

PRIFFYRDD, CYMRU

LLC23-28

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (CHANNEL VIEW ROAD, CAERDYDD) 2023

Gwnaed 1 Mehefin 2023

Yn dod i rym 6 Mehefin 2023

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 (Channel View Road, Caerdydd) 2023 a daw i rym ar 6 Mehefin 2023.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr “y Cyngor” (“*the Council*”) yw Cyngor Sir Dinas a 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; ac

ystyr “y planiau a adnewwyd” (“*the deposited plans*”) yw'r planiau sy'n dwyn yr enw “Gorchymyn Cau Priffyrdd (Channel View Road, Caerdydd) 2023” o dan y cyfeirnod qA1547288 sy'n dod gyda'r Gorchymyn hwn.

Cau Priffyrdd

3. Yn ddarostyngedig i erthyglau 4, 5, 6 a 7 o'r Gorchymyn hwn mae Gweinidogion Cymru yn awdurdodi cau'r darnau o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn ac a ddangosir â llinellau sebra ar y plan a adnewwyd. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn gwneud datblygiad yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 19 Hydref 2022 o dan

(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

WG23-28

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (CHANNEL VIEW ROAD, CARDIFF) ORDER 2023

Made 1 June 2023

Coming into force 6 June 2023

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 (Channel View Road, Cardiff) Order 2023 and it comes into force on 6 June 2023.

Interpretation

2. In this Order—

the Council” (“*y Cyngor*”) means the County Council of the City and County of Cardiff;

“the deposited plans” (“*y planiau a adnewwyd*”) means the plans entitled “The Stopping Up of Highways (Channel View Road, Cardiff) Order 2023” with reference qA1547288 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

3. Subject to articles 4, 5, 6 and 7 of this Order the Welsh Ministers authorise the stopping up of the lengths 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 a development to be carried out in accordance with planning permission granted under Part 3 of the 1990 Act by the Council on 19 October 2022 with reference 21/01666/MJR 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 functions are now exercisable by the Welsh Ministers in relation to Wales.

y cyfeirnod 21/01666/MJR, ac a ddisgrifir yn Atodlen 4 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 adnewwyd, sydd, at ddibenion Deddf Priffyrdd 1980(1), i fod yn briffordd i'w chynnal ar draul y pwrw cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd sy'n gyfrifol amdani.

Y Briffordd y Gwneir Gwelliannau Iddi

5. Rhaid gwneud gwelliannau, er boddhad rhesymol y Cyngor, i'r darnau o briffordd a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn sydd, at ddibenion Deddf Priffyrdd 1980, yn briffyrdd i'w cynnal ar draul y pwrw cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd sy'n gyfrifol amdanynt.

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

6. 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 datblygwr wedi gwella'r darnau o briffordd 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 darn o briffordd er mwyn i'r datblygiad fynd rhagddo; ac
- (e) hyd nes y bydd y Cyngor wedi ysgrifennu at y datblygwr i gadarnhau bod (a), (b), (c) a (d) wedi eu bodloni.

Ymglymerwyr Statudol a Darparwyr

7. Pan fo gan ymglymerwyr 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

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 hatching on the deposited plan, which is to be highway maintainable at the public expense for the purposes of the Highways Act 1980(1) and the Council is to be the highway authority responsible for it.

Improved Highway

5. 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

6. 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 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 length of highway to allow the development to proceed; and
- (e) the Council has confirmed in writing to the developer that (a), (b), (c) and (d) are satisfied.

Statutory Undertakers and Providers

7. 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.

(1) 1980 p. 66

(1) 1980 c. 66

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 1 June 2023



Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

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 1 June 2023



Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1

(Bras amcan yw pob mesuriad) Y darnau o briffordd sydd i'w cau

Darn petryalog ei siâp o briffordd i'r gogledd o'r eiddo o'r enw 245–249 Channel View Road Caerdydd, sy'n mesur 38 o fetrau sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adnewwyd.

