PRIFFYRDD, CYMRU

201- RHIF 66

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (ANDERSON FIELD, ANDERSON PLACE A KNIGHTON COURT, ADAMSDOWN, CAERDYDD) 201-

Gwnaed	*21 Medi 2018*
Yn dod i rym	*28 Medi 2018*

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, Cychwyn a Dehongli

1.(1) Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Anderson Field, Anderson Place a Knighton Court, Adamsdown, Caerdydd) 201- a daw i rym ar 28 Medi 2018.

(2) Yn y Gorchymyn hwn;

ystyr "y Cyngor" (*"the Council"*) yw Cyngor Sir 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 planiau a adneuwyd" (*"the deposited plans"*) yw'r planiau sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Anderson Field, Anderson Place a Knighton Court, Adamsdown, Caerdydd) 201-" (Plan A a Phlan B) sy'n dod gyda'r Gorchymyn hwn.

Cau Priffyrdd

2. Yn ddarostyngedig i erthyglau 3, 4, 5 a 6 o'r Gorchymyn hwn mae Gweinidogion Cymru yn awdurdodi cau'r darnau o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn ac a ddangosir â llinellau sebra ar y planiau a adneuwyd. 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

(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

201- NO. 66

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (ANDERSON FIELD, ANDERSON PLACE & KNIGHTON COURT, ADAMSDOWN, CARDIFF) ORDER 201-

Made	*21 September 2018*
Coming into Force	28 September *2018*

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

Title, Commencement and Interpretation

1.(1) The title of this Order is the Stopping Up of Highways (Anderson Field, Anderson Place & Knighton Court, Adamsdown, Cardiff) Order 201- and it comes into force on 28 September 2018.

(2) In this Order;

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

"the deposited plans" *("y planiau a adneuwyd")* means the plans entitled "The Stopping Up of Highways (Anderson Field, Anderson Place & Knighton Court, Adamsdown, Cardiff) Order 201-" (Plan A and Plan B) which accompany 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

2. Subject to articles 3, 4, 5 and 6 of this Order the Welsh Ministers authorise the stopping up of the lengths of highway described in Schedule 1 to this Order and shown by zebra hatching on the deposited plans. The Welsh Ministers are satisfied that the stopping up is necessary to enable development to be carried out in accordance with planning permission

(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.

Ddeddf 1990 gan y Cyngor ar 6 Gorffennaf 2018 o dan y cyfeirnod 18/01245/MNR, ac a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

Priffyrdd y Gwneir Gwelliannau Iddynt

3. Rhaid creu, er boddhad rhesymol y Cyngor, y darn o briffordd y gwneir gwelliannau iddo a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn, ac a ddangosir â chroeslinellau ar y plan a adneuwyd, a bydd y briffordd hon, at ddibenion Deddf Priffyrdd 1980**(2)**, i'w chynnal ar draul y pwrs cyhoeddus.

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

4. Ni chaniateir cau'r darnau o'r 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 datblygwr wedi darparu, er boddhad rhesymol y Cyngor, y darn o briffordd y gwneir gwelliannau iddo a ddisgrifir yn Atodlen 2;

(c) hyd nes y bydd y datblygiad a ddisgrifir yn Atodlen 3 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; a

(d) hyd nes y bydd y Cyngor wedi ysgrifennu at y datblygwr i gadarnhau bod paragraffau (a), (b) ac (c) 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 darnau 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.

Cyfnod Para'r Gorchymyn hwn

6. Os na fydd y datblygiad a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn wedi ei ddechrau yn y cyfnod perthnasol a bennir yn Rhan 3 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 pan ddaw'r caniatâd cynllunio i ben.

(2) 1980 p.66

granted under Part 3 of the 1990 Act by the Council on 6 July 2018 under reference number 18/01245/MNR and described in Schedule 3 to this Order.

Improved Highways

3. There must be created, to the reasonable satisfaction of the Council, the improved length of highway described in Schedule 2 to this Order and shown by cross hatching on the deposited plan, which is for the purposes of the Highways Act 1980**(2)** a highway maintainable at the public expense.

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 length of highway is to be stopped up;

(b) the developer has provided, to the reasonable satisfaction of the Council, the length of improved highway described in Schedule 2;

(c) the development described in Schedule 3 to this Order has commenced and the developer has informed the Council in writing of the necessity to stop up the lengths of highways to allow the development to proceed; and

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

Duration of this Order

6. If the development described in Schedule 3 to this Order has not begun within the relevant period specified in Part 3 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 upon the cessation of the planning permission.

