

2024 Rhif 19

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFYRDD (GORSAF
DRENAU TONYPANDY, DINAS ROAD,
TONYPANDY, RHONDDA CYNON TAF)
2024

Gwnaed 21 Mai 2024

Yn dod i rym 23 Mai 2024

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 (Gorsaf Drenau Tonypandy, Dinas Road, Tonypandy, Rhondda Cynon Taf) 2024 a daw i rym ar 23 Mai 2024.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr "y Cyngor" ("the Council") yw Cyngor Bwrdeistref Sirol Rhondda Cynon Taf;

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 adnewwyd" ("the deposited plan") yw'r Plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Gorsaf Drenau Tonypandy, Dinas Road, Tonypandy, Rhondda Cynon Taf) 2024" gyda'r cyfeirnod q2055501 sy'n dod gyda'r Gorchymyn hwn.

2024 No.19

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS
(TONYPANDY RAILWAY STATION, DINAS
ROAD, TONYPANDY, RHONDDA CYNON
TAF) ORDER 2024

Made 21 May 2024

Coming into Force 23 May 2024

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 (Tonypandy Railway Station, Dinas Road, Tonypandy, Rhondda Cynon Taf) Order 2024 and it comes into force on 23 May 2024.

Interpretation

2. In this Order—

"the Council" ("y Cyngor") means Rhondda Cynon Taf County Borough Council;

"the deposited plan" ("y plan a adnewwyd") means the Plan entitled "The Stopping Up of Highways (Tonypandy Railway Station, Dinas Road, Tonypandy, Rhondda Cynon Taf) Order 2024" with reference qA2055501 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 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.

(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 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 ag erthygl 3 o Orchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) 1995, a Dosbarth A o Ran II o Atodlen 2 iddo, 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 darnau o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn—

- 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;
- 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
- 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 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 cyfarpar ag a oedd ganddynt cyn cau'r briffordd.

Llofnodwyd ar ran Ysgrifennydd y Cabinet dros Ogledd Cymru a Thrafnidiaeth, un o Weinidogion Cymru.

Dyddiedig

21 Mai 2024

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

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 pursuant to article 3 of, and Class A of Part II of Schedule 2 to, the Town and Country Planning (General Permitted Development) Order 1995 and described in Schedule 2 to this Order.

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—

- the developer has provided, to the reasonable satisfaction of the Council, plans showing how the lengths of highway are to be stopped up;
- 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
- 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 Cabinet Secretary for North Wales and Transport, one of the Welsh Ministers.

Dated

21 May 2024

Nicci Hunter
Business Team Leader
Welsh Government

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

1. Darn afreolaidd ei siâp o ardal llain i'r gogledd-ddwyrain o'r briffordd o'r enw yr A4058 Dinas Road, sy'n ymestyn o bwynt o dan y bont sy'n cario Trealaw Road dros y llinell reilffordd am 88 o fetrau i gyfeiriad y de-ddwyrain, sydd â chyfanswm arwynebedd o 315 o fetrau sgwâr, a ddangosir gan linellau sebra ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adnewwyd.

2. Darn afreolaidd ei siâp o ardal llain i'r gogledd-ddwyrain o'r briffordd o'r enw yr A4058 Dinas Road, sy'n ymestyn o bwynt 172 o fetrau i'r de-ddwyrain o'r bont sy'n cario Trealaw Road dros y llinell reilffordd am 2 fetr i gyfeiriad y de-ddwyrain, sydd â chyfanswm arwynebedd o 4 metr sgwâr, a ddangosir gan linellau sebra ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adnewwyd.

ATODLEN 2
Y datblygiad

Datblygu a Ganiateir sy'n cynnwys gwaith i drydaneiddio llinell reilffordd y Rhondda/Treherbert fel rhan o Fetro De Cymru, gan gynnwys gosod cyfarpar llinell uwchben.

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

1. An irregular shaped length of verge area to the northeast of the highway known as the A4058 Dinas Road, extending from a point underneath the bridge carrying Trealaw Road over the railway line for a distance of 88 metres in a southeasterly direction, having a total area of 315 square metres, shown by zebra hatching and given the reference 'A' on the deposited plan.

2. An irregular shaped length of verge area to the northeast of the highway known as the A4058 Dinas Road, extending from a point 172 metres southeast of the bridge carrying Trealaw Road over the railway line for a distance of 2 metres in a southeasterly direction, having a total area of 4 square metres, shown by zebra hatching and given the reference 'B' on the deposited plan.

SCHEDULE 2
The development

Permitted Development comprising works for the electrification of the Rhondda/Treherbert railway line as part of the South Wales Metro, including the installation of overhead line equipment.