

PRIFFYRDD, CYMRU

2013 RHIF 57

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (TIR YN  
TARWICK DRIVE, TROWBRIDGE,  
CAERDYDD) 2013

Gwnaed

30 Awst 2013

Yn Dod i Rym

9 Medi 2013

Mae Gweinidogion Cymru yn gwneud y Gorchymyn hwn drwy arfer eu pwerau o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990(1).

**Enwi, Dehongli a Chychwyn**

1. (1) Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Tir yn Tarwick Drive, Trowbridge, Caerdydd) 2013.

(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 adnewyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Tir Tarwick Drive, Trowbridge, Caerdydd) 2013" sy'n dod gyda'r Gorchymyn hwn.

(3) Daw'r Gorchymyn hwn i rym ar y dyddiad y cyhoeddir yr hysbysiad ei fod wedi ei wneud yn unol ag adran 252(10) o Ddeddf 1990.

**Cau Priffyrdd**

2. Yn ddarostyngedig i erthyglau 3, 4 a 6, mae Gweinidogion Cymru yn awdurdodi cau'r rhannau o briffordd a ddisgrifir yn Atodlen 1 ac a ddangosir â llinellau sebra ar y plan a adnewyd. Mae Gweinidogion Cymru wedi eu bodloni ei bod yn angenrheidiol cau'r priffyrdd i alluogi'r datblygiad i gael ei wneud yn unol â'r caniatâd cynllunio a roddwyd o dan Ran III o Ddeddf 1990 gan y Cyngor ar

HIGHWAYS, WALES

2013 NO. 57

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (LAND AT  
TARWICK DRIVE, TROWBRIDGE, CARDIFF)  
ORDER 2013

Made

30 August 2013

Coming into Force

9 September 2013

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

**Title, Interpretation and Commencement**

1. (1) The title of this Order is the Stopping Up of Highways (Land at Tarwick Drive, Trowbridge, Cardiff) Order 2013.

(2) In this Order:-

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

"the developer" ("*y datblygwr*") means the person carrying out the development for which the planning permission has been given;

"the deposited plan" ("*y plan a adnewyd*") means the plan entitled "The Stopping Up of Highways (Land at Tarwick Drive, Trowbridge, Cardiff) Order 2013" which accompanies this Order; and

"the 1990 Act" ("*Deddf 1990*") means the Town and Country Planning Act 1990.

(3) This Order comes into force on the date on which notice that it has been made is published in accordance with section 252(10) of the 1990 Act.

**Stopping Up**

2. Subject to articles 3, 4 and 5, the Welsh Ministers authorise the stopping up of the areas of highway described in Schedule 1 shown by zebra hatching on the deposited plan. 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 III of the 1990 Act by the Council on 28 May 2013 under reference

28 Mai 2013 o dan y rhif cyfeirnod 13/00558/DCO ac a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn.

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

3. Ni chaniateir cau'r rhannau o briffordd a ddisgrifir yn Atodlen 1:-

(a) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, blaniau sy'n dangos drwy ba fodd y bwriedir cau'r rhannau o briffordd;

(b) hyd nes y bydd y datblygiad wedi ei ddechrau a bod y datblygwr wedi hysbysu'r Cyngor yn ysgrifenedig ei bod yn angenrheidiol cau'r priffyrdd i alluogi'r datblygiad i 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 a Darparwyr Statudol**

4. Pan fo gan ymgwymerwyr statudol neu ddarparwyr system gyfathrebu gyhoeddus unrhyw gyfarpar o dan y priffyrdd, ynddynt, arnynt, drostynt, ar eu hyd neu ar eu traws yn union cyn cau'r rhannau o briffordd, yna (yn ddarostyngedig i adran 261(4) o Ddeddf 1990), bydd gan yr ymgwymerwyr neu'r darparwyr yr un hawliau o hyd mewn cysylltiad â'r cyfarpar ag a oedd ganddynt cyn cau'r priffyrdd.

### **Cyfnod Para'r Gorchymyn hwn**

5. Os na fydd y datblygiad yn Atodlen 2 wedi ei ddechrau o fewn y cyfnod perthnasol a bennir yn Rhan III o Ddeddf 1990 fel cyfnod para'r caniatâd cynllunio, neu os yw'r caniatâd yn cael ei ddirymu cyn diwedd y cyfnod hwnnw, bydd y Gorchymyn hwn yn peidio â chael effaith pan ddaw'r caniatâd cynllunio i ben.

