

PRIFFYRDD, CYMRU

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (LÔN BEVAN, PONT-RHYD-YR-YNN, CWMBRÂN) 2020

WG20-34

Gwnaed 25 Mehefin 2020

Yn dod i rym 29 Mehefin 2020

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 (Lôn Bevan, Pont-rhyd-yr-ynn, Cwmbân) 2020 a daw i rym ar 29 Mehefin 2020.

(2) Yn y Gorchymyn hwn —

ystyr “y Cyngor” (“*the Council*”) yw Cyngor Bwrdeistref Sirol Torfaen;

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 (Lôn Bevan, Pont-rhyd-yr-ynn, Cwmbân) 2020” sy'n dod gyda'r Gorchymyn hwn.

Cau Priffordd

2. Yn ddarostyngedig i erthyglau 3, 4, 5, 6 a 7 mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio amlinellol a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 11 Mawrth 2015 o dan y cyfeirnod 14/P/00632, y gymeradwyaeth materion a gadwyd yn ôl a roddwyd ar 27 Ionawr 2016

(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

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (BEVANS LANE, PONTRHYDYRUN, CWMBRAN) ORDER 2020

WG20-34

Made 25 June 2020

Coming into Force 29 June 2020

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 (Bevans Lane, Pontrhydyrun, Cwmbân) Order 2020 and it comes into force on 29 June 2020.

(2) In this Order —

“the Council” (“*y Cyngor*”) means the Council of the County Borough of Torfaen;

“the deposited plan” (“*y plan a adnewwyd*”) means the plan entitled “The Stopping Up of Highways (Bevans Lane, Pontrhydyrun, Cwmbân) Order 2020” 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, 5, 6 and 7 the Welsh Ministers authorise the stopping up of the length of highway described in Schedule 1 to this Order. The Welsh Ministers are satisfied that the stopping up is necessary to enable development to be carried out in accordance with outline planning permission granted under Part 3 of the 1990 Act by the Council on 11 March 2015 with reference number 14/P/00632, and

(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.

o dan y cyfeirnod 15/P/00271, a'r gymeradwyaeth materion a gadwyd yn ôl a roddwyd ar 16 Ebrill 2019 o dan y cyfeirnod 18/P/0747/RES.

Priffordd Newydd

3. Rhaid creu, er boddhad rhesymol y Cyngor, y darn newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn, sydd, at ddibenion Deddf Priffyrdd 1980(2), i fod yn briffordd i'w chynnal ar draul y pwrs cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd sy'n gyfrifol amdani.

Y Briffordd y Gwneir Gwelliannau Iddi

4. Rhaid gwneud gwelliannau, er boddhad rhesymol y Cyngor, i'r darn o briffordd a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn, sydd, at ddibenion Deddf Priffyrdd 1980, yn briffordd i'w chynnal ar draul y pwrs cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd sy'n gyfrifol amdani.

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

5. 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 datblygwr wedi darparu'r darn newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn er boddhad rhesymol y Cyngor;

(c) hyd nes y bydd y datblygwr wedi darparu'r darn o briffordd y gwneir gwelliannau iddo a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn er boddhad rhesymol y Cyngor;

(d) hyd nes y bydd y datblygiad a ddisgrifir yn Atodlen 4 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

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

the reserved matters approval granted on 27th January 2016 with reference number 15/P/00271, and reserved matters approval granted on 16 April 2019 with reference number 18/P/0747/RES.

New Highway

3. There must be created, to the reasonable satisfaction of the Council, the new length of highway described in Schedule 2 to this Order, which is to be a highway maintainable at the public expense for the purposes of the Highways Act 1980(2) and the Council is to be the highway authority responsible for it.

Improved Highway

4. There must be improvements made, to the reasonable satisfaction of the Council, to the length of highway described in Schedule 3 to this Order, which is a highway maintainable at the public expense for the purposes of the Highways Act 1980 and the Council is to be the highway authority responsible for it.

Provisions Necessary or Expedient before Stopping Up

5. 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 developer has provided the new length of highway described in Schedule 2 to this Order to the reasonable satisfaction of the Council;

(c) the developer has improved the length of highway described in Schedule 3 to this Order to the reasonable satisfaction of the Council;

(d) the development described in Schedule 4 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

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

Ymgwymerwyr Statudol a Darparwyr

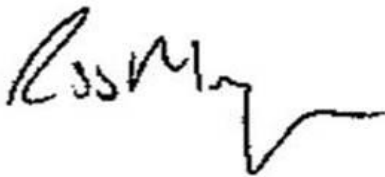
6. Pan fo gan ymgwymerwyr statudol neu ddarparwyr system gyfathrebu gyhoeddus unrhyw gyfarpar o dan y briffordd, ynddi, arni, drosti, ar ei hyd neu ar ei thraws yn union cyn cau'r darn o briffordd yna (yn ddarostyngedig i adran 261(4) o Ddeddf 1990), bydd gan yr ymgwymerwyr neu'r darparwyr yr un hawliau mewn cysylltiad â'r cyfarpar ag a oedd ganddynt cyn cau'r briffordd.

