

PRIFFYRDD, CYMRU

2014 RHIF 30

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (TIR O
FLAEN FFORDD WATKISS, PENTIR
GRANGETOWN, CAERDYDD) 2014

Gwnaed 15 Hydref 2014
Yn dod i rym 22 Hydref 2014

Mae Gweinidogion Cymru yn gwneud y Gorchymyn hwn drwy arfer eu pwerau o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990(1).

Enwi, Dehongli a Chychwyn

1. (1) Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Tir o Flaen Ffordd Watkiss, Pentir Grangetown, Caerdydd) 2014.

(2) Yn y Gorchymyn hwn:-

ystyr "y Cyngor" ("*the Council*") yw Cyngor Dinas a Sir Caerdydd;

ystyr "y datblygwr" ("*the developer*") yw'r person sy'n gwneud y datblygiad y mae'r caniatâd cynllunio wedi ei roi ar ei gyfer;

ystyr "Deddf 1990" ("*the 1990 Act*") yw Deddf Cynllunio Gwlad a Thref 1990; ac

ystyr "y plan a adnewydd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Tir o Flaen Ffordd Watkiss, Pentir Grangetown, Caerdydd) 2014" sy'n dod gyda'r Gorchymyn hwn.

(3) Daw'r Gorchymyn hwn i rym ar y dyddiad y cyhoeddir yr hysbysiad ei fod wedi ei wneud yn unol ag adran 252(10) o Ddeddf 1990.

Cau Priffordd

2. Yn ddarostyngedig i erthyglau 3, 4 a 5, mae Gweinidogion Cymru yn awdurdodi cau'r rhan o briffordd a ddisgrifir yn Atodlen 1 ac a ddangosir â llinellau sebra ar y plan a adnewydd. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn galluogi'r datblygiad i gael ei wneud yn unol â'r caniatâd cynllunio a roddwyd o dan Ran III o Ddeddf 1990 gan y Cyngor ar 5 Ebrill 2013 o

HIGHWAYS, WALES

2014 NO. 30

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (LAND
FRONTING WATKISS WAY, GRANGETOWN
PENINSULA, CARDIFF) ORDER 2014

Made 15 October 2014
Coming into Force 22 October 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 (Land Fronting Watkiss Way, Grangetown Peninsula, Cardiff) Order 2014.

(2) In this Order:-

"the Council" ("*y Cyngor*") means the Council of the City and County of Cardiff;

"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 (Land Fronting Watkiss Way, Grangetown Peninsula, Cardiff) Order 2014" which accompanies this Order; and

"the 1990 Act" ("*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 III of the 1990

dan y cyfeirnod 12/00932/DCI ac ar 18 Gorffennaf 2013 o dan y cyfeirnod 13/00829/DCI ac a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

Priffordd y Gwneir Gwelliannau Iddi

3. Crëir, er boddhad rhesymol y Cyngor, y briffordd y gwneir gwelliannau iddi a ddisgrifir yn Atodlen 2 ac a ddangosir â chroeslinellau ar y plan a adneuwyd, a bydd y briffordd hon, at ddibenion Deddf Priffyrdd 1980(2), yn briffordd i'w chynnal ar draul y pwrw cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd ar ei chyfer.

Y Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau Priffordd ac ar gyfer Gwella Priffordd

4. Ni chaniateir cau'r rhan o'r briffordd yn Atodlen 1:-

(a) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, blaniau sy'n dangos drwy ba fodd y bwriedir cau'r rhan o briffordd;

(b) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, y briffordd wedi ei gwella a ddisgrifir yn Atodlen 2;

(c) hyd nes y bydd y datblygiad yn Atodlen 3 wedi ei ddechrau a bod y datblygwr wedi hysbysu'r Cyngor yn ysgrifenedig ei bod yn angenrheidiol cau'r briffordd i alluogi'r datblygiad i fynd rhagddo; a

(d) hyd nes y bydd y Cyngor wedi ysgrifennu at y datblygwr i gadarnhau bod paragraffau (a), (b) ac (c) wedi eu bodloni.

