PRIFFYRDD, CYMRU

LlC23-16

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (CANOLFAN IECHYD LLANEDERN, CAERDYDD) 2023

Gwnaed	*18 Ebrill 2023*
Yn dod i rym	*20 Ebrill 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 (Canolfan Iechyd Llanedern, Caerdydd) 2023 a daw i rym ar 20 Ebrill 2023.

Dehongli

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 adneuwyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Canolfan Iechyd Llanedern, Caerdydd) 2023" 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 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

(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

WG23-16

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (LLANEDEYRN HEALTH CENTRE, CARDIFF) ORDER 2023

Made	*18 April 2023*
Coming into Force	*20 April 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 (Llanedeyrn Health Centre, Cardiff) Order 2023 and it comes into force on 20 April 2023.

Interpretation

2. In this Order—

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

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Llanedeyrn Health Centre, Cardiff) Order 2023" 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 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 outline planning permission granted under Part 3 of the 1990 Act by

(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.

cynllunio amlinellol a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 29 Awst 2019 o dan y cyfeirnod 19/01610/MJR, a'r gymeradwyaeth ar gyfer materion a gadwyd yn ôl a roddwyd ar 23 Tachwedd 2020 o dan y cyfeirnod 20/01073/MJR a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn.

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

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.

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

Dyddiedig 13 Ebrill 2023

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

the Council on 29 August 2019 with reference number 19/01610/MJR and the approval of reserved matters granted on 23 November 2020 with reference number 20/01073/MJR 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.

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 April 2023

Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1

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

Darn afreolaidd ei siâp o briffordd i'r dwyrain o Maelfa Road ac i'r de o Round Wood, Llanedern, Caerdydd, yn arwain at fynedfa'r Ganolfan Iechyd Llanedern bresennol, sy'n mesur 48 o fetrau yn y man hiraf a 19.5 o fetrau yn y man lletaf ac a ddangosir â llinellau sebra ar y plan a adneuwyd.

ATODLEN 2

Y Datblygiad

Datblygiad yr Hyb Lles arfaethedig, yn cynnwys creu maes parcio newydd yn lle'r un presennol, system draenio trefol cynaliadwy a gwaith tirlunio, gwaith arfaethedig i ddymchwel y ganolfan iechyd bresennol a darparu ardal parcio ceir a chreu ardal chwarae newydd ag arwyneb caled yn lle'r un bresennol, a chreu maes parcio dros dro ar dir cyfagos i Hyb Cymunedol Llanedern a Chanolfan Iechyd Llanedern.

SCHEDULE 1

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

An irregular shaped length of highway located east of Maelfa Road and south of Round Wood, Llanedeyrn, Cardiff, leading to the entrance of the existing Llanedeyrn Health Centre, with a maximum length of 48 metres and a maximum width of 19.5 metres, shown by zebra hatching on the deposited plan.

SCHEDULE 2

The Development

Development of the proposed Wellbeing Hub, including replacement of existing car park, sustainable urban drainage system, landscaping works, the proposed demolition of the existing health centre and provision of car parking area and replacement hard surface play area and proposed temporary car park at land adjacent to the Llanedeyrn Community Hub and Llanedeyrn Health Centre.