PRIFFYRDD, CYMRU

LIC 21-82

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (PICTON LANE, ABERTAWE) 2021

Gwnaed	*13 Medi 2021*
Yn dod i rym	*17 Medi 2021*

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 a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Picton Lane, Abertawe) 2021 a daw'r Gorchymyn hwn i rym ar 17 Medi 2021

Dehongli

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 adneuwyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Picton Lane, Abertawe) 2021" 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

WG 21-82

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (PICTON LANE, SWANSEA) ORDER 2021

Made	*13 September 2021*
Coming into Force	*17 September2021*

The Welsh Ministers, in exercise of their powers under section 247 of the Town and Country Planning Act 1990**(1),** make this Order.

Title and commencement

1. The title of this Order is the Stopping Up of Highways (Picton Lane, Swansea) Order 2021 and this Order comes into force on 17 September 2021.

Interpretation

2. In this Order—

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

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Picton Lane, Swansea) Order 2021" 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.

(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

3. Yn ddarostyngedig i erthyglau 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. 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 5 Mawrth 2021 o dan y cyfeirnod 2019/2846/FUL ac ar 18 Mai 2021 o dan y cyfeirnod 2021/0810/FUL ac a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn.

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

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 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 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.

Ymgymerwyr Statudol a Darparwyr

5. Pan fo gan ymgymerwyr 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 ymgymerwyr 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 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.

Stopping Up

3. Subject to articles 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 permissions granted under Part 3 of the 1990 Act by the Council on 5 March 2021 with reference number 2019/2846/FUL and on 18 May 2021 with reference 2021/0810/FUL and described in Schedule 2 to this Order.

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 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 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

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 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 ar ran y Dirprwy Weinidog Newid Hinsawdd, wrth weithredu o dan awdurdod y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru.

Dyddiedig 13 Medi 2021

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

Signed on behalf of the Deputy Minister for Climate Change, acting under the authority of the Minister for Climate Change, one of the Welsh Ministers.

Dated 13 September 2021

Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1
(Bras amcan yw pob mesuriad)
Y darn o briffordd sydd i'w gau

Darn petryalog ei siâp o briffordd ar Picton Lane y tu cefn i 242 - 246 Oxford Street, sy'n 27 o fetrau yn y man hiraf a 6 metr yn y man lletaf, ac a ddangosir â llinellau sebra ar y plan a adneuwyd.

SCHEDULE 1
(All measurements are approximate)
Length of highway to be stopped up

A rectangular shaped length of highway on Picton Lane located at the rear of 242 - 246 Oxford Street, with a maximum length of 27 metres and a maximum width of 6 metres and shown by zebra hatching on the deposited plan.

ATODLEN 2
Y Datblygiad

Ailddatblygu, estyn a gwella'r adeilad presennol, gan gadw'r arwynebedd llawr A1 ar lefel y llawr daear a'r defnydd B1 ar y llawr cyntaf, yr ail lawr a'r trydydd llawr. Adeiladu tŵr newydd yn Iard Picton sy'n cynnwys defnydd Addysgol D1 ar y llawr daear a'r llawr cyntaf, defnydd B1 ar yr ail lawr a'r trydydd llawr a darparu rhandai preswyl ar y lloriau uchaf, darparu man hyblyg yn Iard Picton, ynghyd â gwaith cysylltiedig a gwaith i wella tir cyhoeddus.

SCHEDULE 2
The Development

Redevelopment, extension and enhancement of the existing building, retaining A1 floor space at ground floor level and B1 use on the first, second and third floors. The construction of a new tower in Picton Yard comprising ground and first floor D1 Educational use, B1 use on second and third floor and the provision of residential apartments over the upper floors, the provision of flexible space within Picton Yard, along with associated works, and public realm improvements.