PRIFFYRDD, CYMRU

2022 Rhif

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (PRIFFORDD DDIENW, MAN I'R GOGLEDD O ALBERT WALK, TREGANNA, CAERDYDD) 2022

Gwnaed	*10 Mai 2022*
Yn dod i rym	*13 Mai 2022*

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 a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Priffordd Ddienw, Man i'r Gogledd o Albert Walk, Treganna, Caerdydd) 2022 a daw i rym ar 13 Mai 2022.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr "y Cyngor" ("*the Council*") yw Cyngor 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;

ystyr "y plan a adneuwyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Priffordd Ddienw, Man i'r Gogledd o Albert Walk, Treganna, Caerdydd) 2022 " gyda'r cyfeirnod qA1504822 sy'n dod gyda'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 swyddogaethau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

HIGHWAYS, WALES

2022 No

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (UNNAMED HIGHWAY, NORTH OF ALBERT WALK, CANTON, CARDIFF) ORDER 2022

Made	*10 May 2022*
Coming into Force	*13 May 2022*

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

Title, Interpretation and Commencement

1. The title of this Order is the Stopping Up of Highways (Unnamed Highway, North of Albert Walk, Canton, Cardiff) Order 2022 and it comes into force on 13 May 2022.

Interpretation

2. In this Order—

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

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Unnamed Highway, North of Albert Walk, Canton, Cardiff) Order 2022" with reference qA1504822 which accompanies this Order;

"the developer" *("y datblygwr")* means the person carrying out the development for which the planning permission has been granted;

"the 1990 Act" *("Deddf 1990")* means the Town and Country Planning Act 1990.

(**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 functions are now exercisable by the Welsh Ministers.

Cau priffyrdd

3. Yn ddarostyngedig i erthyglau 4, 5 a 6 o'r Gorchymyn hwn mae Gweinidogion Cymru yn awdurdodi cau'r darnau o brifffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r brifffordd er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 7 Chwefror 2022 o dan y cyfeirnod 21/01806/MJR, ac a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

Priffordd newydd

4. Rhaid creu, er boddhad rhesymol y Cyngor, y darnau newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn ac a ddangosir â dotwaith ar y plan a adneuwyd sydd, at ddibenion Deddf Priffyrdd 1980(**1**), i fod yn briffyrdd 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 darnau 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 darnau newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn er boddhad rhesymol y Cyngor;

(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 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.

(1) 1980 p. 66

Stopping Up

3. Subject to articles 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. 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 07 February 2022 with reference number 21/01806/MJR and described in Schedule 3 to this Order.

New highway

4. There will be created, to the reasonable satisfaction of the Council, the new lengths of highway described in Schedule 2 to this Order and shown by stipple marking on the deposited plan, which are to be highways maintainable at public expense for the purposes of the Highways Act 1980 (**1**) and the Council is to be the highway authority responsible for it.

Provisions necessary or expedient before stopping up

5. 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 lengths of highway are to be stopped up;

(b) the developer has provided the new lengths of highway described in Schedule 2 to this Order to the reasonable satisfaction of the Council;

(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 highway 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.

(1) 1980 c.66

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 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.

Llofnodwyd ar ran y Dirprwy Weinidog Newid Hinsawdd, yn gweithredu o dan awdurdod y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru.

Dyddiedig 10 Mai 2022

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

ATODLEN 1
(Bras amcan yw pob mesuriad)
Y darnau o briffordd sydd i’w cau

1. Darn afreolaidd ei siâp o briffordd yn gyfagos i, ac i’r gogledd o Albert Walk, Treganna, Caerdydd, y mae cyfanswm ei arwynebedd yn 219 o fetrau sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod ‘A’ iddo ar y plan a adneuwyd.

2. Darn petryalog ei siâp o briffordd yn gyfagos i, ac i’r gogledd o Picton Place, Treganna, Caerdydd, y mae cyfanswm ei arwynebedd yn 3 metr sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod ‘B’ iddo ar y plan a adneuwyd.

3. Darn petryalog ei siâp o briffordd yn gyfagos i, ac i’r gorllewin o Albert Street, Treganna, Caerdydd, y mae cyfanswm ei arwynebedd yn 3 metr sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod ‘C’ iddo ar y plan a adneuwyd.

4. Darn petryalog ei siâp o briffordd yn gyfagos i, ac i’r gorllewin o Albert Walk, Treganna, Caerdydd, y mae cyfanswm ei arwynebedd yn 7 metr sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod ‘D’

Statutory undertakers and providers

6. 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.

