

PRIFFYRDD, CYMRU

2019 RHIF

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (TIR
CYFAGOS I DOUGLAS INN, TREGELE, YNYS
MÔN) 2019

Gwnaed 21 Hydref 2019

Yn dod i rym 23 Hydref 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 (Tir Cyfagos i Douglas Inn, Tregele, Ynys Môn) 2019 a daw i rym ar 23 Hydref 2019.

(2) Yn y Gorchymyn hwn:

ystyr "y Cyngor" ("*the Council*") yw Cyngor Sir Ynys Môn;

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 adnewwyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Tir Cyfagos i Douglas Inn, Tregele, Ynys Môn) 2019" sy'n dod gyda'r Gorchymyn hwn.

HIGHWAYS, WALES

2019 NO.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (LAND
ADJACENT TO DOUGLAS INN, TREGELE,
ANGLESEY) ORDER 2019

Made 21 October 2019

Coming into Force 23 October 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 (Land Adjacent to Douglas Inn, Tregele, Anglesey) Order 2019 and it comes into force on 23 October 2019.

(2) In this Order:

"the Council" ("*y Cyngor*") means Isle of Anglesey County Council;

"the deposited plan" ("*y plan a adnewwyd*") means the plan entitled "The Stopping Up of Highways (Land Adjacent to Douglas Inn, Tregele, Anglesey) 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.

(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 Weiniogion 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 powers are now exercisable by the Welsh Ministers in relation to Wales.

Cau Priffordd

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 adnewyd. 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 Ddeddf 1990 gan y Cyngor ar 13 Rhagfyr 2018 o dan y cyfeirnod 20C28E 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 darn o 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.

Ymgwymerwyr Statudol a Darparwyr

4. 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 darn 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.

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.

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 permission granted under Part 3 of the 1990 Act by the Council on 13 December 2018 under reference number 20C28E 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 length of highway to allow the development to proceed; and

(c) the Council have 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.

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

Dyddiedig

23 Hydref 2019

Richard Morgan

Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

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

Dated

23 October 2019

Richard Morgan

Head of Planning, Asset Management and Standards
Welsh Government

ATODLEN 1
(Bras amcan yw pob mesuriad)

Disgrifiad o'r darn o briffordd sydd i'w gau o dan y
Gorchymyn hwn

Darn afreolaidd ei siâp o briffordd ar ochr ddwyreiniol yr A5025 ac ochr orllewinol y ffordd ddiddosbarth yn gyfagos i Douglas Inn, sy'n gyfanswm o 2200 metr sgwâr ac a ddangosir â llinellau sebra ar y plan a adneuwyd.

ATODLEN 2

Y Datblygiad

Newid defnydd tir priffordd i greu maes parcio i wasanaethu'r adeilad presennol ar dir cyfagos i Douglas Inn, Tregale, Ynys Môn yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 13 Rhagfyr 2018 o dan y cyfeirnod 20C28E.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (TIR
CYFAGOS I DOUGLAS INN, TREGELE, YNYS
MÔN) 2019

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 ("Deddf 1990") 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 (Tir Cyfagos i Douglas Inn, Tregale, Ynys Môn) 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 gopiau o'r Gorchymyn a'r plan a

SCHEDULE 1
(All measurements are approximate)

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

An irregular shaped length of highway located on the eastern side of the A5025 and the western side of the unclassified road adjacent to Douglas Inn, having a total area of 2200 square metres and shown by zebra hatching on the deposited plan.

SCHEDULE 2

The Development

Change of use of highway land into car park to serve existing building on land adjoining Douglas Inn, Tregale, Anglesey in accordance with planning permission granted under Part 3 of the 1990 Act by the Council on 13 December 2018 under reference number 20C28E.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (LAND
ADJACENT TO DOUGLAS INN, TREGELE,
ANGLESEY) ORDER 2019

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 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 (Land Adjacent to Douglas Inn, Tregale, Anglesey) 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 Highways Service, Isle

adnewwyd yn rhad ac am ddim yn swyddfa'r Gwasanaeth Priffyrdd, Cyngor Sir Ynys Môn, Swyddfeydd y Cyngor, Llangefni LL77 7TW yn ystod oriau swyddfa arferol, neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod drwy ddyfynnu'r cyfeirnod qA1393997.

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 23 Hydref 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

ATODLEN 1
(Bras amcan yw pob mesuriad)

Disgrifiad o'r darn o briffordd sydd i'w gau o dan y Gorchymyn hwn

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ATODLEN 2
Y Datblygiad

Newid defnydd tir priffordd i greu maes parcio i wasanaethu'r adeilad presennol ar dir cyfagos i Douglas Inn, Tregle, Ynys Môn, yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 13 Rhagfyr 2018 o dan y cyfeirnod 20C28E.

of Anglesey County Council, Council Offices, Llangefni LL77 7TW during normal office hours or may be obtained free of charge from the address below quoting reference qA1393997.

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 23 October 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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(All measurements are approximate)

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