PRIFFYRDD, CYMRU

LlC 20-

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (FFORDD FAIRFIELD, CASTELL-NEDD) 2020

Gwnaed	*21 Medi 2020*
Yn dod i rym	*25 Medi 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 (Ffordd Fairfield, Castell-nedd) 2020 a daw i rym ar 25 Medi 2020

(2) Yn y Gorchymyn hwn;

ystyr "y Cyngor" ("*the Council*") yw Cyngor Bwrdeistref Sirol Castell-nedd Port Talbot;

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 (Ffordd Fairfield, Castell-nedd) 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 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 caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 29 Gorffennaf 2020 o dan y cyfeirnod P2020/0486 ac a ddisgrifir yn Atodlen 4 i'r Gorchymyn hwn.

(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

WG 20-

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (FAIRFIELD WAY, NEATH) ORDER 2020

Made	*21 September 2020*
Coming into Force	*25 September 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 (Fairfield Way, Neath) Order 2020 and it comes into force on 25 September 2020

(2) In this Order;

"the Council" *("y Cyngor")* means the Council of the County Borough of Neath Port Talbot;

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Fairfield Way, Neath) 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 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 29 July 2020 under reference number P2020/0486 and described in Schedule 4 to this Order.

(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.

Priffordd Newydd / y Gwneir Gwelliannau Iddi

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

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 darnau o briffordd i'w cau;

(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 darnau o briffordd y gwneir gwelliannau iddynt 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.

Ymgymerwyr Statudol a Darparwyr

6. 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.

(2) 1980 p. 66

New / Improved Highways

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 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 them.

Improved Highway

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

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 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 lengths 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.

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.

(2) 1980 c. 66

Cyfnod Para'r Gorchymyn hwn

7. Os na fydd y datblygiad a ddisgrifir yn Atodlen 4 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, Trafnidiaeth a Gogledd Cymru, un o Weinidogion Cymru.

Dyddiedig 21 Medi 2020

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

Duration of this Order

7. If the development described in Schedule 4 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, Transport and North Wales, one of the Welsh Ministers.

Dated 21 September 2020

Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1
(Bras amcan yw pob mesuriad)

<u>Y darn o briffordd sydd i'w cau</u>

Darn afreolaidd ei siâp o briffordd o'r enw Ffordd Fairfield, Castell-nedd, sy'n 118 o fetrau yn y man hiraf a 22 o fetrau yn y man lletaf ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adneuwyd.

ATODLEN 2
(Bras amcan yw pob mesuriad)

<u>Y darn o briffordd newydd sydd i'w darparu</u>

Darn afreolaidd ei siâp o briffordd, sef troetffordd ar ben gogledd-orllewinol Stryd y Dŵr, Castell-nedd, sy'n 45 o fetrau yn y man hiraf a 3 metr yn y man lletaf ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adneuwyd.

SCHEDULE 1
(All measurements are approximate)

<u>Length of highway to be stopped up</u>

An irregular shaped length of highway known as Fairfield Way, Neath, with a maximum length of 118 metres and a maximum width of 22 metres given the reference 'A' on the deposited plan.

SCHEDULE 2
(All measurements are approximate)

<u>Length of new highway to be provided</u>

An irregular shaped length of highway being footway located on the north western end of Water Street, Neath, with a maximum length of 45 metres and a maximum width of 3 metres given the reference 'B' on the deposited plan.

ATODLEN 3
(Bras amcan yw pob mesuriad)

Y darnau o briffordd sydd i'w gwella

Darn o briffordd sef rhan o Stryd y Dŵr, sy'n 176 o fetrau yn y man hiraf a 10 o fetrau yn y man lletaf ac y rhoddir y cyfeirnod 'C' iddo ar y plan a adneuwyd.

Darn o briffordd sef rhan o Erddi Fictoria sy'n 43 o fetrau yn y man hiraf a 10 metr yn y man lletaf ac y rhoddir y cyfeirnod 'D' iddo ar y plan a adneuwyd.

Darn o briffordd sef rhan o Heol Parc y Gnoll, sy'n 64 o fetrau yn y man hiraf a 10 metr yn y man lletaf ac y rhoddir y cyfeirnod 'E' iddo ar y plan a adneuwyd.

ATODLEN 4

Y Datblygiad

Adeiladu Canolfan Hamdden, gan ymgorffori pwll nofio, ystafell iechyd a champfa gyda chaffi ategol, 6 uned fasnachol (defnyddiau A1, D1) ynghyd â llyfrgell gyhoeddus ar y llawr cyntaf, ynghyd â thir cyhoeddus cysylltiedig, gwelliannau, iard gwasanaethau wedi'i hailgyflunio a pharcio ceir.

SCHEDULE 3
(All measurements are approximate)

Lengths of highway to be improved

A length of highway being part of Water Street, with a maximum length of 176 metres and a maximum width of 10 metres given the reference 'C' on the deposited plan.

A length of highway being part of Victoria Gardens, with a maximum length of 43 metres and a maximum width of 10 metres given the reference 'D' on the deposited plan.

