

PRIFFYRDD, CYMRU

2016 RHIF 30

DEDDF CYNLLUNIO GWLAD A THREF 1990

**GORCHYMYN CAU PRIFFYRDD (TIR
PRIFFORDD WRTH GYFFORDD HEILBRONN
WAY A STATION ROAD, PORT TALBOT,
CASTELL-NEDD PORT TALBOT) 2016**

Gwnaed 5 Medi 2016

Yn dod i rym 13 Medi 2016

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 (Tir Priffordd wrth Gyffordd Heilbronn Way a Station Road, Port Talbot, Castell-nedd Port Talbot) 2016.

(2) Yn y Gorchymyn hwn:-

ystyr "y Cyngor" ("*the Council*") yw Cyngor Bwrdeistref Sirol Castell-nedd Port Talbot;

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 adnewwyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Tir Priffordd wrth Gyffordd Heilbronn Way a Station Road, Port Talbot, Castell-nedd Port Talbot) 2016" sy'n dod gyda'r Gorchymyn hwn.

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

Cau Priffordd

2. Yn ddarostyngedig i ddarpariaethau erthyglau 3, 4, 5 a 6, mae Gweinidogion Cymru yn awdurdodi cau'r rhannau o briffordd a ddisgrifir yn Atodlen 1 ac a ddangosir â llinellau sebra ar y plan a adnewwyd. Mae Gweinidogion Cymru wedi eu bodloni bod angen

HIGHWAYS, WALES

2016 NO. 30

TOWN AND COUNTRY PLANNING ACT 1990

**THE STOPPING UP OF HIGHWAYS
(HIGHWAY LAND AT THE JUNCTION OF
HEILBRONN WAY & STATION ROAD, PORT
TALBOT, NEATH PORT TALBOT) ORDER
2016**

Made 5 September 2016

Coming into Force 13 September 2016

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 (Highway land at the Junction of Heilbronn Way & Station Road, Port Talbot, Neath Port Talbot) Order 2016.

(2) In this Order:-

"the Council" ("*y Cyngor*") means the Council of the County Borough of Neath Port Talbot;

"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 adnewwyd*") means the plan entitled "The Stopping Up of Highways (Highway Land at the Junction of Heilbronn Way & Station Road, Port Talbot, Neath Port Talbot) Order 2016" which accompanies this Order; and

"the 1990 Act" ("*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 the provisions of articles 3, 4, 5 and 6 the Welsh Ministers authorise the stopping up of the areas of highway described in Schedule 1 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

cau'r briffordd er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio a roddwyd o dan Ran III o Ddeddf 1990 gan y Cyngor ar 25 Awst 2016 o dan y cyfeirnod P2015/1128 ac a ddisgrifir yn Atodlen 4 i'r Gorchymyn hwn.

Priffyrdd Newydd / y Gwneir Gwelliannau Iddynt

3. Rhaid creu, 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'r rhan o briffordd y gwneir gwelliannau iddi a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn ac a ddangosir â chroeslinellau ar y plan a adneuwyd, a bydd y priffyrdd hyn, at ddibenion Deddf Priffyrdd 1980(2), yn briffyrdd i'w cynnal ar draul y pwrw cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd ar eu cyfer.

Y Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau Priffordd ac ar gyfer Darparu neu Wella'r Priffyrdd

4. Ni chaniateir cau'r rhannau o briffordd yn Atodlen 1:-

(a) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, blaniau sy'n dangos sut y mae'r rhan o'r briffordd i'w chau;

(b) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, y priffyrdd newydd a'r priffyrdd y gwneir gwelliannau iddynt fel y'u disgrifir yn Atodlenni 2 a 3 i'r Gorchymyn hwn;

(c) hyd nes y bydd y datblygiad yn Atodlen 4 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; a

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

Ymgymrwyr Statudol a Darparwyr

5. Pan fo gan ymgymrwyr 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 ymgymrwyr neu'r darparwyr yr un hawliau mewn cysylltiad â'r cyfarpar ag a oedd ganddynt cyn cau'r briffordd.

accordance with planning permission granted under Part III of the 1990 Act by the Council on 25 August 2016 under reference number P2015/1128 and described in Schedule 4 to this Order.

