**PRIFFYRDD, CYMRU**

**2019 RHIF**

**DEDDF CYNLLUNIO GWLAD A THREF 1990**

**GORCHYMYN CAU PRIFFYRDD (ALBERT ROW, ABERTAWE) 2019**

| | |
|---|---|
| *Gwnaed* | *30 Awst 2019* |
| *Yn dod i rym* | *5 Medi 2019* |

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 (Albert Row, Abertawe) 2019 a daw i rym ar 5 Medi 2019.

(2) Yn y Gorchymyn hwn;

ystyr "y Cyngor" ("*the Council*") yw Cyngor Dinas a Sir Abertawe;

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 (Albert Row, Abertawe) 2019" sy'n dod gyda'r Gorchymyn hwn.

**Cau Prifford**

**2.** Yn ddarostyngedig i erthyglau 3, 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 ac a ddangosir â llinellau sebra ar y plan a adneuwyd. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn gwneud y datblygiad yn unol â'r caniatadau cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 5 Mehefin 2019 o dan y cyfeirnod 2019/0980/S73, ac ar 13 Awst 2019 o dan y

(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**

**2019 NO.**

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE STOPPING UP OF HIGHWAYS (ALBERT ROW, SWANSEA) ORDER 2019**

| | |
|---|---|
| *Made* | *30 August 2019* |
| *Coming into Force* | *5 September 2019* |

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 (Albert Row, Swansea) Order 2019 and it comes into force on 5 September 2019.

(2) In this Order;

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

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Albert Row, Swansea) Order 2019" 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**

**2.** Subject to articles 3, 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 and 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 permissions granted under Part 3 of the 1990 Act by the Council on 5 June 2019 with reference number 2019/0980/S73, and on 13 August 2019 with

(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.

cyfeirnod 2019/1373/RES ac a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn.

**Y Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau Priffordd**

**3.** 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**

**4.** 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.

**Cyfnod Para'r Gorchymyn hwn**

**5.** Os na fydd y datblygiad a ddisgrifir yn Atodlen 2 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.

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

Dyddiedig 30 Awst 2019

*Richard Morgan*
*Pennaeth Cynllunio, Rheoli Asedau a Safonau*
*Llywodraeth Cymru*

reference 2019/1373/RES and described in Schedule 2 to this Order.

**Provisions Necessary or Expedient before Stopping Up**

**3.** 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**

**4.** 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.

**Duration of this Order**

**5.** If the development described in Schedule 2 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.

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

Dated 30 August 2019

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

## ATODLEN 1
**(Bras amcan yw pob mesuriad)**

**Y darn o briffordd sydd i'w gau**

Darn afreolaidd ei siâp o briffordd sef y lôn sy'n troi i'r chwith ar Albert Row i ymuno â Heol Ystymllwynarth, Abertawe, sy'n 48 o fetrau yn y man hiraf ac yn 20 metr yn y man lletaf.

## ATODLEN 2

**Y Datblygiad**

Ailwampio, newid a/neu ddymchwel yr holl adeiladau/strwythurau presennol ar y safle (ac eithrio Eglwys Santes Fair ac Eglwys Gatholig Priordy Dewi Sant) ac ailddatblygu'r safle gyda mynediad dangosol/cynllun dangosol a pharamedrau graddfa dangosol ar y safle gogleddol o 1 i hyd at 7 o loriau a chydag arwynebedd llawr newydd o hyd at 84,050 o fetrau sgwâr yn cynnwys defnydd manwerthu/masnachol/swyddfa, preswyl, sefydliad amhreswyl a hamdden, maes parcio aml-lawr ac ailddatblygu safle deheuol o hyd at 40,700 o fetrau sgwâr o arwynebedd llawr yn cynnwys arena newydd, gwesty/adeilad preswyl o hyd at 13 o loriau, unedau bwyd a diod, maes parcio yn yr is-grofft a chanolfan ynni ddichonol. Ar draws y ddau safle, darparu mannau agored cyhoeddus newydd/gwaith gwella tir y cyhoedd a gwaith tirweddu, mynediad newydd i gerddwyr a cherbydau a threfniadau gwasanaethu (gan gynnwys pont i gerddwyr dros Heol Ystumllwynarth), darparu safleoedd bysiau newydd ar Heol Ystumllwynarth, mynediad newydd i gerddwyr drwy'r bwâu presennol ar hyd Victoria Quay, adleoli cerflun Syr H Hussey Vivian, cloddwaith a gwaith plannu.

## SCHEDULE 1
**(All measurements are approximate)**

**The length of highway to be stopped up**

An irregular shaped length of highway being the left turn lane on Albert Row to join Oystermouth Road, Swansea, having a maximum length of 48 metres and a maximum width of 20 metres

## SCHEDULE 2

**The Development**

The refurbishment, alteration and/or demolition of all existing buildings/structures on the site (except St Mary's Church and St David's Church) and redevelopment of site with indicative access/layout and scale parameters on the north site of a maximum of 1 to 7 storeys and maximum new floorspace of 84,050 sqm comprising retail/commercial/office use residential, non-residential institution and leisure, multi-storey car park and redevelopment of south site of a maximum of 40,700 sqm of floorspace comprising a new arena, up to 13 storey hotel/residential building, food and drink, undercroft car park, potential energy centre. Across both sites, the provision of associated new public open space/public realm and landscaping, new pedestrian and vehicular access and servicing arrangements (including a pedestrian bridge link across Oystermouth Road), provision of new bus stops on Oystermouth Road, new pedestrian access through existing arches along Victoria Quay, relocation of Sir H Hussey Vivian statue, earthworks, and plant.

**DEDDF CYNLLUNIO GWLAD A THREF 1990**

**GORCHYMYN CAU PRIFFYRDD (ALBERT ROW, ABERTAWE) 2019**

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

Bydd Gorchymyn Cau Priffyrdd (Albert Row, Abertawe) 2019 ("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 adneuwyd yn rhad ac am ddim yn swyddfeydd Cyngor Dinas a Sir Abertawe, y Ganolfan Ddinesig, Heol Ystumllwynarth, Abertawe, SA1 3SN yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1387124.

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 5 Medi 2019, wneud cais i'r Uchel Lys at y diben hwnnw.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar https://llyw.cymru/gorchmynion-cau.

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

**J SADDLER**
Trafnidiaeth
Llywodraeth Cymru

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE STOPPING UP OF HIGHWAYS (ALBERT ROW, SWANSEA) ORDER 2019**

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 length of highway described in Schedule 1 to this Notice. The stopping up will be authorised only in order to enable the development described in Schedule 2 to this Notice to be carried out.

The Stopping Up of Highways (Albert Row, Swansea) Order 2019 ("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 at the office of the City & County of Swansea Council, Civic Centre, Oystermouth Road, Swansea, SA1 3SN during normal office hours or may be obtained free of charge from the address below quoting reference qA1387124.

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 5 September 2019 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at https://gov.wales/stopping-orders .

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

**J SADDLER**
Transport
Welsh Government

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**(Bras amcan yw pob mesuriad)**

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**Y Datblygiad**

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**(All measurements are approximate)**

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