

**PRIFFYRDD, CYMRU**

**2018 RHIF 49**

**DEDDF CYNLLUNIO GWLAD A THREF 1990**

**GORCHYMYN CAU PRIFFYRDD (VALE ROAD, CYFFORDD LLANDUDNO, CONWY) 2018**

*Gwnaed* 06 Ebrill 2018

*Yn dod i rym* 10 Ebrill 2018

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

**Enwi, Cychwyn a Dehongli**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Vale Road, Cyffordd Llandudno, Conwy) 2018 a daw i rym ar 10 Ebrill 2018.

(2) Yn y Gorchymyn hwn:-

ystyr "y Cyngor" ("the Council") yw Cyngor Bwrdeistref Sirol Conwy;

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 adnewwyd" ("the deposited plan") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Vale Road, Cyffordd Llandudno, Conwy) 2018" sy'n dod gyda'r Gorchymyn hwn.

**Cau Priffordd**

2. Yn ddarostyngedig i erthyglau 3, 4, 5 a 6, mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn ac a ddangosir â llinellau sebra ar y plan a adnewwyd. Mae Gweinidogion Cymru wedi eu bodloni bod angen

(1) 1990 p. 8 Diwygiwyd gan adran 247 gan adran 20(4) o Ddeddf Llywodraeth Leol (Cymru) 1994 (p. 19) a pharagraff 24 o Atodlen 6 iddi. Yn rhinwedd O.S. 1999/672, ac adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraff 30(2) o Atodlen 11 iddi, mae'r pwerau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

**HIGHWAYS, WALES**

**2018 NO. 49**

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE STOPPING UP OF HIGHWAYS (VALE ROAD, LLANDUDNO JUNCTION, CONWY) ORDER 2018**

*Made* 06 April 2018

*Coming into Force* 10 April 2018

The Welsh Ministers, in exercise of their powers under section 247 of the Town and Country Planning Act 1990(1), make this Order.

**Title, Commencement and Interpretation**

1.—(1) The title of this Order is The Stopping Up of Highways (Vale Road, Llandudno Junction, Conwy) Order 2018 and it comes into force on 10 April 2018.

(2) In this Order:-

"the Council" ("*y Cyngor*") means Conwy County Borough Council;

"the deposited plan" ("*y plan a adnewwyd*") means the plan entitled "The Stopping Up of Highways (Vale Road, Llandudno Junction, Conwy) Order 2018" which accompanies this Order;

"the developer" ("*y datblygwr*") means the person carrying out the development for which the planning permission has been given;

"the 1990 Act" ("*Deddf 1990*") means the Town and Country Planning Act 1990; and

**Stopping Up**

2. Subject to articles 3, 4, 5 and 6 the Welsh Ministers authorise the stopping up of the length of highway described in Schedule 1 to this Order and shown by zebra hatching on the deposited plan. The Welsh Ministers are satisfied that the stopping up is

(1) 1990 c. 8 section 247 was mended by section 20 (4) of, and paragraph 24 of Schedule 6 to, the Local Government (Wales) Act 1994 (c.19). By virtue of S.I. 1999/672, and section 162 of, and paragraph 30 (2) of Schedule 11 to, the Government of Wales Act 2006 (c.32). these powers are now exercisable by the Welsh Ministers in relation to Wales.

cau'r briffordd er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio a roddwyd o dan Ran III o Ddeddf 1990 gan y Cyngor ar 21 Tachwedd 2017 o dan y cyfeirnod DC/0/44106 ac a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

### **Priffordd Newydd**

3. Rhaid creu, er boddhad rhesymol y Cyngor, y darn newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn ac a ddangosir â dotwaith ar y plan a adnewyd, ac a fydd yn briffordd sydd, at ddibenion Deddf Priffyrdd 1980(2)<sup>i</sup> w chynnal a'i chadw ar draul y pwrw cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd sy'n gyfrifol amdani.

### **Y Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau Priffordd**

4. Ni chaniateir cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn:-

(a) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, blaniau sy'n dangos sut y mae'r darn o briffordd i'w gau;

(b) hyd nes y bydd y datblygwr wedi darparu'r darn newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn er boddhad rhesymol y Cyngor;

(c) hyd nes y bydd y datblygiad a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn wedi ei ddechrau a bod y datblygwr wedi hysbysu'r Cyngor yn ysgrifenedig ei bod yn angenrheidiol cau'r briffordd er mwyn i'r datblygiad 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 darn 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.

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 21 November 2017 under reference number DC/0/44106 and described in Schedule 3 to this Order.

### **New Highway**

3. There must be created, to the reasonable satisfaction of the Council, the new length of highway described in Schedule 2 to this Order and shown by stipple marking on the deposited plan, which is to be a highway maintainable at the public expense for the purposes of the Highways Act 1980(2) and the Council is to be the highway authority responsible for it.

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

4. The length of highway described in Schedule 1 to this Order 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 developer has provided the new length of highway described in Schedule 2 to this Order to the reasonable satisfaction of the Council;

(c) the development described in Schedule 3 to this Order has commenced and the developer has informed the Council in writing of the necessity to stop up 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 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.

(2) 1980 p. 66.

(2) 1980 c.66.

## Cyfnod Para'r Gorchymyn hwn

6. Os na fydd y datblygiad a ddisgrifir yn Atodlen 3 wedi ei ddechrau yn 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.

Llofnodwyd o dan awdurdod Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth, un o Weinidogion Cymru.

