

PRIFFYRDD, CYMRU

LLC23-41

DEDDF CYNLLUNIO GWLAD A THREF 1990

**GORCHYMYN CAU PRIFFYRDD
(BRYNGWYN ROAD, PONT-Y-PŴL,
TORFAEN) 2023**

Gwnaed 15 Awst 2023
Yn dod i rym 21 Awst 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 (Bryngwyn Road, Pont-y-pŵl) 2023 a daw i rym ar 21 Awst 2023.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr “y Cyngor” (“*the Council*”) yw Cyngor Bwrdeistref Sirol Torfaen;

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 adnewyd” (“*the deposited plan*”) yw'r plan sy'n dwyn yr enw “Gorchymyn Cau Priffyrdd (Bryngwyn Road, Pont-y-pŵl, Torfaen) 2023” gyda'r cyfeirnod qA1733335 sy'n dod gyda'r Gorchymyn hwn.

Cau Priffyrdd

3. Yn ddarostyngedig i erthyglau 4, 5 a 6 o'r Gorchymyn hwn, mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn ac a ddangosir â llinellau sebra ar y plan a adnewyd. 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 24 Tachwedd 2021 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), mae'r swyddogaethau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

HIGHWAYS, WALES

WG23-41

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAYS
(BRYNGWYN ROAD, PONTYPOOL,
TORFAEN) ORDER 2023**

Made 15 August 2023
Coming into force 21 August 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 (Bryngwyn Road, Pontypool) Order 2023 and it comes into force on 21 August 2023.

Interpretation

2. In this Order—

“the Council” (“*y Cyngor*”) means the Council of the County Borough of Torfaen;

“the deposited plan” (“*y plan a adnewyd*”) means the plan entitled “The Stopping Up of Highways (Bryngwyn Road, Pontypool, Torfaen) Order 2023” with reference qA1733335 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, 5 and 6 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 development to be carried out in accordance with planning permission granted under Part 3 of the 1990 Act by the Council

(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.

dan y cyfeirnod 20/P/0774/FUL a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

Priffordd Newydd

4. Rhaid creu, er boddhad rhesymol y Cyngor, y darn newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn ac a ddangosir â dotwaith ar y plan a adneuwyd, 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 Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau Priffordd

5. 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 datblygwr wedi darparu'r darn newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn er boddhad rhesymol y Cyngor;
- (c) hyd nes y bydd y datblygiad a ddisgrifir yn Atodlen 3 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; a
- (d) hyd nes y bydd y Cyngor wedi ysgrifennu at y datblygwr i gadarnhau bod paragraffau (a), (b) ac (c) wedi eu bodloni.

Ymgwymerwyr Statudol a Darparwyr

6. Pan fo gan ymgwymerwyr 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 ymgwymerwyr 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 15 Awst 2023



Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

on 24 November 2021 with reference 20/P/0774/FUL described in Schedule 3 to this Order.

New Highway

4. There will be created, to the reasonable satisfaction of the Council, the new length of highway described in Schedule 2 to this Order and shown by stipple marking 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.

Provisions Necessary or Expedient before Stopping Up

5. 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, plans showing how the length of highway is to be stopped up;
- (b) the developer has provided the new length of highway described in Schedule 2 to this Order to the reasonable satisfaction of the Council;
- (c) the development described in Schedule 3 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
- (d) the Council has confirmed in writing to the developer that paragraphs (a), (b) and (c) are satisfied.

Statutory Undertakers and Providers

6. 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 15 August 2023



Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1
(Bras amcan yw pob mesuriad)

Y darn o briffordd sydd i'w gau

Darn afreolaidd ei siâp o briffordd ar ben gorllewinol Bryngwyn Road, Pont-y-pŵl sydd ag arwyneb mwyaf o 706 o fetrau sgwâr, sydd wedi ei farcio â llinellau sebra ar y plan a adnewwyd.

ATODLEN 2
(Bras amcan yw pob mesuriad)

Y darn o briffordd newydd sydd i'w ddarparu

Darn afreolaidd ei siâp o briffordd i'r de o ben gorllewinol Bryngwyn Road, Pont-y-pŵl sydd ag arwyneb mwyaf o 505 o fetrau sgwâr, sydd wedi ei farcio â dotwaith ar y plan a adnewwyd.

ATODLEN 3

Y Datblygiad

Dymchwel pedwar fflat a llety ategol ac adeiladu mynedfa/hyb newydd a 10 uned breswyl fforddiadwy a gwaith cysylltiedig yn Bryngwyn Road, Pont-y-pŵl.

SCHEDULE 1
(All measurements are approximate)

Length of highway to be stopped up

An irregular shaped length of highway located on western end of Bryngwyn Road, Pontypool having a maximum surface of 706 square metres, marked with zebra hatching on the deposited plan.

SCHEDULE 2
(All measurements are approximate)

Length of new highway to be provided

An irregular shaped length of highway located south of the western end of Bryngwyn Road, Pontypool having a maximum surface of 505 square metres, marked with stipple marking on the deposited plan.

SCHEDULE 3

The Development

Demolition of four flats and ancillary accommodation and construction of new entrance/hub and 10 no. affordable residential units and associated works at Bryngwyn Road, Pontypool.