

**HIGHWAYS, WALES**

**2014 NO. 19**

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE STOPPING UP OF HIGHWAYS (MAIN  
ROAD, OGMORE-BY-SEA, VALE OF  
GLAMORGAN) ORDER 2014**

*Made* 21 July 2014

*Coming into force* 24 July 2014

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 (Main Road, Ogmore-by-Sea, Vale of Glamorgan) Order 2014.

(2) In this Order:-

“the Council” (“*y Cyngor*”) means the Vale of Glamorgan 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 adnewydd*”) means the plan entitled “The Stopping Up of Highways (Main Road, Ogmore-by-Sea, Vale of Glamorgan) Order 2014” 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, 5 and 6, 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 13 March 2013 under reference 2013/00050/FUL and described in Schedule

3 to this Order.

**3.** There shall be created, to the reasonable satisfaction of the Council, the improved area of highway described in Schedule 2 to this Order and shown by cross hatching on the deposited plan which is to be highway which, for the purpose of the Highways Act 1980(2) is highway maintainable at the public expense and the Council will be the highway authority for it.

#### **Provisions Necessary or Expedient before Stopping Up**

**4.** The area of highway described in Schedule 1 may 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 developer has provided the improved highway described in Schedule 2 to the reasonable satisfaction of the Council;
- (c) the development described in Schedule 3 has commenced and the developer has informed the Council in writing of the necessity to close the area of highway to allow the development to proceed; and
- (d) the Council has confirmed in writing to the developer that the provisions of (a), (b) and (c) are satisfied.

#### **Statutory Undertakers and Providers**

**5.** Where immediately before the area of highway is stopped up, there is under, in, on, over, along or across the highway 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**

**6.** If the development in Schedule 3 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 21 July 2014

*R Morgan*

**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.
- (2) 1980 c.66

**SCHEDULES**

**(All measurements are approximate)**

**SCHEDULE 1**

**Description of the area of highway to be stopped  
up under this Order**

An irregularly shaped area comprising footway and part carriageway on the eastern side of the highway known as the B4524, Main Road, Ogmored-by-Sea, situated immediately south of the property No. 91 Main Road and having a maximum length of 14.5 metres, a maximum width of 2.5 metres and a total area of 28 square metres.

**SCHEDULE 2**

**Description of the area of highway to be improved**

An irregularly shaped area of carriageway on the eastern side of the highway known as the B4524, Main Road, Ogmored-by-Sea, Bridgend, situated south of the property No. 91 Main Road and having a maximum length of 14.5 metres, a maximum width of 2.5 metres and a total area of 22 square metres.

**SCHEDULE 3**

**The Development**

Erection of detached dwelling on land adjacent to No. 91 Main Road, Ogmored-by-Sea and the provision of three car parking spaces and ancillary amenity areas.

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **THE STOPPING UP OF HIGHWAYS (MAIN ROAD, OGMORE-BY-SEA, VALE OF GLAMORGAN) ORDER 2014**

**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 and to improve the area of highway described in Schedule 2.

The stopping up is authorised to enable the development described in Schedule 3 to be carried out. The Stopping Up of Highways (Main Road, Ogmore-by-Sea, Vale of Glamorgan) Order 2014 (“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 at the Post Office, Main Road, Ogmore-by-Sea, Bridgend CF32 0PW during normal opening hours or may be obtained free of charge from the address below quoting qA1101586.

If a 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,

a person may, within 6 weeks of 26 July 2014 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](http://www.wales.gov.uk) (select ‘Legislation’, ‘Subordinate legislation’, ‘Non-Statutory Instruments’, ‘Transport, Wales’, ‘TCPA Stopping Up Orders’, ‘2014’).

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

**M D BURNELL**  
Transport  
Welsh Government

**SCHEDULES**

(All measurements are approximate)

### **SCHEDULE 1**

#### **Description of the area of highway to be stopped up under the Order**

An irregularly shaped area comprising footway and part carriageway on the eastern side of the highway known as the B4524, Main Road, Ogmore-by-Sea, situated immediately south of the property No. 91 Main Road and having a maximum length of 14.5 metres, a maximum width of 2.5 metres and a total area of 28 square metres.

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### **SCHEDULE 3**

#### **The Development**

Erection of detached dwelling on land adjacent to No. 91 Main Road, Ogmore-by-Sea and the provision of three car parking spaces and ancillary amenity areas, in accordance with planning permission granted under Part 3 of the Town and Country Planning Act 1990 by Vale of Glamorgan Council on 13 March 2013 under reference number 2013/00050/FUL.