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Llywodraeth Cymru  
Welsh Government

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Llywodraeth Cymru

## Nodyn Cyfarwyddyd

### Hawliau Datblygu a Ganiateir ar gyfer:

Datblygiadau Diwydiannol a Stordai  
Ysgolion, Colegau, Prifysgolion ac Ysbytai  
Swyddfeydd  
Siopau a Gwasanaethau Ariannol a Phroffesiynol

Dyddiad cyhoeddi: **Ebrill 2014**



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# 1. CYFLWYNIAD

- 1.1 Mae'r ddogfen hon yn rhoi arweiniad ynghylch y prif newidiadau i Orchymyn Cynllunio Gwlad a Thref 1995 (Datblygu Cyffredinol a Ganiateir); fel y'i cyflwynwyd gan Orchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) (Cymru) (Diwygio) 2014. Eto i gyd, nid yw'n ddehongliad awdurdodol o'r gyfraith, mae hynny'n fater i'r llysoedd.
- 1.2 Mae'r Gorchymyn Datblygu Cyffredinol a Ganiateir yn rhoi caniatâd cynllunio ar gyfer rhai dosbarthiadau o ddatblygiad. Gall y "datblygiad a ganiateir" hwn gael ei gyflawni heb yr angen am gais cynllunio.
- 1.3 Mae'r Gorchymyn Diwygio:
- yn gwneud newidiadau i Ran 8 o Atodlen 2 i'r Gorchymyn Datblygu Cyffredinol a Ganiateir (Datblygiad Diwydiannol a Warysau) - mae Rhan 8 Dosbarthiadau B a D heb eu newid ers Gorchymyn Datblygu Cyffredinol a Ganiateir 1995
  - yn darparu mwy o hyblygrwydd ar gyfer arwynebedd llawr B8 (mangreodded storio a dosbarthu) i newid i ac o ddeunyddiau diwydiannol eraill heb fod angen caniatâd cynllunio
  - yn gwneud newidiadau i Ran 32 Atodlen 2 i'r Gorchymyn Gweithdrefn Ddatblygu Cyffredinol (Ysgolion, Colegau, Prifysgolion ac Ysbytai);
  - yn cyflwyno hawliau datblygu a ganiateir newydd ar gyfer adeiladau swyddfa yn Rhan 41 Atodlen 2 i'r Gorchymyn Gweithdrefn Ddatblygu Cyffredinol;
  - yn cyflwyno Gorchymynion Gweithdrefn Ddatblygu Cyffredinol newydd ar gyfer siopau a gwasanaethau ariannol a phroffesiynol yn Rhan 42 Atodlen 2 i'r Gorchymyn Gweithdrefn Ddatblygu Cyffredinol; ac
  - yn darparu Gorchymynion Gweithdrefn Ddatblygu Cyffredinol newydd ar gyfer cyfleusterau storio sbwriel /beiciau sy'n gysylltiedig â Rhannau 8, 32, 41 a 42 y Gorchymyn Gweithdrefn Ddatblygu Cyffredinol
- 1.4 Er mwyn elwa ar Orchymynion Gweithdrefn Ddatblygu Cyffredinol, rhaid i gynnig:
- (a) fod o fewn y disgrifiad o Ddosbarth Datblygu perthnasol;
  - (b) gydymffurfio â holl gyfyngiadau'r Dosbarth Datblygu; a
  - (c) chael ei wneud yn unol ag unrhyw amodau sy'n gymwys i'r Dosbarth Datblygu.
- 1.5 Gallai awdurdodau cynllunio lleol ddileu rhai Gorchymynion Gweithdrefn Ddatblygu Cyffredinol trwy gyhoeddi cyfarwyddiadau "Erthygl 4". Gall Gorchymynion Gweithdrefn Ddatblygu Cyffredinol gael eu dileu hefyd gan amodau sydd ynghlwm wrth ganiatâd cynllunio sy'n ymwneud â mangre neu safle penodol.

- 1.6 Os oes unrhyw amheuaeth a fyddai cynnig yn ddatblygiad a ganiateir, dylid gofyn am gyngor gan yr awdurdod cynllunio lleol perthnasol (ACLI).

### Diffiniadau Cyffredinol

- 1.7 Caiff y termau canlynol eu defnyddio yn y nodyn cyfarwyddyd hwn:

- Mae “adeilad”, fel y’i diffinnir gan erthygl 1(2) o’r Gorchymyn Datblygu Cyffredinol a Ganiateir, yn cynnwys unrhyw ran o adeilad a hefyd unrhyw strwythur neu waith codi, ond nid yw’n cynnwys peiriannau, cyfarpar, clwydi, ffensys, waliau neu ddulliau amgáu eraill.
- Mae “gwreiddiol”, fel y’i diffinnir gan erthygl 1(2) o’r Gorchymyn Datblygu Cyffredinol a Ganiateir yn golygu: ar gyfer adeiladau a adeiladwyd cyn 1 Gorffennaf 1948 - yr adeilad ar y dyddiad hwnnw; ar gyfer adeiladau a adeiladwyd ar 1 Gorffennaf 1948 neu ar ôl hynny - yr adeilad ar y ffurf y’i hadeiladwyd.
- “tir erthygl 1(5) – yn y cyd-destun hwn, mae’n cyfeirio at dir o fewn Parc Cenedlaethol, ardal o harddwch naturiol eithriadol ac ardaloedd cadwraeth.
- “Safle Treftadaeth y Byd” – eiddo sy’n ymddangos ar Restr Treftadaeth y Byd a gedwir o dan erthygl 11(2) o Gonfensiwn 1972 UNESCO ar gyfer Diogelu Treftadaeth Ddiwylliannol a Naturiol y Byd.

