PRIFFYRDD, CYMRU

LlC21-25

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (QUEENSWAY, CASNEWYDD) 2021

Gwnaed	*5 Mawrth 2021*
Yn dod i rym	*11 Mawrth 2021*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn hwn drwy arfer eu pwerau o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990(**1**).

Enwi, Cychwyn a Dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Queensway, Casnewydd) 2021 a daw i rym ar 11 Mawrth 2021.

(2) Yn y Gorchymyn hwn—

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

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 (Queensway, Casnewydd) 2021" sy'n dod gyda'r Gorchymyn hwn.

Cau Priffordd

2. Yn ddarostyngedig i erthyglau 3, 4, a 5 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 a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 6 Gorffennaf 2016 o dan y cyfeirnod 16/0359, 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 pwerau hyn bellach yn arferadwy gan Weinidogion Cymru o ran Cymru.

HIGHWAYS, WALES

WG21-25

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (QUEENSWAY, NEWPORT) ORDER 2021

Made	*5 March 2021*
Coming into force	*11 March 2021*

The Welsh Ministers, in exercise of their powers under section 247 of the Town and Country Planning Act 1990(**1**), make this Order.

Title, Commencement and Interpretation

1.—(1) The title of this Order is the Stopping Up of Highways (Queensway, Newport) Order 2021 and it comes into force on 11 March 2021.

(2) In this Order—

"the Council" *("y Cyngor")* means Newport City Council;

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Queensway, Newport) Order 2021" 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

2. Subject to articles 3, 4, and 5 and 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 planning permission granted under Part 3 of the 1990 Act by the Council on 6 July 2016 with reference number 16/0359 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 powers are now exercisable by the Welsh Ministers in relation to Wales.

Y Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau Priffordd

3. 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 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

(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

4. 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.

Cyfnod Para'r Gorchymyn hwn

5. Os na fydd y datblygiad a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn wedi ei ddechrau yn y cyfnod perthnasol a bennir yn Rhan 3 o Ddeddf 1990 fel cyfnod para'r caniatâd cynllunio, neu os caiff y caniatâd ei ddirymu cyn diwedd y cyfnod hwnnw, bydd y Gorchymyn hwn yn peidio â chael effaith pan ddaw'r caniatâd cynllunio i ben.

Llofnodwyd o dan awdurdod Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru, un o Weinidogion Cymru.

Dyddiedig 5 Mawrth 2021

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

Provisions Necessary or Expedient before Stopping Up

3. 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 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 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

4. 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.

Duration of this Order

5. If the development described in Schedule 2 to this Order has not begun within the relevant period specified in Part 3 of the 1990 Act as being the duration of the planning permission, or the permission is revoked before the end of that period, this Order ceases to have effect upon the cessation of the planning permission.

Signed under authority of the Minister for Economy, Transport and North Wales, one of the Welsh Ministers.

Dated 5 March 2021

Nicci Hunter
Business Team Leader
Welsh Government

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

Y darn afreolaidd ei siâp o briffordd ar y B4591 Queensway, sydd wedi ei leoli tua 25 o fetrau i'r gogledd-orllewin o'r gyffordd â Cambrian Road, Casnewydd, sy'n 8 metr yn y man hiraf ac yn 7 metr yn y man lletaf ac a ddangosir â llinellau sebra ar y plan a adneuwyd.

ATODLEN 2
Y datblygiad

Dymchwel a chodi un adeilad swyddfa ac addysg chwe llawr gan gynnwys uned fasnachol gysylltiedig, ciosg, gwaith tirlunio a gwaith cysylltiedig (gan gynnwys grisiau newydd).

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

The irregular shaped length of highway on the B4591 Queensway, located approximately 25 metres north west of the junction with Cambrian Road, Newport, with a maximum length of 8 metres and a maximum width of 7 metres shown by zebra hatching on the deposited plan.

SCHEDULE 2
The development

The demolition and erection of a single six storey office and education building with associated commercial unit, kiosk, landscaping and associated works (including new stairs).

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (QUEENSWAY, CASNEWYDD) 2021

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 ("Deddf 1990") i awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Hysbysiad hwn. Nid awdurdodir cau'r briffordd ond er mwyn gwneud y datblygiad yn unol â chaniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan Gyngor Dinas Casnewydd ar 6 Gorffennaf 2016 o dan y cyfeirnod 16/0359, ac a ddisgrifir yn Atodlen 2 i'r Hysbysiad hwn.

Bydd Gorchymyn Cau Priffyrdd (Queensway, Casnewydd) 2021 ("y Gorchymyn") yn peidio â chael effaith os daw'r caniatâd cynllunio mewn cysylltiad â'r datblygiad i ben neu os caiff ei ddirymu.

Gellir edrych ar gopïau o'r Gorchymyn a'r plan a adneuwyd yn rhad ac am ddim yng Ngorsaf Wybodaeth Casnewydd, Hen Adeilad yr Orsaf, Queensway, Casnewydd, NP20 4AX yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1445292.

Caiff unrhyw berson a dramgwyddir gan y Gorchymyn, ar y sail:

a. nad yw o fewn pwerau Deddf 1990; neu

b. na chydymffurfiwyd ag un o ofynion gweithdrefnol Deddf 1990;

o fewn 6 wythnos i 11 Mawrth 2021, wneud cais at y diben hwnnw i'r Uchel Lys.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar wefan Llywodraeth Cymru ar https://llyw.cymru/gorchmynion-cau

Gellir cael copi print bras o'r Hysbysiad hwn oddi wrth: Y Gangen Orchmynion, Trafnidiaeth, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

J SADDLER
Trafnidiaeth
Llywodraeth Cymru

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (QUEENSWAY, NEWPORT) ORDER 2021

The Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 ("the 1990 Act") to authorise the stopping up of the length of highway described in Schedule 1 to this Notice. The stopping up is authorised only in order to enable the development to be carried out in accordance with planning permission granted under Part 3 of the 1990 Act by Newport City Council on 6 July 2016 with reference number 16/0359 and described in Schedule 2 to this Notice.

The Stopping Up of Highways (Queensway, Newport) Order 2021 ("the Order") ceases to have effect if planning permission in respect of the development expires or is revoked.

Copies of the Order and the deposited plan may be inspected free of charge at Newport Information Station, Old Station Building, Queensway, Newport, NP20 4AX or may be obtained free of charge from the address below quoting reference qA1445292.

If a person is aggrieved by the Order, on the grounds that:

a. it is not within the powers of the 1990 Act; or

b. a procedural requirement of the 1990 Act has not been complied with;

that person may, within 6 weeks of 11 March 2021 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed on the Welsh Government's website at https://gov.wales/stopping-orders.

A copy of this Notice in larger print can be obtained from Orders Branch, Transport, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

J SADDLER
Transport
Welsh Government

ATODLEN 1
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Y datblygiad

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