DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (PRIFFORDD DDIDDOSBARTH YR U2470 WRTH GROESFAN REILFFORDD FFORDUN, GER LOWER MUNLYN, FFORDUN, Y TRALLWNG, POWYS) 2014

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 ("y Ddeddf") i awdurdodi cau'r rhan o briffordd a ddisgrifir yn Atodlen 1 i'r Hysbysiad hwn, ac i ddarparu'r rhannau newydd o briffordd a llwybr troed a ddisgrifir yn Atodlen 2 ac Atodlen 3 i'r Hysbysiad hwn er mwyn galluogi'r gwaith datblygu a ddisgrifir yn Atodlen 4 i'r Hysbysiad hwn i gael ei wneud. Bydd Gorchymyn Cau Priffyrdd (Priffordd Ddiddosbarth yr U2470 wrth Groesfan Reilffordd Ffordun, Ger Lower Munlyn, Ffordun, y Trallwng, Powys) 2014 ("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 yn y Dderbynfa, Swyddfeydd Cyngor Sir Powys, Neuadd Maldwyn, Severn Road, y Trallwng SY21 7AS yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1127377/1.

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

a. nad yw o fewn pwerau'r Ddeddf; neu

b. na chydymffurfiwyd ag un o ofynion gweithdrefnol y Ddeddf;

o fewn 6 wythnos i 04 Ebrill 2014 wneud cais at y diben hwnnw i'r Uchel Lys.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad yn www.cymru.gov.uk (Detholer: Deddfwriaeth/Is-ddeddfwriaeth/Offerynnau Anstatudol/Trafnidiaeth Cymru/Y Ddeddf Cynllunio Gwlad a Thref Gorchmynion Cau TCPA, 2014).

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

M D BURNELL
Trafnidiaeth
Llywodraeth Cymru

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (UNCLASSIFIED HIGHWAY U2470 AT FORDEN LEVEL CROSSING, NEAR LOWER MUNLYN, FORDEN, WELSHPOOL, POWYS) ORDER 2014

The Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 ("the Act") to authorise the stopping up of the area of highway described in Schedule 1 to this Notice, and to provide the new areas of highway and footpath described in Schedule 2 and Schedule 3 to this Notice, to enable the development in Schedule 4 to this Notice to be carried out. The Stopping Up of Highways (Unclassified Highway U2470 at Forden Level Crossing, Near Lower Munlyn, Forden, Welshpool, Powys) Order 2014 ("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 during normal office hours at Reception, Powys County Council Offices, Neuadd Maldwyn, Severn Road, Welshpool, Powys SY21 7AS or may be obtained free of charge from the address below quoting reference qA1127377/1.

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

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

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

that person may, within 6 weeks of 04 April 2014 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at www.wales.gov.uk (Select: Legislation/Subordinate Legislation/Non-Statutory Instruments/Transport Wales/TCPA Stopping Up Orders, 2014).

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

M D BURNELL
Transport
Welsh Government

YR ATODLENNI

(Bras amcan yw pob mesuriad)

ATODLEN 1

Disgrifiad o’r rhan o briffordd sydd i’w chau o dan y Gorchymyn hwn

Rhan betryal ei siâp o briffordd sy’n rhan o ffordd ddiddosbarth yr U2470 sy’n arwain o’r C2114 hyd at Lower Munlyn lle y mae’n croesi llinell reilffordd Network Rail, i gyfeiriad y gogledd-orllewin o ochr de-ddwyreiniol Croesfan Reilffordd Ffordun i ochr ogledd-orllewinol y groesfan reilffordd o dan sylw, a’i hyd ar y mwyaf yn 8.8 metr, ei lled ar y mwyaf yn 6.6 metr a chyfanswm yr arwynebedd yn 52 o fetrau sgwâr, ac sy’n dwyn y cyfeirnodau A a B ar y plan a adneuwyd.