(2) 1980 c.66

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

Dyddiedig 21 Medi 2018

Richard Morgan
Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

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

Dated 21 September 2018

Richard Morgan
Head of Planning, Asset Management and Standards
Welsh Government

YR ATODLENNI

ATODLEN 1
(Bras amcan yw pob mesuriad)

<u>Disgrifiad o'r darn o briffordd sydd i'w gau o dan y Gorchymyn hwn</u>

Darn o briffordd (troetffordd) yn Knighton Court sy'n arwain at Galston Street o Constellation Street, Adamsdown, Caerdydd, sy'n 18 o fetrau yn y man hiraf ac yn 2 fetr yn y man lletaf, y rhoddir y cyfeirnod 'A' iddo ac a ddangosir â llinellau sebra ar y planiau a adneuwyd (Plan A).

Darn o briffordd (troetffordd) i'r gorllewin o'r eiddo o'r enw 1-17 a 31-47 Anderson Place, Adamsdown, Caerdydd, sy'n mesur 74.5 o fetrau yn y man hiraf a 2 fetr yn y man lletaf, y rhoddir y cyfeirnod 'B' iddo ac a ddangosir â llinellau sebra ar y planiau a adneuwyd (Plan A).

Darn o briffordd (troetffordd) i'r gorllewin o'r eiddo o'r enw 91-101 Anderson Place, Adamsdown, Caerdydd, sy'n mesur 41 o fetrau yn y man hiraf a 5.5 metr yn y man lletaf, y rhoddir y cyfeirnod 'A' iddo ac a ddangosir â llinellau sebra ar y planiau a adneuwyd (Plan B).

ATODLEN 2

<u>Disgrifiad o'r darn o briffordd y gwneir gwelliannau iddo sydd i'w ddarparu o dan y Gorchymyn hwn</u>

Darn afreolaidd ei siâp o briffordd sef y gyffordd rhwng Anderson Place a Constellation Street, Adamsdown, Caerdydd, sy'n mesur 22 o fetrau yn y man hiraf a 5.5 metr yn y man lletaf, y rhoddir y cyfeirnod 'B' iddo ac a ddangosir â chroeslinellau ar y planiau a adneuwyd (Plan B).

SCHEDULES

SCHEDULE 1
(All measurements are approximate)

<u>Description of the length of highway to be stopped up under this Order</u>

A length of highway (footway) located on Knighton Court leading to Galston Street from Constellation Street, Adamsdown, Cardiff, with a maximum length of 18 metres and a maximum width of 2 metres, given the reference 'A' and shown as zebra hatching on the deposited plans (Plan A).

A length of highway (footway) located west of the properties known as 1-17 and 31-47 Anderson Place, Adamsdown, Cardiff, with a maximum length of 74.5 metres and a maximum width of 2 metres, given the reference 'B' and shown as zebra hatching on the deposited plans (Plan A).

A length of highway (footway) located west of the properties known as 91-101 Anderson Place, Adamsdown, Cardiff, with a maximum length of 41 metres and a maximum width of 5.5 metres, given the reference 'A' and shown as zebra hatching on the deposited plans (Plan B).

SCHEDULE 2

<u>Description of the length of improved highway to be provided under this Order</u>

An irregular length of highway being the junction between Anderson Place and Constellation Street, Adamsdown, Cardiff, with a maximum length of 22 metres and a maximum width of 5.5 metres, given the reference 'B' and shown as cross hatching on the deposited plans (Plan B).

ATODLEN 3

Y Datblygiad

Cynllun Gwella'r Amgylchedd arfaethedig, a bydd y gwaith yn cynnwys: estyn gerddi blaen i wneud lle i barcio ar y plot, newid defnydd y briffordd fabwysiedig i ddefnydd preswyl achlysurol, a chodi storfeydd biniau ar Garesfield Street, Galston Street ac Anderson Place, Adamsdown, Caerdydd.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (ANDERSON FIELD, ANDERSON PLACE A KNIGHTON COURT, ADAMSDOWN, CAERDYDD) 2018

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 ("Deddf 1990") i awdurdodi cau'r darnau o briffordd a ddisgrifir yn Atodlen 1 i'r Hysbysiad hwn ac i wella'r darn o briffordd a ddisgrifir yn Atodlen 2 i'r Hysbysiad hwn. Nid awdurdodir cau'r briffordd ond er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 3 i'r Hysbysiad hwn.

