

PRIFFYRDD, CYMRU

2016 RHIF 38

DEDDF CYNLLUNIO GWLAD A THREF 1990

**GORCHYMYN CAU PRIFFYRDD (TIR ODDI
AR HEOL LLANGRALLO SY'N GYFAGOS I
JUBILEE CRESCENT, PEN-Y-BONT AR
OGWR) 2016**

Gwnaed 22 Tachwedd 2016

Yn dod i rym 30 Tachwedd 2016

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 oddi ar Heol Llangrallo sy'n Gyfagos i Jubilee Crescent, Pen-y-bont ar Ogwr) 2016.

(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; ac

ystyr "y plan a adnewyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Tir oddi ar Heol Llangrallo sy'n Gyfagos i Jubilee Crescent, Pen-y-bont ar Ogwr) 2016" 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 Priffordd

2. Yn ddarostyngedig i ddarpariaethau erthyglau 3, 4, 5 a 6, mae Gweinidogion Cymru yn awdurdodi cau'r darnau o briffordd a ddisgrifir yn Atodlen 1 ac a ddangosir â llinellau sebra ar y plan a adnewyd. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn gwneud y datblygiad yn unol

HIGHWAYS, WALES

2016 NO. 38

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAYS (LAND
OFF COYCHURCH ROAD ADJACENT TO
JUBILEE CRESCENT, BRIDGEND) ORDER
2016**

Made 22 November 2016

Coming into Force 30 November 2016

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 Off Coychurch Road Adjacent to Jubilee Crescent, Bridgend) Order 2016.

(2) In this Order:-

"the Council" ("*y Cyngor*") means the Council of the County Borough of Bridgend;

"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 Off Coychurch Road Adjacent to Jubilee Crescent, Bridgend) Order 2016" 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 the provisions of articles 3, 4, 5 and 6 the Welsh Ministers authorise the stopping up of the lengths 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

â'r caniatâd cynllunio a roddwyd o dan Ran III o Ddeddf 1990 gan y Cyngor ar 27 Mai 2016 o dan y cyfeirnod P/15/379/FUL, ac a ddisgrifir yn Atodlen 4 i'r Gorchymyn hwn.

Priffyrdd Newydd / y Gwneir Gwelliannau Iddynt

3. Rhaid creu, er boddhad rhesymol y Cyngor, y rhan newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn ac a ddangosir â dotwaith ar y plan a adneuwyd, a'r rhan o briffordd y gwneir gwelliannau iddi a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn ac a ddangosir â chroeslinellau ar y plan a adneuwyd, a bydd y priffyrdd hyn, at ddibenion Deddf Priffyrdd 1980(2), yn briffyrdd i'w cynnal ar draul y pwrs cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd ar eu cyfer.

Y Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau Priffordd ac ar gyfer Darparu neu Wella'r Priffyrdd

4. Ni chaniateir cau'r darnau o briffordd yn Atodlen 1:-

(a) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, blaniau sy'n dangos sut y mae'r rhannau o briffordd i'w cau;

(b) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, y priffyrdd newydd a'r priffyrdd y gwneir gwelliannau iddynt fel y'u disgrifir yn Atodlenni 2 a 3 i'r Gorchymyn hwn;

(c) hyd nes y bydd y datblygiad yn Atodlen 4 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; a

(d) hyd nes y bydd y Cyngor wedi ysgrifennu at y datblygwr i gadarnhau bod paragraffau (a), (b) ac (c) o'r erthygl hon 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.

accordance with planning permission granted under Part III of the 1990 Act by the Council on 27 May 2016 under reference number P/15/379/FUL and described in Schedule 4 to this Order.

New / Improved Highways

3. There must be created, to the reasonable satisfaction of the Council, the new area of highway described in Schedule 2 to this Order and shown by stipple marking on the deposited plan and the area of improved highway described in Schedule 3 to this Order and shown by cross hatching on the deposited plan, which are to be highways which, for the purposes of the Highways Act 1980(2) are highways maintainable at the public expense and the Council is to be the highway authority for them.

Provisions Necessary or Expedient before Stopping Up and for the Provision or Improvement of the Highways

4. The lengths 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 how the areas of highway are to be stopped up;

(b) the developer has provided the new and improved highways as described in Schedules 2 and 3 to this Order to the reasonable satisfaction of the Council;

(c) the development in Schedule 4 has commenced and the developer has informed the Council in writing of the necessity to close the highway to allow the development to proceed; and

(d) the Council has confirmed in writing to the developer that paragraphs (a), (b) and (c) of this article 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.