Darn petryalog ei siâp o briffordd i'r gogledd o'r eiddo o'r enw 253 Channel View Road Caerdydd, sy'n mesur 10 metr sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'C' iddo ar y plan a adnewwyd.

Darn afreolaidd ei siâp o briffordd o amgylch y bloc o eiddo o'r enw 257–263 Channel View Road Caerdydd, ac i'r dwyrain o'r eiddo o'r enw 265–271 Channel View Road Caerdydd, sy'n mesur 376 o fetrau sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'E' iddo ar y plan a adnewwyd.

Darn afreolaidd ei siâp o briffordd i'r gogledd o'r eiddo o'r enw 243 Channel View Road Caerdydd, sy'n mesur 38 o fetrau sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'I' iddo ar y plan a adnewwyd.

Darn afreolaidd ei siâp o briffordd i'r de o'r eiddo o'r enw 233 Channel View Road Caerdydd, sy'n mesur 47 o fetrau sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'L' iddo ar y plan a adnewwyd.

Darn afreolaidd ei siâp o briffordd i'r de-orllewin o'r eiddo o'r enw 233 Channel View Road Caerdydd, sy'n mesur 39 o fetrau sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'M' iddo ar y plan a adnewwyd.

SCHEDULE 1

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

A rectangle shaped length of highway located north of the properties known as 245-249 Channel View Road Cardiff, measuring 38 square metres shown by zebra hatching and given the reference 'B' on the deposited plan.

A rectangle shaped length of highway located north of the properties known as 253 Channel View Road Cardiff, measuring 10 square metres shown by zebra hatching and given the reference 'C' on the deposited plan.

An irregular shaped length of highway located around the block of properties known as 257-263 Channel View Road Cardiff, and east of the properties known as 265 – 271 Channel View Road Cardiff, measuring 376 square metres shown by zebra hatching and given the reference 'E' on the deposited plan.

A irregular shaped length of highway located north of the property known as 243 Channel View Road Cardiff, measuring 38 square metres shown by zebra hatching and given the reference 'I' on the deposited plan.

An irregular shaped length of highway located south of the property known as 233 Channel View Road Cardiff, measuring 47 square metres shown by zebra hatching and given the reference 'L' on the deposited plan.

An irregular shaped length of highway located south west of the property known as 233 Channel View Road Cardiff, measuring 39 square metres shown by zebra hatching and given the reference 'M' on the

Darn trionglog ei siâp o briffordd i'r gorllewin o'r bloc o eiddo o'r enw 281–287 Channel View Road Caerdydd, sy'n mesur 8 metr sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'O' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r gogledd-orllewin o'r bloc o eiddo o'r enw 281–287 Channel View Road Caerdydd, sy'n mesur 74 o fetrau sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'Q' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r dwyrain o'r bloc o eiddo o'r enw 273–279 Channel View Road Caerdydd, sy'n mesur 60 o fetrau sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'R' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r dwyrain o'r bloc o eiddo o'r enw 273–279 Channel View Road Caerdydd, sy'n mesur 24 o fetrau sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'T' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r dwyrain o'r bloc o eiddo o'r enw 273–279 Channel View Road Caerdydd, sy'n mesur 32 o fetrau sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'U' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r dwyrain o'r bloc o eiddo o'r enw 265–271 Channel View Road Caerdydd, sy'n mesur 135 o fetrau sgwâr a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'W' iddo ar y plan a adneuwyd.

ATODLEN 2

(Bras amcan yw pob mesuriad)

Y darnau o briffordd newydd sydd i'w darparu

Darn afreolaidd ei siâp o briffordd i'r gogledd o'r bloc o eiddo o'r enw 251–263 Channel View Road Caerdydd, sy'n mesur 244 o fetrau sgwâr a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r gogledd o'r eiddo o'r enw 243 Channel View Road ac i'r de-orllewin o'r eiddo o'r enw 245 Channel View Road Caerdydd, sy'n mesur 61 o fetrau sgwâr a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'F' iddo ar y plan a adneuwyd.

