

HIGHWAYS, WALES

2015 NO.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (MANOR COURT, CHURCH VILLAGE, RHONDDA CYNON TAF) ORDER 2015

Made 2 September 2015

Coming into Force 9 September 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 (Manor Court, Church Village, Rhondda Cynon Taf) Order 2015.

(2) In this Order:-

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

“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 (Manor Court, Church Village, Rhondda Cynon Taf) Order 201-” 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 areas 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 permissions granted under Part III of the 1990 Act by the Council on 2 February 2015 under

reference number 14/0404/10 and described in Schedule 2 to this Order.

Provisions Necessary or Expedient before Stopping Up

3. The areas of highway described in Schedule 1 must not be stopped up until:-

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

(b) the development described 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 areas of highway are 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 described 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 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 2 September 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.

SCHEDULES

SCHEDULE 1

(All measurements are approximate)

**Description of the areas of highway to be stopped
up under this Order at Manor Court, Church
Village in the County Borough of Rhondda Cynon
Taf**

1. An irregularly shaped area of highway having a total area of 111 square metres to the south-east of the property at No 21, Manor Court and given the reference A on the deposited plan.
2. An irregularly shaped area of highway having a total area of 296 square metres at the southern end of Manor Court and given the reference B on the deposited plan.

SCHEDULE 2

The Development

The construction of 40 dwellings, car parking, highway improvement, landscaping and associated works at land off Ty Gwyn Road, Church Village, Rhondda Cynon Taf.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (MANOR COURT, CHURCH VILLAGE, RHONDDA CYNON TAF) 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 areas 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 (Manor Court, Church Village, Rhondda Cynon Taf) Order 2015 (“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 Gartholwg Life Long Learning Centre, St Illtyd’s Road, Church Village, Pontypridd CF38 1RQ or may be obtained free of charge from the address below quoting reference qA1212408.

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 9 September 2015 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at www.gov.wales (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.

MD BURNELL
Transport
Welsh Government

SCHEDULES

SCHEDULE 1

(All measurements are approximate)

Description of the areas of highway to be stopped up under this Order at Manor Court, Church Village in the County Borough of Rhondda Cynon Taf

1. An irregularly shaped area of highway having a total area of 111 square metres to the south-east of the property at No 21, Manor Court and given the reference A on the deposited plan.
2. An irregularly shaped area of highway having a total area of 296 square metres at the southern end of Manor Court and given the reference B on the deposited plan.

SCHEDULE 2

The Development

The construction of 40 dwellings, car parking, highway improvement, landscaping and associated works at land off Ty Gwyn Road, Church Village, Rhondda Cynon Taf in accordance with the planning permission granted under Part III of the Town and Country Planning Act 1990 by Rhondda Cynon Taf County Borough Council on 2 February 2015 under reference number 14/0404/10.