PRIFFYRDD, CYMRU

2019 RHIF 16

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (RHAN O'R FFORDD DDIDDOSBARTH O'R ENW LÔN HIR (YN HEN YSTAD DDIWYDIANNOL ALLTWEN) LÔN HIR, PONTARDAWE) 2019

Gwnaed	*17 Mai 2019*
Yn dod i rym	*20 Mai 2019*

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, Cychwyn a Dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Rhan o'r Ffordd Ddiddosbarth o'r Enw Lôn Hir (yn Hen Ystad Ddiwydiannol Alltwen) Lôn Hir, Pontardawe) 2019 a daw i rym ar 20 Mai 2019.

(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 adneuwyd" ("*the deposited plan*") yw'r plan o'r enw "Gorchymyn Cau Priffyrdd (Rhan o'r Ffordd Ddiddosbarth o'r Enw Lôn Hir (yn Hen Ystad Ddiwydiannol Alltwen) Lôn Hir, Pontardawe) 2019" sy'n dod gyda'r Gorchymyn hwn.

Cau Priffordd

2. Yn ddarostyngedig i erthyglau 3, 4, 5, 6 a 7 o'r Gorchymyn hwn mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn ac a ddangosir â llinellau sebra ar y plan a adneuwyd.

(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 yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

HIGHWAYS, WALES

2019 NO. 16

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (PART OF THE UNCLASSIFIED ROAD KNOWN AS LÔN HIR (AT THE FORMER ALLTWEN INDUSTRIAL ESTATE) LÔN HIR, PONTARDAWE) ORDER 2019

Made	*17 May 2019*
Coming into Force	*20 May 2019*

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 (Part of the Unclassified Road Known As Lôn Hir (at the Former Alltwen Industrial Estate) Lôn Hir, Pontardawe) Order 2019 and it comes into force on 20 May 2019.

(2) In this Order;

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

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Part of the Unclassified Road Known As Lôn Hir (at the Former Alltwen Industrial Estate) Lôn Hir, Pontardawe) Order 2019" 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, 5, 6 and 7 of this Order the Welsh Ministers authorise the stopping up of the length of highway described in Schedule 1 to this Order and shown by zebra hatching on the deposited

(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

Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r brifford er mwyn galluogi'r datblygiad i gael ei wneud yn unol â'r penderfyniad ar yr apêl o dan y cyfeirnod APP/Y6930/A/14/2218029, ynghyd â'r Cymeradwyaethau Materion a Gadwyd yn Ôl dyddiedig 19 Rhagfyr 2017 o dan y cyfeirnod P2017/0835 a 24 Mai 2018 o dan y cyfeirnod P2018/0246 ac a ddisgrifir yn Atodlen 4 i'r Gorchymyn hwn.

Priffordd Newydd

3. Rhaid creu, er boddhad rhesymol y Cyngor, y darn newydd o brifford a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn ac a ddangosir â dotwaith ar y plan a adneuwyd, a fydd, at ddibenion Deddf Priffyrdd 1980(2), yn brifford sydd i'w chynnal ar draul y pwrs cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd sy'n gyfrifol amdani.

Y Brifford y Gwneir Gwelliannau Iddi

4. Rhaid gwneud gwelliannau, er boddhad rhesymol y Cyngor, i'r darnau o brifford a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn ac a ddangosir â chroeslinellau ar y plan a adneuwyd, ac mae'r priffyrdd hyn, at ddibenion Deddf Priffyrdd 1980, yn briffyrdd sydd i'w cynnal ar draul y pwrs cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd sy'n gyfrifol amdanynt.