Llofnodwyd o dan awdurdod Gweinidog yr Economi, Gwyddoniaeth a Thrafnidiaeth, un o Weinidogion Cymru.

Dyddiedig

30 Awst 2013



**RICHARD MORGAN**  
Pennaeth Rheoli Asedau a Safonau  
Llywodraeth Cymru

number 13/00558/DCO and described in Schedule 2 to this Order.

### **Provisions Necessary or Expedient before Stopping Up**

3. The areas of highway in Schedule 1 must not be stopped up until:-

(a) the developer has provided, to the reasonable satisfaction of the Council, plans showing the means whereby the areas of highway are to be stopped up;

(b) the development in Schedule 2 has commenced and the developer has informed the Council in writing of the necessity to close the highways 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**

4. Where immediately before the areas of highway are stopped up, there is under, in, on, over, along or across the highways 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**

5. If the development in Schedule 2 has not begun within the relevant period specified in Part III of the 1990 Act as being the duration of the planning permission, or the permission is revoked before the end of such period, this Order ceases to have effect upon the cessation of the planning permission.

Signed under authority of the Minister for Economy, Science and Transport, one of the Welsh Ministers.

Dated

30 August 2013



**RICHARD MORGAN**  
Head of Asset Management and Standards  
Welsh Government

- (1) 1990 p. 8. Yn rhinwedd O.S. 1999/672, erthygl 2 ac Atodlen 1, trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru, ac maent yn arferadwy bellach gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraff 30(2) o Atodlen 11 iddi.
- (2) 1980 p.66.

## YR ATODLENNI

### ATODLEN 1

(Bras amcan yw pob mesuriad)

#### Disgrifiad o'r rhannau o briffordd sydd i'w cau o dan y Gorchymyn hwn

Rhan afreolaidd ei siâp o briffordd at bob diben sy'n mesur cyfanswm o 204 o fetrau sgwâr o flaen ac wrth ochr Rhif 2 Tarwick Drive ac o flaen Rhifau 4 i 6 Tarwick Drive, Trowbridge, Caerdydd.

Rhan afreolaidd ei siâp o briffordd at bob diben sy'n mesur cyfanswm o 26.5 o fetrau sgwâr sydd rhwng Rhifau 10 a 12 Tarwick Drive, Trowbridge, Caerdydd.

### ATODLEN 2 Y Datblygiad

Estyn gerddi blaen eiddo yn Tarwick Drive, Trowbridge, Caerdydd a darparu tramwyfeydd ar gyfer yr eiddo hwnnw.

- (1) 1990 c. 8. By virtue of S.I. 1999/672, article 2 and Schedule 1, the functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales and are now exercisable by the Welsh Ministers by virtue of section 162 of and paragraph 30(2) of Schedule 11 to the Government of Wales Act 2006.
- (2) 1980 c.66

## SCHEDULES

### SCHEDULE 1

(All measurements are approximate)

#### Description of the areas of highway to be stopped up under this Order

An irregularly shaped area of all purpose highway totalling 204 square metres to the front and side of No.2 Tarwick Drive and fronting Nos.4 to 6 Tarwick Drive, Trowbridge, Cardiff.

An irregularly shaped area of all purpose highway totalling 26.5 square metres situated between Nos.10 and 12 Tarwick Drive, Trowbridge, Cardiff.


### SCHEDULE 2 The Development

Extension of front gardens and the provision of driveways for properties at Tarwick Drive, Trowbridge, Cardiff.

