

PRIFFYRDD, CYMRU

2020 RHIF

DEDDF CYNLLUNIO GWLAD A THREF 1990

**GORCHYMYN CAU PRIFFYRDD (BEACONS
VIEW ROAD, Y CLÂS, TREFORYS,
ABERTAWÉ) 2020**

Gwnaed 27 Chwefror 2020

Yn dod i rym 4 Mawrth 2020

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 (Beacons View Road, Y Clâs, Treforys, Abertawe) 2020 a daw i rym ar 4 Mawrth 2020.

(2) Yn y Gorchymyn hwn:-

ystyr "y Cyngor" ("*the Council*") yw Cyngor Dinas a Sir Abertawe;

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 (Beacons View Road, Y Clâs, Treforys, Abertawe) 2020" sy'n dod gyda'r Gorchymyn hwn.

Cau Priffyrdd

2. Yn ddarostyngedig i erthyglau 3, 4 a 5 o'r Gorchymyn hwn mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffordd a ddisgrifir yn

(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

2020 NO.

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAYS
(BEACONS VIEW ROAD, CLASE,
MORRISTON, SWANSEA) ORDER 2020**

Made 27 February 2020

Coming into Force 4 March 2020

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 (Beacons View Road, Clase, Morriston, Swansea) Order 2020 and it comes into force on 4 March 2020.

(2) In this Order:-

"the Council" ("*y Cyngor*") means Swansea City and County Council;

"the deposited plan" ("*y plan a adnewwyd*") means the plan entitled "The Stopping Up of Highways (Beacons View Road, Clase, Morriston, Swansea) Order 2020" 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" ("*Deddf 1990*") means the Town and Country Planning Act 1990.

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

(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.

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 y Cyngor ar 9 Mai 2019 o dan y cyfeirnod 2018/2622/FUL ac a ddisgrifir yn Atodlen 2 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 a ddisgrifir 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 er mwyn i'r datblygiad fynd rhagddo; ac

(c) hyd nes y bydd y Cyngor wedi ysgrifennu at y datblygwr i gadarnhau bod paragraffau (a) a (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 a ddisgrifir yn Atodlen 2 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.

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 9 May 2019 under reference number 2018/2622/FUL and described in Schedule 2 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 described 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 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 described 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, Trafnidiaeth a Gogledd Cymru, un o Weinidogion Cymru.

Dyddiedig

27 Chwefror 2020

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

Dated

27 February 2020

Richard Morgan

Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

Richard Morgan

Head of Planning, Asset Management & Standards
Welsh Government

ATODLEN 1

Y darn o briffordd sydd i'w gau (Bras amcan yw pob mesuriad)

Darn petryalog ei siâp o briffordd o'r enw Beacons View Road sy'n 208 o fetrau yn y man hiraf a 5 metr yn y man lletaf sy'n ymestyn i gyfeiriad y de-ddwyrain o bwynt i'r de-ddwyrain o'i chyffordd â Glaslyn Place ac i'r gogledd-ddwyrain o Hill View Crescent hyd at bwynt i'r gogledd-orllewin o eiddo rhif 47 Beacons View Road, y Clâs, Treforys, Abertawe.

ATODLEN 2

Y Datblygiad

Ysgol gynradd â dau ddsbarth mynediad, gan gynnwys mynedfeydd, manau parcio, cyfleusterau hamdden awyr agored, gwaith tirweddu a seilwaith draenio ar dir i'r dwyrain o Hill View Crescent, y Clâs, Treforys, Abertawe.

SCHEDULE 1

Length of highway to be stopped up (All measurements are approximate)

A rectangular shaped length of highway known as Beacons View Road with a maximum length of 208 metres and a maximum width of 5 metres that extends south-eastwards from a point south-east of its junction with Glaslyn Place and north-east of Hill View Crescent to a point north-west of number 47 Beacons View Road, Clase, Morryston, Swansea.

SCHEDULE 2

The Development

Two form entry primary school, including means of access, parking, outdoor recreational facilities, landscape treatment and drainage infrastructure on land to the east of Hill View Crescent, Clase, Morryston, Swansea.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (BEACONS VIEW ROAD, Y CLÂS, TREFORYS, ABERTAWÉ) 2020

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. Nid awdurdodir cau'r briffordd ond er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 2 i'r Hysbysiad hwn.

Bydd Gorchymyn Cau Priffyrdd (Beacons View Road, Y Clâs, Treforys, Abertawe) 2020 ("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 swyddfeydd Cyngor Abertawe, y Ganolfan Ddinesig, Heol Ystumllwynarth, Abertawe, SA1 3SN yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1392985.

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 4 Mawrth 2020, wneud cais i'r Uchel Lys at y diben hwnnw.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar <https://llyw.cymru/gorchymynion-cau>

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 (BEACONS VIEW ROAD, CLASE, MORRISTON, SWANSEA) ORDER 2020

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. The stopping up will be authorised only in order to enable the development described in Schedule 2 to this Notice to be carried out.

The Stopping Up of Highways (Beacons View Road, Clase, Morriston, Swansea) Order 2020 ("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 office hours at Swansea Council, Civic Centre, Oystermouth Road, Swansea SA1 3SN or may be obtained free of charge from the address below quoting reference qA1392985.

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 4 March 2020 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at <https://gov.wales/stopping-orders>.

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

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