Cyfnod Para'r Gorchymyn hwn

6. Os na fydd y datblygiad yn Atodlen 4 wedi ei ddechrau yn y cyfnod perthnasol a bennir yn Rhan III o Ddeddf 1990 fel cyfnod para'r caniatâd cynllunio, neu os caiff y caniatâd ei ddirymu cyn diwedd y cyfnod hwnnw, bydd y Gorchymyn hwn yn peidio â chael effaith.

Llofnodwyd o dan awdurdod Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith, un o Weinidogion Cymru.

Dyddiedig 22 Tachwedd 2016

Nina Ley

Pennaeth yr Uned Fusnes, Rheoli'r Rhwydwaith
Llywodraeth Cymru

- (1) 1990 p. 8. Yn rhinwedd erthygl 2 o O.S. 1999/672 ac Atodlen 1 iddo, 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 darnau o briffordd sydd i'w cau o dan y Gorchymyn hwn

1. Darn afreolaidd ei siâp o briffordd sy'n rhan o'r llain ymyl ar ochr ddwyreiniol y briffordd at bob diben o'r enw Heol Llangrallo, Pen-y-bont ar Ogwr a'r fynedfa i gerbydau i Jubilee Crescent sy'n 97 o fetrau yn y man hiraf ac yn 8 metr yn y man lletaf ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adnewwyd.
2. Darn afreolaidd ei siâp o briffordd sy'n rhan o'r llain ymyl ar ochr ddwyreiniol y briffordd at bob diben o'r enw Heol Llangrallo, Pen-y-bont ar Ogwr sy'n 64 metr yn y man hiraf ac yn 7 metr yn y man lletaf ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adnewwyd.

Duration of this Order

6. If the development in Schedule 4 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 that period, this Order ceases to have effect.

Signed under authority of the Cabinet Secretary for Economy and Infrastructure, one of the Welsh Ministers.

Dated 22 November 2016

Nina Ley

Head of Business Unit, Network Management
Welsh Government

- (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 lengths of highway to be stopped up under this Order

1. An irregular shaped length of highway being part of the verge on the eastern side of the all purpose highway known as Coychurch Road, Bridgend and the vehicular access to Jubilee Crescent with a maximum length of 97 metres and a maximum width of 8 metres and given the reference 'A' on the deposited plan.
2. An irregular shaped length of highway being part of the verge on the eastern side of the all purpose highway known as Coychurch Road, Bridgend with a maximum length of 64 metres and a maximum width of 7 metres and given the reference 'B' on the deposited plan.

ATODLEN 2

Disgrifiad o'r darn o briffordd newydd sydd i'w darparu

Darn afreolaidd ei siâp o briffordd at bob diben sy'n mesur 2,390 o fetrau sgwâr i'r dwyrain o Heol Llangrallo ac i'r de o Jubilee Crescent, Pen-y-bont ar Ogwr ac y rhoddir y cyfeirnod 'C' iddi ar y plan a adnewwyd.

ATODLEN 3

Disgrifiad o'r darn o briffordd sydd i'w gwella

Darn afreolaidd ei siâp o lain ymyl a phriffordd at bob diben ar ochr ddwyreiniol Heol Llangrallo sy'n mesur 201 o fetrau sgwâr ac y rhoddir y cyfeirnod 'D' iddi ar y plan a adnewwyd.

ATODLEN 4

Y Datblygiad

Adeiladu 48 o anheddau a gwneud gwaith cysylltiedig ar dir oddi ar Heol Llangrallo sy'n gyfagos i Jubilee Crescent, Pen-y-bont ar Ogwr.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (TIR ODDI AR HEOL LLANGRALLO SY'N GYFAGOS I JUBILEE CRESCENT, PEN-Y-BONT AR OGWR) 2016

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 ("y Ddeddf") i awdurdodi cau'r darnau o briffordd a ddisgrifir yn Atodlen 1 i'r Hysbysiad hwn, i ddarparu'r darn newydd o briffordd a ddisgrifir yn Atodlen 2 ac i wella'r darn o briffordd a ddisgrifir yn Atodlen 3. Nid awdurdodir cau'r briffordd ond er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 4. Bydd Gorchymyn Cau Priffyrdd (Tir oddi ar Heol Llangrallo sy'n Gyfagos i Jubilee Crescent, Pen-y-bont ar Ogwr) 2016 ("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 gopïau o'r Gorchymyn a'r plan a adnewwyd yn rhad ac am ddim yn swyddfeydd Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr, Y Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont ar Ogwr CF31 4WB yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r

SCHEDULE 2

Description of the length of new highway to be provided

An irregular shaped length of all purpose highway measuring 2,390 square metres located to the east of Coychurch Road and south of Jubilee Crescent, Bridgend given the reference 'C' on the deposited plan.

SCHEDULE 3

Description of the length of highway to be improved

An irregular shaped length of verge and all purpose highway on the eastern side of Coychurch Road measuring 201 square metres and given the reference 'D' on the deposited plan.

