

**HIGHWAYS, WALES**

**2012 No. 36**

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE STOPPING UP OF HIGHWAYS  
(CHRISTINA STREET, MARIA STREET AND  
ANGELINA STREET, BUTETOWN, CARDIFF)  
ORDER 2012**

*Made* 30 July 2012

*Coming into force* 1 August 2012

The Welsh Ministers make this Order in exercise of their powers under section 247 of the Town and Country Planning Act 1990(1) (hereinafter referred to as "the Act of 1990") and of all other enabling powers(2).

1. In this Order:-

"the Council" ("y *Cyngor*") means the County Council of the City and County of Cardiff;

"the deposited plan" ("y *plan a adnewwyd*") means the plan entitled "The Stopping Up Of Highways (Christina Street, Maria Street and Angelina Street, Butetown, Cardiff) Order 2012" which accompanies this Order;

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

2. Subject to the provisions of articles 3, 4 and 5 of this Order, the Welsh Ministers authorise the stopping up of the areas of highway described in Schedule 1 to this Order and shown by zebra hatching on the deposited plan, being satisfied that the stopping up is necessary to enable development to be carried out as described in Schedule 3 to this Order, in accordance with planning permission granted by the Council under Part III of the Act of 1990, on 20 December 2011 under reference 11/01786/DCH.

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

4. The areas 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 areas of highway are to be stopped up;
- (b) the developer has provided the improved highway described in Schedule 2 of this Order to the reasonable satisfaction of the Council;
- (c) the development referred to in Schedule 3 of this Order has commenced and the developer has informed the Council in writing of the necessity to close the areas of highway to allow the development to proceed; and
- (d) the Council has confirmed in writing to the developer that the provisions of (a) (b) and (c) of this article have been fulfilled.

5. Where immediately before the areas of highway are stopped up in pursuance of this Order there is under, in, on, over, along or across the highways any apparatus of statutory undertakers or public communications providers then, (subject to section 261(4) of the Act of 1990), the undertakers or providers are to continue to have the same rights in respect of the apparatus as they had before the stopping up.

6. If the development referred to in Schedule 3 of this Order has not begun within the relevant period specified in Part III of the Act of 1990 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.

7. This Order will come into operation on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act of 1990 and will be called The Stopping Up of Highways (Christina Street, Maria Street and Angelina Street, Butetown, Cardiff) Order 2012.

Signed under authority of the Minister for Local Government and Communities, one of the Welsh Ministers.

Dated 30 July 2012

*R Morgan*

**RICHARD MORGAN**

Head of Asset Management and Standards  
Welsh Government

(1) 1990 c.8.

(2) By virtue of S.I.1999/672, article 2 and Schedule 1, and section 162 of, and paragraph 30(1) of Schedule 11 to, the Government of Wales Act 2006, these powers are now exercisable by the Welsh Ministers in relation to Wales.

(3) 1980 c.66

**SCHEDULES**

**(All measurements are approximate)**

**SCHEDULE 1**

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

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 1, 3 and 5 Christina Street, having a maximum length of 43 metres, a maximum width of 2.5 metres and a total area of 58 square metres and is indicated by 'A' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 4, 6, 8, 10, 12, 14 and 16 Christina Street, having a maximum length of 53 metres, a maximum width of 16 metres and a total area of 267 square metres and is indicated by 'B' on the deposited plan.

An rectangular shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 7, 9, 11, 13, 15, 17, 19 and 21 Christina Street, having a maximum length of 32 metres, a maximum width of 1.5 metres and a total area of 46 square metres and is indicated by 'C' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 23, 25, 27, 29 and 31 Christina Street, having a maximum length of 38 metres, a maximum width of 2.5 metres and a total area of 101 square metres and is indicated by 'D' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 26, 28, 30 and 32 Christina Street, having a maximum length of 32 metres, a maximum width of 3.5 metres and a total area of 123 square metres and is indicated by 'E' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 33, 35, 37 and 39 Christina Street, having a maximum length of 30 metres, a maximum width of 3.5 metres and a total area of 93 square metres and is indicated by 'F' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 34, 36, 38 and 40 Christina Street, having a maximum length of 28 metres, a maximum width of 3.5 metres and a total area of 78 square metres and is indicated by 'G' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 41, 43, 45, 47, 49 and 51 Christina Street, having a maximum length of 36 metres, a maximum width of 36 metres and a total area of 232 square metres and is indicated by 'H' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 42, 44, 46, 48, 50, 80 and 82 Christina Street, having a maximum length of 52 metres, a maximum width of 3.5 metres and a total area of 285 square metres and is indicated by 'I' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 52, 54, 56 and 58 Christina Street, having a maximum length of 28 metres, a maximum width of 3.5 metres and a total area of 88 square metres and is indicated by 'J' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 53, 55 and 57 Christina Street, having a maximum length of 23 metres, a maximum width of 3 metres and a total area of 63 square metres and is indicated by 'K' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 60, 62, 64, 66 and 68 Christina Street, having a maximum length of 35 metres, a maximum width of 3.5 metres and a total area of 28 square metres and is indicated by 'L' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 70, 72, 74, 76 and 78 Christina Street, having a maximum length of 34 metres, a maximum width of 3.5 metres and a total area of 77 square metres and is indicated by 'M' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 84 and 86 Christina Street, having a maximum length of 20 metres, a maximum width of 16 metres and a total area of 119 square metres and is indicated by 'N' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 88, 90, 92 and 94 Christina Street, having a maximum length of 28 metres, a maximum width of 3.5 metres and a total area of 76 square metres and is indicated by 'O' on the deposited plan.