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

5. Ni chaniateir cau'r darn o brifford 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 brifford i'w gau;

(b) hyd nes y bydd y datblygwr wedi darparu'r darn newydd o brifford a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn er boddhad rhesymol y Cyngor;

(c) hyd nes y bydd y datblygwr wedi darparu'r darnau o brifford y gwneir gwelliannau iddynt a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn er boddhad rhesymol y Cyngor;

(d) hyd nes y bydd y datblygiad a ddisgrifir 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 darn o brifford er mwyn i'r datblygiad fynd rhagddo; ac

(2) 1980 p. 66

plan. The Welsh Ministers are satisfied that the stopping up is necessary to enable development to be carried out in accordance with the appeal decision under reference number APP/Y6930/A/14/2218029, together with Approvals of Reserved Matters dated 19 December 2017 under reference number P2017/0835 and 24 May 2018 under reference number P2018/0246 and described in Schedule 4 to this Order.

New Highway

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

Improved Highway

4. There will be improvements made, to the reasonable satisfaction of the Council, to the lengths of highway described in Schedule 3 to this Order and shown by cross hatching on the deposited plan, which are highways maintainable at the public expense for the purposes of the Highways Act 1980 and the Council is to be the highway authority responsible for them.

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 length of highway described in Schedule 2 to this Order to the reasonable satisfaction of the Council;

(c) the developer has improved the lengths of highway described in Schedule 3 to this Order to the reasonable satisfaction of the Council;

(d) the development described in Schedule 4 to this Order has commenced and the developer has informed the Council in writing of the necessity to stop up the length of highway to allow the development to proceed; and

(2) 1980 c. 66

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

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.

Cyfnod Para'r Gorchymyn hwn

7. Os na fydd y datblygiad a ddisgrifir yn Atodlen 4 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 a Thrafnidiaeth, un o Weinidogion Cymru.

Dyddiedig 17 Mai 2019

Richard Morgan
Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

YR ATODLENNI

ATODLEN 1
(Bras amcan yw pob mesuriad)

Y darn o briffordd sydd i'w gau

Darn afreolaidd ei siâp o briffordd sy'n rhan o'r ffordd ddiddosbarth o'r enw Lôn Hir yng nghornel dde-orllewinol hen Ystad Ddiwydiannol Alltwen, Pontardawe sy'n mesur 27.2 o fetrau sgwâr ac y rhoddir y cyfeirnod S1 iddo ar y plan a adneuwyd.

(e) the Council has confirmed in writing to the developer that paragraphs (a), (b), (c) and (d) are satisfied.

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.

Duration of this Order

7. If the development described 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 that period, this Order ceases to have effect upon the cessation of the planning permission.

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

Dated 17 May 2019

Richard Morgan
Head of Planning, Asset Management and Standards
Welsh Government

SCHEDULES

SCHEDULE 1
(All measurements are approximate)

The length of highway to be stopped up

An irregular shaped length of highway being part of the unclassified road known as Lôn Hir located at the south west corner of the former Alltwen Industrial Estate, Pontardawe measuring 27.2 square metres and given the reference S1 on the deposited plan.

ATODLEN 2

Y darn o briffordd newydd sydd i'w ddarparu

Darn afreolaidd ei siâp o briffordd ar ochr ogleddol pen gogleddol y ffordd ddiddosbarth o'r enw Lôn Hir a thua'r gogledd drwy hen Ystad Ddiwydiannol Alltwen, Pontardawe sy'n mesur 1,402.1 o fetrau sgwâr ac y rhoddir y cyfeirnod N1 iddo ar y plan a adneuwyd.

ATODLEN 3

Y darnau o briffordd sydd i'w gwella

Darn afreolaidd ei siâp o briffordd sy'n rhan o ochr ogleddol Lôn Hir ac ochr orllewinol Brynmorgrug ger hen Ystad Ddiwydiannol Alltwen, Pontardawe sy'n mesur 169.8 o fetrau sgwâr ac y rhoddir y cyfeirnod I1 iddo ar y plan a adneuwyd.

Darn petryalog ei siâp o briffordd ar ochr ddwyreiniol Brynmorgrug, i'r gogledd o Edward Street ac i'r de-orllewin o Faes Chwarae Brynmorgrug, Pontardawe sy'n mesur 8.5 metr sgwâr ac y rhoddir y cyfeirnod I2 iddo ar y plan a adneuwyd.

