

HIGHWAYS, WALES

2015 NO. 6

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAYS (LAND
FRONTING HEILBRONN WAY, PORT
TALBOT PARKWAY STATION, PORT
TALBOT) ORDER 2015**

Made

1 March 2015

Coming into Force

6 March 2015

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 Heilbronn Way, Port Talbot Parkway Station, Port Talbot) Order 2015.

(2) In this Order:-

“the Council” (“*y Cyngor*”) means the Council of the County Borough of Neath Port Talbot;

“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 adnewyd*”) means the plan entitled “The Stopping Up of Highways (Land Fronting Heilbronn Way, Port Talbot Parkway Station, Port Talbot) Order 2015” 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 the planning permissions granted under Part III of the

1990 Act by the Council on 19 October 2011 under reference number P2011/0865 and on 20 May 2014 under reference number P2014/0243 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 how 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 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

5. If the development in Schedule 2 has not begun within the relevant period specified in Part III of the 1990 Act as being the duration of the planning permissions, or the permissions are revoked before the end of that period, this Order ceases to have effect.

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

Dated 1 March 2015

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

A triangular shaped area of footway totalling 1.9 square metres situated south of the highway known as Heilbronn Way, Port Talbot.

SCHEDULE 2

The Development

Redevelopment of Port Talbot Parkway Station consisting of part demolition of existing station structures and construction of a new station and car park.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (LAND FRONTING HEILBRONN WAY, PORT TALBOT PARKWAY STATION, PORT TALBOT) ORDER 2015

The Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 (“the Act”) to authorise the stopping up of the area of highway described in Schedule 1 to this Notice to enable the development in Schedule 2 to be carried out. The Stopping Up of Highways (Land Fronting Heilbronn Way, Port Talbot Parkway Station, Port Talbot) Order 2015 (“the Order”) ceases to have effect if planning permissions in respect of the development expire or are revoked.

Copies of the Order and the deposited plan may be inspected free of charge during normal office hours at Countryside Section, Neath Port Talbot County Borough Council, The Quays, Brunel Way, Baglan SA11 2GG or may be obtained free of charge from the address below quoting reference qA1181142/1.

If a person is aggrieved by the Order, on the ground that:

- a. it is not within the powers of the Act; or
- b. a procedural requirement of the Act has not been complied with;

that person may, within 6 weeks of 6 March 2015 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, 2015).

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

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SCHEDULE 2

The Development

Redevelopment of Port Talbot Parkway Station consisting of part demolition of existing station structures and construction of a new station and car park in accordance with the planning permissions granted under Part III of the Act by Neath Port Talbot County Borough Council on 19 October 2011 under reference number P2011/0865 and on 20 May 2014 under reference number P2014/0243.