Cyfnod Para'r Gorchymyn hwn

7. Os na fydd y datblygiad a ddisgrifir yn Atodlen 3 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 pan ddaw'r caniatâd cynllunio i ben.

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

Dyddiedig 25 Mehefin 2020



Richard Morgan
Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

Statutory Undertakers and Providers

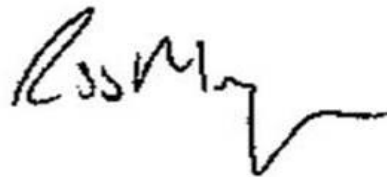
6. Where immediately before the length of highway is stopped up, there is under, in, on, over, along or across the highway any apparatus of statutory undertakers or public communications providers then (subject to section 261(4) of the 1990 Act) the undertakers or providers continue to have the same rights in respect of the apparatus as they had before the stopping up.

Duration of this Order

7. If the development described in Schedule 3 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 upon the cessation of the planning permission.

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

Dated 25 June 2020



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 sy'n rhan o Lôn Bevan, i'r gogledd-orllewin o gylchfan Heol y Glyn / yr A4051, Cwmbrân, sy'n 47.5 o fetrau yn y man hiraf ac yn 17 o fetrau yn y man lletaf ac a ddangosir â llinellau sebra ar y plan a adnewwyd.

ATODLEN 2 (Bras amcan yw pob mesuriad)

Y darn newydd o briffordd sydd i'w ddarparu

Darn afreolaidd ei siâp o briffordd sy'n rhan o Lôn Bevan, i'r gogledd-orllewin o gylchfan Heol y Glyn /

SCHEDULE 1 (All measurements are approximate)

The length of highway to be stopped up

An irregular shaped length of highway being part of Bevans Lane, located north west of Avondale Road / A4051 roundabout, Cwmbran, with a maximum length of 47.5 metres and a maximum width of 17 metres shown by zebra hatching on the deposited plan.

SCHEDULE 2 (All measurements are approximate)

New length of highway to be provided

An irregular shaped length of highway being part of Bevans Lane, located north west of Avondale Road /

yr A4051, Cwmbrân, sy'n 81.5 o fetrau yn y man hiraf ac yn 23 o fetrau yn y man lletaf ac a ddangosir â dotwaith ar y plan a adnewwyd.

A4051 roundabout, Cwmbran, with a maximum length of 81.5 metres and a maximum width of 23 metres shown by stipple hatching on the deposited plan.

ATODLEN 3
(Bras amcan yw pob mesuriad)

Y darn o briffordd sydd i'w wella

Darn afreolaidd ei siâp o briffordd sy'n rhan o Lôn Bevan, i'r gogledd-orllewin o gylchfan Heol y Glyn / yr A4051, Cwmbrân, sy'n 15.5 o fetrau yn y man hiraf ac yn 3.5 metr yn y man lletaf ac a ddangosir â chroeslinellau ar y plan a adnewwyd.

ATODLEN 4

Y Datblygiad

Datblygu 143 o anheddau a datblygiad manwerthu, gan gynnwys ffyrdd a seilwaith cysylltiedig.

SCHEDULE 3
(All measurements are approximate)

length of highway to be improved

An irregular shaped length of highway being part of Bevans Lane, located north west of Avondale Road / A4051 roundabout, Cwmbran, with a maximum length of 15.5 metres and a maximum width of 3.5 metres shown by cross hatching on the deposited plan.

SCHEDULE 4

The Development

Development of 143 dwellings and retail development including associated roads and infrastructure.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (LÔN BEVAN, PONT-RHYD-YR-YNN, CWMBRÂN) 2020

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 (“Ddeddf 1990”) i awdurdodi cau’r darn o briffordd a ddisgrifir yn Atodlen 1 i’r Hysbysiad hwn, i ddarparu ar gyfer y darn o briffordd newydd a ddisgrifir yn Atodlen 2 i’r Hysbysiad hwn ac i wella’r darnau o briffordd a ddisgrifir yn Atodlen 3 i’r Hysbysiad hwn. Nid awdurdodir cau’r briffordd ond er mwyn gwneud y datblygiad yn unol â’r caniatâd cynllunio amlinellol a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 11 Mawrth 2015 o dan y cyfeirnod 14/P/00632, y gymeradwyaeth materion a gadwyd yn ôl a roddwyd ar 27 Ionawr 2016 o dan y cyfeirnod 15/P/00271, a’r gymeradwyaeth materion a gadwyd yn ôl a roddwyd ar 16 Ebrill 2019 o dan y cyfeirnod 18/P/0747/RES ac a ddisgrifir yn Atodlen 4 i’r Hysbysiad hwn.