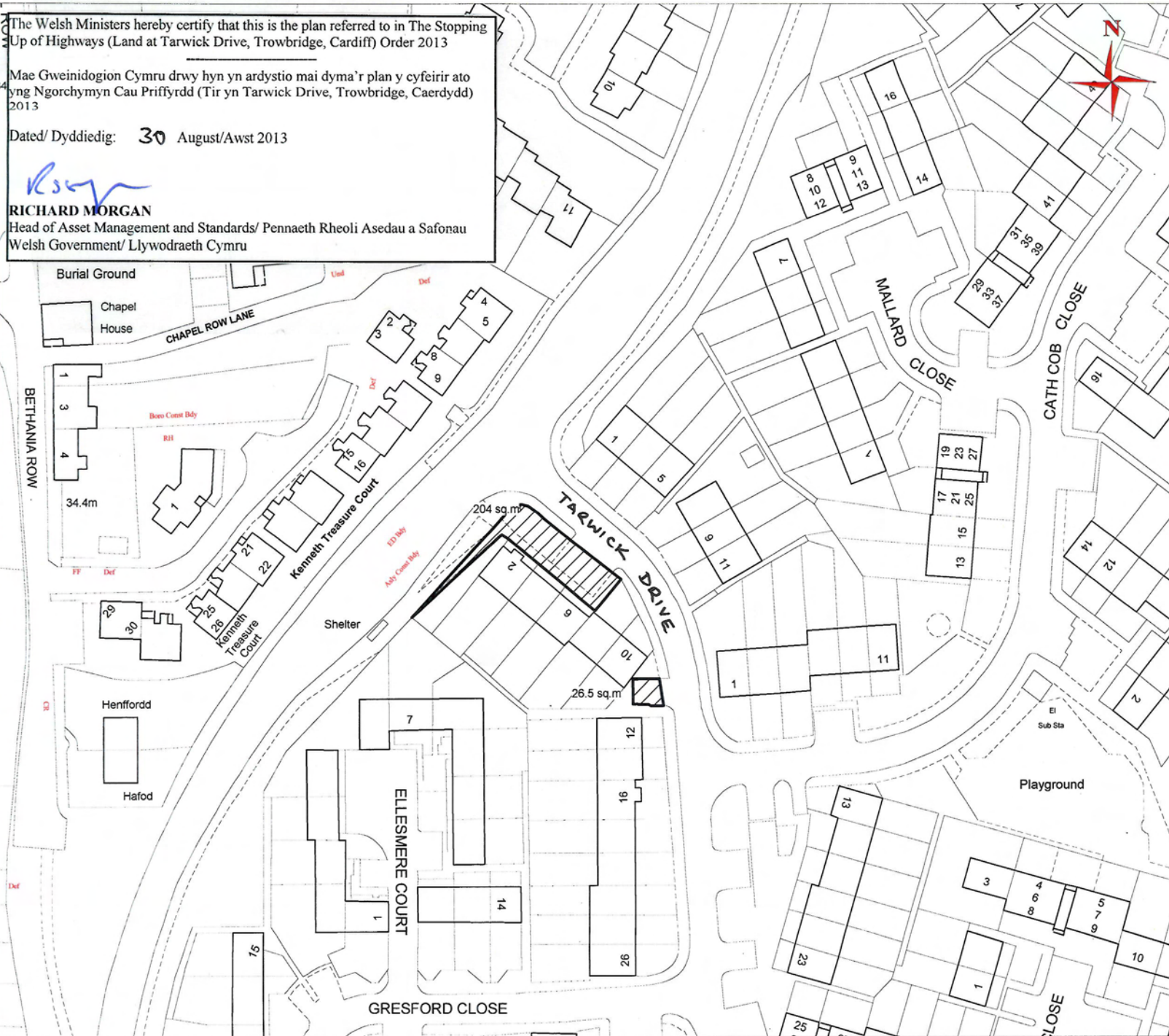
The Welsh Ministers hereby certify that this is the plan referred to in The Stopping Up of Highways (Land at Tarwick Drive, Trowbridge, Cardiff) Order 2013

Mae Gweinidogion Cymru drwy hyn yn ardstio mai dyma'r plan y cyfeirir ato yng Ngorchymyn Cau Priffyrdd (Tir yn Tarwick Drive, Trowbridge, Caerdydd) 2013

Dated/ Dyddiedig: 30 August/Awst 2013




**RICHARD MORGAN**  
Head of Asset Management and Standards/ Pennaeth Rheoli Asedau a Safonau  
Welsh Government/ Llywodraeth Cymru



**CARDIFF COUNCIL  
CYNGOR CAERDYDD**

**Proposed Order Plan**

**KEY**

 Highway to be stopped up

Title: 2-6 & 10-12 Tarwick Drive  
 Drawn by: Nicky Scott  
 Date: 5 March, 2013  
 Grid Ref: 323014 180995  
 Scale: 1:1000

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 Cardiff Council 2013/03/05/0013  
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 Planning Department, Cardiff Council, 100, Queen Street, Cardiff, CF10 1AA.  
 Contact: 0300 300 3000