ATODLEN 4

Y Datblygiad

Dymchwel 8 uned ddiwydiannol bresennol a rhoi yn eu lle hyd at 34 o unedau preswyl yn Lôn Hir, Alltwen, Pontardawe.

SCHEDULE 2

The length of new highway to be provided

An irregular shaped length of highway located on the northern side of the northern end of the unclassified road known as Lôn Hir and heading north through the former Alltwen Industrial Estate, Pontardawe measuring 1,402.1 square metres and given the reference N1 on the deposited plan

SCHEDULE 3

The lengths of highway to be improved

An irregular shaped length of highway being part of the northern side of Lôn Hir and the western side of Brynmorgrug adjacent to the former Alltwen Industrial Estate, Pontardawe measuring 169.8 square metres and given the reference I1 on the deposited plan.

A rectangular shaped length of highway located on the eastern side of Brynmorgrug, north of Edward Street and south west of Brynmorgrug Playground, Pontardawe measuring 8.5 square metres and given the reference I2 on the deposited plan.

SCHEDULE 4

The Development

The demolition of 8 existing industrial units and the replacement with up to 34 residential units at, Lôn Hir, Alltwen Pontardawe.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (RHAN O'R FFORDD DDIDDOSBARTH O'R ENW LÔN HIR (YN HEN YSTAD DDIWYDIANNOL ALLTWEN) LÔN HIR, PONTARDAWE) 2019

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 ("y Ddeddf") i awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Hysbysiad hwn; i ddarparu ar gyfer y darn o briffordd newydd a ddisgrifir yn Atodlen 2 i'r Hysbysiad hwn; ac i wella'r darnau o briffordd a ddisgrifir yn Atodlen 3 i'r Hysbysiad hwn.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (PART OF THE UNCLASSIFIED ROAD KNOWN AS LÔN HIR (AT THE FORMER ALLTWEN INDUSTRIAL ESTATE) LÔN HIR, PONTARDAWE) ORDER 2019

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 length of highway described in Schedule 1 to this Notice; to provide for the length of new highway described in Schedule 2 to this Notice; and to improve the lengths of highway described in Schedule 3 to this Notice.

Nid awdurdodir cau'r briffordd ond er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 4 i'r Hysbysiad hwn.

Bydd Gorchymyn Cau Priffyrdd (Rhan o'r Ffordd Ddiddosbarth o'r Enw Lôn Hir (yn Hen Ystad Ddiwydiannol Alltwen) Lôn Hir, Pontardawe) 2019 ("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 swyddfa Cyngor Bwrdeistref Sirol Castell-nedd Port Talbot, Yr Adran Gynllunio, Y Ceiau, Ffordd Brunel, Parc Ynni Baglan, Castell-nedd SA11 2GG yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1378098.

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 20 Mai 2019, wneud cais i'r Uchel Lys at y diben hwnnw.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar https://gweddill.gov.wales/legislation/subordinate (Detholer: Offerynnau anstatudol/ Trafnidiaeth/ Deddf Cynllunio Gwlad a Thref: gorchmynion cau/ 2019).

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

The stopping up will only be authorised in order to enable the development described in Schedule 4 to this Notice to be carried out.

The Stopping Up of Highways (Part of the Unclassified Road Known As Lôn Hir (at the Former Alltwen Industrial Estate) Lôn Hir, Pontardawe) Order 2019 ("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 the office of Neath Port Talbot County Borough Council, Planning Department, The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG during normal office hours or may be obtained free of charge from the address below quoting reference qA1378098.

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 20 May 2019 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at https://gweddill.gov.wales/legislation/subordinate (Select: Non-Statutory Instruments/ Transport / TCPA Stopping Up Orders/ 2019).