New / Improved Highways

3. There must 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 and the area of improved highway described in Schedule 3 to this Order and shown by cross hatching on the deposited plan, which are to be highways which, for the purposes of the Highways Act 1980(2) are highways maintainable at the public expense and the Council is to be the highway authority for them.

Provisions Necessary or Expedient before Stopping Up and for the Provision or Improvement of the Highways

4. The areas of highway in Schedule 1 must not be stopped up until:-

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

(b) the developer has provided the new and improved highways as described in Schedules 2 and 3 to this Order to the reasonable satisfaction of the Council;

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

Cyfnod Para'r Gorchymyn hwn

6. Os na fydd y datblygiad yn Atodlen 4 wedi ei ddechrau yn y cyfnod perthnasol a bennir yn Rhan III 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.

Llofnodwyd o dan awdurdod Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith, un o Weinidogion Cymru.

Dyddiedig: 5 Medi 2016

Nina Ley
Pennaeth yr Uned Fusnes, Rheoli'r Rhwydwaith
Llywodraeth Cymru

- (1) 1990 p. 8. Yn rhinwedd erthygl 2 o O.S. 1999/672 ac Atodlen 1 iddo, 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)

ATODLEN 1

Disgrifiad o'r rhannau o briffordd sydd i'w cau o dan y Gorchymyn hwn

1. Rhan afreolaidd ei siâp o briffordd at bob diben sy'n rhan o Heilbronn Way ac sy'n mesur 1,113 o fetrau sgwâr ac y rhoddir y cyfeirnod A iddi ar y plan a adnewwyd.
2. Rhan afreolaidd ei siâp o briffordd at bob diben sy'n rhan o Heilbronn Way ac sy'n mesur 640 o fetrau sgwâr ac y rhoddir y cyfeirnod B iddi ar y plan a adnewwyd.

ATODLEN 2

Disgrifiad o'r rhannau o briffordd newydd sydd i'w darparu

1. Rhan afreolaidd ei siâp o briffordd newydd at bob diben sy'n mesur 769 o fetrau sgwâr ac sy'n cysylltu Heilbronn Way â Talbot Road sy'n rhedeg yn gyfochrog â'r rheilffordd ac y rhoddir y cyfeirnod C iddi ar y plan a adnewwyd.

Duration of this Order

6. If the development in Schedule 4 has not begun within the relevant period specified in Part III 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.

Signed under authority of the Cabinet Secretary for Economy and Infrastructure, one of the Welsh Ministers.

Dated: 5 September 2016

Nina Ley
Head of Business Unit, Network Management
Welsh Government

- (1) 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)

SCHEDULE 1

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

1. An irregular shaped area of all purpose highway being part of Heilbronn Way measuring 1,113 square metres and given the reference A on the deposited plan.
2. An irregular shaped area of all purpose highway being part of Heilbronn Way measuring 640 square metres and given the reference B on the deposited plan

SCHEDULE 2

Description of the areas of new highway to be provided

1. An irregular shaped area of new all purpose highway measuring 769 square metres connecting Heilbronn Way to Talbot Road running parallel with the railway and given the reference C on the deposited plan.

2. Rhan afreolaidd ei siâp o droetffordd a llwybr beiciau newydd sy'n mesur 120 o fetrau sgwâr ac sy'n cysylltu Heilbronn Way â Talbot Road sy'n rhedeg yn gyfochrog â'r rheilffordd ac y rhoddir y cyfeirnod D iddi ar y plan a adnewwyd.

