PRIFFYRDD, CYMRU

2022 Rhif

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (PRIFFYRDD DIENW, MAN I'R DE AC I'R DE-DDWYRAIN O HENRY STREET, BUTETOWN, CAERDYDD) 2022

Gwnaed	*05 Gorffennaf 2022*
Yn dod i rym	*13 Gorffennaf 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 (Priffyrdd Dienw, Man i'r De ac i'r De-ddwyrain o Henry Street, Butetown, Caerdydd) 2022 a daw i rym ar 13 Gorffennaf 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 (Priffyrdd Dienw, Man i'r De ac i'r De-ddwyrain o Henry Street, Butetown, Caerdydd) 2022" gyda'r cyfeirnod qA1523390 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 HIGHWAYS, SOUTH AND SOUTHEAST OF HENRY STREET, BUTETOWN, CARDIFF) ORDER 2022

Made	*05 July 2022*
Coming into Force	*13 July 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 and Commencement

1. The title of this Order is the Stopping Up of Highways (Unnamed Highways, South and Southeast of Henry Street, Butetown, Cardiff) Order 2022 and it comes into force on 13 July 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 Highways, South and Southeast of Henry Street, Butetown, Cardiff) Order 2022" with reference qA1523390 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 in relation to Wales.

Cau priffyrdd

3. Yn ddarostyngedig i erthyglau 4 a 5 o'r Gorchymyn hwn mae Gweinidogion Cymru yn awdurdodi cau'r darnau o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r priffyrdd er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 12/04/2022 o dan y cyfeirnod 21/01720/MJR, ac a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn.

Y darpariaethau sy'n angenrheidiol neu'n hwylus cyn cau priffyrdd

4. 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 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; a

(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

5. 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.

(1) 1980 p. 66

Stopping Up

3. Subject to articles 4 and 5 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 12/04/2022 with reference number 21/01720/MJR and described in Schedule 2 to this Order.

Provisions necessary or expedient before stopping up

4. 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 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

5. 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.

(1) 1980 c.66

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

Dyddiedig 05 Gorffennaf 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 petryalog ei siâp o briffordd yn gyfagos i, ac i'r de o Henry Street, Butetown, Caerdydd, y mae cyfanswm ei arwynebedd yn 56 o fetrau sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adneuwyd.

2. Darn afreolaidd ei siâp o briffordd i'r de-ddwyrain o Henry Street, Butetown, Caerdydd, y mae cyfanswm ei arwynebedd yn 99 o fetrau sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adneuwyd.

ATODLEN 2
Y datblygiad

Datblygu cynllun byw yn y gymuned â 45 o fflatiau i bobl hŷn, cyfleuster chwaraeon cymunedol a gwaith cysylltiedig yn Brandon Hire plc gynt, 151-153 Stryd Bute, Butetown, Caerdydd.

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 05 July 2022

Nicci Hunter
Business Team Leader
Welsh Government

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

1. A rectangular shaped length of highway located adjacent to and south of Henry Street, in Butetown, Cardiff having a total area of 56 square metres, shown by zebra hatching and given the reference 'A' on the deposited plan.

2. An irregularly shaped length of highway located southeast of Henry Street, in Butetown, Cardiff having a total area of 99 square metres, shown by zebra hatching and given the reference 'B' on the deposited plan.

SCHEDULE 2
The development

Development of 45 apartment older persons' community living scheme, community sports facility and associated works at the former Brandon Hire plc, 151-153 Bute Street, Butetown, Cardiff.