Signed on behalf of the Deputy Minister for Climate Change, acting under the authority of the Minister for Climate Change, one of the Welsh Ministers.

Dated 10 May 2022

Nicci Hunter
Business Team Leader
Welsh Government

SCHEDULE 1
(All measurements are approximate)
Lengths of highway to be stopped up

1. An irregularly shaped length of highway located adjacent to and north of Albert Walk, in Canton, Cardiff having a total area of 219 square metres, shown by zebra hatching and given the reference ‘A’ on the deposited plan.

2. A rectangular shaped length of highway located adjacent to and north of Picton Place, in Canton, Cardiff having a total area of 3 square metres, shown by zebra hatching and given the reference ‘B’ on the deposited plan.

3. A rectangular shaped length of highway located adjacent to and west of Albert Street, in Canton, Cardiff having a total area of 3 square metres, shown by zebra hatching and given the reference ‘C’ on the deposited plan.

4. An rectangular shaped length of highway located adjacent to and west of Albert Walk, in Canton, Cardiff having a total area of 7 square metres, shown by zebra hatching and given the reference ‘D’ on the

iddo ar y plan a adneuwyd.

ATODLEN 2
(Bras amcan yw pob mesuriad)
Y darnau newydd o briffordd sydd i'w darparu

1. Darn afreolaidd ei siâp o briffordd i'r gorllewin o Albert Street, Treganna, Caerdydd, y mae cyfanswm ei arwynebedd yn 428 o fetrau sgwâr, a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'W' iddo ar y plan a adneuwyd.

2. Darn afreolaidd ei siâp o briffordd i'r dwyrain o Leckwith Road, Treganna, Caerdydd, y mae cyfanswm ei arwynebedd yn 277 o fetrau sgwâr, a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'X' iddo ar y plan a adneuwyd.

3. Darn afreolaidd ei siâp o briffordd sy'n cyffinio â llinell cwrb ogleddol Picton Place, Treganna, Caerdydd, y mae cyfanswm ei arwynebedd yn 68 o fetrau sgwâr, a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'Y' iddo ar y plan a adneuwyd.

4. Darn afreolaidd ei siâp o briffordd sy'n cyffinio â'r droetffordd ar Leckwith Road, Treganna, Caerdydd, y mae cyfanswm ei arwynebedd yn 2 fetr sgwâr, a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'Z' iddo ar y plan a adneuwyd.

ATODLEN 3
Y datblygiad

Dymchwel y Ganolfan Gymunedol Treganna bresennol, y maes parcio, a'r man chwarae amlddefnydd; datblygiad arfaethedig o gynllun byw yn y gymuned yn cynnwys 41 o fflatiau, neuadd gymunedol, mannau chwarae amlddefnydd, gwaith tirweddu, draenio cynaliadwy, mannau parcio i feiciau a cheir, gwelliannau i seilwaith teithio cynaliadwy a gwaith cysylltiedig yn Neuadd Gymunedol Treganna, Leckwith Road, Glan yr Afon, Caerdydd, CF11 8HG.

deposited plan.

SCHEDULE 2
(All measurements are approximate)
New lengths of highway to be provided

1. An irregularly shaped length of highway located to the west of Albert Street, in Canton, Cardiff having a total area of 428 square metres, shown by stipple marking and given the reference 'W' on the deposited plan.

2. An irregularly shaped length of highway located to the east of Leckwith Road, in Canton, Cardiff having a total area of 277 square metres, shown by stipple marking and given the reference 'X' on the deposited plan.

3. An irregularly shaped length of highway adjoining the north kerb line of Picton Place, in Canton, Cardiff having a total area of 68 square metres, shown by stipple marking and given the reference 'Y' on the deposited plan.

4. An irregularly shaped length of highway on the footway adjoin the footway on Leckwith Road, in Canton, Cardiff having a total area of 2 square metres, shown by stipple marking and given the reference 'Z' on the deposited plan.

SCHEDULE 3
The development

Demolition of the existing Canton Community Centre, car park and muga; proposed development of community living scheme comprising of 41 flats, community hall, multi-use games areas, landscaping, sustainable drainage, cycle and car parking, improved sustainable travel infrastructure and associated works at Canton Community Hall, Leckwith Road, Riverside, Cardiff, CF11 8HG.