ATODLEN 2

Disgrifiad o’r rhannau o briffordd newydd i’w darparu

Rhan o briffordd i’r gorllewin o linell reilffordd Network Rail, ac sy’n gyfagos iddo, o’i chyffordd â ffordd ddiddosbarth bresennol yr U2470 sy’n arwain at Lower Munlyn i gyfeiriad y de-orllewin yn gyffredinol i’w chyffordd â ffordd bresennol yr C2114, a’i hyd ar y mwyaf yn 331 o fetrau a’i lled ar y mwyaf yn 18 o fetrau, ac sy’n dwyn y cyfeirnodau C a D ar y plan a adneuwyd.

Rhan afreolaidd ei siâp o briffordd i’r gorllewin o linell reilffordd Network Rail ac i’r gogledd-orllewin o Station House, i gysylltu ffordd ddiddosbarth bresennol yr U2470 â’r briffordd newydd a ddisgrifir uchod, a’i hyd ar y mwyaf yn 4 metr a’i lled ar y mwyaf yn 7 metr, ac sy’n dwyn y cyfeirnod ‘E’ ar y plan a adneuwyd.

ATODLEN 3

Disgrifiad o’r rhan o lwybr troed newydd i’w darparu

Rhan o lwybr troed sydd â’i led ar y mwyaf yn 1.5 metr a’i hyd ar y mwyaf yn 8 metr, yn cysylltu dwy adran yr U2470 ac yn croesi rheilffordd Network Rail, i’r gogledd-ddwyrian o Station House, ac a ddangosir rhwng pwyntiau cyfeirio F ac G ar y plan a adwneuwyd.

SCHEDULES

(All measurements are approximate)

SCHEDULE 1

Description of the area of highway to be stopped up under this Order

A rectangular area of highway being part of the U2470 unclassified road leading from the C2114 to Lower Munlyn where it crosses the Network Rail railway line, in a north westerly direction from the southeast side of Forden Level Crossing to the northwest side of the said level crossing, and having a maximum length of 8.8 metres, a maximum width of 6.6 metres and a total area of 52 square metres, and given the references A and B on the deposited plan.

SCHEDULE 2

Description of the areas of new highway to be provided

A length of highway to the west of, and adjacent to, the Network Rail railway line, from its junction with the existing U2470 unclassified road leading to Lower Munlyn in a generally south westerly direction to its junction with the existing C2114 road, having a maximum length of 331 metres and having a maximum width of 18 metres and given the references C and D on the deposited plan.

An irregular shaped area of highway to the west of the Network Rail railway line and north west of Station House, to link the existing U2470 unclassified road to the new highway described above, having a maximum length of 4 metres and having a maximum width of 7 metres and given the reference E on the deposited plan.

SCHEDULE 3

Description of the new length of footpath to be provided

A length of footpath having a maximum width of 1.5 metres and a maximum length of 8 metres, linking the two sections of the U2470 and crossing the Network Rail railway line, to the north east of Station House and shown between reference points F and G on the deposited plan.

ATODLEN 4

Y Datblygiad

Adeiladu ffordd ddiddosbarth newydd i gysylltu ffordd ddiddosbarth bresennol â'r C2114 er mwyn gosod croesfan reilffordd Network Rail newydd yn lle'r un bresennol a gwneud y gwaith cysylltiedig ar dir ger Lower Munlyn rhwng Croesfan reilffordd Ffordun a thir gyferbyn â Lyndsdale House, Ffordun, y Trallwng.

SCHEDULE 4

The Development

Construction of a new unclassified road to link an existing unclassified road with the C2114 in order to replace the existing Network Rail level crossing and associated works at land near Lower Munlyn between Forden Level Crossing and land opposite Lynsdale House, Forden, Welshpool.

