

PRIFFYRDD, CYMRU

2019 RHIF 17

DEDDF CYNLLUNIO GWLAD A THREF 1990

**GORCHYMYN CAU PRIFFYRDD (TIR YN
PEASEY PARK, SANDYKE ROAD,
ABERLLYDAN, SIR BENFRO) 2019**

Gwnaed 3 Mehefin 2019
Yn dod i rym 5 Mehefin 2019

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

Enwi, Cychwyn a Dehongli

1. —(1) Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Tir yn Peasey Park, Sandyke Road, Aberllydan, Sir Benfro) 2019 a daw i rym ar 5 Mehefin 2019.

(2) Yn y Gorchymyn hwn:-

ystyr "yr Awdurdod Parc Cenedlaethol" ("*the National Park Authority*") yw Awdurdod Parc Cenedlaethol Arfordir Penfro;

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

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 yn Peasey Park, Sandyke Road, Aberllydan, Sir Benfro) 2019" 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

2019 NO. 17

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAYS (LAND AT
PEASEY PARK, SANDYKE ROAD, BROAD
HAVEN, PEMBROKESHIRE) ORDER 2019**

Made 3 June 2019
Coming into Force 5 June 2019

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 at Peasey Park, Sandyke Road, Broad Haven, Pembrokeshire) Order 2019 and it comes into force on 5 June 2019.

(2) In this Order:-

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

"the deposited plan" ("*y plan a adnewwyd*") means the plan entitled "The Stopping Up of Highways (Land at Peasey Park, Sandyke Road, Broad Haven, Pembrokeshire) Order 2019" which accompanies this Order;

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

"the National Park Authority" ("*Awdurdod Parc Cenedlaethol*") means Pembrokeshire Coast National Park Authority; and

"the 1990 Act" ("*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, 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 adnewwyd. 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 yr Awdurdod Parc Cenedlaethol ar 18 Medi 2017 o dan y cyfeirnod NP/16/0047/FUL, ac a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

Y Briffordd y Gwneir Gwelliannau Iddi

3. Rhaid gwneud gwelliannau, er boddhad rhesymol y Cyngor, i'r darn o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn ac a ddangosir â chroeslinellau ar y plan a adnewwyd, sy'n briffordd sydd i'w chynnal ar draul y pwrw cyhoeddus at ddibenion Deddf Priffyrdd 1980(2) a'r Cyngor fydd yr awdurdod priffyrdd sy'n gyfrifol amdani.

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

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 chau;

(b) hyd nes y bydd y datblygwr wedi darparu'r darn o briffordd y gwneir gwelliannau iddo 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 darn o 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.

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 National Park Authority on 18 September 2017 under reference number NP/16/0047/FUL and described in Schedule 3 to this Order.

Improved Highway

3. There must be improvements made, to the reasonable satisfaction of the Council, to the length of highway described in Schedule 2 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(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 improved 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 length of 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.

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.

Cyfnod Para'r Gorchymyn hwn

6. Os na fydd y datblygiad a ddisgrifir yn Atodlen 3 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 Gweinidog yr Economi a Thrafnidiaeth, un o Weinidogion Cymru.

Dyddiedig

3 Mehefin 2019

Richard Morgan

Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

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.

Duration of this Order

6. If the development described in Schedule 3 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 Minister for Economy and Transport, one of the Welsh Ministers.

Dated

3 June 2019

Richard Morgan

Head of Planning, Asset Management & Standards
Welsh Government

YR ATODLENNI (Bras amcan yw pob mesuriad)

ATODLEN 1 Darn o briffordd sydd i'w chau

Darn afreolaidd ei siâp o briffordd sy'n 38 o fetrau yn y man hiraf a 4.6 metr yn y man lletaf sy'n ymestyn i gyfeiriad y gogledd-ddwyrain o bwynt i'r dwyrain o gefn Rhifau 33 i 55 Puffin Way hyd at bwynt i'r de o Rif 98 Sandyke Road, Aberllydan (wedi ei labelu ag A ar y plan a adnewwyd).

ATODLEN 2 Darn o briffordd y gwneir gwelliannau iddo

Darn afreolaidd ei siâp o briffordd sy'n 45.25 o fetrau yn y man hiraf a 2.4 metr yn y man lletaf sy'n ymestyn i gyfeiriad y gogledd-ddwyrain o bwynt i'r dwyrain o gefn Rhifau 33 i 55 Puffin Way hyd at bwynt i'r de-ddwyrain o Rif 98 Sandyke Road, Aberllydan.

SCHEDULES (All measurements are approximate)

SCHEDULE 1 Length of highway to be stopped up

An irregular shaped length of highway with a maximum length of 38 metres and a maximum width of 4.6 metres that extends in a north-easterly direction from a point east of the rear of Nos. 33 to 55 Puffin Way to a point south of No.98 Sandyke Road, Broad Haven (labelled A on the deposited plan).

