PRIFFYRDD, CYMRU

LlC

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (WISTERIA COURT, YSTAD MAESGWYN, WRECSAM) 2023

Gwnaed	*11 Medi 2023*
Yn dod i rym	*13 Medi 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 (Wisteria Court, Ystad Maesgwyn, Wrecsam) 2023 a daw i rym ar 13 Medi 2023.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr "y Cyngor" ("*the Council*") yw Cyngor Bwrdeistref Sirol Wrecsam;

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 (Wisteria Court, Ystad Maesgwyn, Wrecsam) 2023" gyda'r cyfeirnod qA1849705 sy'n dod gyda'r Gorchymyn hwn.

Cau Priffordd

3. Yn ddarostyngedig i erthyglau 4, 5 a 6 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 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 5 Mehefin 2023 o dan y cyfeirnod WROP/2022/0854 ac a ddisgrifir yn Atodlen 2 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 swyddogaethau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

HIGHWAYS, WALES

WG

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (WISTERIA COURT, MAESGWYN ESTATE, WREXHAM) ORDER 2023

Made	*11 September 2023*
Coming into force	*13 September 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 (Wisteria Court, Maesgwyn Estate, Wrexham) Order 2023 and it comes into force on 13 September 2023.

Interpretation

2. In this Order—

"the Council" *("y Cyngor")* means Wrexham County Borough Council;

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Wisteria Court, Maesgwyn Estate, Wrexham) Order 2023" with reference qA1849705 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, and 6 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 5 June 2023 with reference WROP/2022/0854 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.

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, blaniau 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 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 11 Medi 2023

Tim Barnes
Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

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 lengths 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 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 11 September 2023

Tim Barnes
Head of Planning, Asset Management & Standards
Welsh Government

ATODLEN 1
(Bras amcan yw pob mesuriad)

Y darnau o briffordd sydd i'w cau

Darn afreolaidd ei siâp o briffordd sy'n cynnwys troetffordd sy'n rhoi mynediad i Gartref Gofal Wisteria Court, sydd rhwng Ffordd Lelog a Ffordd y Briallu ar Ystad Maesgwyn yn Wrecsam, y mae cyfanswm ei arwynebedd yn 15 metr sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd sy'n cynnwys troetffordd sy'n rhoi mynediad i Gartref Gofal Wisteria Court, sydd rhwng Ffordd Lelog a Ffordd y Briallu ar Ystad Maesgwyn yn Wrecsam, y mae cyfanswm ei arwynebedd yn 51 o fetrau sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd sy'n cynnwys troetffordd sy'n rhoi mynediad i Gartref Gofal Wisteria Court, sydd rhwng Ffordd Lelog a Ffordd y Briallu ar Ystad Maesgwyn yn Wrecsam, y mae cyfanswm ei arwynebedd yn 18 metr sgwâr, a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod 'C' iddo ar y plan a adneuwyd.

ATODLEN 2

Y Datblygiad

Bydd y datblygiad yn galluogi'r gwaith o ailfodelu'r cynllun tai gwarchod i ddarparu 26 uned byw'n annibynnol ac estyniad arfaethedig ar y llawr daear yn Wisteria Court, Ystad Maesgwyn, Wrecsam LL11 2AJ.

SCHEDULE 1
(All measurements are approximate)

Lengths of highway to be stopped up

An irregularly shaped length of highway comprising footway providing access to Wisteria Court Care Home, situated between Lilac Way and Primrose Way at Maesgwyn Estate in Wrexham, having a total area of 15 square metres, shown by zebra hatching and given the reference 'A' on the deposited plan.

An irregularly shaped length of highway comprising footway providing access to Wisteria Court Care Home, situated between Lilac Way and Primrose Way at Maesgwyn Estate in Wrexham, having a total area of 51 square metres, shown by zebra hatching and given the reference 'B' on the deposited plan.

An irregularly shaped length of highway comprising footway providing access to Wisteria Court Care Home, situated between Lilac Way and Primrose Way at Maesgwyn Estate in Wrexham, having a total area of 18 square metres, shown by zebra hatching and given the reference 'C' on the deposited plan.

SCHEDULE 2

The Development

The development will enable the remodelling of sheltered housing scheme to provide 26 independent living units and proposed ground floor extension at Wisteria Court, Maesgwyn Estate, Wrexham LL11 2AJ.