## 2. RHAN 8: DATBLYGIAD DIWYDIANNOL A WARYSAU

### Rhan 8 Dosbarth A

#### *Permitted development*

*A. The erection, extension, or alteration of an industrial building or a warehouse.*

#### *Development not permitted*

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

- (a) the height of any part of the new building erected would exceed—*
  - (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;*
  - (ii) in all other cases, the height of the highest building within the curtilage of the premises or 15 metres, whichever is lower;*
- (b) the height of the building as extended or altered would exceed—*
  - (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;*
  - (ii) in all other cases, the height of the building being extended or altered;*
- (c) any part of the development would be within 5 metres of any boundary of the curtilage of the premises;*
- (d) the gross floor space of any new building erected would exceed 100 square metres;*
- (e) the gross floor space of the original building would be exceeded by more than—*
  - (i) 10% in respect of development on any article 1(5) land or within a World Heritage Site, or 25% in any other case; or*
  - (ii) 500 square metres in respect of development on any article 1(5) land or within a World Heritage Site, or 1,000 square metres in any other case; whichever is the lesser;*
- (f) the development would lead to a reduction in the space available for the parking or turning of vehicles; or*
- (g) the development would be within the curtilage of a listed building*

## Y Prif Newidiadau

- 2.1 O safbwynt Rhan 8 Dosbarth A, y prif newidiadau sy'n deillio o'r Gorchymyn Diwygio yw:
- Lwfans ar gyfer adeiladau newydd yn ogystal ag estyniadau ac addasiadau;
  - Terfynau o safbwynt datblygu a ganiateir yn seiliedig ar arwynebedd yn hytrach na chyfanswm;
  - Rheolaeth dros raddfa ac ymddangosiad datblygiadau o fewn Safleoedd Treftadaeth y Byd a thir erthygl 1(5).

## Adeiladau newydd

- 2.2 Mae cyfyngiadau penodol sy'n ymwneud ag adeiladau Rhan 8 newydd fel a ganlyn:
- A.1 (a) (i): os o fewn 10 metr i ffin cwrttil y fangre, ni ddylai fod yn uwch na 5 metr
  - A.1 (a) (ii): ym mhob achos arall ni ddylai fod yn uwch na'r adeilad uchaf yng nghwrttil y fangre neu 15 metr, pa un bynnag yw'r isaf
  - A.1 (d): ni ddylai arwynebedd llawr gros unrhyw adeilad newydd fod yn fwy na 100 metr sgwâr

## Estyniadau neu addasiadau

- 2.3 Mae estyniadau neu addasiadau Rhan 8 yn cael eu cyfyngu gan y cyfyngiadau penodol canlynol:
- A.1 (b) (i): os o fewn 10 metr o ffin cwrttil y fangre, ni ddylent fod yn uwch na 5 metr
  - A.1 (b) (ii): ym mhob achos arall, ni ddylent fod yn uwch nag uchder yr adeilad sy'n cael ei ymestyn neu ei addasu;

## Cyfyngiadau sy'n berthnasol i adeiladau newydd ac ymestyn neu addasu adeiladau presennol

- 2.4 Rhaid cydymffurfio â'r cyfyngiadau canlynol, yn ychwanegol at y cyfyngiadau penodol ar gyfer adeiladau newydd, estyniadau ac addasiadau:
- A.1 (c): dim datblygiad o fewn 5 metr o unrhyw ffin cwrttil y fangre
  - A.1 (e): ni ddylai arwynebedd llawr gros yr adeilad gwreiddiol gael ei ragori o
    - (i) 10% mewn perthynas â datblygu unrhyw dir erthygl 1(5) neu Safleoedd Treftadaeth y Byd, neu 25% mewn unrhyw achos arall, neu

- (ii) 500 metr sgwâr o ran datblygu unrhyw dir erthygl 1(5) neu Safleoedd Treftadaeth y Byd, neu 1,000 metr sgwâr mewn unrhyw achos arall, pa un bynnag yw'r lleiaf
- A.1 (f): ni ddylai'r datblygiad arwain at ostyngiad yn yr arwynebedd sydd ar gael ar gyfer parcio neu droi cerbydau o amgylch
- A.1 (g): ni chaniateir datblygiad o fewn cwrtil adeilad rhestredig

### Pwynt o eglurhad

2.5 Mae'r amod yn A.1 (e) yn gosod lwfans cyffredinol yr arwynebedd ar gyfer datblygu o dan Ran 8.

2.6 Er enghraifft, os yw'r adeilad gwreiddiol (gweler A.3 "Dehongli" ar gyfer diffiniad o "gwreiddiol") yn 1,000 metr sgwâr o ran maint, ac nid yw wedi ei leoli ar dir erthygl 1(5) neu o fewn Safle Treftadaeth y Byd, uchafswm yr arwynebedd llawr gros ychwanegol a ganiateir o dan Ran 8 yw 250 metr sgwâr. Mae'r cyfrifiad yn cael ei ddangos isod:

Arwynebedd llawr gros yr adeilad gwreiddiol = 1,000 metr sgwâr

25% o arwynebedd llawr gros yr adeilad gwreiddiol, A.1 (e) (i) = 250 metr sgwâr

A.1 (e) (ii) lwfans = 1,000 metr sgwâr

Y ffigur is, gan gymharu A.1 (e) (i) a A.1 (e) (ii) = 250 metr sgwâr

2.7 Yn yr enghraifft uchod, uchafswm yr arwynebedd llawr newydd ac estynedig a ganiateir o dan Ran 8 Dosbarth A yw 250 metr sgwâr gros. Ni all unrhyw adeilad newydd a adeiladwyd o dan Ran 8 Hawliau Datblygu a Ganiateir fod yn fwy na 100 metr sgwâr gros (A.1 (d)).