ATODLEN 3

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

Rhan afreolaidd ei siâp o briffordd at bob diben sydd eisoes yn bodoli sy'n cynnwys Station Road, Heilbronn Way, Grove Place a Talbot Road sy'n mesur 9,643 o fetrau sgwâr ac y rhoddir y cyfeirnod E iddi ar y plan a adnewwyd.

ATODLEN 4

Y Datblygiad

Adeiladu a gwella Canolfan Drafnidiaeth Integredig, gan gynnwys trefniadau priffordd newydd, canopi bysiau, adeilad cyfleusterau staff, adeilad ciosg, ardal i dacsis, gwaith tirlunio meddal a chaled ac ardaloedd i gerddwyr.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (TIR PRIFFORDD WRTH GYFFORDD HEILBRONN WAY A STATION ROAD, PORT TALBOT, CASTELL-NEDD PORT TALBOT) 2016

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 ("y Ddeddf") i awdurdodi cau'r rhannau o briffordd a ddisgrifir yn Atodlen 1 i'r Hysbysiad hwn, ac i ddarparu'r rhannau newydd o briffordd a ddisgrifir yn Atodlen 2 ac i wella'r rhan o briffordd a ddisgrifir yn Atodlen 3. Nid awdurdodir cau'r briffordd ond er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 4 os rhoddir caniatâd cynllunio.

Bydd Gorchymyn Cau Priffyrdd (Tir Priffordd wrth Gyffordd Heilbronn Way a Station Road, Port Talbot, Castell-nedd Port Talbot) 2016 ("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 gopiau o'r Gorchymyn a'r plan a adnewwyd yn rhad ac am ddim yn ystod oriau swyddfa arferol yn swyddfeydd yr Adran Gynllunio, Cyngor

2. An irregular shaped area of new footpath and cycle track measuring 120 square metres connecting Heilbronn Way to Talbot Road running parallel with the railway and given the reference D on the deposited plan.

SCHEDULE 3

Description of the area of highway to be improved under this Order

An irregular shaped area of existing all purpose highway including Station Road, Heilbronn Way, Grove Place and Talbot Road measuring 9,643 square metres and given the reference E on the deposited plan.

SCHEDULE 4

The Development

Construction and improvement of an Integrated Transport Hub including new highway arrangements, bus canopy, staff facility building, kiosk building, taxi area, hard and soft landscape works and pedestrian areas.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (HIGHWAY LAND AT THE JUNCTION OF HEILBRONN WAY & STATION ROAD, PORT TALBOT, NEATH PORT TALBOT) ORDER 2016

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 areas of highway described in Schedule 1 to this Notice, and provide the new areas of highway described in Scheduled 2 and to improve the area of highway described in Schedule 3. The stopping up will be authorised only in order to enable the development described in Schedule 4 to be carried out if planning permission is granted.

The Stopping Up of Highways (Highway land at the Junction of Heilbronn Way & Station Road, Port Talbot, Neath Port Talbot) Order 2016 ("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

Bwrdeistref Sirol Castell-nedd Port Talbot, Y Ceiau, Ffordd Brunel, Parc Ynni Baglan SA11 2GG neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1249472/1.

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

- a. nad yw o fewn pwerau'r Ddeddf; neu
- b. na chydymffurfwyd ag un o ofynion gweithdrefnol y Ddeddf;

o fewn 6 wythnos i 13 Medi 2016, wneud cais i'r Uchel Lys at y diben hwnnw.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar www.llyw.cymru (Detholer: Deddfwriaeth/ Is-ddeddfwriaeth/ Offerynnau Anstatudol/ Trafnidiaeth/ Deddf Cynllunio Gwlad a Thref: Gorchymynion Cau/ 2016).