Ymgwymerwyr Statudol a Darparwyr

5. Pan fo gan ymgwymerwyr statudol neu ddarparwyr system gyfathrebu gyhoeddus unrhyw gyfarpar o dan y briffordd, ynddi, arni, drosti, ar ei hyd neu ar ei thraws yn union cyn cau'r rhan o briffordd yna (yn ddarostyngedig i adran 261(4) o Ddeddf 1990), bydd gan yr ymgwymerwyr neu'r darparwyr yr un hawliau mewn cysylltiad â'r cyfarpar ag a oedd ganddynt cyn cau'r briffordd.

Cyfnod Para'r Gorchymyn hwn

6. Os na fydd y datblygiad yn Atodlen 3 wedi ei ddechrau o fewn y cyfnod perthnasol a bennir yn Rhan III o Ddeddf 1990 fel cyfnod para'r caniatâd cynllunio, neu os caiff y caniatâd ei ddirymu cyn diwedd y cyfnod hwnnw, bydd y Gorchymyn hwn yn peidio â chael effaith pan ddaw'r caniatâd cynllunio i ben.

Act by the Council on 5 April 2013 under reference number 12/00932/DCI and on 18 July 2013 under reference number 13/00829/DCI and described in Schedule 3 to this Order.

Improved Highway

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

Provisions Necessary or Expedient before Stopping Up and for the Improvement of the Highways

4. 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 developer has provided the improved highway described in Schedule 2 to the reasonable satisfaction of the Council;

(c) the development in Schedule 3 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

(d) the Council has confirmed in writing to the developer that paragraphs (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 III 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.

Llofnodwyd o dan awdurdod Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth, un o Weinidogion Cymru.

Dyddiedig 15 Hydref 2014

Sheena Hague

SHEENA HAGUE
Dirprwy Gyfarwyddwr
Is-Adran Rheoli'r Rhwydwaith
Llywodraeth Cymru

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

Dated 15 October 2014

Sheena Hague

SHEENA HAGUE
Deputy Director
Network Management
Welsh Government

- (1) 1990 p.8. Yn rhinwedd O.S. 1999/672, erthygl 2 ac Atodlen 1, trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru, ac maent yn arferadwy bellach gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraff 30(2) o Atodlen 11 iddi.
- (2) 1980 p.66.

YR ATODLENNI

(Bras amcan yw pob mesuriad)

ATODLEN 1

Disgrifiad o'r rhan o briffordd sydd i'w chau o dan y Gorchymyn hwn

Rhan afreolaidd ei siâp o briffordd at bob diben, a chyfanswm ei harwynebedd yn 420 o fetrau sgwâr, i'r gogledd o Ffordd Watkiss, Pentir Grangetown, Caerdydd ac yn gyfagos iddi.

ATODLEN 2

Disgrifiad o'r rhan o briffordd sydd i'w gwella o dan y Gorchymyn hwn

Rhan afreolaidd ei siâp o lwybr beiciau a throetffordd, a chyfanswm ei harwynebedd yn 370 o fetrau sgwâr, i'r gogledd o Ffordd Watkiss, Pentir Grangetown, Caerdydd ac yn gyfagos iddi.

ATODLEN 3

Y Datblygiad

Codi 95 o anheddau gan gynnwys mynediad i gerbydau a cherddwyr, parcio, gwasanaethau a gwaith tîr weddu yn Ffordd Watkiss, Pentir Grangetown, Caerdydd.

- (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 of all purpose highway having a total area of 420 square metres north of and adjacent to Watkiss Way, Grangetown Peninsula, Cardiff.

SCHEDULE 2

Description of the area of highway to be improved under this Order

An irregularly shaped area of cycleway and footway having a total area of 370 square metres north of and adjacent to Watkiss Way, Grangetown Peninsula, Cardiff.

SCHEDULE 3

The Development

Erection 95 dwellings including vehicular and pedestrian access, parking, servicing and landscaping at Watkiss Way, Grangetown Peninsular, Cardiff.