

PRIFFYRDD, CYMRU

2022 Rhif

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (PROMENÂD
Y DWYRAIN, PORTHCAWL, PEN-Y-BONT AR
OGWR) 2022

Gwnaed 20 Mehefin 2022

Yn dod i rym 23 Mehefin 2022

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 (Promenâd y Dwyrain, Porthcawl, Pen-y-bont ar Ogwr) 2022 a daw i rym ar 23 Mehefin 2022.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr “y Cyngor” (“*the Council*”) yw Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr;

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;

ystyr “y plan a adneuwyd” (“*the deposited plan*”) yw'r plan sy'n dwyn yr enw “Gorchymyn Cau Priffyrdd (Promenâd y Dwyrain, Porthcawl, Pen-y-bont ar Ogwr) 2022” gyda'r cyfeirnod qA1532675 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 swyddogaethau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

HIGHWAYS, WALES

2022 No

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS
(EASTERN PROMENADE, PORTHCAWL,
BRIDGEND) ORDER 2022

Made 20 June 2022

Coming into Force 23 June 2022

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 (Eastern Promenade, Porthcawl, Bridgend) Order 2022 and it comes into force on 23 June 2022.

Interpretation

2. In this Order—

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

“the deposited plan” (“*y plan a adneuwyd*”) means the plan entitled “The Stopping Up of Highways (Eastern Promenade, Porthcawl, Bridgend) Order 2022” with reference qA1532675 which accompanies this Order;

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

“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 functions are now exercisable by the Welsh Ministers in relation to Wales.

Cau priffyrdd

3. Yn ddarostyngedig i erthyglau 4 a 5 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 darn o 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 22 Rhagfyr 2021 o dan y cyfeirnod P/21/835/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 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

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 darn o briffordd.

Stopping Up

3. Subject to articles 4 and 5 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 22 December 2021 with reference number P/21/835/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 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

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.

Llofnodwyd ar ran y Dirprwy Weinidog Newid Hinsawdd, yn gweithredu o dan awdurdod y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru.

Dyddiedig

20 June 2022



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

20 June 2022



Nicci Hunter
Business Team Leader
Welsh Government

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

1. Darn afreolaidd ei siâp o lain ymyl y briffordd sy'n ffinio â llinell cwrw ddeheuol Promenâd y Dwyrain, Porthcawl, Pen-y-bont ar Ogwr, y mae cyfanswm ei arwynebedd yn 851 o fetrau sgwâr, a ddangosir â llinellau sebra ar y plan a adnewwyd.

ATODLEN 2
Y datblygiad

Codi siop fwyd (dosbarth defnydd A1) gyda mynediad, maes parcio, tir cyhoeddus, a gwaith tirlunio cysylltiedig ar dir yn Salt Lake ger Promenâd y Dwyrain, Porthcawl CF36 5TS.

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

An irregular shaped length of highway verge adjoining the southern kerblineline of Eastern Promenade, Porthcawl, Bridgend, having a total area of 851 square metres, shown by zebra hatching on the deposited plan.

SCHEDULE 2
The development

Erection of a foodstore (use class A1) with associated access, car parking, public realm and landscaping on land at Salt Lake off Eastern Promenade, Porthcawl CF36 5TS.