

HIGHWAYS, WALES

2008 No.

**TOWN AND COUNTRY PLANNING ACT
1990**

**THE STOPPING UP OF HIGHWAYS
(THOMSON HOUSE, PARK STREET,
CARDIFF) ORDER 200-**

<i>Made</i>	200-
<i>Coming into force</i>	200-

The Welsh Ministers, 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⁾, make this Order.

1. In this Order:-

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

“the deposited plan” (“*y plan a adnewydd*”) means the plan entitled “The Stopping Up of Highways (Thomson House, Park Street, Cardiff) Order 200- ” which accompanies this Order;

“the developer” (“*y datblygwr*”) means the person carrying out the development for which the planning permissions referred to below have 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:-

(1) enable the development described in Schedule 2 of this Order to be carried out in accordance with the planning permission granted under Part III of the Act of 1990 by the Council on 27 October 2006 under reference 06/1378/C and

(2) enable the development described in Schedule 3 of this Order to be carried out in accordance with the outline planning permission granted under Part III of the Act of 1990 by the Council on 18 September 2006 under reference 06/01385/C.

3. 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 lengths of highway are to be stopped up;

(b) the developments referred to in article 2 of this Order have commenced and the developer has informed the Council in writing of the necessity to close the highways to allow the development to proceed; and

(c) the Council has confirmed in writing to the developer that the provisions of (a) and (b) of this article have been fulfilled and that they are satisfied with regard to the matters set out in (a) of this article.

4. Where immediately before the areas of highway are 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.

5. If the development referred to in article 2 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.

6. This Order comes 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 (Thomson House, Park Street, Cardiff) Order 200-”.

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

Dated 200-

S C SHOULER

Director of Transport Planning and Administration
Welsh Assembly Government

(1) 1990 c.8

(2) By virtue of S.I. 1999/672 article 2 and Schedule 1 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.

SCHEDULE 1

(All measurements are approximate)

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

A triangular shaped area of highway being part of Park Street at its junction with Scott Road outside Thomson House, with a maximum length of 5.1 metres and a maximum width of 5 metres and labelled A on the deposited plan.

A triangular shaped area of highway being part of Park Street at its junction with Havelock Street outside Thomson House, with a maximum length of 4.8 metres and a maximum width of 4.8 metres and labelled B on the deposited plan.

SCHEDULE 2

Proposed Development

The erection of 6,096 square metres of office accommodation (use class B1) with associated parking and public realm improvements at Thomson House, Park Street, Cardiff.

SCHEDULE 3

Proposed Development

The erection of a 250 bed hotel at Thomson House, Park Street, Cardiff.

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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 areas of highway described in Schedule 1 to this Notice.

If the Order is made, the stopping up will be authorised only in order to:

(1) enable the development described in Schedule 2 of this Notice to be carried out in accordance with the planning permission granted by the City and County of Cardiff Council on 27 October 2006 under reference 06/1378/C and

(2) enable the development described in Schedule 3 of this Notice to be carried out in accordance with the outline planning permission granted by the City and County of Cardiff Council on 18 September 2006 under reference 06/01385/C.

The Order will cease to have effect if the planning permission expires or is revoked.

During the 28 days from 5 February 2008, copies of the Order and the deposited plan may be inspected free of charge at Cardiff County Council Offices, Highways Department, County Hall, Atlantic Wharf, Cardiff CF10 4UW during normal office hours or may be obtained free of charge from the address below quoting the Welsh Assembly Government reference CZ510-05-71-91.

Within the above mentioned period of 28 days, any person may, by notice to the Welsh Assembly Government, Transport Wales, Orders Branch, Cathays Park, Cardiff, CF10 3NQ (quoting reference CZ510-5-71-91) 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 Assembly 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 where it is publicly available.

A copy of the Order and Notice can be viewed at the Welsh Assembly Government's website at www.wales.gov.uk/index.htm (Select 'Legislation/Draft Legislation/Draft Non-Statutory Instruments/TCPA Stopping Up Orders').

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

M D BURNELL
Transport Planning and Administration Division
Welsh Assembly Government

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