### *Conditions*

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

- (a) the development must be within the curtilage of an existing industrial building or warehouse;**
- (b) any building as erected, extended, or altered may only be used—**
  - (i) in the case of an industrial building, for the carrying out of an industrial process for the purposes of the undertaking, for research and development of products or processes, or the provision of employee facilities ancillary to the undertaking;**
  - (ii) in the case of a warehouse, for storage or distribution for the purposes of the undertaking or the provision of employee facilities ancillary to the undertaking;**
- (c) no building as erected, extended or altered may be used to provide employee facilities—**



- (i) *between 7.00 pm and 6.30 am, for employees other than those present at the premises of the undertaking for the purpose of their employment, or*
- (ii) *at all, if a notifiable quantity of a hazardous substance is present at the premises of the undertaking;*
- (d) *any new building erected must, in the case of article 1(5) land or land within a World Heritage Site, be constructed using materials which have a similar external appearance to those used for the existing industrial building or warehouse; and*
- (e) *any extension or alteration must, in the case of article 1(5) land or land within a World Heritage Site, be constructed using materials which have a similar external appearance to those used for the building being extended or altered.*

## **"Cyfleusterau Gweithwyr a Sylweddau Peryglus"**

- 2.8 Mae Rhan 8 amod A.2 (c) (i) a (ii) yn parhau i fod yr un fath â Gorchymyn 1995. Effaith c (i) yw cyfyngu ar y defnydd o gyfleusterau dros nos, megis ffreuterau, i'w defnyddio gan weithwyr sy'n gweithio ar y safle.
- 2.9 O ran c (ii) "maint hysbysadwy" sylwedd peryglus yw fel y nodir yn Atodlen 1 Rheoliadau Cynllunio (Sylweddau Peryglus) 1992, fel y'u diwygiwyd.

## **"Ymddangosiad allanol tebyg"**

- 2.10 Er mwyn sicrhau nad yw datblygiad yn cael effaith andwyol ar gymeriad ac ymddangosiad tir erthygl 1(5) neu Safleoedd Treftadaeth y Byd, bydd angen i unrhyw adeilad newydd, estyniad neu addasiad i adeilad gael ei adeiladu gan ddefnyddio deunyddiau sydd â golwg allanol tebyg i'r deunyddiau presennol.
- 2.11 Mae hyn yn golygu y dylai deunyddiau fod o ymddangosiad gweledol tebyg i'r rhai mewn adeiladau presennol ond nid yw'n golygu bod angen iddynt fod yn yr un deunydd neu'n cyfateb yn union. Er enghraifft:
- dylai waliau allanol gael eu hadeiladu o ddeunyddiau sy'n darparu ymddangosiad gweledol tebyg, o ran lliw ac arddull y deunydd a ddefnyddir, i'r deunyddiau sy'n ffurfio waliau'r adeilad diwydiannol neu'r warws presennol;
  - dylai toeon ar ongl gael eu cladio mewn deunyddiau sy'n rhoi ymddangosiad gweledol tebyg i'r rhai hynny a ddefnyddir ar y to presennol. Ni fydd toeon fflat fel arfer yn cael unrhyw effaith weledol ac felly ni fydd yr angen am ddeunyddiau o edrychiad tebyg yn berthnasol.
- 2.12 Lle mae mwy nag un adeilad gwreiddiol ar safle, yna dylai unrhyw adeilad newydd fod yn debyg o ran ymddangosiad i o leiaf un o'r adeiladau gwreiddiol. Dylai'r deunyddiau a ddefnyddir mewn estyniadau fod ag ymddangosiad tebyg

i'r adeilad y mae'r estyniad yn estyn ohono.

### *Interpretation of Class A*

#### *A.3 For the purposes of Class A—*

- (a) where two or more original buildings are within the same curtilage and are used for the same undertaking, they are to be treated as a single original building in making any measurement;*
- (b) “original building” does not include any building erected at any time under Class A; and*
- (c) “employee facilities” means social, care or recreational facilities provided for employees of the undertaking, including crèche facilities provided for the children of such employees.*

## **"Cyfleusterau Ymchwil a Datblygu"**

- 2.13 Mae'r diffiniad o "adeilad diwydiannol" bellach yn cynnwys ymchwil a datblygu (gweler Rhan 8 Dosbarth F). Felly, mae'r Hawliau Datblygu a Ganiateir y darperir ar eu cyfer gan Rhan 8 (Dosbarth A, C a E) y Gorchymynion Datblygu Cyffredinol a Ganiateir yn awr yn ymwneud â chyfleusterau ymchwil a datblygu yn ogystal â defnyddiau yn ymwneud â diwydiant a warysau.

### **Rhan 8 Dosbarth B**

- 2.14 Nid yw'r Gorchymyn Diwygio yn effeithio ar Ran 8, Dosbarth B, ac mae mewn grym o hyd fel a ganlyn.

#### *Class B*

##### *Permitted development*

*B. Development carried out on industrial land for the purposes of an industrial process consisting of—*

- (a) the installation of additional or replacement plant or machinery,*
- (b) the provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus, or*
- (c) the provision, rearrangement or replacement of a private way, private railway, siding or conveyor.*

##### *Development not permitted*

*B.1 Development described in Class B(a) is not permitted if—*

- (a) it would materially affect the external appearance of the premises of the undertaking concerned; or*
- (b) any plant or machinery would exceed a height of 15 metres above ground level or the height of anything replaced, whichever is the greater.*

### *Interpretation of Class B*

*B.2 In Class B, “industrial land” means land used for the carrying out of an industrial process, including land used for the purposes of an industrial undertaking as a dock, harbour or quay but does not include land in or adjacent to and occupied together with a mine.*

## **Rhan 8 Dosbarth C (arwynebau caled)**

### *Class C*

#### *Permitted development*

##### *C. Development consisting of—*

- (a) the provision of a hard surface within the curtilage of an industrial building or warehouse to be used for the purpose of the undertaking concerned; or*
- (b) the replacement in whole or in part of such a surface.*

#### *Development not permitted*

*C.1 Development is not permitted by Class C if the development would be within the curtilage of a listed building.*

#### *Conditions*

*C.2 Development is permitted by Class C subject to the condition that the hard surface must be—*

- (a) porous or permeable; or*
- (b) provided to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the industrial building or warehouse; and*
- (c) permanently maintained so that it continues to comply with the requirements of paragraph (a) and (b).*

## **Crynodeb o Ddull Polisi Dosbarth C**

2.15 Mae'r cyfyngiadau yn Nosbarth C wedi cael eu cyflwyno oherwydd pryderon y gallai arwyneb anhydraidd gynyddu swm a chyflymder dŵr sy'n mynd i mewn i'r system draenio, gan arwain at fwy o berygl o lifogydd. Yn ogystal, gallai dŵr wyneb wedi'i halogi o safleoedd o'r fath gyfrannu at lygru dŵr wyneb a dŵr daear os na chânt eu rheoli'n briodol.

