

PRIFFYRDD, CYMRU

2018 RHIF 67

DEDDF CYNLLUNIO GWLAD A THREF 1990

**GORCHYMYN CAU PRIFFYRDD (TIR ODDI
AR FAES Y BRYN, BRYN, LLANELLI, SIR
GAERFYRDDIN) 2018**

Gwnaed 4 Hydref 2018

Yn dod i rym 10 Hydref 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 (Tir oddi ar Faes y Bryn, Bryn, Llanelli, Sir Gaerfyrddin) 2018 a daw i rym ar 10 Hydref 2018.

(2) Yn y Gorchymyn hwn:-

ystyr "y Cyngor" ("*the Council*") yw Cyngor Sir Gaerfyrddin;

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 (Tir oddi ar Faes y Bryn, Bryn, Llanelli, Sir Gaerfyrddin) 2018" sy'n dod gyda'r Gorchymyn hwn.

HIGHWAYS, WALES

2018 NO. 67

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAYS (LAND
OFF MAES Y BRYN, BRYN, LLANELLI,
CARMARTHENSHIRE) ORDER 2018**

Made 4 October 2018

Coming into Force 10 October 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 (Land off Maes y Bryn, Bryn, Llanelli, Carmarthenshire) Order 2018 and it comes into force on 10 October 2018.

(2) In this Order:-

"the Council" ("*y Cyngor*") means Carmarthenshire County Council;

"the deposited plan" ("*y plan a adnewwyd*") means the plan entitled "The Stopping Up of Highways (Land off Maes y Bryn, Bryn, Llanelli, Carmarthenshire) Order 2018" which accompanies this Order; and

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

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

(1) 1990 p.8; diwygiwyd 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 o Atodlen 11 iddi, mae'r pwerau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

(1) 1990 c.8; section 247 was amended 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 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 Priffordd

2. Yn ddarostyngedig i erthyglau 3, 4, 5 a 6 o'r Gorchymyn hwn 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 adnewyd. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 3 Tachwedd 2015 o dan y cyfeirnod S/27346 ac a ddisgrifir yn Atodlen 4 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), i'w chynnal ar draul y pwrs cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd sy'n gyfrifol amdani.

Priffordd y Gwneir Gwelliannau Iddi

4. Rhaid creu, er boddhad rhesymol y Cyngor, y darn o briffordd y gwneir gwelliannau iddi a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn ac a ddangosir â chroeslinellau ar y plan a adnewyd, sy'n briffordd i'w chynnal ar draul y pwrs cyhoeddus at ddibenion Deddf Priffyrdd 1980.

Y Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau'r Briffordd

5. 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 datblygwr wedi darparu'r darn o briffordd y gwneir gwelliannau iddi a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn er boddhad rhesymol y Cyngor;

(d) hyd nes y bydd y datblygiad a ddisgrifir yn Atodlen 4 i'r Gorchymyn hwn wedi ei ddechrau a bod y datblygwr wedi hysbysu'r Cyngor yn ysgrifenedig ei bod yn angenrheidiol cau'r darn o briffordd er mwyn i'r datblygiad fynd rhagddo; a

Stopping Up

2. Subject to articles 3, 4, 5 and 6 of this Order 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 necessary to enable development to be carried out in accordance with planning permission granted under Part 3 of the 1990 Act by the Council on 03 November 2015 under reference number S/27346 and described in Schedule 4 to this Order.

New Highway

3. There will 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 public expense for the purposes of the Highways Act 1980(2) and the Council is to be the highway authority responsible for it.

Improved Highway

4. There will be created, to the reasonable satisfaction of the Council, the improved length of highway described in Schedule 3 to this Order and shown by cross hatching on the deposited plan which is a highway maintainable at the public expense for the purposes of the Highways Act 1980.

Provisions Necessary or Expedient before Stopping Up

5. 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 Schedules 2 to this Order to the reasonable satisfaction of the Council;

(c) the developer has provided the improved length of highway described in Schedule 3 to this Order to the reasonable satisfaction of the Council;

(d) the development described in Schedule 4 to this Order has commenced and the developer has informed the Council in writing of the necessity to stop up the length of highway to allow the development to proceed; and

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

Ymgwymerwyr Statudol a Darparwyr

6. 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.

Cyfnod Para'r Gorchymyn hwn

7. Os na fydd y datblygiad a ddisgrifir yn Atodlen 4 i'r Gorchymyn hwn wedi ei ddechrau yn y cyfnod perthnasol a bennir yn Rhan 3 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 4 Hydref 2018

Richard Morgan
Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

YR ATODLENNI (Bras amcan yw pob mesuriad)

ATODLEN 1

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

Darn afreolaidd ei siâp o briffordd sy'n mesur 63 o fetrau sgwâr sy'n ffurfio lle troi ar hyn o bryd, i'r gogledd-orllewin o'r tu cefn i eiddo Rhif 8 Maes y Bryn a chyferbyn ag eiddo Rhif 19 Maes y Bryn, Bryn, Llanelli, Sir Gaerfyrddin, ac i'r gogledd-ddwyrain ohono.

ATODLEN 2

Disgrifiad o'r darn newydd o briffordd sydd i'w ddarparu o dan y Gorchymyn hwn

Darn afreolaidd ei siâp o briffordd (troetfordd yn rhannol) sy'n mesur 1,793 o fetrau sgwâr i'r gogledd o eiddo Rhifau 8 a 19 Maes y Bryn, Bryn, Llanelli, Sir Gaerfyrddin.