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

YR ATODLENNI

(Bras amcan yw pob mesuriad)

ATODLEN 1

Disgrifiad o'r rhannau o briffordd sydd i'w cau o dan y Gorchymyn hwn

3. Rhan afreolaidd ei siâp o briffordd at bob diben sy'n rhan o Heilbronn Way ac sy'n mesur 1,113 o

the offices of the Planning Department, Neath Port Talbot County Borough Council, The Quays, Brunel Way, Baglan Energy Park SA11 2GG or may be obtained free of charge from the address below quoting reference qA1249472/1.

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 13 September 2016 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at www.gov.wales (Select: Legislation/ Subordinate legislation/ Non-Statutory Instruments/ Transport / TCPA Stopping Up Orders/ 2016).

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

SCHEDULES

(All measurements are approximate)

SCHEDULE 1

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

1. An irregular shaped area of all purpose highway being part of Heilbronn Way measuring 1,113 square metres and given the reference A on the

fetrau sgwâr ac y rhoddir y cyfeirnod A iddi ar y plan a adnewwyd.

4. Rhan afreolaidd ei siâp o briffordd at bob diben sy'n rhan o Heilbronn Way ac sy'n mesur 640 o fetrau sgwâr ac y rhoddir y cyfeirnod B iddi ar y plan a adnewwyd.

ATODLEN 2

Disgrifiad o'r rhannau o briffordd newydd sydd i'w darparu

3. Rhan afreolaidd ei siâp o briffordd newydd at bob diben sy'n mesur 769 o fetrau sgwâr ac sy'n cysylltu Heilbronn Way â Talbot Road sy'n rhedeg yn gyfochrog â'r rheilffordd ac y rhoddir y cyfeirnod C iddi ar y plan a adnewwyd.
4. Rhan afreolaidd ei siâp o droetffordd a llwybr beiciau newydd sy'n mesur 120 o fetrau sgwâr ac sy'n cysylltu Heilbronn Way â Talbot Road sy'n rhedeg yn gyfochrog â'r rheilffordd ac y rhoddir y cyfeirnod D iddi ar y plan a adnewwyd.

ATODLEN 3

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

Rhan afreolaidd ei siâp o briffordd at bob diben sydd eisoes yn bodoli sy'n cynnwys Station Road, Heilbronn Way, Grove Place a Talbot Road sy'n mesur 9,643 o fetrau sgwâr ac y rhoddir y cyfeirnod E iddi ar y plan a adnewwyd.

ATODLEN 4

Y Datblygiad

Adeiladu a gwella Canolfan Drafnidiaeth Integredig, gan gynnwys trefniadau priffordd newydd, canopi bysiau, adeilad cyfleusterau staff, adeilad ciosg, ardal i dacsis, gwaith tirlunio meddal a chaled ac ardaloedd i gerddwyr yn unol â chaniatâd cynllunio a roddwyd o dan Ran III o Ddeddf 1990 gan y Cyngor ar 25 Awst 2016 o dan y cyfeirnod P2015/1128

deposited plan.

2. An irregular shaped area of all purpose highway being part of Heilbronn Way measuring 640 square metres and given the reference B on the deposited plan

SCHEDULE 2

Description of the areas of new highway to be provided

1. An irregular shaped area of new all purpose highway measuring 769 square metres connecting Heilbronn Way to Talbot Road running parallel with the railway and given the reference C on the deposited plan.
2. An irregular shaped area of new footpath and cycle track measuring 120 square metres connecting Heilbronn Way to Talbot Road running parallel with the railway and given the reference D on the deposited plan.

SCHEDULE 3

Description of the area of highway to be improved under this Order

An irregular shaped area of existing all purpose highway including Station Road, Heilbronn Way, Grove Place and Talbot Road measuring 9,643 square metres and given the reference E on the deposited plan.

SCHEDULE 4

The Development

Construction and improvement of an Integrated Transport Hub including new highway arrangements, bus canopy, staff facility building, kiosk building, taxi area, hard and soft landscape works and pedestrian areas in accordance with planning permission granted under Part III of the 1990 Act by the Council on 25 August 2016 under reference number P2015/1128.

