

**HIGHWAYS, WALES**

**201- No**

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE DIVERSION OF HIGHWAYS (ST ATHAN,  
VALE OF GLAMORGAN) ORDER 201-**

<i>Made</i>	201-
Coming into Force	201-

The Welsh Ministers make this Order in exercise of their powers under section 248 of the Town and Country Planning Act 1990(1) (hereinafter referred to as “the Act of 1990”) and section 125 of the Highways Act 1980(2) and of all other enabling powers(3).

**1.** In this Order:-

“the Council” (“*y Cyngor*”) means the Council of the Vale of Glamorgan;

“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 Diversion of Highways (St Athan, Vale of Glamorgan) Order 201-” which accompanies this Order.

**2.** Subject to the provisions of articles 3, 4, 5, 6 and 7 of this Order, the Welsh Ministers authorise the diversion of the area of highway described in Schedule 1 to this Order and shown by zebra hatching on the deposited plan, and the stopping up of private means of access described in Schedule 2 to this Order and shown in solid black on the deposited plan, being satisfied that the diversion and stopping up are necessary to enable development to be carried out as described in Schedule 6 to this Order.

**3.** There shall be created, to the reasonable satisfaction of the Council, the new highway described in Schedule 3 to this Order, and shown by stipple marking on the deposited plan and improved highway described in Schedule 5 to this Order, and shown by cross hatching on the deposited plan, which are to be highways which, for the purposes of the Highways Act 1980, are highways maintainable at the public expense and the Council is to be the highway authority for them.

**4.** There shall be created, in connection with the stopping up of the private means of access described in Schedule 2(2) to this order, a new private means of access described in Schedule 4 to this Order.

**5.** The area of highway described in Schedule 1 to this Order may not be diverted and the areas of private means of access described in Schedule 2 to this Order may not be stopped up until:-

(a) the developer has provided the new and improved highway described in article 3 of this Order and the new private means of access described in article 4 of this Order to the reasonable satisfaction of the Council;

(b) the developer has provided to the reasonable satisfaction of the Council, plans showing the means whereby the highway is to be diverted and improved and the private means of access stopped up;

(c) the development referred to in Schedule 6 of this Order has commenced and the developer has informed the Council in writing of the necessity to close and divert the highway and stop up the private means of access to allow the development to proceed; and

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

**6.** Where immediately before the areas of highway or private means of access are diverted, stopped up or improved in pursuance of this Order there is under, in, on, over, along or across that highway 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 diversion, stopping up or improvement

**7.** If the development referred to in article 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.

**8.** 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 Diversion of Highways (St Athan, Vale of Glamorgan) Order 201-.

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

Dated 200-

**J COLLINS**

Deputy Director of Transport Planning & Governance  
Division  
Welsh Assembly Government

- (1) 1990 c.8.
- (2) 1980 c.66
- (3) By virtue of S.I. 1999/672, article 2 and Schedule 1, and 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.

**SCHEDULES**

**Areas of highway north of the property known as “Seaview” at St Athan in the Vale of Glamorgan**

(all measurements are approximate)

**SCHEDULE 1**

**Description of the area of highway to be diverted under this Order**

An irregularly shaped area of un-named highway between Llantwit Road and the B4265 having a maximum length of 144 metres and a maximum width of 5 metres shown in zebra hatching on the deposited plan.

**SCHEDULE 2**

**Description of private means of access to be stopped up under this Order**

(1) A private means of access to agricultural land south of the railway (O.S.3159), situated in the north-western corner of the crossroads of the unclassified road between Llantwit Road and the present B4265, extending from a point 70 metres north of the property known as “Seaview” northwards for a distance of 5 metres and 5 metres in width and shown in solid black on the deposited plan.

(2) A private means of access to agricultural land south of the railway (O.S. 5553), situated in the north-eastern corner of the crossroads of the unclassified road between Llantwit Road and the present B4265, extending from a point 60 metres north of the property known as “Seaview” northwards for a distance of 6 metres and 5 metres in width and shown in solid black on the deposited plan.