An irregularly shaped area of highway known as Christina Street, in Butetown, Cardiff, fronting properties 96, 98, 100 and 102 Christina Street, having a maximum length of 28 metres, a maximum width of 3.5 metres and a total area of 75 square metres and is indicated by 'P' on the deposited plan.

An irregularly shaped area of highway known as Maria Street, in Butetown, Cardiff, fronting properties 9, 11, 13 and 15 Maria Street, having a maximum length of 28 metres, a maximum width of 3.5 metres and a total area of 84 square metres and is indicated by 'Q' on the deposited plan.

An irregularly shaped area of highway known as Angelina Street, in Butetown, Cardiff, fronting properties 16, 18 and 20 Angelina Street, having a maximum length of 23 metres, a maximum width of 3.5 metres and a total area of 85 square metres and is indicated by 'R' on the deposited plan.

An irregularly shaped area of highway known as Angelina Street, in Butetown, Cardiff, fronting properties 22, 24 and 26 Angelina Street, having a maximum length of 23 metres, a maximum width of 3 metres and a total area of 66 square metres and is indicated by 'S' on the deposited plan.

An rectangular shaped area of highway known as Angelina Street, in Butetown, Cardiff, fronting properties 28, 30, 32, 34, 36, 38, 40 and 42 Angelina Street, having a maximum length of 33 metres, a maximum width of 2 metres and a total area of 63 square metres and is indicated by 'T' on the deposited plan.

An irregularly shaped area of highway known as Angelina Street, in Butetown, Cardiff, fronting properties 44, 46, 48, 50, 52, 54, 56 and 58 Angelina Street, having a maximum length of 62 metres, a maximum width of 2.5 metres and a total area of 120 square metres and is indicated by 'U' on the deposited plan.

## **SCHEDULE 2**

### **Description of the areas of highway to be improved**

Irregularly shaped area of highways known as Christina Street, Maria Street and Angelina Street in Butetown, Cardiff having a maximum distance of 210 metres, maximum width of 111 metres.

## **SCHEDULE 3**

### **Proposed Development**

Erection of boundary walls at Christina Street, Angelina Street and Maria Street, Butetown, Cardiff.

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **THE STOPPING UP OF HIGHWAYS (CHRISTINA STREET, MARIA STREET AND ANGELINA STREET, BUTETOWN, CARDIFF) ORDER 2012**

**NOTICE IS HEREBY GIVEN** that the Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 to authorise the stopping up of the areas of highway described in Schedule 1 to this Notice and to improve the areas of highway as described in Schedule 2 to this Notice.

The stopping up will be authorised only in order to enable the development described in Schedule 3 to this notice to be carried out. The Order will cease to have effect if the planning permission expires or is revoked.

During the 6 weeks from 1 August 2012, copies of the Order and the deposited plan may be inspected free of charge at the offices of the Loudoun House Concierge, Loudoun Square, Butetown, Cardiff CF10 5JL during normal opening hours or may be obtained free of charge from the address below.

If any person desires to question the validity of the Order, or of any of the Provisions contained therein, on the grounds:

- a. that it is not within the powers of the Town and Country Planning Act 1990; or
- b. that their interests have been substantially prejudiced by a failure

to comply with any of the requirements of the Act,

that person may, within 6 weeks of 1 August 2012 apply to the High Court for the suspension or quashing of the Order or of any provision contained therein.

A copy of the Order and Notice can be viewed at <http://wales.gov.uk/?lang=en> (select 'Legislation', 'Subordinate legislation', 'Non-Statutory Instruments', 'Transport, Wales', 'TCPA Stopping Up Orders', '2012').

**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

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