Darn petryalog ei siâp o briffordd i'r dwyrain o'r eiddo o'r enw 245–249 Channel View Road Caerdydd, sy'n mesur 70 o fetrau sgwâr a ddangosir

deposited plan.

A triangle shaped length of highway located west of the block of properties known as 281-287 Channel View Road Cardiff, measuring 8 square metres shown by zebra hatching and given the reference 'O' on the deposited plan. An irregular shaped length of highway located north west of the block of properties known as 281-287 Channel View Road Cardiff, measuring 74 square metres shown by zebra hatching and given the reference 'Q' on the deposited plan.

An irregular shaped length of highway located east of the block of properties known as 273-279 Channel View Road Cardiff, measuring 60 square metres shown by zebra hatching and given the reference 'R' on the deposited plan.

An irregular shaped length of highway located east of the block of properties known as 273-279 Channel View Road Cardiff, measuring 24 square metres shown by zebra hatching and given the reference 'T' on the deposited plan.

An irregular shaped length of highway located east of the block of properties known as 273-279 Channel View Road Cardiff, measuring 32 square metres shown by zebra hatching and given the reference 'U' on the deposited plan.

An irregular shaped length of highway located east of the block of properties known as 265-271 Channel View Road Cardiff, measuring 135 square metres shown by zebra hatching and given the reference 'W' on the deposited plan.

SCHEDULE 2

(All measurements are approximate)

Lengths of new highway to be provided

An irregular shaped length of highway located north of the block of properties known as 251-263 Channel View Road Cardiff, measuring 244 square metres shown by stipple hatching and given the reference 'A' on the deposited plan.

An irregular shaped length of highway located north of the property known as 243 and south west of the property known as 245 Channel View Road Cardiff, measuring 61 square metres shown by stipple hatching and given the reference 'F' on the deposited plan.

A rectangle shaped length of highway located east of the properties known as 245-249 Channel View Road Cardiff, measuring 70 square metres shown by stipple hatching and given the reference 'G' on the deposited

â dotwaith ac y rhoddir y cyfeirnod 'G' iddo ar y plan a adneuwyd.

Darn petryalog ei siâp o briffordd i'r dwyrain o'r eiddo o'r enw 245-249 Channel View Road Caerdydd, sy'n mesur 32 o fetrau sgwâr a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'H' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r de-ddwyrain o'r eiddo o'r enw 239 Channel View Road Caerdydd, sy'n mesur 58 o fetrau sgwâr a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'K' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r de-orllewin o'r bloc o eiddo o'r enw 281-287 Channel View Road Caerdydd, sy'n mesur 44 o fetrau sgwâr a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'N' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r gorllewin o'r bloc o eiddo o'r enw 281-287 Channel View Road Caerdydd, sy'n mesur 1 metr sgwâr a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'P' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r gogledd o'r bloc o eiddo o'r enw 281-287 Channel View Road Caerdydd, sy'n mesur 61 o fetrau sgwâr a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'S' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd i'r gogledd o'r bloc o eiddo o'r enw 273-279 Channel View Road Caerdydd, sy'n mesur 57 o fetrau sgwâr a ddangosir â dotwaith ac y rhoddir y cyfeirnod 'V' iddo ar y plan a adneuwyd.

ATODLEN 3 (Bras amcan yw pob mesuriad)

Y darnau o briffordd y gwneir gwelliannau iddi sydd i'w darparu

Darn petryalog ei siâp o briffordd i'r gogledd o'r eiddo o'r enw 253 Channel View Road Caerdydd, sy'n mesur 4 metr sgwâr a ddangosir â chroeslinellau ac y rhoddir y cyfeirnod 'D' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd o'r enw Channel View Road Caerdydd, sy'n mesur 696 o fetrau sgwâr a ddangosir â chroeslinellau ac y rhoddir y cyfeirnod 'J' iddo ar y plan a adneuwyd.

plan.

A rectangle shaped length of highway located east of the properties known as 245-249 Channel View Road Cardiff, measuring 32 square metres shown by stipple hatching and given the reference 'H' on the deposited plan.