### **SCHEDULE 3**

#### **Description of the area of new highway to be provided under this Order**

An irregularly shaped area of new highway extending from a point 251 metres north-east of the property known as “Seaview”, in a south-westerly direction to a junction with a new proposed southern access road to the properties known as “Batslays”, continuing southward to a junction with the new proposed B4265 improvement shown in stipple marking on the deposited plan.

### **SCHEDULE 4**

#### **Description of area of new private means of access to be provided under this Order**

A private means of access to agricultural land south of the railway, east of the railway bridge (O.S.5553), extending from a point 271 metres east of the property known as “Seaview,” north-eastwards for a maximum of 12 metres and shown in thin diagonal hatching on the deposited plan.

### **SCHEDULE 5**

#### **Description of the area of highway to be improved under this Order**

An irregularly shaped area of un-named highway extending from a point 245 metres north-east of the property known as “Seaview”, in a generally north-easterly direction for approximately 57 metres and shown in cross hatching on the deposited plan.

### **SCHEDULE 6**

#### **The Development**

The diversion of highways, the stopping up of private means of access and provision of new private means of access in conjunction with the scheme for the establishment of a Defence Technical College and the development and improvement of the St Athan Aerospace Business Park at St Athan in the Vale of Glamorgan in accordance with planning permission granted under Part III of the Act of 1990 by the Council on 1 December 2009 under reference numbers P/DC/2009/00500/OUT and P/DC/2009/00501/OUT.

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **THE DIVERSION OF HIGHWAYS (ST ATHAN, VALE OF GLAMORGAN) ORDER 201-**

**NOTICE IS HEREBY GIVEN** that the Welsh Ministers propose to make an Order under section 248 of the Town and Country Planning Act 1990 and section 125 of the Highways Act 1980 to authorise the diversion of the area of highway described in Schedule 1 to this Notice; to authorise the stopping up of private means of access described in Schedule 2 to this Notice; to provide for the new area of highway described in Schedule 3 to this Notice; to provide for a new private means of access described in Schedule 4 to this Notice and to improve the areas of highway described in Schedule 5 to this Notice.

If the Order is made, the diversion and stopping up will be authorised only in order to enable the development described in Schedule 6 to this Notice to be carried out. The Order also provides for the new length of highway described in Schedule 3 to this Notice and improved highway described in Schedule 5 to this Notice to become highways maintainable at the public expense. The Order will cease to have effect if the planning permission expires or is revoked.

During the 28 days from 7 January 2010, copies of the draft Order and the deposited plan may be inspected free of charge at the offices of the Vale of Glamorgan Council, Dock Office, Barry Docks, Barry CF63 4RT and Llantwit Major Public Library, Boverton Road, Llantwit Major CF61 1XZ during normal office hours or may be obtained free of charge from the address below.

Within the above mentioned period of 28 days, any person may, by notice to the Welsh Assembly Government, Transport and Strategic Regeneration, Orders Branch, Cathays Park, Cardiff, CF10 3NQ, object to the making of the Order. Should you wish to object, support or make representations, we may need to consult with people and organisations outside of the Welsh Assembly Government. As part of the process of consulting with others the information you have given us and your personal data will be passed to the applicant/developer and on occasion the local highway authority to enable them to respond to you. We will however, only disclose your personal details where it is necessary to do so to enable us to deal with issues you have brought to our attention. Where a Diversion Order becomes the subject of a Public Inquiry (PI), all correspondence is copied to the Inspector of the Inquiry and is kept in the PI Library when it is publicly available.

A copy of the Order and Notice can be viewed at [www.wales.gov.uk](http://www.wales.gov.uk) (Select: Legislation/Subordinate Legislation/Draft Legislation/Draft Non Statutory Instruments/Town and Country Planning Act Stopping Up Orders)

**A copy of this Notice in larger print can be obtained from Welsh Assembly Government, Transport and Strategic Regeneration, Transport Planning and Governance Division, Orders Branch, Cathays Park, Cardiff CF10 3NQ.**

**M D BURNELL**

Transport Planning and Governance Division  
Welsh Assembly Government

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