

PRIFFYRDD, CYMRU

2018 Rhif 77

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (Y B4381
FFORDD TRE'R-LLAI, MAN I'R GORLLEWIN
O BONT TRE'R-LLAI, Y TRALLWNG, POWYS)
(RHIF 2) 2018

Gwnaed 18 Rhagfyr 2018

Yn dod i rym 21 Rhagfyr 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, Dehongli a Chychwyn

1. (1) Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Y B4381 Ffordd Tre'r-llai, Man i'r Gorllewin o Bont Tre'r-llai, Y Trallwng, Powys) (Rhif 2) 2018 a daw i rym ar 21 Rhagfyr 2018.

(2) Yn y Gorchymyn hwn:-

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

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 (Y B4381, Ffordd Tre'r-llai, Man i'r Gorllewin o Bont Tre'r-llai, Y Trallwng, Powys) (Rhif 2) 2018" sy'n dod gyda'r Gorchymyn hwn.

(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.

HIGHWAYS, WALES

2018 No. 77

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (B4381
LEIGHTON ROAD, WEST OF LEIGHTON
BRIDGE, WELSHPOOL, POWYS) (NO. 2)
ORDER 2018

Made 18 December 2018

Coming into Force 21 December 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, Interpretation and Commencement

1. (1) The title of this Order is The Stopping Up of Highways (B4381 Leighton Road, West of Leighton Bridge, Welshpool, Powys) (No. 2) Order 2018 and it comes into force on 21 December 2018.

(2) In this Order:-

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

"the deposited plan" ("*y plan a adnewwyd*") means the plan entitled "The Stopping Up of Highways (B4381 Leighton Road, West of Leighton Bridge, Welshpool, Powys) (No. 2) Order 2018" which accompanies this Order;

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

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

(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 a 5, 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 22 Chwefror 2017 o dan y cyfeirnod P/2016/1240 ac a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

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

3. 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 datblygiad yn Atodlen 2 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 a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn er mwyn i'r datblygiad fynd rhagddo; a

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

Ymgwymerwyr Statudol a Darparwyr

4. 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

5. Os na fydd y datblygiad yn Atodlen 2 i'r Gorchymyn hwn 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.

Stopping Up

2. Subject to articles 3, 4 and 5 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 22 February 2017 under reference number P/2016/1240 and described in Schedule 3 to this Order.

Provisions Necessary or Expedient before Stopping Up

3. 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 development in Schedule 2 to this Order has commenced and the developer has informed the Council in writing of the necessity to stop up the length of highway described in Schedule 1 to this Order 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 in Schedule 2 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.

Llofnodwyd o dan awdurdod Gweinidog yr Economi a Thrafnidiaeth, un o Weinidogion Cymru.

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

Dyddiedig 18 Rhagfyr 2018

Dated 18 December 2018

Richard Morgan
Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

Richard Morgan
Head of Planning, Asset Management and Standards
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

Darn afreolaidd ei siâp o'r B4381 Ffordd Tre'r-llai wedi ei dargyfeirio nad yw wedi ei gau'n ffurfiol sydd wedi ei leoli o fewn y Safle Sipsiwn a Theithwyr i'r gogledd o'r B4381 presennol, mewn man i'r gorllewin o Bont Tre'r-llai, y Trallwng, sy'n gyfanswm o 235 o fetrau sgwâr, ac y rhoddwyd y cyfeirnod A iddi ar y plan a adneuwyd.

ATODLEN 2

Y Datblygiad

Estyniad i'r safle presennol i sipsiwn a charafannau i gynnwys dwy lain ychwanegol, Adeilad amwynderau a Mannau Parcio ynghyd ag adleoli'r Mynediad presennol i gaeau yn Safle Sipsiwn a Theithwyr Leighton Arches, Tre'r-llai.

DEDDF CYNLLUNIO GWLAD A THREF 1990

**GORCHYMYN CAU PRIFFYRDD (Y B4381
FFORDD TRE'R-LLAI, MAN I'R GORLLEWIN
O BONT TRE'R-LLAI, Y TRALLWNG, POWYS)
(RHIF 2) 2018**

SCHEDULES

(All measurements are approximate)

SCHEDULE 1

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

An irregular shaped length of diverted B4381 Leighton Road not formally stopped up, that is situated within the Gypsy and Traveller site, north of the current B4381, west of Leighton Bridge, Welshpool, totalling 235 square metres, and given the reference A on the deposited plan.

SCHEDULE 2

The Development

Extension to existing gypsy and caravan site to incorporate two additional pitches, an amenity building and parking together with the relocation of an existing field Access at Leighton Arches Gypsy and Traveller Site, Leighton.

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAYS (B4381
LEIGHTON ROAD, WEST OF LEIGHTON
BRIDGE, WELSHPOOL, POWYS) (NO. 2)
ORDER 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 er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 2.

Bydd Gorchymyn Cau Priffyrdd (Y B4381 Ffordd Tre'r-llai, Man i'r Gorllewin o Bont Tre'r-llai, Y Trallwng, Powys) (Rhif 2) 201- ("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 gopiâu o'r Gorchymyn a'r plan a adnewwyd yn rhad ac am ddim yn ystod oriau swyddfa arferol yn Nghanolfan Groeso'r Trallwng, Gerddi'r Ficerdy, Church Street, y Trallwng, Powys SY21 7DD 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 21 Rhagfyr 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

YR ATODLENNI

(Bras amcan yw pob mesuriad)

ATODLEN 1

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

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 to enable the development described in Schedule 2 to be carried out.

The Stopping Up of Highways (B4381 Leighton Road, West of Leighton Bridge, Welshpool, Powys) (No. 2) Order 201- ("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 Welshpool Tourist Information Centre, Vicarage Garden, Church Street, Welshpool, Powys SY21 7DD 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 21 December 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 Transport, Orders Branch, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

M D BURNELL
Transport
Welsh Government

SCHEDULES

(All measurements are approximate)

SCHEDULE 1

Description of the length of highway to be stopped

Gorchymyn

Darn afreolaidd ei siâp o'r B4381 Ffordd Tre'r-llai wedi ei dargyfeirio nad yw wedi ei gau'n ffurfiol sydd wedi ei leoli o fewn y Safle Sipsiwn a Theithwyr i'r gogledd o'r B4381 presennol, mewn man i'r gorllewin o Bont Tre'r-llai, y Trallwng, sy'n gyfanswm o 235 o fetrau sgwâr, ac y rhoddwyd y cyfeirnod A iddi ar y plan a adneuwyd.

ATODLEN 2

Y Datblygiad

Estyniad i'r Safle presennol i Sipsiwn a Theithwyr i gynnwys dwy lain ychwanegol, adeilad amwynderau a manau parcio ynghyd ag adleoli'r mynediad presennol i gaeau yn Safle Sipsiwn a Theithwyr Leighton Arches, Tre'r-llai, yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o'r Ddeddf gan y Cyngor ar 22 Chwefror 2017 o dan y cyfeirnod P/2016/1240.

up under the Order

An irregular shaped length of diverted B4381 Leighton Road not formally stopped up that is situated within the Gypsy and Traveller Site, north of the current B4381, west of Leighton Bridge, Welshpool, totalling 235 square metres, and given the reference A on the deposited plan.

SCHEDULE 2

The Development

Extension to existing Gypsy and Traveller Site to incorporate two additional pitches, an amenity building and parking together with the relocation of an existing field access at Leighton Arches Gypsy and Traveller Site, Leighton, in accordance with planning permission granted under Part 3 of the Act by the Council on 22 February 2017 under the reference number P/2016/1240.