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

YR ATODLENNI

ATODLEN 1
(Bras amcan yw pob mesuriad)

Y darn o briffordd sydd i'w gau

Darn afreolaidd ei siâp o briffordd sy'n rhan o'r ffordd ddiddosbarth o'r enw Lôn Hir yng nghornel dde-orllewinol hen Ystad Ddiwydiannol Alltwen, Pontardawe sy'n mesur 27.2 o fetrau sgwâr ac y rhoddir y cyfeirnod S1 iddo ar y plan a adneuwyd.

ATODLEN 2

Y darn o briffordd newydd sydd i'w ddarparu

Darn afreolaidd ei siâp o briffordd ar ochr ogleddol pen gogleddol y ffordd ddiddosbarth o'r enw Lôn Hir a thua'r gogledd drwy hen Ystad Ddiwydiannol Alltwen, Pontardawe sy'n mesur 1,402.1 o fetrau sgwâr ac y rhoddir y cyfeirnod N1 iddo ar y plan a adneuwyd.

ATODLEN 3

Y darnau o briffordd sydd i'w gwella

Darn afreolaidd ei siâp o briffordd sy'n rhan o ochr ogleddol Lôn Hir ac ochr orllewinol Brynmorgrug ger hen Ystad Ddiwydiannol Alltwen, Pontardawe sy'n mesur 169.8 o fetrau sgwâr ac y rhoddir y cyfeirnod I1 iddo ar y plan a adneuwyd.

Darn petryalog ei siâp o briffordd ar ochr ddwyreiniol Brynmorgrug, i'r gogledd o Edward Street ac i'r de-orllewin o Faes Chwarae Brynmorgrug, Pontardawe sy'n mesur 8.5 metr sgwâr ac y rhoddir y cyfeirnod I2 iddo ar y plan a adneuwyd.

ATODLEN 4

Y Datblygiad

Dymchwel 8 uned ddiwydiannol bresennol a rhoi yn eu lle hyd at 34 o unedau preswyl yn Lôn Hir, Alltwen, Pontardawe, yn unol â'r penderfyniad ar yr apêl o dan y cyfeirnod APP/Y6930/A/14/2218029, ynghyd â'r Cymeradwyaethau Materion a Gadwyd yn Ôl dyddiedig 19 Rhagfyr 2017 o dan y cyfeirnod P2017/0835 a 24 Mai 2018 o dan y cyfeirnod P2018/0246.

SCHEDULES

SCHEDULE 1
(All measurements are approximate)

The length of highway to be stopped up

An irregular shaped length of highway being part of the unclassified road known as Lôn Hir located at the south west corner of the former Alltwen Industrial Estate, Pontardawe measuring 27.2 square metres and given the reference S1 on the deposited plan.

SCHEDULE 2

The length of new highway to be provided

An irregular shaped length of highway located on the northern side of the northern end of the unclassified road known as Lôn Hir and heading north through the former Alltwen Industrial Estate, Pontardawe measuring 1,402.1 square metres and given the reference N1 on the deposited plan

SCHEDULE 3

The lengths of highway to be improved

An irregular shaped length of highway being part of the northern side of Lôn Hir and the western side of Brynmorgrug adjacent to the former Alltwen Industrial Estate, Pontardawe measuring 169.8 square metres and given the reference I1 on the deposited plan.

A rectangular shaped length of highway located on the eastern side of Brynmorgrug, north of Edward Street and south west of Brynmorgrug Playground, Pontardawe measuring 8.5 square metres and given the reference I2 on the deposited plan.

SCHEDULE 4

The Development

The demolition of 8 existing industrial units and the replacement with up to 34 residential units at, Lôn Hir, Alltwen Pontardawe, in accordance with the appeal decision under reference number APP/Y6930/A/14/2218029, together with Approvals of Reserved Matters dated 19 December 2017 under reference number P2017/0835 and 24 May 2018 under reference number P2018/0246.