

HIGHWAYS, WALES

201- No

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (RHOS YR HAIDD, CARNO, CAERSWS, POWYS) ORDER 201-

Made 201-

Coming Into Force 201-

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 Powys County Council;

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

"the deposited plan" ("y *plan a adnewwyd*") means the plan entitled "The Stopping Up of Highways (Rhos yr Haidd, Carno, Caersws, Powys) Order 201-" which accompanies this Order.

2. Subject to the provisions of articles 3, 4, 5 and 6 of this Order, the Welsh Ministers authorise the stopping up of the area of highway described in Schedule 1 to this Order and shown with zebra hatched lines on the deposited map, being satisfied that the stopping up is necessary to enable the development described in Schedule 3 to this Order to be carried out in accordance with planning permission granted under Part III of the Act of 1990 by the Council on 6 March 2008 under reference M/2007/0954 as varied by the Council on 31 August 2011 under reference P/2011/0816.

3. There shall be created, to the reasonable satisfaction of the Council, the new 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 purposes of the Highways Act 1980 (3), is to be highway maintainable at the public expense and the Council is to be the highway authority for it.

4. 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 new highway described in Schedule 2 to 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 area 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 area of highway is stopped up in pursuance of this Order, there is under, in, on, over, along or across that highway 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 will cease to have effect upon 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. The title to this Order is The Stopping Up of Highways (Rhos yr Haidd, Carno, Caersws, Powys) Order 201-.

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

Dated xx xxx 201-

R 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 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

SCHEDULE 1

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

An irregularly shaped area of the unclassified highway U2544 from a point between Barn number 1 and Barn number 2 in a north easterly direction to a point 48.5 metres from its junction with the C2176. The area has a length of 297 metres, a maximum width of 3.5 metres and a total area of 1,001 square metres. The area extends from point A to point B on the deposited plan

SCHEDULE 2

Description of the new areas of highway to be provided under this Order

i. An irregularly shaped area of highway being a turning head situated 37.8 metres from the junction with the C2176 with a length of 11 metres, a maximum width of 5 metres and a total area of 66 square metres. The area has a reference point C on the deposited plan

ii. An irregularly shaped area of highway running from the C2176 to the stopped up area of the U2554, with a length of 146 metres, a maximum width of 5.5 metres, and a total area of 504 square metres. The area extends from point D to point E on the deposited plan

SCHEDULE 3

Proposed Development

The conversion of 3 agricultural buildings to form 3 dwellings, formation of vehicular access, installation of a septic tank and associated works at Rhos Yr Haidd, Carno, Caersws, Powys.

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (RHOS YR HAIDD, CARNO, CAERSWS, POWYS) ORDER 201-

NOTICE IS HEREBY GIVEN that the Welsh Ministers propose to make an Order under section 247 of the Town and Country Planning Act 1990 to authorise the stopping up of the area of highway described in Schedule 1 to this Notice and to provide for the new areas of highway described in Schedule 2 to this Notice.

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

During the 28 days from 28 June 2012, copies of the Order and the deposited map may be inspected free of charge at the Newtown Area Library, Park Lane, Newtown, Powys or may be obtained free of charge from the address below.

Within the above mentioned period of 28 days, any person may, by notice to the Welsh Government, Transport, Orders Branch, Cathays Park, Cardiff, CF10 3NQ object to the making of the Order. Should you wish to object, support or make representations, we may need to consult with people and organisations outside of the Welsh Government. As part of the process of consulting with others, the information you have given us and your personal data will be passed to the applicant/developer and on occasion the local highway authority to enable them to respond to you. We will however, only disclose your personal details where it is necessary to do so to enable us to deal with issues you have brought to our attention. Where a stopping up Order becomes the subject of a Public Inquiry (PI), all correspondence is copied to the Inspector of the Inquiry and is kept in the PI Library when it is publicly available.

A copy of the Order and Notice can be viewed at the Welsh Government's website at www.wales.gov.uk (Select Legislation / Subordinate Legislation/ Draft Legislation / Draft Non-Statutory Instruments / Town and Country Planning Act Stopping Up Orders).

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

M D BURNELL
Transport
Welsh Government

SCHEDULES

SCHEDULE 1

(All measurements are approximate)

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

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SCHEDULE 2

Description of the new areas of highway to be provided under this Order

- i. An irregularly shaped area of highway being a turning head situated 37.8 metres from the junction with the C2176 with a length of 11 metres, a maximum width of 5 metres and a total area of 66 square metres. The area has a reference point C on the deposited plan
- ii. An irregularly shaped area of highway running from the C2176 to the stopped up area of the U2554, with a length of 146 metres, a maximum width of 5.5 metres, and a total area of 504 square metres. The area extends from point D to point E on the deposited plan

SCHEDULE 3

Proposed Development

The conversion of 3 agricultural buildings to form 3 dwellings, formation of vehicular access, installation of a septic tank and associated works at Rhos Yr Haidd, Carno, Caersws, Powys in accordance with planning permission granted under Part III of the Act of 1990 by the Council on 6 March 2008 under reference M/2007/0954 as varied by the Council on 31 August 2011 under reference P/2011/0816.