PRIFFYRDD, CYMRU

LlC23-52

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (SILURIAN ROAD, GWNDY, CIL-Y-COED NP26 3EL) 2023

Gwnaed	*28 Tachwedd 2023*
Yn dod i rym	*5 Rhagfyr 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 (Silurian Road, Gwndy, Cil-y-coed NP26 3EL) 2023 a daw i rym ar 5 Rhagfyr 2023.

Dehongli

2. Yn y Gorchymyn hwn—

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

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 (Silurian Road, Gwndy, Cil-y-coed NP26 3EL) 2023" o dan y cyfeirnod qA1893107 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 darnau 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 ddatblygiad yn unol â'r caniatâd

(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

WG23-52

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (SILURIAN ROAD, UNDY, CALDICOT NP26 3EL) ORDER 2023

Made	*28 November 2023*
Coming into force	*5 December 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 (Silurian Road, Undy, Caldicot NP26 3EL) Order 2023 and it comes into force on 5 December 2023.

Interpretation

2. In this Order—

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

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Silurian Road, Undy, Caldicot NP26 3EL) Order 2023" with reference qA1893107 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 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 and shown by zebra hatching on the deposited plan. The Welsh Ministers are satisfied that the stopping up is necessary to enable development to be carried out in accordance with outline planning permission granted

(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.

cynllunio amlinellol a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 18 Mawrth 2018 gyda’r cyfeirnod DC/2016/00883 a’r gymeradwyaeth materion a gadwyd yn ôl a roddwyd ar 21 Rhagfyr 2022 gyda’r cyfeirnod DM/2021/00357 ac 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 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 darnau o briffordd er mwyn galluogi 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 a Darparwyr Statudol

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 28 Tachwedd 2023

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

under Part 3 of the 1990 Act by the Council on 18 March 2018 with reference number DC/2016/00883 and the reserved matters approval granted on 21 December 2022 with reference number DM/2021/00357 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 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 28 November 2023

Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1
(Bras amcan yw pob mesuriad)

Y darnau o briffordd sydd i'w cau

Darn afreolaidd ei siâp o briffordd a leolir ar ochr orllewinol Silurian Road, i'r de-orllewin o'r gyffordd i Pankhurst Drive, Gwndy, Cil-y-coed, sy'n 37 o fetrau yn y man hiraf ac yn 5.4 metr yn y man lletaf a ddangosir â llinellau sebra, ac y rhoddir y cyfeirnod A iddo ar y plan a adneuwyd.

Darn afreolaidd ei siâp o briffordd ar ochr orllewinol Silurian Road, gyferbyn â'r gyffordd i Pankhurst Drive, Gwndy, Cil-y-coed, sy'n 71 o fetrau yn y man hiraf ac yn 2.5 metr yn y man lletaf a ddangosir â llinellau sebra ac y rhoddir y cyfeirnod B iddo ar y plan a adneuwyd.

ATODLEN 2

Y Datblygiad

Datblygu 13.8 o hectarau o dir at ddefnydd preswyl a defnydd cyflogaeth; hyd at 266 o unedau preswyl arfaethedig a thua 5575 o fetrau sgwâr o ofod llawr B1 yn Fferm Rockfield, The Elms, Gwndy, Cil-y-coed, Sir Fynwy.

SCHEDULE 1
(All measurements are approximate)

Lengths of highway to be stopped up

An irregular shaped length of highway located on the western side of Silurian Road, south west of the junction to Pankhurst Drive, Undy, Caldicot, with a maximum length of 37 metres and a maximum width of 5.4 metres shown by zebra hatching, and given the reference A on the deposited plan.

An irregular shaped length of highway located on the western side of Silurian Road, opposite the junction to Pankhurst Drive, Undy, Caldicot, with a maximum length of 71 metres and a maximum width of 2.5 metres shown by zebra hatching and given the reference B on the deposited plan.

SCHEDULE 2

The Development

Development of 13.8 hectares of land for residential use and employment use; up to 266 Proposed residential units and approximately 5575 square metres of B1 floor space at Rockfield Farm, The Elms, Undy, Caldicot, Monmouthshire.