Bydd Gorchymyn Cau Priffyrdd (Anderson Field, Anderson Place a Knighton Court, Adamsdown, Caerdydd) 2018 ("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 planiau a adneuwyd yn rhad ac am ddim yn swyddfa Cyngor Caerdydd, Neuadd y Sir, Glanfa'r Iwerydd, Caerdydd CF10 4UW yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1353326.

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

a. nad yw o fewn pwerau Deddf 1990; neu

b. na chydymffurfiwyd ag un o ofynion gweithdrefnol Deddf 1990;

o fewn 6 wythnos i 28 Medi 2018, 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: Gorchmynion Cau/ 2018).

SCHEDULE 3

The Development

Proposed Environmental Improvement Scheme, works include: extension of front gardens to accommodate on-plot parking, change of use of adopted highway to incidental residential use, erection of bins stores at Garesfield Street, Galston Street and Anderson Place, Adamsdown, Cardiff.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (ANDERSON FIELD, ANDERSON PLACE & KNIGHTON COURT, ADAMSDOWN, CARDIFF) ORDER 2018

The Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 ("the 1990 Act") to authorise the stopping up of the lengths of highway described in Schedule 1 to this Notice and to improve a length of highway described in Schedule 2 to this Notice. The stopping up will be authorised only in order to enable the development described in Schedule 3 to this Notice to be carried out.

The Stopping Up of Highways (Anderson Field, Anderson Place & Knighton Court, Adamsdown, Cardiff) Order 2018 ("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 plans may be inspected free of charge at the office of Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW during normal office hours or may be obtained free of charge from the address below quoting reference qA1353326.

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

a. it is not within the powers of the 1990 Act; or

b. a procedural requirement of the 1990 Act has not been complied with;

that person may, within 6 weeks of 28 September 2018 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/ 2018).

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

M D BURNELL
Trafnidiaeth
Llywodraeth Cymru

YR ATODLENNI

ATODLEN 1
(Bras amcan yw pob mesuriad)

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ATODLEN 2

Disgrifiad o'r darn o briffordd y gwneir gwelliannau iddo sydd i'w ddarparu o dan y Gorchymyn hwn

Darn afreolaidd ei siâp o briffordd sef y gyffordd rhwng Anderson Place a Constellation Street, Adamsdown, Caerdydd, sy'n mesur 22 o fetrau yn y man hiraf a 5.5 metr yn y man lletaf, y rhoddir y cyfeirnod 'B' iddo ac a ddangosir â chroeslinellau ar y planiau a adneuwyd (Plan B).

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 length of highway to be stopped up under this Order

A length of highway (footway) located on Knighton Court leading to Galston Street from Constellation Street, Adamsdown, Cardiff, with a maximum length of 18 metres and a maximum width of 2 metres, given the reference 'A' and shown as zebra hatching on the deposited plans (Plan A).

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A length of highway (footway) located west of the properties known as 91-101 Anderson Place, Adamsdown, Cardiff, with a maximum length of 41 metres and a maximum width of 5.5 metres, given the reference 'A' and shown as zebra hatching on the deposited plans (Plan B).

SCHEDULE 2

Description of the length of improved highway to be provided under this Order

An irregular length of highway being the junction between Anderson Place and Constellation Street, Adamsdown, Cardiff, with a maximum length of 22 metres and a maximum width of 5.5 metres, given the reference 'B' and shown as cross hatching on the deposited plans (Plan B).

ATODLEN 3

Y Datblygiad

Cynllun Gwella'r Amgylchedd arfaethedig, a bydd y gwaith yn cynnwys: estyn gerddi blaen i wneud lle i barcio ar y plot, newid defnydd y briffordd fabwysiedig i ddefnydd preswyl achlysurol, a chodi storfeydd biniau ar Garesfield Street, Galston Street ac Anderson Place, Adamsdown, Caerdydd, yn unol â chaniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 6 Gorffennaf 2018 o dan y cyfeirnod 18/01245/MNR.

SCHEDULE 3

The Development

Proposed Environmental Improvement Scheme, works include: extension of front gardens to accommodate on-plot parking, change of use of adopted highway to incidental residential use, erection of bins stores at Garesfield Street, Galston Street and Anderson Place, Adamsdown, Cardiff, in accordance with planning permission granted under Part 3 of the 1990 Act by the Council on 6 July 2018 under reference number 18/01245/MNR.