2.16 Mae Dosbarth C yn caniatáu i wyneb caled newydd gael ei osod, neu i arwyneb caled presennol gael ei ddisodli, o fewn cwrttil adeilad diwydiannol neu warws, yn amodol ar y meini prawf canlynol:

- ni chaniateir unrhyw ddatblygiad o fewn cwrttil adeilad rhestredig

- mae'n rhaid i'r arwyneb caled naill ai fod:
  - (i) yn fân-dyllog neu yn hydraidd neu;
  - (ii) wedi'i osod i gyfarwyddo dŵr ffo o ddŵr wyneb i ardal fân-dyllog neu hydraidd o fewn cwrtil y fangre; ac
  - (iii) yn cael ei gynnal yn barhaol i barhau i gydymffurfio ag amodau (i) a (ii).

### Canllawiau Presennol

2.17 Cynhyrchwyd canllawiau ynghylch y defnydd o arwynebau mân-dyllog a hydraidd gan yr Adran Cymunedau a Llywodraeth Leol ac Asiantaeth yr Amgylchedd. Er bod y canllawiau yn ymdrin yn benodol â gosod pafin ar erddi ffrynt, gellir cymhwyso'r egwyddorion at arwynebau caled yn gyffredinol. Mae Adran 6 y canllawiau yn rhoi rhestr o sefydliadau a allai roi cyngor a gwybodaeth bellach. Mae "Guidance on the permeable surfacing of front gardens" ar gael yn:

<https://www.gov.uk/government/publications/permeable-surfacing-of-front-gardens-guidance>

### Halogi Dŵr Daear

2.18 Dylai datblygwyr fod yn ymwybodol er nad oes angen caniatâd cynllunio ar gyfer gwaith, fod yn rhaid cydymffurfio o hyd gydag unrhyw reoliadau amgylcheddol perthnasol. Yn benodol, dylai datblygwyr fod yn ymwybodol o reoliadau amgylcheddol sy'n ymwneud â halogi dŵr daear.

### Rheoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2010

2.19 Rhoddir Canllawiau ar Drwyddedu Amgylcheddol, fel y maent yn berthnasol i ddŵr daear, mewn dogfen a gynhyrchwyd gan DEFRA a Llywodraeth Cymru:

Cyfarwyddyd Trwyddedu Amgylcheddol ar gyfer Gweithgareddau Dŵr Daear, ar gyfer Rheoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2010

<http://www.environment-agency.gov.uk/business/topics/water/117529.aspx>

Mae'r arweiniad yn nodi "Mae'n drosedd achosi gweithgaredd dŵr daear neu ganiatáu gweithgaredd felly yn wybodus oni bai ei fod wedi ei awdurdodi gan drwydded neu wedi'i gofrestru fel eithriedig". Mae'r term "gweithgaredd dŵr daear" yn cael ei ddiffinio yn y nodyn cyfarwyddyd ac yn cynnwys:

- "gollwng llygrydd sy'n arwain at neu a allai arwain at fewnbwn uniongyrchol neu anuniongyrchol i ddŵr daear" ac
- "unrhyw ollyngiad arall a allai arwain at fewnbwn uniongyrchol neu anuniongyrchol gan lygrydd i ddŵr ddaear"

2.20 Gallai datblygwyr hefyd ystyried bod y dogfennau canlynol o gymorth wrth asesu risg halogi dŵr daear:

Canllawiau Atal Llygredd: PPG 1 - Deall eich cyfrifoldebau amgylcheddol - arfer amgylcheddol da, Asiantaeth yr Amgylchedd, Gorffennaf 2013  
2013

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Canllawiau Atal Llygredd: PPG 3 - Defnyddio a dylunio gwahanyddion olew mewn systemau draenio dŵr wyneb, Asiantaeth yr Amgylchedd, Ebrill 2006  
<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Diogelu Dŵr Daear: egwyddorion ac arfer (GP3), Asiantaeth yr Amgylchedd, Awst 2013  
<http://www.environment-agency.gov.uk/research/library/publications/144346.aspx>

- 2.21 Gall y technegau a hyrwyddir yn Rhan 8 Dosbarth C, amod C.2, helpu i liniaru llygru dŵr daear. Mae Canllawiau Atal Llygredd: PPG 3, a gyhoeddwyd gan reoleiddwyr amgylcheddol y DU, yn nodi y gall arwynebau hydraiddd wedi'u cynllunio'n briodol fod yn effeithiol o ran rheoli llygredd yn agos at ffynhonnell, yn enwedig wrth drin dŵr ffo o ardaloedd risg isel megis toeon, meysydd parcio, ac ardaloedd anweithredol. Hyd yn oed mewn ardaloedd risg uwch, gallai mathau eraill o Systemau Draenio Cynaliadwy (SuDS) megis pyllau a adeiladwyd, gwlypdiroedd neu bantiau fod yn ddull priodol o gael gwared ar lygryddion. Lle mae perygl o halogiad olew, gallai gwahanyddion olew gael eu defnyddio fel rhan o gynllun SuDS.
- 2.22 Mewn achosion lle mae angen i ddatblygwyr osod wyneb anhydraiddd a gollwng dŵr yn uniongyrchol i'r system draenio, bydd angen iddynt gyflwyno cais cynllunio i'r Awdurdod Cynllunio Lleol. Mae hyn yn rhoi cyfle i'r Awdurdod Cynllunio Lleol asesu a yw'r ateb draenio arfaethedig yn dderbyniol.

## **Rhan 8 Dosbarth D (gollwng deunydd gwastraff)**

### *Class D*

#### *Permitted development*

*D. The deposit of waste material resulting from an industrial process on any land comprised in a site which was used for that purpose on 1st July 1948 whether or not the superficial area or the height of the deposit is extended as a result.*

#### *Development not permitted*

*D.1 Development is not permitted by Class D if—*

- (a) the waste material is or includes material resulting from the winning and working of minerals; or*

*(b) the use on 1 July 1948 was for the deposit of material resulting from the winning and working of minerals.”*

2.23 Nid yw Gorchymyn Diwygio Cymru yn cynnig unrhyw newidiadau i Ran 8 Dosbarth D y Gorchymyn Datblygu Cyffredinol a Ganiateir.