PRIFFYRDD, CYMRU

2014 Rhif 11

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (PRIFFORDD DDIDDOSBARTH YR U2470 WRTH GROESFAN REILFFORDD FFORDUN, GER LOWER MUNLYN, FFORDUN, Y TRALLWNG, POWYS) 2014

Gwnaed — *31 Mawrth 2014*

Yn dod i rym — *04 Ebrill 2014*

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, Dehongli a Chychwyn

1. (1) Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Prifffordd Ddiddosbarth yr U2470 wrth Groesfan Reilffordd Ffordun, Ger Lower Munlyn, Ffordun, y Trallwng, Powys) 2014.

(2) Yn y Gorchymyn hwn:-

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

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

HIGHWAYS, WALES

2014 No. 11

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (UNCLASSIFIED HIGHWAY U2470 AT FORDEN LEVEL CROSSING, NEAR LOWER MUNLYN, FORDEN, WELSHPOOL, POWYS) ORDER 2014

Made — *31 March 2014*

Coming into force — *04 April 2014*

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

Title, Interpretation and Commencement

1. (1) The title of this Order is the Stopping Up of Highways (Unclassified Highway U2470 at Forden Level Crossing, Near Lower Munlyn, Forden, Welshpool, Powys) Order 2014.

(2) In this Order:-

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

"the developer" *("y datblygwr")* means the person carrying out the development for which the planning permission has been given;

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways

ystyr "y plan a adneuwyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Priffordd Ddiddosbarth yr U2470 wrth Groesfan Reilffordd Ffordun, Ger Lower Munlyn, Ffordun, y Trallwng, Powys) 2014" sy'n dod gyda'r Gorchymyn hwn.

(3) Daw'r Gorchymyn hwn i rym ar y dyddiad y cyhoeddir bod yr hysbysiad wedi ei wneud yn unol ag adran 252(10) o Ddeddf 1990.

Cau Priffyrdd

2. Yn ddarostyngedig i erthyglau 3, 4, 5 a 6, mae Gweinidogion Cymru yn awdurdodi cau'r rhan o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn ac a ddangosir â llinellau sebra ar y plan a adneuwyd. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn galluogi'r gwaith datblygu i gael ei wneud yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor, ar 08 Awst 2013 o dan y cyfeirnod P/2013/0600, ac a ddisgrifir yn Atodlen 4 i'r Gorchymyn hwn.

Priffyrdd Newydd

3. Crëir, er boddhad rhesymol y Cyngor, y rhannau newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn ac a ddangosir â dotwaith ar y plan a adneuwyd, a bydd y briffordd hon, at ddibenion Deddf Priffyrdd 1980(2), yn briffordd sydd i'w chynnal ar draul y pwrs cyhoeddus, a'r Cyngor fydd yr awdurdod priffyrdd ar ei chyfer.

4. Crëir, er boddhad rhesymol y Cyngor, y llwybr troed a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn ac a ddangosir â dotwaith ar y plan a adneuwyd.

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

5. Ni chaniateir cau'r rhan 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 drwy ba fodd y bwriedir cau'r rhan o briffordd;

(b) hyd nes bydd y datblygwr wedi darparu'r rhannau o briffordd newydd a'r llwybr troed fel y'u disgrifir yn Atodlen 2 ac Atodlen 3 i'r Gorchymyn hwn er boddhad rhesymol y Cyngor;

(Unclassified Highway U2470 at Forden Level Crossing, Near Lower Munlyn, Forden, Welshpool, Powys) Order 2014" which accompanies this Order; and

"the 1990 Act" ("*Y Deddf 1990*") means the Town and Country Planning Act 1990.

(3) This Order comes into force on the date on which notice that it has been made is published in accordance with section 252(10) of the 1990 Act.

Stopping Up

2. Subject to articles 3, 4, 5 and 6, the Welsh Ministers authorise the stopping up of the area of highway described in Schedule 1 to this Order 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, on 08 August 2013 under reference P/2013/0600 as described in Schedule 4 to this Order.