An irregular shaped length of highway located south east of the property known as 239 Channel View Road Cardiff, measuring 58 square metres shown by stipple hatching and given the reference 'K' on the deposited plan.

An irregular shaped length of highway located south west of the block of properties known as 281-287 Channel View Road Cardiff, measuring 44 square metres shown by stipple hatching and given the reference 'N' on the deposited plan.

An irregular shaped length of highway located west of the block of properties known as 281-287 Channel View Road Cardiff, measuring 1 square metres shown by stipple hatching and given the reference 'P' on the deposited plan.

An irregular shaped length of highway located north of the block of properties known as 281-287 Channel View Road Cardiff, measuring 61 square metres shown by stipple hatching and given the reference 'S' on the deposited plan.

An irregular shaped length of highway located north of the block of properties known as 273-279 Channel View Road Cardiff, measuring 57 square metres shown by stipple hatching and given the reference 'V' on the deposited plan.

SCHEDULE 3 (All measurements are approximate)

Lengths of improved highway to be provided

A rectangle shaped length of highway located north of the properties known as 253 Channel View Road Cardiff, measuring 4 square metres shown by cross hatching and given the reference 'D' on the deposited plan.

An irregular shaped length of highway known Channel View Road Cardiff, measuring 696 square metres shown by cross hatching and given the reference 'J' on the deposited plan.

ATODLEN 4

Y Datblygiad

Ailddatblygu ac estyn rhan o ystad Channel View ar gyfer hyd at 319 o fflatiau a thai preswyl, hyd at 285 o fetrau sgwâr o arwynebedd llawr manwerthu, gerddi cymunedol sy'n cynnwys rhandiroedd ac ardaloedd picnic, man chwarae ffurfiol ac anffurfiol i blant, tirlunio, llwybrau beicio/llwybrau troed, seilwaith draenio, ffyrdd a chyfleusterau parcio; adfywio man agored cyhoeddus y Marl i gynnwys meysydd chwaraeon newydd/wedi eu gwella, man chwarae i blant, 'traeth' newydd, addurniadau dŵr, tirlunio, a llwybrau beicio/llwybrau troed; darparu cyswllt newydd i fysiau/beicwyr/cerddwyr rhwng Channel View Road a South Clive Street a chyswllt newydd i feicwyr/cerddwyr rhwng South Clive Street a Ferry Road; darparu ardal barcio newydd; ynghyd â gwaith cysylltiedig (cedwir pob mater i'w ystyried yn y dyfodol). Gwneir cais am ganiatâd llawn ar gyfer cam cyntaf datblygiad sy'n cynnwys blociau tŵr newydd (8–13 o lorïau) a fydd yn darparu unedau llety byw yn y gymuned i 81 o bobl hŷn (dros 55 oed), caffî cymunedol 115 o fetrau sgwâr, gerddi cymunedol sy'n cynnwys rhandiroedd ac ardaloedd picnic, tirlunio, seilwaith draenio, llwybrau troed, ffyrdd, cyfleusterau parcio a gwaith cysylltiedig.

SCHEDULE 4

The Development

The redevelopment and extension of part of the channel view estate for up to 319 residential apartments and houses, up to 285 square metres of retail floorspace, communal gardens incorporating allotments and picnic areas, formal and informal children's play space, landscaping, cyclepaths/footpaths, drainage infrastructure, roads and parking; the regeneration of the marl public open space to include new/improved sports pitches, children's play space, a new 'beach', water features, landscaping, and cyclepaths/footpaths; the provision of a new bus/cycle/pedestrian link between Channel View Road and South Clive Street and a new cycle/pedestrian link between South Clive Street and Ferry Road; the provision of a new parking area; together with associated works (all matters reserved for future consideration). Full permission is sought for a first phase of development comprising of new tower blocks (8-13 storeys) providing 81 older-persons (over 55s), community-living accommodation units, a 115 square metres community cafe, communal gardens incorporating allotments and picnic areas, landscaping, drainage infrastructure, footpaths, roads, parking and associated works.