## **Rhan 8 Dosbarth E (storfeydd sbwriel / beiciau)**

### *Class E*

#### *Permitted development*

*E. The erection or construction of a refuse or cycle store within the curtilage of an industrial building or warehouse.*

#### *Development not permitted*

*E.1 Development is not permitted by Class E if—*

- (a) the gross floor space of the building or enclosure would exceed 20 square metres;*
- (b) any part of the building or enclosure erected would be within;
  - (i) 5 metres of any boundary of the curtilage of the premises; or*
  - (ii) 20 metres of any building used for residential purposes;**
- (c) the height of the building or enclosure would exceed 2.5 metres;*
- (d) the development would be on article 1(5) land;*
- (e) the development would be on land within a World Heritage Site;*
- (f) the development would be within the curtilage of a listed building; or*
- (g) the development would lead to a reduction in the space available for the parking and turning of vehicles.*

#### *Condition*

*E.2 Development is permitted by Class E subject to the condition that the building or enclosure is only used for the storage of refuse or bicycles.*

#### *Interpretation of Class E*

*E.3 For the purposes of Class E—*

*“cycle store” means a building or enclosure designed to be used for the storage of bicycles;*

*“refuse store” means a building or enclosure designed to be used for the storage of refuse which may include recycling; and*

*“residential purposes” means a building used for any purpose within Part C of the Schedule to the Use Classes Order, as a hostel or as a flat and includes buildings used in part for residential purposes and in part for other*

*purposes.”*

2.24 Mae Rhan 8 Dosbarth E yn cyflwyno Hawliau newydd o safbwynt Datblygu a Ganiateir ar gyfer datblygu storffeydd sbwriel a/neu feiciau o fewn cwrtil datblygiad Rhan 8.

Prif bwyntiau:

- yr arwynebedd llawr gros mwyaf a ganiateir ar gyfer unrhyw adeilad neu glosdir o dan Ddosbarth E yw 20 metr sgwâr. Gall yr arwynebedd llawr gael ei ddefnyddio ar gyfer storio beiciau, storio sbwriel neu gallai fod yn ardal storio gymysg ar gyfer beiciau a sbwriel.
- o ran Dehongli E.3, byddai enghreifftiau o "adeiladau a ddefnyddir yn rhannol ar gyfer dibenion preswyl ac yn rhannol at ddibenion eraill" yn cynnwys fflatiau uwchben siopau ac adeiladau sy'n cynnwys cymysgedd o ddefnyddiau masnachol a phreswyl - megis swyddfeydd a fflatiau.

## **Rhan 8 Dosbarth F (dehongli)**

2.25 Mae Rhan 8 Dosbarth F yn rhoi dehongliad o "adeilad diwydiannol" a "warws" at ddibenion Rhan 8.

*Interpretation of Part 8*

*F. For the purposes of Part 8—*

*“industrial building” means a building used for the carrying out of an industrial process and includes a building used for the carrying out of such a process on land used as a dock, harbour or quay for the purposes of an industrial undertaking and land used for research and development of products or processes, but does not include a building on land in or adjacent to and occupied together with a mine; and*

*“warehouse” means a building used for any purpose within Class B8 (storage or distribution) of the Schedule to the Use Classes Order but does not include a building on land in or adjacent to and occupied together with a mine.”*

## **2A. NEWID DEFNYDD ARWYNEBEDD LLAWR B8 (STORIO A DOSBARTHU)**

2.26 Mae'r Gorchymyn Diwygio yn cyflwyno newid i Ran 3 Dosbarth B Atodlen 2 i'r Gorchymyn Datblygu Cyffredinol a Ganiateir. Mae'r newid yn cynyddu faint o arwynebedd llawr B8 (adeiladau storio a dosbarthu) sy'n gallu newid i ac o

ddefnyddiau diwydiannol eraill heb yr angen am ganiatâd cynllunio, o 235 metr sgwâr i 500 metr sgwâr.

2.27 Mae'r newid yn golygu y dylai Rhan 3 Dosbarth B o Atodlen 2 i'r Gorchymyn Datblygu Cyffredinol a Ganiateir gael ei ddarllen fel a ganlyn:

## **Dosbarth B**

### **B. Datblygiad a ganiateir**

Datblygiad sy'n cynnwys newid defnydd adeilad -

(a) i ddefnydd ar gyfer unrhyw ddiben sy'n dod o fewn Dosbarth B1 (busnes) yr Atodlen i'r Gorchymyn Dosbarthiadau Defnydd o unrhyw ddefnydd sy'n dod o fewn Dosbarth B2 (diwydiannol cyffredinol) neu B8 (storio a dosbarthu) yr Atodlen honno;

(b) i ddefnydd i unrhyw ddiben sy'n dod o fewn Dosbarth B8 (storio a dosbarthu) yr Atodlen honno o unrhyw ddefnydd sy'n dod o fewn Dosbarth B1 (busnes) neu B2 (diwydiannol cyffredinol).

#### **B.1 Datblygiad nad yw'n cael ei ganiatáu**

Ni chaniateir datblygiad gan Ddosbarth B lle mae'r newid i neu o ddefnydd sy'n dod o fewn Dosbarth B8 yr Atodlen honno, os yw'r newid defnydd yn ymwneud â mwy na 500 metr sgwâr o arwynebedd llawr yn yr adeilad.



