PRIFFYRDD, CYMRU

202- Rhif

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (ST MELLONS ROAD, LLYS-FAEN, CAERDYDD) 202-

Gwnaed	*202-*
Yn dod i rym	*202-*

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 (St Mellons Road, Llys-faen, Caerdydd) 202- a daw i rym ar ***** 202-.

Dehongli

2. Yn y Gorchymyn hwn—

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

ystyr "y plan a adneuwyd" ("*the deposited plan*") yw'r Plan Safle sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (St Mellons Road, Llys-faen, Caerdydd) 202-" o dan y cyfeirnod q2055701 sy'n dod gyda'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

202- No

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (ST MELLONS ROAD, LISVANE, CARDIFF) ORDER 202-

Made	*202-*
Coming into Force	*202-*

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 (St Mellons Road, Lisvane, Cardiff) Order 202- and it comes into force on ***** 202-.

Interpretation

2. In this Order—

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

"the deposited plan" *("y plan a adneuwyd")* means the Site Plan entitled "The Stopping Up of Highways (St Mellons Road, Lisvane, Cardiff) Order 202-" with reference qA2055701 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.

(**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.

Cau Priffordd

3. Yn ddarostyngedig i erthyglau 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. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio Amlinellol/Llawn a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 20 Rhagfyr 2017 o dan y rhif cyfeirnod 14/02891/MJR a'r Gymeradwyaeth Materion a Gadwyd yn Ôl dyddiedig 19 Rhagfyr 2019 o dan y cyfeirnod 19/01113/MJR ac a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

Y Briffordd y Gwneir Gwelliannau Iddi

4. Rhaid gwneud gwelliannau, er boddhad rhesymol y Cyngor, i'r darn o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn ac a ddangosir â chroeslinellau ar y plan a adneuwyd, sy'n briffordd sydd i'w chynnal ar draul y pwrs cyhoeddus at ddibenion Deddf Priffyrdd 1980. 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 o briffordd y gwneir gwelliannau iddi 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 briffordd er mwyn i'r datblygiad fynd rhagddo; ac

(d) hyd nes y bydd y Cyngor wedi ysgrifennu at y datblygwr i gadarnhau bod paragraffau (a), (b) ac (c) wedi eu bodloni.

Stopping Up

3. Subject to articles 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. The Welsh Ministers are satisfied that the stopping up is necessary to enable development to be carried out in accordance with Outline/Full planning permission granted under Part 3 of the 1990 Act by the Council on 20 December 2017 with reference number 14/02891/MJR and Reserved Matters Approval dated 19 December 2019 with reference 19/01113/MJR and described in Schedule 3 to this Order.

Improved highway

4. There will be improvements made, to the reasonable satisfaction of the Council, to the length of highway as described in Schedule 2 to this Order and shown by cross hatching on the deposited plan, which is highway maintainable at the public expense for the purposes of the Highways Act 1980 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 improved 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 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.

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(1) 1980 p. 66

(1) 1980 c. 66

Ymgymerwyr Statudol a Darparwyr

6. 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 Ysgrifennydd y Cabinet dros yr Economi, Trafnidiaeth a Gogledd Cymru, un o Weinidogion Cymru.

Dyddiedig 202-

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

ATODLEN 1
(Bras amcan yw pob mesuriad)
Y darn o briffordd sydd i'w gau

Darn trionglog ei siâp o ardal llain o briffordd o'r enw St Mellons Road, sy'n ymestyn i'r dwyrain o bwynt 285 o fetrau i'r dwyrain o ganol cyffordd y gylchfan sy'n cysylltu Lisvane Road, Church Road a Maerdy Lane â St Mellons Road, yn Llys-faen yng Nghaerdydd, sydd â chyfanswm arwynebedd o 9 metr sgwâr ac a ddangosir â llinellau sebra ar y plan a adneuwyd.

ATODLEN 2
(**Bras amcan yw pob mesuriad**)
Disgrifiad o'r darn o briffordd y gwneir gwelliannau iddi sydd i'w ddarparu o dan y Gorchymyn hwn

Darn afreolaidd ei siâp o briffordd o'r enw St Mellons Road, sy'n ymestyn i'r dwyrain o bwynt 247 o fetrau i'r dwyrain o ganol cyffordd y gylchfan sy'n cysylltu Lisvane Road, Church Road a Maerdy Lane â St Mellons Road, yn Llys-faen yng Nghaerdydd, sydd â chyfanswm arwynebedd o 155 o fetrau sgwâr, ac a ddangosir â llinellau sebra ar y plan a adneuwyd.

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 Cabinet Secretary for the Economy, Transport and North Wales, one of the Welsh Ministers.

Dated 202-

Nicci Hunter
Business Team Leader
Welsh Government

SCHEDULE 1
(All measurements are approximate)
Length of highway to be stopped up

A triangular shaped length of verge area of highway known as St Mellons Road, extending easterly from a point 285 metres east of the centre of the roundabout junction linking Lisvane Road, Church Road and Maerdy Lane with St Mellons Road, in Lisvane in Cardiff, having a total area of 9 square metres and shown by zebra hatching on the deposited plan

SCHEDULE 2
(All measurements are approximate)
Description of the length of improved highway to be provided under this Order

An irregular shaped length of highway known as St Mellons Road, extending easterly from a point 247 metres east of the centre of the roundabout junction linking Lisvane Road, Church Road and Maerdy Lane with St Mellons Road, in Lisvane in Cardiff, having a total area of 155 square metres, and shown by zebra hatching on the deposited plan.

SCHEDULE 3
The development

Development comprising the construction of a

ATODLEN 3
Y datblygiad

Datblygiad sy'n cynnwys adeiladu datblygiad preswyl o tua 1000 o unedau, gan gynnwys ysgol gynradd a chanol pentref a phriffordd a gwaith seilwaith draenio cysylltiedig yn Churchlands Lane, i'r gogledd ac i'r de o Lys-faen, Caerdydd.

residential development of approximately 1000 units including a primary school and village centre and connected highway and drainage infrastructure works at Churchlands Land, north and east of Lisvane, Cardiff.