(e) the Council has confirmed in writing to the developer that paragraphs (a), (b), (c) and (d) are satisfied.

Statutory Undertakers and Providers

6. 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

7. If the development described in Schedule 4 to this Order has not begun within the relevant period specified in Part 3 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 4 October 2018

Richard Morgan
Head of Planning, Asset Management and Standards
Welsh Government

SCHEDULES (All measurements are approximate)

SCHEDULE 1

Description of the length of highway to be stopped up under this Order

An irregularly shaped length of highway measuring 63 square metres that currently forms a turning head, which is located to the north-west of the rear of No.8 Maes y Bryn and opposite and north-east of No.19 Maes y Bryn, Bryn, Llanelli, Carmarthenshire.

SCHEDULE 2

Description of the new length of highway to be provided under this Order

An irregularly shaped length of highway (part footway) measuring 1,793 square metres which will be located north of Nos. 8 and 19 Maes y Bryn, Bryn, Llanelli, Carmarthenshire.

ATODLEN 3

Disgrifiad o'r darn o briffordd y gwneir gwelliannau iddi sydd i'w ddarparu o dan y Gorchymyn hwn

Darn petryalog ei siâp o briffordd (troetffordd) sy'n mesur 16.5 o fetrau yn y man hiraf a 1.8 o fetrau yn y man lletaf i'r gogledd-orllewin o'r tu cefn i eiddo Rhif 8 Maes y Bryn a chyferbyn ag eiddo Rhif 19 Maes y Bryn, Bryn, Llanelli, Sir Gaerfyrddin, ac i'r gogledd-ddwyrain ohono.

ATODLEN 4

Y datblygiad

Datblygiad preswyl ar dir ym Maes y Bryn, Heol Penllwyngwyn, Bryn, Llanelli, Sir Gaerfyrddin.

SCHEDULE 3

Description of the length of improved highway to be provided under this Order

A rectangular length of highway (footway) with a maximum length of 16.5 metres and a maximum width of 1.8 metres located to the north-west of the rear of No.8 Maes y Bryn and opposite and north-east of No.19 Maes y Bryn, Bryn, Llanelli, Carmarthenshire.

SCHEDULE 4

The development

Residential development at land at Maes y Bryn, Penllwyngwyn Road, Bryn, Llanelli, Carmarthenshire.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (TIR ODDI AR FAES Y BRYN, BRYN, LLANELLI, SIR GAERFYRDDIN) 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, ac i ddarparu'r darn o briffordd newydd a'r darn o briffordd y gwneir gwelliannau iddi a ddisgrifir yn Atodlenni 2 a 3 i'r hysbysiad hwn er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 4. Bydd Gorchymyn Cau Priffyrdd (Tir oddi ar Faes y Bryn, Bryn, Llanelli, Sir Gaerfyrddin) 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 gopïau o'r Gorchymyn a'r plan a adnewyd yn rhad ac am ddim yn ystod oriau swyddfa arferol yn Llyfrgell Llanelli, Stryd Vaughan, Llanelli SA15 3AS neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1355366/1.

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 Hydref 2018, wneud cais i'r Uchel Lys at y diben hwnnw.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar 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 (LAND OFF MAES Y BRYN, BRYN, LLANELLI, CARMARTHENSHIRE) 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 to provide the new and improved lengths of highway described in Schedules 2 and 3 to this notice to enable the development described in Schedule 4 to this notice to be carried out. The Stopping Up of Highways (Land off Maes y Bryn, Bryn, Llanelli, Carmarthenshire) Order 2018 ("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 opening hours at Llanelli Library, Vaughan Street, Llanelli SA15 3AS or may be obtained free of charge from the address below quoting reference qA1355366/1.

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 10 October 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 (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

YR ATODLENNI
(Bras amcan yw pob mesuriad)

ATODLEN 1

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

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ATODLEN 2

Disgrifiad o'r darn newydd o briffordd sydd i'w ddarparu o dan y Gorchymyn hwn

Darn afreolaidd ei siâp o briffordd (troetffordd yn rhannol) sy'n mesur 1,793 o fetrau sgwâr i'r gogledd o eiddo Rhifau 8 a 19 Maes y Bryn, Bryn, Llanelli, Sir Gaerfyrddin.

ATODLEN 3

Disgrifiad o'r darn o briffordd y gwneir gwelliannau iddi sydd i'w ddarparu o dan y Gorchymyn hwn

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ATODLEN 4

Y datblygiad

Datblygiad preswyl ar dir ym Maes y Bryn, Heol Penllwyngwyn, Bryn, Llanelli, Sir Gaerfyrddin, yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o'r Ddeddf gan Gyngor Sir Gaerfyrddin ar 3 Tachwedd 2015 o dan y cyfeirnod S/27346.

SCHEDULES
(All measurements are approximate)

SCHEDULE 1

Description of the length of highway to be stopped up under this Order

An irregularly shaped length of highway measuring 63 square metres that currently forms a turning head, which is located to the north-west of the rear of No.8 Maes y Bryn and opposite and north-east of No.19 Maes y Bryn, Bryn, Llanelli, Carmarthenshire.

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SCHEDULE 4

The development

Residential development at land at Maes y Bryn, Penllwyngwyn Road, Bryn, Llanelli, Carmarthenshire in accordance with planning permission granted under Part 3 of the Act by Carmarthenshire County Council on 3 November 2015 under reference number S/27346.