### 3. RHAN 32: YSGOLION, COLEGAU, PRIFYSGOLION AC YSBYTAI

#### Rhan 32 Dosbarth A

#### *Class A*

#### *Permitted development*

*A. The erection, extension or alteration of a school, college, university or hospital building.*

#### *Development not permitted*

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

- (a) if the cumulative gross floor space of any buildings erected, extended or altered would exceed—
  - (i) 25% of the gross floor space of the original school, college, university or hospital buildings; or*
  - (ii) 100 square metres,*whichever is the lesser;*
- (b) if any part of the development, would be within 5 metres of a boundary of the curtilage of the premises;*
- (c) if, as a result of the development, any land used as a playing field at any time in the 5 years before the development commenced and remaining in this use could no longer be so used;*
- (d) if the height of any new building erected would exceed 5 metres;*
- (e) if the height of the building as extended or altered would exceed—
  - (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; or*
  - (ii) in all other cases, the height of the building being extended or altered;**
- (f) if the development would be within the curtilage of a listed building;*
- (g) the development would lead to a reduction in the space available for the parking or turning of vehicles; or*
- (h) unless—
  - (i) in the case of school, college or university buildings, the predominant use of the existing buildings on the premises is for the provision of education; or*
  - (ii) in the case of hospital buildings, the predominant use of the existing buildings on the premises is for the provision of any medical or health services.**

## Y Prif Newidiadau

- 3.1 O safbwynt Rhan 32, Dosbarth A, y prif newidiadau sy'n deillio o'r Gorchymyn Diwygio yw:
- Lwfans ar gyfer adeiladau newydd yn ogystal ag estyniadau ac addasiadau;
  - Terfynau o safbwynt datblygu a ganiateir yn seiliedig ar arwynebedd yn hytrach na chyfanswm;
  - Rheolaeth dros raddfa ac ymddangosiad datblygiadau o fewn Safleoedd Treftadaeth y Byd a thir erthygl 1(5).

## Adeiladau newydd

- 3.2 Y cyfyngiad penodol sy'n ymwneud ag adeiladau newydd Rhan 32 yw:
- A.1 (d): yr uchder i beidio â bod yn fwy na 5 metr.

## Estyniadau neu addasiadau

- 3.3 Mae estyniadau neu addasiadau Rhan 32 yn cael eu cyfyngu gan y cyfyngiadau penodol canlynol:
- A.1 (e): ni ddylai uchder yr adeilad fel y cafodd ei ymestyn neu ei newid fod yn fwy na –
    - (i) os yw o fewn 10 metr o ffin cwrtilag y fangre, 5 metr; neu
    - (ii) ym mhob achos arall, uchder yr adeilad sy'n cael ei ymestyn neu ei addasu;

## Cyfyngiadau sy'n berthnasol i adeiladau newydd ac ymestyn neu addasu adeiladau presennol

- 3.4 Rhaid cydymffurfio â'r cyfyngiadau canlynol, yn ychwanegol at y cyfyngiadau penodol ar gyfer adeiladau newydd, estyniadau ac addasiadau:
- A.1 (a): rhaid i arwynebedd llawr gros unrhyw adeiladau a godwyd, a estynnwyd neu a addaswyd beidio â bod yn fwy na -
    - (i) 25% o arwynebedd llawr gros yr ysgol, coleg, prifysgol neu adeiladau ysbyty gwreiddiol; neu
    - (ii) 100 metr sgwâr,pa un bynnag yw'r lleiaf
  - A.1 (b): rhaid iddynt beidio â bod o fewn 5 metr i unrhyw ffin cwrtil y fangre
  - A.1 (c) : ni fyddant yn cael eu caniatáu os, o ganlyniad i'r datblygiad, na allai unrhyw dir a ddefnyddid fel cae chwarae unrhyw bryd yn y 5 mlynedd cyn i'r datblygiad ddechrau ac sy'n parhau yn y defnydd hwn barhau i gael ei ddefnyddio felly

- A.1 (f): ni chaniateir datblygiad o fewn cwrtil adeilad rhestredig
- A.1 (g): rhaid i'r datblygiad beidio ag arwain at ostyngiad yn yr arwynebedd sydd ar gael ar gyfer parcio neu droi cerbydau o gwmpas
- A.1 (h): ni fyddant yn cael eu caniatáu oni bai -
  - (i) yn achos ysgol, coleg neu adeiladau prifysgol, y prif ddefnydd a wneir o'r adeiladau presennol yn y fangre yw ar gyfer darparu addysg; neu
  - (ii) yn achos adeiladau ysbytai, y prif ddefnydd a wneir o'r adeiladau presennol yn y fangre yw ar gyfer darparu unrhyw wasanaethau meddygol neu iechyd

### *Conditions*

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

- (a) the development must be within the curtilage of an existing school, college, university or hospital;*
- (b) the development may only be used as part of, or for a purpose incidental to, the use of that school, college, university or hospital;*
- (c) any new building erected shall, in the case of article 1(5) land or land within a World Heritage Site, be constructed using materials which have a similar external appearance to those used for the original school, college, university or hospital buildings; and*
- (d) any extension or alteration must, in the case of article 1(5) land or land within a World Heritage Site, be constructed using materials which have a similar external appearance to those used for the building being extended or altered.*

### **"Ymddangosiad allanol tebyg"**

3.5 Ceir canllawiau ynghylch dehongli "ymddangosiad allanol tebyg" ym mharagraffau 2.10-2.12.

### *Interpretation*

*A.3 For the purposes of Class A—*

- (a) where 2 or more original buildings are within the same curtilage and are used for the same institution, they are to be treated as a single original building in making any measurement; and*
- (b) "original school, college, university or hospital building" means any original building which is a school, college, university or hospital building, as the case may be, other than any building erected at any time under Class A.*

## **Rhan 32 Dosbarth B (storfeydd sbwriel / beiciau)**

### *Class B*

#### *Permitted Development*

*B. The erection or construction of a refuse or cycle store within the curtilage of a school, college, university or hospital building.*

#### *Development not permitted*

*B.1 Development is not permitted by Class B if—*

- (a) the gross floor space of the building or enclosure would exceed 20 square metres;*
- (b) any part of the building or enclosure erected would be within;
  - (i) 5 metres of any boundary of the curtilage of the premises; or*
  - (ii) 20 metres of any building used for residential purposes;**
- (c) the height of the building or enclosure would exceed 2.5 metres;*
- (d) the development would be on article 1(5) land;*
- (e) the development would be on land within a World Heritage Site;*
- (f) the development would be within the curtilage of a listed building; or*
- (g) the development would lead to a reduction in the space available for the parking and turning of vehicles.*

#### *Condition*

*B.2 Development is permitted by Class B subject to the condition that the building or enclosure is only used for the storage of refuse or bicycles.*

#### *Interpretation of Class B*

*B.3 For the purposes of Class B—*

*“cycle store” means a building or enclosure designed to be used for the storage of bicycles;*

*“refuse store” means a building or enclosure designed to be used for the storage of refuse which may include recycling; and*

*“residential purposes” means a building used for any purpose within Part C of the Schedule to the Use Classes Order, as a hostel or as a flat and includes buildings used in part for residential purposes and in part for other purposes.”*

- 3.6 Mae'r darpariaethau yn Rhan 32, Dosbarth B, yn cyfateb i'r darpariaethau yn Rhan 8, Dosbarth E. Ceir canllawiau ynghylch eu dehongli ym mharagraff 2.24.