Bydd Gorchymyn Cau Priffyrdd (Lôn Bevan, Pont-rhyd-yr-ynn, Cwmbrân) 2020 (“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 planiau a adnewwyd yn rhad ac am ddim yn swyddfa Llyfrgell Cwmbrân, Tŷ Gwent, Sgwâr Gwent, Cwmbrân NP44 1XQ yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o’r cyfeiriad isod gan ddyfynnu’r cyfeirnod qA1409400.

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 29 Mehefin 2020, wneud cais i’r Uchel Lys at y diben hwnnw.

Gellir gweld copi o’r Gorchymyn a’r Hysbysiad ar <https://llyw.cymru/gorchymynion-cau>.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (BEVANS LANE, PONTRHYDYRUN, CWMBRAN) ORDER 2020

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 and to provide for the length of new highway described in Schedule 2 to this Notice; to improve the areas of highway described in Schedule 3 to this Notice. The stopping up will be authorised only in order to enable the development to be carried out in accordance with outline planning permission granted under Part 3 of the 1990 Act by the Council on 11 March 2015 with reference number 14/P/00632, and the reserved matters approval granted on 27 January 2016 with reference number 15/P/00271, and reserved matters approval granted on 16 April 2019 with reference number 18/P/0747/RES described in Schedule 4 to this Notice.

The Stopping Up of Highways (Bevans Lane, Pontrhydyrun, Cwmbran) Order 2020 (“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 plans may be inspected free of charge at the office of Cwmbran Library, Gwent House, Gwent Square, Cwmbran, NP44 1XQ during normal office hours or may be obtained free of charge from the address below quoting reference qA1409400.

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 29 June 2020 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>.

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)

Y darn o briffordd sydd i'w gau

Darn afreolaidd ei siâp o briffordd sy'n rhan o Lôn Bevan, i'r gogledd-orllewin o gylchfan Heol y Glyn / yr A4051, Cwmbrân, sy'n 47.5 o fetrau yn y man hiraf ac yn 17 o fetrau yn y man lletaf ac a ddangosir â llinellau sebra ar y plan a adnewwyd.

ATODLEN 2
(Bras amcan yw pob mesuriad)

Y darn newydd o briffordd sydd i'w ddarparu

Darn afreolaidd ei siâp o briffordd sy'n rhan o Lôn Bevan, i'r gogledd-orllewin o gylchfan Heol y Glyn / yr A4051, Cwmbrân, sy'n 81.5 o fetrau yn y man hiraf ac yn 23 o fetrau yn y man lletaf ac a ddangosir â dotwaith ar y plan a adnewwyd.

ATODLEN 3
(Bras amcan yw pob mesuriad)

Y darn o briffordd sydd i'w wella

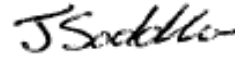
Darn afreolaidd ei siâp o briffordd sy'n rhan o Lôn Bevan, i'r gogledd-orllewin o gylchfan Heol y Glyn / yr A4051, Cwmbrân, sy'n 15.5 o fetrau yn y man hiraf ac yn 3.5 metr yn y man lletaf ac a ddangosir â chroeslinellau ar y plan a adnewwyd.

ATODLEN 4

Y Datblygiad

Datblygu 143 o anheddau a datblygiad manwerthu, gan gynnwys ffyrdd a seilwaith cysylltiedig.

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

SCHEDULE 1
(All measurements are approximate)

The length of highway to be stopped up

An irregular shaped length of highway being part of Bevans Lane, located north west of Avondale Road / A4051 roundabout, Cwmbran, with a maximum length of 47.5 metres and a maximum width of 17 metres shown by zebra hatching on the deposited plan.

SCHEDULE 2
(All measurements are approximate)

New length of highway to be provided

An irregular shaped length of highway being part of Bevans Lane, located north west of Avondale Road / A4051 roundabout, Cwmbran, with a maximum length of 81.5 metres and a maximum width of 23 metres shown by stipple hatching on the deposited plan.

SCHEDULE 3
(All measurements are approximate)

length of highway to be improved

An irregular shaped length of highway being part of Bevans Lane, located north west of Avondale Road / A4051 roundabout, Cwmbran, with a maximum length of 15.5 metres and a maximum width of 3.5 metres shown by cross hatching on the deposited plan.

SCHEDULE 4

The Development

Development of 143 dwellings and retail development including associated roads and infrastructure.