SCHEDULE 4

The Development

The construction of 48 dwellings and associated works at land off Coychurch Road adjacent to Jubilee Crescent, Bridgend.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (LAND OFF COYCHURCH ROAD ADJACENT TO JUBILEE CRESCENT, BRIDGEND) ORDER 2016

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 lengths of highway described in Schedule 1 to this Notice and provide the new length of highway described in Scheduled 2 and to improve the length of highway described in Schedule 3. The stopping up will be authorised only in order to enable the development described in Schedule 4. The Stopping Up of Highways (Land Off Coychurch Road Adjacent to Jubilee Crescent, Bridgend) Order 2016 ("the Order"), will cease 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 at the offices of the Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB during normal office hours or may be obtained free of charge from the address

cyfeirnod qA1260446.

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 30 Tachwedd 2016, wneud cais i'r Uchel Lys at y diben hwnnw.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar www.llyw.cymru (Detholer: Deddfwriaeth/ Is-ddeddfwriaeth/ Offerynnau Anstatudol/ Trafnidiaeth/ Deddf Cynllunio Gwlad a Thref: Gorchymynion Cau/ 2016).

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

M D BURNELL
Trafnidiaeth
Llywodraeth Cymru

YR ATODLENNI

ATODLEN 1

(Bras amcan yw pob mesuriad)

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

3. Darn afreolaidd ei siâp o briffordd sy'n rhan o'r llain ymyl ar ochr ddwyreiniol y briffordd at bob diben o'r enw Heol Llangrallo, Pen-y-bont ar Ogwr a'r fynedfa i gerbydau i Jubilee Crescent sy'n 97 o fetrau yn y man hiraf ac yn 8 metr yn y man lletaf ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adnewwyd.
4. Darn afreolaidd ei siâp o briffordd sy'n rhan o'r llain ymyl ar ochr ddwyreiniol y briffordd at bob diben o'r enw Heol Llangrallo, Pen-y-bont ar Ogwr sy'n 64 metr yn y man hiraf ac yn 7 metr yn y man lletaf ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adnewwyd.

below quoting reference qA1260446.

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 30 November 2016 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at www.gov.wales (Select: Legislation/ Subordinate legislation/ Non-Statutory Instruments/ Transport / TCPA Stopping Up Orders/ 2016).

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

M D BURNELL
Transport
Welsh Government

SCHEDULES

SCHEDULE 1

(All measurements are approximate)

Description of the lengths of highway to be stopped up under this Order

3. An irregular shaped length of highway being part of the verge on the eastern side of the all purpose highway known as Coychurch Road, Bridgend and the vehicular access to Jubilee Crescent with a maximum length of 97 metres and a maximum width of 8 metres and given the reference 'A' on the deposited plan.
4. An irregular shaped length of highway being part of the verge on the eastern side of the all purpose highway known as Coychurch Road, Bridgend with a maximum length of 64 metres and a maximum width of 7 metres and given the reference 'B' on the deposited plan.

ATODLEN 2

Disgrifiad o'r darn o briffordd newydd sydd i'w darparu

Darn afreolaidd ei siâp o briffordd at bob diben sy'n mesur 2,390 o fetrau sgwâr i'r dwyrain o Heol Llangrallo ac i'r de o Jubilee Crescent, Pen-y-bont ar Ogwr ac y rhoddir y cyfeirnod 'C' iddi ar y plan a adnewwyd.

ATODLEN 3

Disgrifiad o'r darn o briffordd sydd i'w gwella

Darn afreolaidd ei siâp o lain ymyl a phriffordd at bob diben ar ochr ddwyreiniol Heol Llangrallo sy'n mesur 201 o fetrau sgwâr ac y rhoddir y cyfeirnod 'D' iddi ar y plan a adnewwyd.

ATODLEN 4

Y Datblygiad

Adeiladu 48 o anheddau a gwneud gwaith cysylltiedig ar dir oddi ar Heol Llangrallo sy'n gyfagos i Jubilee Crescent, Pen-y-bont ar Ogwr.
P/15/379/FUL.

SCHEDULE 2

Description of the length of new highway to be provided

An irregular shaped length of all purpose highway measuring 2,390 square metres located to the east of Coychurch Road and south of Jubilee Crescent, Bridgend given the reference 'C' on the deposited plan.

SCHEDULE 3

Description of the length of highway to be improved

An irregular shaped length of verge and all purpose highway on the eastern side of Coychurch Road measuring 201 square metres and given the reference 'D' on the deposited plan.

SCHEDULE 4

The Development

The construction of 48 dwellings and associated works at land off Coychurch Road adjacent to Jubilee Crescent, Bridgend.