## 4. RHAN 41: SWYDDFEYDD

### Rhan 41 Dosbarth A

#### *Class A*

#### *Permitted development*

*A. The extension or alteration of an office building.*

#### *Development not permitted*

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

- (a) the gross floor space of the original building would be exceeded by more than—
  - (i) 25%; or*
  - (ii) 50 square metres,*whichever is the lesser;*
- (b) the height of the building as extended would exceed—
  - (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; or*
  - (ii) in all other cases, the height of the building being extended;**
- (c) any part of the development would be within 5 metres of any boundary of the curtilage of the premises;*
- (d) the development would be on article 1(5) land;*
- (e) the development would be on land within a World Heritage Site;*
- (f) the development would be within the curtilage of a listed building; or*
- (g) the development would lead to a reduction in the space available for the parking or turning of vehicles.*

#### *Conditions*

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

- (a) any office building as extended or altered may only be used as part of, or for a purpose incidental to, the use of that office building;*
- (b) any office building as extended or altered must be constructed using materials which have a similar external appearance to those used for the building being extended or altered; and*
- (c) any alteration is at ground floor level only.*

#### *Interpretation of Class A*

*A.3 For the purposes of Class A where two or more original buildings are within the same curtilage and are used for the same undertaking, they are to be treated as a single original building in making any measurement.*

- 4.1 Mae Rhan 41 yn cyflwyno hawliau newydd o safbwynt datblygu a ganiateir ar gyfer estyn neu addasu swyddfeydd o fewn dosbarth B1(a) o Orchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) 1987.

## **Rhan 41 Dosbarth A - Prif Bwyntiau**

### Newidiadau ar y llawr gwaelod yn unig

- 4.2 Caniateir newidiadau ar lefel y llawr gwaelod yn unig, bydd unrhyw newidiadau uwchben lefel y llawr gwaelod yn amodol ar gais am ganiatâd cynllunio os ydynt yn "ddatblygiad" o fewn ystyr adran 55 Deddf Cynllunio Gwlad a Thref 1990.

### "Ymddangosiad allanol tebyg"

- 4.3 Ceir canllawiau ynghylch dehongli "ymddangosiad allanol tebyg" ym mharagraffau 2.10-2.12.

## **Rhan 41 Dosbarth B (storfeydd sbwriel / beiciau)**

### *Class B*

#### *Permitted Development*

*B. The erection or construction of a refuse or cycle store within the curtilage of an office building.*

#### *Development not permitted*

*B.1 Development is not permitted by Class B if—*

- (a) the gross floor space of the building or enclosure would exceed 20 square metres;*
- (b) any part of the building or enclosure erected would be within;
  - (i) 5 metres of any boundary of the curtilage of the premises; or*
  - (ii) 20 metres of any building used for residential purposes;**
- (c) the height of the building or enclosure would exceed 2.5 metres;*
- (d) the development would be on article 1(5) land;*
- (e) the development would be on land within a World Heritage Site;*
- (f) the development would be within the curtilage of a listed building; or*
- (g) the development would lead to a reduction in the space available for the parking and turning of vehicles.*

### *Condition*

*B.2 Development is permitted by Class B subject to the condition that the building or enclosure is only used for the storage of refuse or bicycles.*

### *Interpretation of Class B*

*B.3 For the purposes of Class B—*

*“cycle store” means a building or enclosure designed to be used for the storage of bicycles;*

*“refuse store” means a building or enclosure designed to be used for the storage of refuse which may include recycling; and*

*“residential purposes” means a building used for any purpose within Part C of the Schedule to the Use Classes Order, as a hostel or as a flat and includes buildings used in part for residential purposes and in part for other purposes.*

- 4.4 Mae'r darpariaethau yn Rhan 32, Dosbarth B, yn cyfateb i'r rhai yn Rhan 8, Dosbarth E – gweler paragraff 2.24 am ganllawiau ynghylch eu dehongli.

## **Rhan 41 Dosbarth C - Dehongli Rhan 41**

- 4.5 Yn rhan 41 mae dosbarth C yn rhoi'r dehongliad canlynol:

### *Interpretation of Part 41*

*C. For the purposes of Part 41 “office building” means a building used for any purpose within Class B1(a) of the Schedule to the Use Classes Order.*

## 5. RHAN 42: SIOPAU, SEFYDLIADAU GWASANAETHAU ARIANNOL NEU BROFFESIYNOL

### Rhan 42 Dosbarth A

#### *Class A*

#### *Permitted development*

*A. The extension or alteration of a shop or financial or professional services establishment.*

#### *Development not permitted*

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

- (a) the gross floor space of the original building would be exceeded by more than—
  - (i) 25%; or*
  - (ii) 50 square metres;*whichever is the lesser.*
- (b) the height of the building as extended would exceed 4 metres;*
- (c) any part of the development, other than an alteration, would be within 2 metres of any boundary of the curtilage of the premises;*
- (d) the development would be within the curtilage of a listed building;*
- (e) the development would be on article 1(5) land;*
- (f) the development would be on land within a World Heritage Site;*
- (g) the development would consist of or include the construction or provision of a veranda, balcony or raised platform;*
- (h) any part of the development would extend beyond an existing shop front;*
- (i) the development would involve the insertion or creation of a new shop front or the alteration or replacement of an existing shop front;*
- (j) the development would involve the installation or replacement of a security grill or shutter on a shop front; or*
- (k) the development would lead to a reduction in the space available for the parking or turning of vehicles.*