**DEDDF CYNLLUNIO GWLAD A THREF 1990**

**GORCHYMYN CAU PRIFYRDD (TIR YN  
TARWICK DRIVE, TROWBRIDGE,  
CAERDYDD) 2013**

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 ("y Ddeddf") i awdurdodi cau'r rhannau o briffordd a ddisgrifir yn Atodiad 1 i'r Hysbysiad hwn i alluogi'r datblygiad a ddisgrifir yn Atodlen 2 i gael ei wneud. Bydd Gorchymyn Cau Priffyrdd (Tir yn Tarwick Drive, Trowbridge, Caerdydd) 2013 ("y Gorchymyn") yn peidio â chael effaith os daw'r caniatâd cynllunio mewn cysylltiad â'r datblygiad i ben neu os caiff ei ddirymu.

Gellir edrych ar gopiâu o'r Gorchymyn a'r plan a adneuwyd yn rhad ac am ddim yn swyddfa'r Tîm Rheoli Datblygu, Cyngor Caerdydd, Neuadd y Ddinas, Parc Cathays, Caerdydd CF10 3ND yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1099839/1.

Caiff unrhyw berson a dramgwyddir gan y Gorchymyn, ar y sail:

- a. nad yw o fewn pwerau'r Ddeddf; neu
- b. na chydymffurfiwyd ag un o ofynion gweithdrefnol y Ddeddf;

o fewn 6 wythnos i 9 Medi 2013, wneud cais at y diben hwnnw i'r Uchel Lys.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad yn [www.cymru.gov.uk](http://www.cymru.gov.uk) (Detholer: Ddeddfwriaeth/Is-ddeddfwriaeth/Offerynnau Anstatudol/Trafnidiaeth Cymru/Gorchymynion Cau TCPA, 2013).

**Gellir cael copi print bras o'r Hysbysiad hwn oddi wrth: Trafnidiaeth, Y Gangen Orchmynion, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.**



*M D* M D BURNELL  
Trafnidiaeth  
Llywodraeth Cymru

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE STOPPING UP OF HIGHWAYS (LAND AT  
TARWICK DRIVE, TROWBRIDGE, CARDIFF)  
ORDER 2013**

The Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 ("the Act") to authorise the stopping up of the areas of highway described in Schedule 1 to this Notice to enable the development in Schedule 2 to be carried out. The Stopping up of Highways (Land at Tarwick Drive, Trowbridge, Cardiff) Order 2013 ("the Order") ceases to have effect if planning permission in respect of the development expires or is revoked.

Copies of the Order and the deposited plan may be inspected free of charge during normal office hours at Development Control, Cardiff Council, City Hall, Cathays Park, Cardiff CF10 3ND or may be obtained free of charge from the address below quoting reference qA1099839/1.

If a person is aggrieved by the Order, on the ground that:

- a. it is not within the powers of the Act; or
- b. a procedural requirement of the Act has not been complied with;

that person may, within 6 weeks of 9 September 2013 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at [www.wales.gov.uk](http://www.wales.gov.uk) (Select: Legislation/Subordinate legislation/Non-Statutory Instruments/Transport Wales/TCPA Stopping Up Orders, 2013).

**A copy of this Notice in larger print can be obtained from Transport, Orders Branch, Welsh Government, Cathays Park, Cardiff CF10 3NQ.**



*M D* M D BURNELL  
Transport  
Welsh Government

## YR ATODLENNI

### ATODLEN 1

(Bras amcan yw pob mesuriad)

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### ATODLEN 2 Y Datblygiad

Estyn gerddi blaen eiddo yn Tarwick Drive, Trowbridge, Caerdydd a darparu tramwyfeydd ar gyfer yr eiddo hwnnw, yn unol â'r caniatâd cynllunio a roddwyd o dan Ran III o'r Ddeddf gan Gyngor Caerdydd ar 28 Mai 2013 o dan y rhif cyfeirnod 13/00558/DCO.

## SCHEDULES

### SCHEDULE 1

(All measurements are approximate)

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### SCHEDULE 2 The Development

Extension of front gardens and the provision of driveways for properties at Tarwick Drive, Trowbridge, Cardiff in accordance with planning permission granted under Part III of the Act by Cardiff Council on 28 May 2013 under reference number 13/00558/DCO.