (Cymru) 2015 (decc 4) ("Deddf 2015"). Mewnosodwyd adran 62(11) gan adran 17(3) o Ddeddf 2015 (gweler hefyd adran 59(4) o Ddeddf Cynllunio Gwlad a Thref 1990 ("Deddf 1990") (y cyfeirir ati yn y troednodyn nesaf) sy'n darparu mai ystyr gorchymyn datblygu mewn perthynas â Chymru yw gorchymyn datblygu a wneir gan Weinidogion Cymru). Mewnosodwyd adran 62R gan adran 25 o Ddeddf 2015. Amnewidiwyd adran 333(4B) gan adran 55 o Ddeddf 2015 a pharagraff 6(3) o Atodlen 7 iddi. Mae diwygiadau eraill nad ydynt yn berthnasol i'r offeryn hwn.
- (2) Diwygiwyd adran 59(2) gan adran 1 o Ddeddf Twf a Seilwaith 2013 (p. 27) a pharagraff 4 o Atodlen 1 iddi, a chan adran 27 o Ddeddf 2015 a pharagraff 3 o Atodlen 4 iddi. Mewnosodwyd adran 59(4) gan adran 55 o Ddeddf 2015 a pharagraff 5 o Atodlen 7 iddi. Gweler adran 71(4) am ystyr "prescribed". Diwygiwyd adran 71 gan adran 16(2) o Ddeddf Cynllunio a Digolledu 1991 (p. 34). Mae diwygiadau eraill nad ydynt yn berthnasol i'r offeryn hwn.
- (3) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, 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); gweler y cofnod yn Atodlen 1 ar gyfer Deddf 1990. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraffau 30 a 32 o Atodlen 11 iddi.

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- (1) 1990 c. 8. Section 61Z was inserted by section 17(2) of the Planning (Wales) Act 2015 (anaw 4) ("the 2015 Act"). Section 62(11) was inserted by section 17(3) of the 2015 Act (see also section 59(4) of the Town and Country Planning Act 1990 ("the 1990 Act") (referred to in the next footnote) which provides a development order in relation to Wales means a development order made by the Welsh Ministers). Section 62R was inserted by section 25 of the 2015 Act. Section 333(4B) was substituted by section 55 of, and paragraph 6(3) of Schedule 7 to, the 2015 Act. There are other amendments which are not relevant to this instrument.
- (2) Section 59(2) was amended by section 1 of, and paragraph 4 of Schedule 1 to, the Growth and Infrastructure Act 2013 (c. 27) and by section 27 of, and paragraph 3 of Schedule 4 to, the 2015 Act. Section 59(4) was inserted by section 55 of, and paragraph 5 of Schedule 7 to, the 2015 Act. For the meaning of "prescribed" see section 71(4). Section 71 was amended by section 16(2) of the Planning and Compensation Act 1991 (c. 34). There are other amendments which are not relevant to this instrument.
- (3) The functions of the Secretary of State so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry in Schedule 1 for the 1990 Act. The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 30 and 32 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

achos adran 62(1) gydag addasiadau gan Orchymyn Datblygiadau o Arwyddocâd Cenedlaethol (Cymhwysio Deddfiadau) (Cymru) 2016(1)), yn gwneud y Gorchymyn a ganlyn.

Enwi a chychwyn

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Ceisiadau Cynllunio (Addasiadau a Datgymhwysio Dros Dro) (Rhif 2) (Cymru) (Coronafeirws) 2020.

(2) Daw'r Gorchymyn hwn i rym ar 18 Medi 2020.

Ymgynghori cyn ymgeisio: rhoi gwybodaeth ar gael

2.—(1) Mae Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012(2) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2G(2)(b), yn lle “gyda 18 Medi 2020” rhodder “gydag 8 Ionawr 2021”.

Datblygiadau o arwyddocâd cenedlaethol: gwneud ceisiadau

3.—(1) Mae Gorchymyn Datblygiadau o Arwyddocâd Cenedlaethol (Gweithdrefn) (Cymru) 2016(3) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 12(6A)(b), yn lle “gyda 18 Medi 2020” rhodder “gydag 8 Ionawr 2021”.

section 62(1) with modifications by the Development of National Significance (Application of Enactments) (Wales) Order 2016(1)), make the following Order.

Title and commencement

1.—(1) The title of this Order is the Planning Applications (Temporary Modifications and Disapplication) (No. 2) (Wales) (Coronavirus) Order 2020.

(2) This Order comes into force on 18 September 2020.

Pre-application consultation: making information available

2.—(1) The Town and Country Planning (Development Management Procedure) (Wales) Order 2012(2) is amended as follows.

(2) In article 2G(2)(b), for “18 September 2020” substitute “8 January 2021”.

Developments of national significance: making applications

3.—(1) The Developments of National Significance (Procedure) (Wales) Order 2016(3) is amended as follows.

(2) In article 12(6A)(b), for “18 September 2020” substitute “8 January 2021”.

Julie James

Y Gweinidog Tai a Llywodraeth Leol, un o Weinidogion Cymru
16 Medi 2020

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Minister for Housing and Local Government, one of the Welsh Ministers
16 September 2020

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(1) O.S. 2016/54 (Cy. 24).

(2) O.S. 2012/801 (Cy. 110), a ddiwygiwyd gan O.S. 2016/59 (Cy. 29), O.S. 2017/567 (Cy. 136) ac O.S. 2020/514 (Cy. 121); mae offerynnau diwygio eraill ond nid oes yr un ohonynt yn berthnasol.

(3) O.S. 2016/55 (Cy. 25), a ddiwygiwyd gan O.S. 2020/514 (Cy. 121); mae offerynnau diwygio eraill ond nid oes yr un ohonynt yn berthnasol.

(1) S.I. 2016/54 (W. 24).

(2) S.I. 2012/801 (W. 110), amended by S.I. 2016/59 (W. 29), S.I. 2017/567 (W. 136) and S.I. 2020/514 (W. 121); there are other amending instruments but none is relevant.

(3) S.I. 2016/55 (W. 25), amended by S.I. 2020/514 (W. 121); there are other amending instruments but none are relevant.

£4.90

W202009161010 09/2020

<http://www.legislation.gov.uk/id/wsi/2020/1004>

ISBN 978-0-348-20619-7



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