SCHEDULE 2 Length of improved highway

An irregular shaped length of highway with a maximum length of 45.25 metres and a maximum width of 2.4 metres that extends in a north-easterly direction from a point east of the rear of Nos. 33 to 55 Puffin Way to a point south-east of No.98 Sandyke Road, Broad Haven.

ATODLEN 3
Y Datblygiad

Adeiladu 2 dŷ â 2 ystafell wely ar dir yn Peasey Park,
Sandyke Road, Aberllydan, Sir Benfro.

SCHEDULE 3
The Development

The construction of 2 x 2-bedroom houses at land at
Peasey Park, Sandyke Road, Broad Haven,
Pembrokeshire.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (TIR YN PEASEY PARK, SANDYKE ROAD, ABERLLYDAN, SIR BENFRO) 2019

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 y gwneir gwelliannau iddo a ddisgrifir yn Atodlen 2 i'r Hysbysiad hwn er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 3 i'r Hysbysiad hwn.

Bydd Gorchymyn Cau Priffyrdd (Tir yn Peasey Park, Sandyke Road, Aberllydan, Sir Benfro) 2019 ("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 adnewwyd yn rhad ac am ddim yn ystod oriau swyddfa arferol yn swyddfeydd Ateb Group Limited, Tŷ Meyler, St Thomas Green, Hwlfordd SA61 1QP neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1378202/1.

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 5 Mehefin 2019, wneud cais i'r Uchel Lys at y diben hwnnw.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar www.gweddill.gov.wales/legislation/subordinate (Detholer: Offerynnau anstatudol/ Trafnidiaeth/ Deddf Cynllunio Gwlad a Thref: gorchymynion cau/ 2019).

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

J SADDLER
Trafnidiaeth
Llywodraeth Cymru

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (LAND AT PEASEY PARK, SANDYKE ROAD, BROAD HAVEN, PEMBROKESHIRE) ORDER 2019

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 improved length of highway described in Schedule 2 to this Notice to enable the development described in Schedule 3 to this Notice to be carried out.

The Stopping Up of Highways (Land at Peasey Park, Sandyke Road, Broad Haven, Pembrokeshire) Order 2019 ("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 the offices of Ateb Group Limited, Meyler House, St Thomas Green, Haverfordwest SA61 1QP or may be obtained free of charge from the address below quoting reference qA1378202/1.

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 5 June 2019 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at www.gweddill.gov.wales/legislation/subordinate (Select: Non-Statutory Instruments/ Transport/ TCPA Stopping Up Orders/ 2019).

A copy of this Notice in larger print can be obtained from Orders Branch, Transport, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

J SADDLER
Transport
Welsh Government

YR ATODLENNI
(Bras amcan yw pob mesuriad)

ATODLEN 1
Darn o briffordd sydd i'w chau

Darn afreolaidd ei siâp o briffordd sy'n 38 o fetrau yn y man hiraf a 4.6 metr yn y man lletaf sy'n ymestyn i gyfeiriad y gogledd-ddwyrain o bwynt i'r dwyrain o gefn Rhifau 33 i 55 Puffin Way hyd at bwynt i'r de o Rif 98 Sandyke Road, Aberllydan (wedi ei labelu ag A ar y plan a adnewwyd).

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Adeiladu 2 dŷ â 2 ystafell wely ar dir yn Peasey Park, Sandyke Road, Aberllydan, Sir Benfro yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o'r Ddeddf gan Awdurdod Parc Cenedlaethol Arfordir Penfro ar 18 Medi 2017 o dan y cyfeirnod NP/16/0047/FUL.

SCHEDULES
(All measurements are approximate)

SCHEDULE 1
Length of highway to be stopped up

An irregular shaped length of highway with a maximum length of 38 metres and a maximum width of 4.6 metres that extends in a north-easterly direction from a point east of the rear of Nos. 33 to 55 Puffin Way to a point south of No.98 Sandyke Road, Broad Haven (labelled A on the deposited plan).

SCHEDULE 2
Length of improved highway

An irregular shaped length of highway with a maximum length of 45.25 metres and a maximum width of 2.4 metres that extends in a north-easterly direction from a point east of the rear of Nos. 33 to 55 Puffin Way to a point south-east of No.98 Sandyke Road, Broad Haven.

SCHEDULE 3
The Development

The construction of 2 x 2-bedroom houses at land at Peasey Park, Sandyke Road, Broad Haven, Pembrokeshire in accordance with planning permission granted under Part 3 of the Act by Pembrokeshire Coast National Park Authority on 18 September 2017 under reference number NP/16/0047/FUL.