#### *Conditions*

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

- (a) any alteration is at ground floor level only; and*
- (b) any extension or alteration may only be used as part of, or for a purpose incidental to, the use of the shop or financial or professional services establishment.*

#### *Interpretation of Class A*



**A.3 For the purposes of Class A—**

- (a) where two or more original buildings are within the same curtilage and are used for the same undertaking, they are to be treated as a single original building in making any measurement;*
- (b) “raised platform” means a platform with a height greater than 30 centimetres; and*
- (c) “shop or financial or professional services establishment” means a building used for any purpose within Classes A1 or A2 of the Schedule to the Use Classes Order and includes buildings with other uses in other parts as long as the other uses are not within the parts being altered or extended.*

## **Rhan 42 Dosbarth A - Prif Bwyntiau**

- 5.1 Mae Rhan 42 yn darparu hawliau newydd o safbwynt datblygu a ganiateir ar gyfer siopau (defnyddiwch ddosbarth A1 o Orchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) 1987) a gwasanaethau ariannol a phroffesiynol (defnyddiwch ddosbarth A2 o'r Gorchymyn Dosbarthiadau Defnydd).
- 5.2 Caniateir newidiadau ar lefel y llawr gwaelod yn unig, bydd unrhyw newidiadau uwchben lefel y llawr gwaelod yn amodol ar gais am ganiatâd cynllunio os ydynt yn "ddatblygiad" o fewn ystyr adran 55 Deddf Cynllunio Gwlad a Thref 1990.
- 5.3 Ni all unrhyw ran o'r datblygiad ymestyn y tu hwnt i flaen siop presennol.
- 5.4 Mae amod A.2 (b) yn cadarnhau y gallai unrhyw estyniad neu newid a ganiateir gan Ran 42 y Gorchymyn Datblygu Cyffredinol a Ganiateir gael ei ddefnyddio fel rhan o, neu at ddiben atodol i, ddefnyddio'r siop neu sefydliad gwasanaethau ariannol neu broffesiynol yn unig.

## **Rhan 42 Dosbarth B (storfeydd trolïau)**

### *Class B*

#### *Permitted development*

*B. The erection or construction of a trolley store within the curtilage of a shop.*

#### *Development not permitted*

*B.1 Development is not permitted by Class B if—*

- (a) the gross floor space of the building or enclosure erected would exceed 20 square metres;*
- (b) any part of the building or enclosure erected would be within 20 metres of any building used for residential purposes;*
- (c) the height of the building or enclosure would exceed 2.5 metres;*
- (d) the development would be within the curtilage of a listed building;*
- (e) the development would be on article 1(5) land;*
- (f) the development would be on land within a World Heritage Site;*
- (g) the development would be within 5 metres of the boundary of the curtilage of the premises; or*
- (h) the development would lead to a reduction in the space available for the parking or turning of vehicles.*

#### *Condition*

*B.2 Development is permitted by Class B subject to the condition that the building or enclosure is only used for the storage of shopping trolleys.*

#### *Interpretation of Class B*

*B.3 For the purposes of Class B—*

*“residential purposes” means a building used for any purpose within Part C of the Schedule to the Use Classes Order, as a hostel or as a flat and includes buildings used in part for residential purposes and in part for other purposes;*

*“shop” means a building used for any purpose within Class A1 of the Schedule to the Use Classes Order; and*

*“trolley store” means a building or enclosure designed to be used for the storage of shopping trolleys.*

## Rhan 42 Dosbarth B - Prif Bwyntiau

### 5.5 Prif bwyntiau:

- Ni all cyfanswm lwfans yr arwynebedd llawr gros ar gyfer adeilad(au) neu glostir(oedd) a godwyd o dan Ddosbarth B fod yn fwy na 20 metr sgwâr o ran maint a rhaid iddo/iddynt gael ei/eu (d)defnyddio ar gyfer storio sbwriel neu feiciau
- o ran Dehongli C.3, enghreifftiau o "adeiladau a ddefnyddir yn rhannol ar gyfer dibenion preswyl ac yn rhannol ar gyfer dibenion eraill" fyddai fflatiau uwchben siopau ac adeiladau sy'n cynnwys cymysgedd o ddefnyddiau masnachol a phreswyl - megis swyddfeydd a fflatiau.

## **Rhan 42 Dosbarth C (storfeydd sbwriel / beiciau)**

### *Class C*

#### *Permitted Development*

*C. The erection or construction of a refuse or cycle store within the curtilage of a shop or financial or professional services establishment.*

#### *Development not permitted*

*C.1 Development is not permitted by Class C if—*

- (a) the gross floor space of the building or enclosure would exceed 20 square metres;*
- (b) any part of the building or enclosure erected would be within;*
  - (i) 5 metres of the boundary of the curtilage of the premises; or*
  - (ii) 20 metres of any building used for residential purposes;*
- (c) the height of the building or enclosure would exceed 2.5 metres;*
- (d) the development would be on article 1(5) land;*
- (e) the development would be on land within a World Heritage Site;*
- (f) the development would be within the curtilage of a listed building; or*
- (g) the development would lead to a reduction in the space available for the parking and turning of vehicles.*

#### *Condition*

*C.2 Development is permitted by Class C subject to the condition that the building or enclosure is only used for the storage of refuse or bicycles.*

#### *Interpretation of Class C*

**C.3 For the purposes of Class C—**

***“cycle store” means a building or enclosure designed to be used for the storage of bicycles;***

***“refuse store” means a building or enclosure designed to be used for the storage of refuse which may include recycling; and***

***“residential purposes” means a building used for any purpose within Part C of the Schedule to the Use Classes Order, as a hostel or as a flat and includes buildings used in part for residential purposes and in part for other purposes;***

***“shop or financial or professional services establishment” means a building used for any purpose within Classes A1 or A2 of the Schedule to the Use Classes Order.***

- 5.6 Mae'r darpariaethau yn Rhan 42, Dosbarth C, yn cyfateb i'r rhai yn Rhan 8, Dosbarth E (gweler paragraff 2.24 ar gyfer canllawiau ynghylch eu dehongli).