PRIFFYRDD, CYMRU

LLC23-33

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (RESOURCE HOUSE, PENTRE GARDENS, CAERDYDD) 2023

Gwnaed *11 Gorffennaf 2023*

Yn dod i rym *19 Gorffennaf 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 (Resource House, Pentre Gardens, Caerdydd) 2023 a daw i rym ar 19 Gorffennaf 2023.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr "Deddf 1990" ("*the 1990 Act*") yw Deddf Cynllunio Gwlad a Thref 1990;

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 "y plan a adneuwyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Resoruce House, Pentre Gardens, Caerdydd) 2023" o dan y cyfeirnod qA1611541 sy'n dod gyda'r Gorchymyn hwn.

Cau Priffordd

3. Yn ddarostyngedig i erthyglau 4 a 5 o'r Gorchymyn hwn mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn 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

(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

WG23-33

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (RESOURCE HOUSE, PENTRE GARDENS, CARDIFF) ORDER 2023

Made *11 July 2023*

Coming into force *19 July 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 (Resource House, Pentre Gardens, Cardiff) Order 2023 and it comes into force on 19 July 2023.

Interpretation

2. In this Order—

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

"the deposited plan" *(" y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Resource House, Pentre Gardens, Cardiff) Order 2023" with reference qA1611541 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.

Stopping Up

3. Subject to article 4 and 5 of this Order 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 a development to be carried out in accordance with planning permission granted under Part 3 of the 1990 Act by the Council on 29 November 2019 with reference 18/02622/MJR and described in Schedule 2 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.

Ddeddf 1990 gan y Cyngor ar 29 Tachwedd 2019 o dan y cyfeirnod 18/02622/MJR a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn.

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

4. 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, blan sy'n dangos sut y mae'r darn o briffordd i'w gau;

(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 darn o briffordd er mwyn i'r datblygiad fynd rhagddo; ac

(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 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.

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

Dyddiedig 11 Gorffennaf 2023

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

Provisions Necessary or Expedient before Stopping Up

4. 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, a plan showing how the length of highway is 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 length of 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 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.

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 11 July 2023

Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1
(Bras amcan yw pob mesuriad)

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

Darn petryalog ei siâp o briffordd ar gornel dde-ddwyreiniol Pentre Gardens, Heol Penarth, Caerdydd yn mynd tua'r gorllewin o'i chyffordd ag Arglawdd Taffs Mead, sy'n 29 o fetrau o hyd yn y man hiraf a 2 fetr o led yn y man lletaf, ac wedi ei farcio â llinellau sebra ar y plan a adneuwyd.

SCHEDULE 1
(All measurements are approximate)

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

A rectangular-shaped length of highway located on the south-eastern corner of Pentre Gardens, Penarth Road, Cardiff, heading west from its junction with Taffs Mead Embankment, with a maximum length of 29 metres and a maximum width of 2 metres, and marked with zebra hatching on the deposited plan.

ATODLEN 2
(Bras amcan yw pob mesuriad)

<u>Y Datblygiad</u>

Bydd y datblygiad yn galluogi datblygiad preswyl o 74 o unedau i gael ei godi gyda gwaith seilwaith a pheirianneg cysylltiedig yn Resource House, 54B Heol Penarth, Grangetown, Caerdydd, CF11 6NG.

SCHEDULE 2
(All measurements are approximate)

<u>The Development</u>

The development will enable the erection of a residential development of 74 units with associated infrastructure and engineering works at Resource House, 54B Penarth Road, Grangetown, Cardiff, CF11 6NG.