

PRIFFYRDD, CYMRU

2020 RHIF

DEDDF CYNLLUNIO GWLAD A THREF 1990

**GORCHYMYN CAU PRIFFYRDD
(LLANDUDNO ROAD, TREDELERCH,
CAERDYDD CF3 3PD) 2020**

Gwnaed 31 Ionwar 2020
Yn dod i rym 5 Chwefror 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 (Llandudno Road, Tredelerch, Caerdydd CF3 3PD) 2020 a daw i rym ar 5 Chwefror 2020.

(2) Yn y Gorchymyn hwn—

ystyr “y Cyngor” (“*the Council*”) yw Cyngor Dinas a Sir Caerdydd;

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 (Llandudno Road, Tredelerch, Caerdydd CF3 3PD) 2020” sy'n dod gyda'r Gorchymyn hwn.

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. 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 29 Mehefin 2018 o dan y cyfeirnod 17/01681/MJR, ac a ddisgrifir yn Atodlen 3 i'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 Weiniidogion Cymru o ran Cymru.

HIGHWAYS, WALES

2020 NO.

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAYS
(LLANDUDNO ROAD, RUMNEY, CARDIFF,
CF3 3PD) ORDER 2020**

Made 31 January 2020
Coming into Force 5 February 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 (Llandudno Road, Rumney, Cardiff, CF3 3PD) Order 2020 and it comes into force on 5 February 2020.

(2) In this Order—

“the Council” (“*y Cyngor*”) means the Council of the City and County of Cardiff;

“the deposited plan” (“*y plan a adnewwyd*”) means the plan entitled “The Stopping Up of Highways (Llandudno Road, Rumney, Cardiff, CF3 3PD) 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, 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. 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 29 June 2018 under reference number

(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.

Priffordd Newydd

3. Rhaid creu, er boddhad rhesymol y Cyngor, y darn newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn, sydd, at ddibenion Deddf Priffyrd 1980(2), i fod yn briffordd sydd i'w chynnal ar draul y pwrs cyhoeddus. Y Cyngor fydd yr awdurdod priffyrd sy'n gyfrifol amdani.

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

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 gau;

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

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.

17/01681/MJR and described in Schedule 3 to this Order.

New Highway

3. There must be created, to the reasonable satisfaction of the Council, the new length of highway described in Schedule 2 to this Order, which is to be 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 new 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.

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.

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.

Dated 31 January 2020

Dyddiedig 31 Ionwar 2020

*Richard Morgan
Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru*

*Richard Morgan
Head of Planning, Asset Management and Standards
Welsh Government*

ATODLEN 1

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

Darn afreolaidd ei siâp o briffordd gyferbyn â'r eiddo o'r enw 14 Llandudno Road, Tredelerch, Caerdydd, sy'n 8.5 metr yn y man hiraf ac yn 12.41 o fetrau yn y man lletaf ac a ddangosir â llinellau sebra ar y plan a adnewwyd.

SCHEDULE 1

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

An irregular shaped length of highway located opposite the property known as 14 Llandudno Road, Rumney, Cardiff, with a maximum length of 8.5 metres and a maximum width of 12.41 metres shown by zebra hatching on the deposited plan.

ATODLEN 2

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

Darn afreolaidd ei siâp o briffordd gyferbyn â'r eiddo o'r enw 26 Llandudno Road, Tredelerch, Caerdydd, sy'n 44.7 o fetrau yn y man hiraf ac yn 9.5 metr yn y man lletaf ac a ddangosir â dotwaith ar y plan a adnewwyd.

SCHEDULE 2

New length of highway to be provided (All measurements are approximate)

An irregular shaped length of highway located opposite the property known as 26 Llandudno Road, Rumney, Cardiff, being with a maximum length of 44.7 metres and a maximum width of 9.5 metres shown by stipple hatching on the deposited plan.

ATODLEN 3 **Y Datblygiad**

Datblygu 16 o anheddau ar dir oddi ar Llandudno Road, sef 5 annedd fforddiadwy ac 11 o anheddau i'w gwerthu ar y farchnad, gyda gwaith cysylltiedig o ran tirweddu, creu mynedfa a gwaith ar y briffordd ar dir oddi ar Llandudno Road, Tredelerch.

SCHEDULE 3

The Development

Development of 16 dwellings on land off Llandudno Road, 5 affordable dwellings, 11 open market sales with associated landscaping, access and highway works at land off Llandudno Road, Rumney.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (LLANDUDNO ROAD, TREDELERCH, CAERDYDD CF3 3PD) 2020

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 (“Deddf 1990”) i awdurdodi cau’r darn o briffordd a ddisgrifir yn Atodlen 1 i’r Hysbysiad hwn a darparu’r darn o briffordd newydd a ddisgrifir yn Atodlen 2 i’r Hysbysiad hwn. Nid awdurdodir cau’r briffordd ond er mwyn gwneud y datblygiad yn unol â’r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan Gyngor Dinas a Sir Caerdydd ar 29 Mehefin 2018 o dan y cyfeirnod 17/01681/MJR ac a ddisgrifir yn Atodlen 3 i’r Hysbysiad hwn.

Bydd Gorchymyn Cau Priffyrdd (Llandudno Road, Tredelerch, Caerdydd CF3 3PD) 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 yng Nghyngor Caerdydd, Neuadd y Sir, Glanfa’r Iwerydd, Caerdydd CF10 4UW yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o’r cyfeiriad isod gan ddyfynnu’r cyfeirnod qA1405704.

Caiff unrhyw berson a dramgwyddir gan y Gorchymyn, ar y sail:

- a. nad yw o fewn pwerau Deddf 1990; neu
- b. na chydymffurfiwyd ag un o ofynion gweithdrefnol Deddf 1990;

o fewn 6 wythnos i 5 Chwefror 2020, wneud cais i’r Uchel Lys at y diben hwnnw.

Gellir gweld copi o’r Gorchymyn a’r Hysbysiad ar <https://llyw.cymru/gorchmynion-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 (LLANDUDNO ROAD, RUMNEY, CARDIFF, CF3 3PD) ORDER 2020

The Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 (“the 1990 Act”) to authorise the stopping up of the length of highway described in Schedule 1 to this Notice and to provide for the length of new highway described in Schedule 2 to this Notice. The stopping up is authorised only in order to enable the development to be carried out in accordance with the planning permission granted under Part 3 of the 1990 Act by the Council of the City and County of Cardiff on 29 June 2018 under reference number 17/01681/MJR and described in Schedule 3 to this Notice.

The Stopping Up of Highways (Llandudno Road, Rumney, Cardiff CF3 3PD) 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 at Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW during normal office hours or may be obtained free of charge from the address below quoting reference qA1405704.

If a person is aggrieved by the Order, on the ground that:

- a. it is not within the powers of the 1990 Act; or
- b. a procedural requirement of the 1990 Act has not been complied with;

that person may, within 6 weeks of 5 February 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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