

HIGHWAYS, WALES

2011 No.37

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAYS (CHELSEA
AVENUE, CEFN GLAS, BRIDGEND) ORDER
2011**

<i>Made</i>	1 October 2011
Coming into Force	6 October 2011

The Welsh Ministers make this Order in exercise of their powers under section 247 of the Town and Country Planning Act 1990⁽¹⁾ (hereinafter referred to as “the Act of 1990”), and of all other enabling powers⁽²⁾.

1. In this Order:-

“the Council” (“*y Cyngor*”) means Bridgend County Borough Council;

“the developer” (“*y datblygwr*”) means the person carrying out the development for which the planning permission referred to below has been given;

“the deposited plan” (“*y plan a adnewwyd*”) means the plan entitled “The Stopping Up of Highways (Chelsea Avenue, Cefn Glas, Bridgend) Order 2011” which accompanies this Order.

2. Subject to the provisions of articles 3, 4 and 5 of this Order, the Welsh Ministers authorise the stopping up of the areas of highway described in Schedule 1 to this Order and shown by cross hatching on the deposited plan, being satisfied that the stopping up is necessary to enable development to be carried out as described in Schedule 2 to this Order in accordance with planning permission granted under Part III of the Act of 1990 by the Council on 1 June 2011 under the reference number P/09/687/FUL.

3. The areas of highway described in Schedule 1 to this Order may not be stopped up until:-

(a) the developer has provided, to the reasonable satisfaction of the Council, plans showing the means whereby the areas of highway are to be stopped up;

(b) the development referred to in Schedule 2 of this Order has commenced and the developer has informed the Council in writing of the necessity to close the highways to allow the development to proceed; and

(c) the Council has confirmed in writing to the developer that the provisions of (a) and (b) of this article have been fulfilled.

4. Where immediately before the areas of highway are stopped up in pursuance of this Order there is under, in, on, over, along or across the highways any apparatus of statutory undertakers or public communications providers then (subject to section 261(4) of the Act of 1990) the undertakers or providers are to continue to have the same rights in respect of the apparatus as they had before the stopping up.

5. If the development referred to in Schedule 2 of this Order has not begun within the relevant period specified in Part III of the Act of 1990 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.

6. This Order comes into operation on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act of 1990 and its title is The Stopping Up of Highways (Chelsea Avenue, Cefn Glas, Bridgend) Order 2011.

Signed under authority of the Minister for Local Government and Communities, one of the Welsh Ministers.

Dated 1 October 2011

G MORGAN

Head of Infrastructure Specialist Services
Welsh Government

- (1) 1990 c.8.
- (2) By virtue of S.I. 1999/672, article 2 and Schedule 1, paragraph 30 of Schedule 11 to the Government of Wales Act 2006, these powers are now exercisable by the Welsh Ministers in relation to Wales.

SCHEDULE 1

(all measurements are approximate)

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

An irregularly shaped area of highway extending from the junction of Chelsea Avenue with the cul-de-sac serving plots 12 to 26, Chelsea Avenue, to the end of the turning head serving plots 12 to 26, Chelsea Avenue, having a maximum length of 40.5 metres, a maximum width of 14 metres, a total area of 271 square metres, and identified as area 1 on the deposited plan.

An irregularly shaped area of highway extending from the junction of Chelsea Avenue with the cul-de-sac serving plots 52 to 82, Chelsea Avenue, to the end of the turning circle serving plots 52 to 82, Chelsea Avenue, having a maximum length of 26 metres, a maximum width of 16.3 metres, a total area of 275 square metres, and identified as area 2 on the deposited plan.

An irregularly shaped area of highway extending from the junction of Chelsea Avenue with the cul-de-sac serving plots 27 to 59, Chelsea Avenue, to the end of the turning head serving plots 27 to 59, Chelsea Avenue, having a maximum length of 20.6 metres, a maximum width of 18.7 metres, a total area of 228 square metres, and identified as area 3 on the deposited plan.

An irregularly shaped area of highway extending from the junction of Chelsea Avenue with the cul-de-sac serving plots 108 to 122, Chelsea Avenue, to the end of the turning circle serving plots 108 to 122, Chelsea Avenue, having a maximum length of 31.5 metres, a maximum width of 18.3 metres, a total area of 334 square metres, and identified as area 4 on the deposited plan.

An irregularly shaped area of highway extending from the start of the turning circle adjacent to plot 154, Chelsea Avenue to the end of the turning circle outside plot 157, Chelsea Avenue, having a maximum length of 24.9 metres, a maximum width of 18.6 metres, a total area of 327 square metres, and identified as area 5 on the deposited plan.

SCHEDULE 2

The Development

Redevelopment of existing social housing development to provide 116 dwellings involving the stopping up of existing residential cul-de-sacs to be replaced by a new highway layout at Chelsea Avenue, Cefn Glas, in the County Borough of Bridgend.

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NOTICE IS HEREBY GIVEN that the Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 to authorise the stopping up of the area of highway described in Schedule 1 to this Notice.

The stopping up is authorised only in order to enable development to be carried out as described in Schedule 2 to this Notice. The Order will cease to have effect if the planning permission expires or is revoked.

Copies of the Order and the deposited plan may be inspected free of charge during normal office hours at Bridgend Reference and Information Centre, Ty'r Ardd, Sunnyside, Bridgend CF31 4AR or may be obtained free of charge from the address below quoting reference CZ510-5-53-qA941919/1.

If any person desires to question the validity of the Order, or of any of the Provisions contained therein, on the grounds:

- a. that it is not within the powers of the Town and Country Planning Act 1990; or
- b. that their interests have been substantially prejudiced by a failure to comply with any of the requirements of the Act,

that person may, within 6 weeks of 6 October 2011, apply to the High Court for the suspension or quashing of the Order or of any provision contained therein.

A copy of the Order and Notice can be viewed at www.wales.gov.uk (Select: Legislation/Subordinate legislation/Non-Statutory Instruments/Transport Wales/TCPA Stopping Up Orders, 2011).

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

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