PRIFFYRDD, CYMRU

LLC25****

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (TAFARN NEW PENN, 204A BRYNFEDW, LLANEDERN, CAERDYDD, CF23 9PW) 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 (Tafarn New Penn, 204A Brynfedw, Llanedern, Caerdydd, CF23 9PW) 202- a daw i rym ar ***** 202-.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr "y Cyngor" ("*the Council*") yw Cyngor Sir Dinas a Sir Caerdydd;

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

ystyr "y datblygwr" ("*the developer*") yw'r person sy'n gwneud y datblygiad y mae'r caniatâd cynllunio wedi ei roi ar ei gyfer; ac

ystyr "y plan a adneuwyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Tafarn New Penn, 204A Brynfedw, Llanedern, Caerdydd, CF23 9PW) 202-" o dan y cyfeirnod qA2229128 sy'n dod gyda'r Gorchymyn hwn.

HIGHWAYS, WALES

WG25****

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (THE NEW PENN, 204A BRYNFEDW, LLANEDEYRN, CARDIFF, CF23 9PW) 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 (The New Penn, 204A Brynfedw, Llanedeyrn, Cardiff, CF23 9PW) Order 202- and it comes into force on ** **** 202-.

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 (The New Penn, 204A Brynfedw, Llanedeyrn, Cardiff, CF23 9PW) Order 202-" with reference qA2229128 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.

(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. Mae diwygiadau eraill, ond nid yw'r rhain yn berthnasol. 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.

(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). There are other amendments, but these are not relevant. 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 4, 5 a 6 o'r Gorchymyn hwn mae Gweinidogion Cymru yn awdurdodi cau darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn ac a ddangosir â llinellau sebra ar y planiau 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 15 Ebrill 2024 o dan y cyfeirnod 23/02475/FUL a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

Priffordd Newydd

4. Rhaid creu, er boddhad rhesymol y Cyngor, y darnau 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 pwrs 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 darnau 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 darnau 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.

(1) 1980 p. 66

Stopping Up

3. Subject to articles 4, 5 and 6 of this Order the Welsh Ministers authorise the stopping up of a length of highway described in Schedule 1 to this Order and shown by zebra hatching on the deposited plans. 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 on 15 April 2024 with reference 23/02475/FUL described in Schedule 3 to this Order.

New Highway

4. There will be created, to the reasonable satisfaction of the Council, the new lengths 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 lengths 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 lengths 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.

(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 (yn ddarostyngedig i adran 261(4) o Ddeddf 1990), bydd gan yr ymgymerwyr neu'r darparwyr yr un hawliau o ran y cyfarpar ag a oedd ganddynt cyn cau'r briffordd.

Llofnodwyd ar ran Ysgrifennydd y Cabinet dros Drafnidiaeth a Gogledd Cymru, un o Weinidogion Cymru.

Dyddiedig ** **** 202-

Nicci Hunter
Arweinydd y Tîm Busnes
Trafnidiaeth
Llywodraeth Cymru

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 Transport and North Wales, one of the Welsh Ministers.

Dated ** ****202-

Nicci Hunter
Business Team Leader
Transport
Welsh Government

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

Darn afreolaidd ei siâp o briffordd oddi ar Brynfedw, Llanedern, Caerdydd y tu cefn i hen dŷ tafarn New Penn gyda chyfanswm arwynebedd o 173.6 o fetrau sgwâr, wedi ei labelu'n 'A' ac wedi ei farcio â llinellau sebra ar y plan a adneuwyd.

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

An irregular shaped length of highway off Brynfedw, Llanedeyrn, Cardiff situated to the rear of the former New Penn public house with a total area of 173.6 metres squared, labelled 'A' and marked with zebra hatching on the deposited plan.

ATODLEN 2
(Bras amcan yw pob mesuriad)
Disgrifiad o'r darnau newydd o briffordd sydd i'w darparu

1. Darn afreolaidd ei siâp o lwybr troed oddi ar Circle Way West sydd gyferbyn â thu blaen hen dŷ tafarn New Penn gyda chyfanswm arwynebedd o 28.0 o fetrau sgwâr, wedi ei labelu'n 'B' ac wedi ei farcio â dotwaith ar y plan a adneuwyd.

2. Darn afreolaidd ei siâp o lwybr troed oddi ar Circle Way West sydd yn union o flaen hen dŷ tafarn New Penn, ac i'r ochr ddwyreiniol iddo, gyda chyfanswm arwynebedd o 229.0 o fetrau sgwâr, wedi ei labelu'n 'C' ac wedi ei farcio â dotwaith ar y plan a adneuwyd.

SCHEDULE 2
(All measurements are approximate)
Description of the lengths of new highway to be provided

1. An irregular shaped length of footway off Circle Way West situated opposite the front of the former New Penn public house with a total area of 28.0 metres squared, labelled 'B' and marked with stipple hatching on the deposited plan.

2. An irregular shaped length of footway off Circle Way West situated directly in front of and to the eastern side of the former New Penn public house with a total area of 229.0 metres squared, labelled 'C' and marked with stipple hatching on the deposited plan.

3. Darn afreolaidd ei siâp o lwybr troed oddi ar Brynfedw sydd y tu cefn i hen dŷ tafarn New Penn gyda chyfanswm arwynebedd o 45.40 o fetrau sgwâr, wedi ei labelu'n 'D' ac wedi ei farcio â dotwaith ar y plan a adneuwyd.

4. Darn afreolaidd ei siâp o lwybr troed oddi ar Brynfedw sydd yn union i'r chwith o'r lleoedd parcio presennol y tu blaen i 201 Brynfedw gyda chyfanswm arwynebedd o 17.40 o fetrau sgwâr, wedi ei labelu'n 'E' ac wedi ei farcio â dotwaith ar y plan a adneuwyd.

3. An irregular shaped length of footway off Brynfedw situated to the rear of the former New Penn public house with a total area of 45.40 metres squared, labelled 'D' and marked with stipple hatching on the deposited plan.

4. An irregular shaped length of footway off Brynfedw situated to the immediate left of the current car parking spaces in front of 201 Brynfedw with a total area of 17.40 metres squared, labelled 'E' and marked with stipple hatching on the deposited plan.

ATODLEN 3
Y Datblygiad

Dymchwel hen dŷ tafarn New Penn ac ailddatblygu'r safle i ddarparu ar gyfer anheddau fforddiadwy, gan gynnwys priffordd, seilwaith, gwaith tirlunio, a seilwaith gwyrdd.

SCHEDULE 3
The Development

Demolition of the former New Penn public house and the redevelopment of the site to accommodate affordable dwellings, including highway, infrastructure, landscaping works, and green infrastructure.