New Highways

3. There shall be created, to the reasonable satisfaction of the Council, the new areas of highway described in Schedule 2 to this Order and shown by stipple marking on the deposited plan which is to be highway which, for the purpose of the Highways Act 1980(2) is a highway maintainable at the public expense and the Council is to be the highway authority for it.

4. There shall be created, to the reasonable satisfaction of the Council, the footpath described in Schedule 3 to this Order and shown by stipple marking on the deposited plan.

Provisions Necessary or Expedient before Stopping Up

5. The area of highway described in Schedule 1 to this Order may not be stopped up until:-

(a) the developer has provided to the reasonable satisfaction of the Council, plans showing the means whereby the area of highway is to be stopped up;

(b) the developer has provided the areas of new highway and footpath as described in Schedule 2 and Schedule 3 to this Order to the reasonable satisfaction of the Council;

(c) hyd nes y bydd y datblygiad y cyfeirir ato yn Atodlen 4 i'r Gorchymyn hwn wedi ei ddechrau a bod y datblygwr wedi hysbysu'r Cyngor yn ysgrifenedig ei bod yn angenrheidiol cau'r rhan o briffordd er mwyn galluogi i'r gwaith datblygu 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.

Ymgymerwyr Statudol a Darparwyr

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 rhan o briffordd, yna (yn ddarostyngedig i adran 261(4) o Ddeddf 1990), bydd gan yr ymgymerwyr neu'r darparwyr yr un hawliau o hyd mewn cysylltiad â'r cyfarpar ag a oedd ganddynt cyn cau'r briffordd.

Cyfnod Para'r Gorchymyn hwn

6. Os na fydd y datblygiad yn Atodlen 4 i'r Gorchymyn hwn wedi ei ddechrau o fewn y cyfnod perthnasol a bennir yn Rhan 3 o Ddeddf 1990 fel cyfnod para'r caniatâd cynllunio, neu os yw'r caniatâd yn cael 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, Gwyddoniaeth a Thrafnidiaeth, un o Weinidogion Cymru.

Dyddiedig 31 Mawrth 2014

R MORGAN
Pennaeth Rheoli Asedau a Safonau
Llywodraeth Cymru

(1) 1990 p.8. Yn rhinwedd O.S. 1999/672, erthygl 2 ac Atodlen 1, trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru, ac maent yn arferadwy bellach gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraff 30(2) o Atodlen 11 iddi.
(2) 1980 p.66.

YR ATODLENNI

(Bras amcan yw pob mesuriad)

(c) the development described in Schedule 4 to this Order has commenced and the developer has informed the Council in writing of the necessity to close the area 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

5. Where immediately before the area 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.

Duration of this Order

6. If the development in Schedule 4 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 such period, this Order ceases to have effect upon the cessation of the planning permission.

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

Dated 31 March 2014

R MORGAN
Head of Asset Management and Standards
Welsh Government

(2) 1990 c.8. By virtue of S.I. 1999/672, article 2 and Schedule 1, the functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales and are now exercisable by the Welsh Ministers by virtue of section 162 of and paragraph 30(2) of Schedule 11 to the Government of Wales Act 2006.
(2) 1980 c.66

SCHEDULES

(All measurements are approximate)

ATODLEN 1

Disgrifiad o'r rhan o briffordd sydd i'w chau o dan y Gorchymyn hwn

Rhan betryal ei siâp o briffordd sy'n rhan o ffordd ddiddosbarth yr U2470 sy'n arwain o'r C2114 hyd at Lower Munlyn lle y mae'n croesi llinell reilffordd Network Rail, i gyfeiriad y gogledd-orllewin o ochr de-ddwyreiniol Croesfan Reilffordd Ffordun i ochr gogledd-orllewinol y groesfan reilffordd o dan sylw, a'i hyd ar y mwyaf yn 8.8 metr, ei lled ar y mwyaf yn 6.6 metr a chyfanswm yr arwynebedd yn 52 o fetrau sgwâr, ac sy'n dwyn y cyfeirnodau A a B ar y plan a adneuwyd.

