

PRIFFYRDD, CYMRU

LIC23-05

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD
(CONSTABLES CLOSE, PILGWENLLI,
CASNEWYDD) 2023

Gwnaed 6 Chwefror 2023

Yn dod i rym 10 Chwefror 2023

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 (Constables Close, Pilgwenlli, Casnewydd) 2023 a daw i rym ar 10 Chwefror 2023.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr “y Cyngor” (“*the Council*”) yw Cyngor Dinas Casnewydd;

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 adnewydd” (“*the deposited plan*”) yw'r plan sy'n dwyn yr enw “Gorchymyn Cau Priffyrdd (Constables Close, Pilgwenlli, Casnewydd) 2023” o dan y cyfeirnod qA1530256 ac sy'n dod gyda'r Gorchymyn hwn.

Cau Priffordd

3. Yn ddarostyngedig i erthyglau 4 a 5 o'r Gorchymyn hwn, mae Gweinidogion Cymru yn awdurdodi cau'r darnau 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 9 Medi 2021 o dan y cyfeirnod 20/0140, ac a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn.

HIGHWAYS, WALES

WG23-05

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS
(CONSTABLES CLOSE, PILGWENLLY,
NEWPORT) ORDER 2023

Made 6 February 2023

Coming into Force 10 February 2023

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 (Constables Close, Pillgwenlly, Newport) Order 2023 and it comes into force on 10 February 2023.

Interpretation

2. In this Order—

“the Council” (“*y Cyngor*”) means the Council of the City of Newport;

“the deposited plan” (“*y plan a adnewydd*”) means the plan entitled “The Stopping Up of Highways (Constables Close, Pillgwenlly, Newport) Order 2023” with reference qA1530254 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

3. Subject to articles 4 and 5 of this Order the Welsh Ministers authorise the stopping up of the lengths 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 9 September 2021 with reference number 20/0140 and described in Schedule 2 to this Order.

(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.

(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.

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

4. Ni chaniateir cau'r darnau 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 darnau o briffordd i'w cau;
- (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 darnau 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, ynnddi, arni, drosti, ar ei hyd neu ar ei thraws yn union cyn cau'r darnau 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 gyfarpar ag a oedd ganddynt cyn cau'r briffordd.

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

Dyddiedig

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Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

Provisions Necessary or Expedient before Stopping Up

4. The lengths 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 lengths of highway are 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 lengths 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 lengths of highway are 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.

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

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Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1

Y darnau o briffordd sydd i'w cau (Bras amcan yw pob mesuriad)

Darn afreolaidd ei siâp o briffordd sy'n rhan o Constables Close, Pilgwenlli, Casnewydd, y mae cyfanswm ei arwynebedd yn 430 o fetrau sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adnewwyd.

Darn trionglog ei siâp o briffordd yng nghornel ogledd-ddwyreiniol man troi Constables Close, Pilgwenlli, Casnewydd, y mae cyfanswm ei arwynebedd yn 2 fetr sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adnewwyd.

Darn trionglog ei siâp o briffordd i'r gogledd-orllewin o'r eiddo o'r enw 42 Clarence Street, Pilgwenlli, Casnewydd, y mae cyfanswm ei arwynebedd yn 0.8 metr sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'C' iddo ar y plan a adnewwyd.

Darn trionglog ei siâp o briffordd i'r de-ddwyrain o'r eiddo o'r enw 43 Clarence Street, Pilgwenlli, Casnewydd, y mae cyfanswm ei arwynebedd yn 1.5 metr sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'D' iddo ar y plan a adnewwyd.

ATODLEN 2

Y Datblygiad

Trosi plotiau 21-28 o 8 o fflatiau yn 4 o anheddau, gan gynnwys addasiadau i ffenestri pyrth blaen a ffenestri cefn. Trosi plotiau 1 a 2 o fod yn anheddau yn 5 o fflatiau llety â chymorth, gan gynnwys estyniadau blaen, ochr a chefn. Trosi plot 3 o fod yn annedd yn 2 o fflatiau deulawr. Dymchwel plotiau 15, 16, 29 a 30 a rhoi yn eu lle fan agored a mynedfa newydd, ailadeiladu ystlysau plotiau 14, 17 a 31, lledu gerddi cefn plotiau 9, 10 a 34, creu maes parcio iard a thirlunio.

SCHEDULE 1

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

An irregular shaped length of highway being part of Constables Close, Pillgwenlly, Newport, having a total area of 430 square metres shown by zebra hatching and given the reference 'A' on the deposited plan.

A triangular shaped length of highway located in the north east corner of the turning head of Constables Close, Pillgwenlly, Newport, having a total area of 2 square metres shown by zebra hatching and given the reference 'B' on the deposited plan.

A triangular shaped length of highway located north west of the property know as 42 Clarence Street, Pillgwenlly, Newport, having a total area of 0.8 square metres shown by zebra hatching and given the reference 'C' on the deposited plan.

A triangular shaped length of highway located south east of the property know as 43 Clarence Street, Pillgwenlly, Newport, having a total area of 1.5 square metres shown by zebra hatching and given the reference 'D' on the deposited plan.

SCHEDULE 2

The Development

The conversion of plots 21-28 from 8 no. flats to 4 no. dwellings, including alterations to front porch and rear fenestration. Conversion of plots 1 and 2 from dwellings to 5 supported accommodation flats, including front, side and rear extensions. Conversion of plot 3 from a dwelling to 2 no. maisonettes. Demolition of plots 15, 16, 29 and 30 and replacement with open space and new access, rebuilding of side elevations of plots 14, 17 and 31 widening of rear gardens to plots 9, 10 and 34, creation of courtyard parking and landscaping.

