

HIGHWAYS, WALES

2013 No. 22

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS
(JUNCTION OFF LLWYDCOED ROAD TO
FORMER MILK DEPOT, LLWYDCOED,
ABERDARE, RHONDDA CYNON TAF) ORDER
2013

Made 5 August 2013

Coming into Force 8 August 2013

The Welsh Ministers make this Order in exercise of their powers under section 247 of the Town and Country Planning Act 1990(1).

Title, Interpretation and Commencement

1. (1) The title of this Order is the Stopping Up of Highways (Junction off Llwydcoed Road to Former Milk Depot, Llwydcoed, Aberdare, Rhondda Cynon Taf) Order 2013.

(2) In this Order:-

“the Council” (“*y Cyngor*”) means Rhondda Cynon Taf County Borough Council;

“the developer” (“*y datblygwr*”) means the person carrying out the development for which the planning permission has been given;

“the deposited plan” (“*y plan a adnewwyd*”) means the plan entitled “The Stopping Up of Highways (Junction off Llwydcoed Road to former Milk Depot, Llwydcoed, Aberdare, Rhondda Cynon Taf) Order 2013” which accompanies this Order; and

“the 1990 Act” (“*Y Deddf 1990*”) means the Town and Country Planning Act 1990.

(3) This Order comes into force on the date on which notice that it has been made is published in accordance with section 252(10) of the 1990 Act.

Stopping Up

2. Subject to articles 3, 4 and 5, the Welsh Ministers authorise the stopping up of the area of highway described in Schedule 1 shown by zebra hatching on the deposited plan. The Welsh Ministers are satisfied that the stopping up is necessary to enable development to be carried out in accordance with planning permission granted under Part 3 of the 1990

Act by the Council on 29 December 2011, under reference number 11/1032/16 and described in Schedule 2 to this Order .

Provisions Necessary or Expedient before Stopping Up

3. The area of highway in Schedule 1 must not be stopped up until-

(a) the developer has provided, to the reasonable satisfaction of the Council, plans showing the means whereby the area of highway is to be stopped up;

(b) the development in Schedule 2 has commenced and the developer has informed the Council in writing of the necessity to close the highway to allow the development to proceed; and

(c) the Council has confirmed in writing to the developer that paragraphs (a) and (b) are satisfied.

Statutory Undertakers and Providers

4. Where immediately before the area of highway is stopped up, there is under, in, on, over, along or across the highways any apparatus of statutory undertakers or public communications providers then (subject to section 261(4) of the 1990 Act) the undertakers or providers continue to have the same rights in respect of the apparatus as they had before the stopping up.

Duration of this Order

5. If the development in Schedule 2 has not begun within the relevant period specified in Part 3 of the 1990 Act as being the duration of the planning permission, or the permission is revoked before the end of such period, this Order ceases to have effect upon the cessation of the planning permission.

Signed under authority of the Minister for Economy, Science and Transport, one of the Welsh Ministers.

Dated 5 August 2013

R MORGAN

Head of Asset Management and Standards
Welsh Government

(1) 1990 c. 8. By virtue of S.I. 1999/672, article 2 and Schedule 1, the functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales and are now exercisable by the Welsh Ministers by virtue of section 162 of and paragraph 30(2) of Schedule 11 to the Government of Wales Act 2006.

SCHEDULE 1

(All measurements are approximate)

Description of the area of Highway to be Stopped Up under this Order

An irregular shaped area of highway forming part of the junction off Llwydcoed Road to a former milk depot at Llwydcoed, Aberdare, in the County Borough of Rhondda Cynon Taf, having a maximum length of 6.2 metres, a maximum width of 9.6 metres, and a total area of 48.3 square metres.

SCHEDULE 2

The Development

Residential development for 47 new houses including access and associated works at former CWS Dairycrest Site, Llwydcoed Road, Llwydcoed, Aberdare in the County Borough of Rhondda Cynon Taf.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (JUNCTION OFF LLWYDCOED ROAD TO FORMER MILK DEPOT, LLWYDCOED, ABERDARE, RHONDDA CYNON TAF) ORDER 2013

NOTICE IS HEREBY GIVEN that the Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 to authorise the stopping up of the area of highway described in Schedule 1 to this Notice.

The stopping up is authorised to enable the development in Schedule 2 to be carried out. The Stopping up of Highways (Junction off Llwydcoed road to former Milk Depot, Llwydcoed, Aberdare, Rhondda Cynon Taf) Order 2013 (“the Order”) ceases to have effect if planning permission in respect of the development expires or is revoked.

Copies of the Order and the deposited plan may be inspected free of charge during normal office hours at Aberdare Library, Green Street, Aberdare, Rhondda Cynon Taf CF44 7AG or may be obtained free of charge from the address below quoting reference qA1064760/1.

If any person is aggrieved by the Order on the ground that:

- a. it is not within the powers of the Town and Country Planning Act 1990; or
- b. a procedural requirement of the Act has not been complied with,

that person may, within 6 weeks of 8 August 2013, make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at www.wales.gov.uk (Select: Legislation/Subordinate legislation/Non-Statutory Instruments/Transport Wales/TCPA Stopping Up Orders, 2013).

A copy of this Notice in larger print can be obtained from Transport, Orders Branch, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

MD BURNELL
Transport
Welsh Government

SCHEDULE 1

(All measurements are approximate)

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SCHEDULE 2

The Development

Residential development for 47 new houses including access and associated works at former CWS Dairycrest Site, Llwydcoed Road, Llwydcoed, Aberdare in the County Borough of Rhondda Cynon Taf in accordance with planning permission granted under Part III of the Act of 1990 by the Council on 29 December 2011 under reference 11/1032/16.