A length of highway being part of Gnoll Park Road, with a maximum length of 64 metres and a maximum width of 10 metres given the reference 'E' on the deposited plan.

SCHEDULE 4

The Development

Construction of retail units, retail food and drink units, retail / office units / community facility unit, residential units, together with associated public realm, improvements, reconfigured services yard and car parking.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (FFORDD FAIRFIELD, CASTELL-NEDD) 2020

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 brifffordd a ddisgrifir yn Atodlen 1 i'r Hysbysiad hwn, i ddarparu ar gyfer y darn o brifffordd newydd a ddisgrifir yn Atodlen 2 i'r Hysbysiad hwn ac i wella'r darnau o brifffordd a disgrifir yn Atodlen 3 i'r Hysbysiad hwn. Nid awdurdodir cau'r brifffordd ond er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 29 Gorffennaf 2020 da'r cyfeirnod P2020/0486 a ddisgrifir yn Atodlen 4 i'r Hysbysiad hwn.

Bydd Gorchymyn Cau Priffyrdd (Ffordd Fairfield, Castell-nedd) 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 gopïau o'r Gorchymyn a'r plan a adneuwyd yn rhad ac am ddim yn swyddfa Llyfrgell Castell-Nedd, 35 Victoria Gardens, Castell-Nedd SA11 1HE yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1431148.

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 25 Medi 2020, wneud cais at y diben hwnnw i'r Uchel Lys.

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 (FAIRFIELD WAY, NEATH) 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 lengths 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 planning permission granted under Part 3 of the 1990 Act by the Council on 29 July 2020 with reference number P2020/0486 described in Schedule 4 to this Notice

The Stopping Up of Highways (Fairfield Way, Neath) Order 2020 ("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 office of Neath Library, 35 Victoria Gardens, Neath SA11 1HE during normal office hours or may be obtained free of charge from the address below quoting reference qA1431148.

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 25 September 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.

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

ATODLEN 1
(Bras amcan yw pob mesuriad)

Y darn o briffordd sydd i'w cau

Darn afreolaidd ei siâp o briffordd o'r enw Ffordd Fairfield, Castell-nedd, sy'n 118 o fetrau yn y man hiraf a 22 o fetrau yn y man lletaf ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adneuwyd.

SCHEDULE 1
(All measurements are approximate)

Length of highway to be stopped up

An irregular shaped length of highway known as Fairfield Way, Neath, with a maximum length of 118 metres and a maximum width of 22 metres given the reference 'A' on the deposited plan.

ATODLEN 2
(Bras amcan yw pob mesuriad)

Y darn o briffordd newydd sydd i'w darparu

Darn afreolaidd ei siâp o briffordd, sef troetffordd ar ben gogledd-orllewinol Stryd y Dŵr, Castell-nedd, sy'n 45 o fetrau yn y man hiraf a 3 metr yn y man lletaf ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adneuwyd.

SCHEDULE 2
(All measurements are approximate)

Length of new highway to be provided

An irregular shaped length of highway being footway located on the north western end of Water Street, Neath, with a maximum length of 45 metres and a maximum width of 3 metres given the reference 'B' on the deposited plan.

ATODLEN 3
(Bras amcan yw pob mesuriad)

Y darnau o briffordd sydd i'w gwella

Darn o briffordd sef rhan o Stryd y Dŵr, sy'n 176 o fetrau yn y man hiraf a 10 o fetrau yn y man lletaf ac y rhoddir y cyfeirnod 'C' iddo ar y plan a adneuwyd.

Darn o briffordd sef rhan o Erddi Fictoria sy'n 43 o fetrau yn y man hiraf a 10 metr yn y man lletaf ac y rhoddir y cyfeirnod 'D' iddo ar y plan a adneuwyd.

Darn o briffordd sef rhan o Heol Parc y Gnoll, sy'n 64 o fetrau yn y man hiraf a 10 metr yn y man lletaf ac y rhoddir y cyfeirnod 'E' iddo ar y plan a adneuwyd.

SCHEDULE 3
(All measurements are approximate)

Lengths of highway to be improved

A length of highway being part of Water Street, with a maximum length of 176 metres and a maximum width of 10 metres given the reference 'C' on the deposited plan.

A length of highway being part of Victoria Gardens, with a maximum length of 43 metres and a maximum width of 10 metres given the reference 'D' on the deposited plan.

A length of highway being part of Gnoll Park Road, with a maximum length of 64 metres and a maximum width of 10 metres given the reference 'E' on the deposited plan.

ATODLEN 4

Y Datblygiad

Adeiladu Canolfan Hamdden, gan ymgorffori pwll nofio, ystafell iechyd a champfa gyda chaffi ategol, 6 uned fasnachol (defnyddiau A1, D1) ynghyd â llyfrgell gyhoeddus ar y llawr cyntaf, ynghyd â thir cyhoeddus cysylltiedig, gwelliannau, iard gwasanaethau wedi'i hailgyflunio a pharcio ceir.

SCHEDULE 4

The Development

Construction of retail units, retail food and drink units, retail / office units / community facility unit, residential units, together with associated public realm, improvements, reconfigured services yard and car parking.