Dyddiedig 06 Ebrill 2018

*Nina Ley  
Pennaeth yr Uned Fusnes, Rheoli'r Rhwydwaith  
Llywodraeth Cymru*

## YR ATODLENNI

### ATODLEN 1 (Bras amcan yw pob mesuriad)

#### Disgrifiad o'r darn o briffordd sydd i'w gau o dan y Gorchymyn hwn

Darn petryalog ei siâp o briffordd ym mhen dwyreiniol Vale Road, Cyffordd Llandudno, Conwy, sy'n ymestyn tua'r gogledd-orllewin ac sy'n mesur 52.4 o fetrau yn y man hiraf ac 11.7 o fetrau yn y man lletaf ac a ddangosir â llinellau sebra ar y plan a adnewwyd.

### ATODLEN 2

#### Disgrifiad o'r darn o briffordd newydd sydd i'w ddarparu

Pen troi newydd ym mhen dwyreiniol Vale Road, Cyffordd Llandudno, Conwy, sy'n ymestyn i gyfeiriad y gogledd-orllewin ac sy'n mesur 17.3 o fetrau yn y man hiraf ac 17.7 o fetrau yn y man lletaf ac a ddangosir â dotwaith ar y plan a adnewwyd.

### ATODLEN 3

#### Y Datblygiad

Gwaith i ddimchwel hen adeiladau'r Daily Post ac Arriva ac i adeiladu archfarchnad a chreu ffordd fynediad newydd oddi ar New Road (yr A546) a maes parcio cysylltiedig a thirweddu.

## Duration of this Order

6. If the development described 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 that period, this Order ceases to have effect upon the cessation of the planning permission.

Signed under authority of the Cabinet Secretary for Economy and Transport, one of the Welsh Ministers.

Dated 06 April 2018

*Nina Ley  
Head of Business Unit, Network Management  
Welsh Government*

## 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 highway that is located at the eastern end of Vale Road, Llandudno Junction, Conwy, which extends north-west to a maximum length of 52.4 metres and a maximum width of 11.7 metres and shown as zebra hatching on the deposited plan.

### SCHEDULE 2

#### Description of the length of new highway to be provided

A new turning head at the eastern end of Vale Road, Llandudno Junction, Conwy which extends in a north westerly direction with a maximum length of 17.3 metres and a maximum width of 17.7 metres and shown as stipple hatching on the deposited plan.

### SCHEDULE 3

#### The Development

Demolition of former Daily Post and Arriva buildings and erection of a supermarket with the formation of new access off New Road (A546) and associated car parking area and landscaping.

## DEDDF CYNLLUNIO GWLAD A THREF 1990

### GORCHYMYN CAU PRIFFYRDD (VALE ROAD, CYFFORDD LLANDUDNO, CONWY) 2018

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 ("y Ddeddf") i awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Hysbysiad hwn a darparu'r darn newydd o briffordd a ddisgrifir yn Atodlen 2 er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 3. Bydd Gorchymyn Cau Priffyrdd (Vale Road, Cyffordd Llandudno, Conwy) 2018 ("y Gorchymyn"), yn peidio â chael effaith os daw'r caniatâd cynllunio mewn cysylltiad â'r datblygiad i ben neu os caiff ei ddirymu.

Gellir edrych ar gopiau o'r Gorchymyn a'r plan a adnewydw yn rhad ac am ddim yn swyddfa Cyngor Bwrdeistref Sirol Conwy, Bodlondeb, Ffordd Bangor, Conwy LL32 8DU yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1316434.

Caiff unrhyw berson a dramgwyddir gan y Gorchymyn, ar y sail:

- a. nad yw o fewn pwerau'r Ddeddf; neu
- b. na chydymffurfiwyd ag un o ofynion gweithdrefnol y Ddeddf;

o fewn 6 wythnos i 10 Ebrill 2018, wneud cais i'r Uchel Lys at y diben hwnnw.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar [www.llyw.cymru](http://www.llyw.cymru) (Detholer: Deddfwriaeth/ Is-ddeddfwriaeth/ Offerynnau Anstatudol/ Trafnidiaeth/ Deddf Cynllunio Gwlad a Thref: Gorchymynion Cau/ 2018).

**Gellir cael copi print bras o'r Hysbysiad hwn oddi wrth: Y Gangen Orchmynion, Trafnidiaeth, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.**

**M D BURNELL**  
Trafnidiaeth  
Llywodraeth Cymru

## TOWN AND COUNTRY PLANNING ACT 1990

### THE STOPPING UP OF HIGHWAYS (VALE ROAD, LLANDUDNO JUNCTION, CONWY) ORDER 2018

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 and provide the new length of highway described in Schedule 2, to enable the development described in Schedule 3 to be carried out. The Stopping Up of Highways (Vale Road, Llandudno Junction, Conwy) Order 2018 ("the Order"), will cease 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 office of Conwy County Borough Council, Bodlondeb, Bangor Road, Conwy, LL32 8DU during normal office hours or may be obtained free of charge from the address below quoting reference qA1316434.

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 10 April 2018 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/ 2018).

**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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#### The Development

Demolition of former Daily Post and Arriva buildings and erection of a supermarket with the formation of new access off New Road (A546) and associated car parking area and landscaping, in accordance with planning permission granted under Part III of the 1990 Act by the Council on 21 November 2017 under reference number DC/0/44106.