SCHEDULE 1

Description of the area of highway to be stopped up under this Order

A rectangular area of highway being part of the U2470 unclassified road leading from the C2114 to Lower Munlyn where it crosses the Network Rail railway line, in a north westerly direction from the southeast side of Forden Level Crossing to the northwest side of the said level crossing, and having a maximum length of 8.8 metres, a maximum width of 6.6 metres and a total area of 52 square metres, and given the references A and B on the deposited plan.

ATODLEN 2

Disgrifiad o'r rhannau o briffordd i'w darparu

Rhan o briffordd i'r gorllewin o linell rheilffordd Network Rail, ac sy'n gyfagos iddo, o'i chyffordd â ffordd ddiddosbarth bresennol yr U2470 sy'n arwain at Lower Munlyn i gyfeiriad y de-orllewin yn gyffredinol hyd at ei chyffordd â ffordd bresennol yr C2114, a'i hyd ar y mwyaf yn 331 o fetrau a'i lled ar y mwyaf yn 18 o fetrau ac sy'n dwyn y cyfeirnodau C a D ar y plan a adneuwyd.

Rhan afreolaidd ei siâp o briffordd i'r gorllewin o linell reilffordd Network Rail ac i'r gogledd-orllewin o Station House, i gysylltu ffordd ddiddosbarth bresennol yr U2470 â'r briffordd newydd a ddisgrifir uchod, a'i hyd ar y mwyaf yn 4 metr a'i lled ar y mwyaf yn 7 metr, ac sy'n dwyn y cyfeirnod 'E' ar y plan a adneuwyd.

SCHEDULE 2

Description of the areas of new highway to be provided

A length of highway to the west of, and adjacent to, the Network Rail railway line, from its junction with the existing U2470 unclassified road leading to Lower Munlyn in a generally south westerly direction to its junction with the existing C2114 road, having a maximum length of 331 metres and having a maximum width of 18 metres and given the references C and D on the deposited plan.

An irregular shaped area of highway to the west of the Network Rail railway line and north west of Station House, to link the existing U2470 unclassified road to the new highway described above, having a maximum length of 4 metres and having a maximum width of 7 metres and given the reference E on the deposited plan.

ATODLEN 3

Disgrifiad o'r rhan newydd o'r llwybr troed i'w darparu

Rhan o lwybr troed sydd â'i led ar y mwyaf yn 1.5 metr a'i hyd ar y mwyaf yn 8 metr, yn cysylltu dwy adran yr U2470 ac yn croesi rheilffordd Network Rail, i'r gogledd-ddwyrian o Station House, ac a ddangosir rhwng pwyntiau cyfeirio F ac G ar y plan a adwneuwyd.

SCHEDULE 3

Description of the new length of footpath to be provided

A length of footpath having a maximum width of 1.5 metres and a maximum length of 8 metres, linking the two sections of the U2470 and crossing the Network Rail railway line, to the north east of Station House and shown between the reference points F and G on the deposited plan.

ATODLEN 4

Y Datblygiad

SCHEDULE 4

The Development

Adeiladu ffordd ddiddosbarth newydd i gysylltu ffordd ddiddosbarth bresennol â’r C2114 er mwyn gosod croesfan reilffordd Network Rail newydd yn lle’r un bresennol a gwneud y gwaith cysylltiedig ar dir ger Lower Munlyn rhwng Croesfan Reilffordd Ffordun a thir gyferbyn â Lyndsdale House, Ffordun, y Trallwng.

Construction of a new unclassified road to link an existing unclassified road with the C2114 in order to replace the existing Network Rail level crossing and associated works at land near Lower Munlyn between Forden Level Crossing and land opposite Lynsdale House, Forden, Welshpool.