

## HIGHWAYS, WALES

2015 NO.

### TOWN AND COUNTRY PLANNING ACT 1990

#### THE STOPPING UP OF HIGHWAYS (LAND FRONTING 1 THE PARADE, CASTLE DRIVE, DINAS POWYS, VALE OF GLAMORGAN) ORDER 2015

*Made* 17 September 2015

*Coming into Force* 24 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 (Land Fronting 1 The Parade, Castle Drive, Dinas Powys, Vale of Glamorgan) Order 2015.

(2) In this Order:

“the Council” (“*y Cyngor*”) means the Council of the County Borough of the Vale of Glamorgan;

“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 Outside McColl’s, The Parade, Castle Drive, Dinas Powys, Vale of Glamorgan) 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 length 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 Act by the Council on 8 April 2015 under reference number 2014/01480/FUL and described in Schedule 2 to this Order.

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

3. The length 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 how the length of highway is 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 length 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 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

17 September 2015

### **RICHARD 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 length of highway to be stopped up under this Order**

A rectangular shaped length of footway with a maximum length of 3.76 metres and a maximum width of 1.6 metres fronting 1 The Parade (McColl's Newsagents), Castle Drive, Dinas Powys, Vale of Glamorgan.

### **SCHEDULE 2**

#### **Description of the development**

The construction of an external accessible ramp to enable persons to enter the premises safely.

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE STOPPING UP OF HIGHWAYS (LAND  
FRONTING 1 THE PARADE, CASTLE DRIVE,  
DINAS POWYS, VALE OF GLAMORGAN)  
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 length of highway described in Schedule 1 to this Notice. The Stopping Up of Highways (Land Fronting 1 The Parade, Castle Drive, Dinas Powys, Vale of Glamorgan) 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 Dinas Powys Community Council, Council Offices, Parish Hall, 2 Britway Road, Dinas Powys, Vale of Glamorgan, CF64 4AF or may be obtained free of charge from the address below quoting reference qA1216433/1.

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 24 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](http://www.gov.wales) (Select: Legislation/ Subordinate legislation/ Non-Statutory Instruments/ Transport/ 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**

#### **Description of the development**

The construction of an external accessible ramp to enable persons to enter the premises safely in accordance with the planning permission granted under Part III of the Town and Country Planning Act 1990 by the Vale of Glamorgan Council on 8 April 2015 under reference number 2014/01480/FUL.