

PRIFYRDD, CYMRU

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFYRDD (BRITANNIA TERRACE, PORTHMADOG, GWYNEDD LL49 9AB) 2020

WG20-009

Gwnaed 25 Chwefror 2020

Yn dod i rym 4 Mawrth 2020

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 (Britannia Terrace, Porthmadog, Gwynedd LL49 9AB) 2020 a daw i rym ar 4 Mawrth 2020.

(2) Yn y Gorchymyn hwn—

ystyr “y Cyngor” (“*the Council*”) yw Cyngor Gwynedd;

ystyr “y plan a adnewwyd” (“*the deposited plan*”) yw'r plan o dan y teitl “Gorchymyn Cau Priffyrdd (Britannia Terrace, Porthmadog, Gwynedd LL49 9AB) 2020” sy'n mynd gyda'r Gorchymyn hwn;

ystyr “y datblygwr” (“*the developer*”) yw'r person sy'n gwneud y datblygiad y mae'r caniatâd cynllunio wedi ei roi ar ei gyfer; ac

ystyr “Deddf 1990” (“*the 1990 Act*”) yw Deddf Cynllunio Gwlad a Thref 1990.

Cau Priffordd

2. Yn ddarostyngedig i erthyglau 3, 4 a 5 o'r Gorchymyn hwn, mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 22 Hydref 2019 o dan y cyfeirnod

(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

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (BRITANNIA TERRACE, PORTHMADOG, GWYNEDD LL49 9AB) ORDER 2020

WG20-009

Made 25 February 2020

Coming into Force 4 March 2020

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 (Britannia Terrace, Porthmadog, Gwynedd LL49 9AB) Order 2020 and it comes into force on 4 March 2020.

(2) In this Order—

“the Council” (“*y Cyngor*”) means the Council of Gwynedd;

“the deposited plan” (“*y plan a adnewwyd*”) means the plan entitled “The Stopping Up of Highways (Britannia Terrace, Porthmadog, Gwynedd LL49 9AB) Order 2020” 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, and 5 of this Order the Welsh Ministers authorise the stopping up of the length of highway described in Schedule 1 to this Order. The Welsh Ministers are satisfied that the stopping up is necessary to enable development to be carried out in accordance with planning permission granted under Part 3 of the 1990 Act by the Council on 22 October 2019 under reference number

(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.

C18/0520/44/LL ac a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn.

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

3. Ni chaniateir cau'r darn o briffordd 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 briffordd i'w gau;

(b) hyd nes y bydd y datblygiad a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn 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; ac

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

Ymgwymerwyr Statudol a Darparwyr

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

Cyfnod Para'r Gorchymyn hwn

5. Os na fydd y datblygiad a ddisgrifir yn Atodlen 2 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, Trafnidiaeth a Gogledd Cymru, un o Weinidogion Cymru.

Dyddiedig 25 Chwefror 2020

Richard Morgan
Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

C18/0520/44/LL and described in Schedule 2 to this Order.

Provisions Necessary or Expedient before Stopping Up

3. 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 development described in Schedule 2 to this Order has commenced and the developer has informed the Council in writing of the necessity to stop up the highway to allow the development to proceed; and

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

Statutory Undertakers and Providers

4. 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

5. If the development described in Schedule 2 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, Transport and North Wales, one of the Welsh Ministers.

Dated 25 February 2020

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

ATODLEN 1

Y darn o briffordd sydd i'w gau (Bras amcan yw pob mesuriad)

Darn afreolaidd ei siâp o briffordd sy'n arwain at yr eiddo o'r enw Tŷ Moelwyn, Britannia Terrace, Porthmadog, sy'n 10 metr yn y man hiraf ac yn 9 metr yn y man lletaf ac a ddangosir â llinellau sebra ar y plan a adnewwyd.

ATODLEN 2

Y Datblygiad

Dymchwel adeilad presennol a chodi gwesty gyda bwyty a bar ategol ynghyd â gwaith cysylltiedig gan gynnwys addasu mynedfa bresennol i gerbydau, creu lleoedd parcio, tirlunio a darparu storfa finiau.

SCHEDULE 1

Length of highway to be stopped up (All measurements are approximate)

An irregular shaped length of highway leading to the property known as Ty Moelwyn, Britannia Terrace, Porthmadog, with a maximum length of 10 metres and a maximum width of 9 metres shown by zebra hatching on the deposited plan.

SCHEDULE 2

The Development

The Demolition of existing building and erection of hotel with ancillary restaurant and bar together with associated works including alterations to existing vehicular access, creation of parking spaces, landscaping and provision of bin store.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (BRITANNIA TERRACE, PORTHMADOG, GWYNEDD LL49 9AB) 2020

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 (“Deddf 1990”) i awdurdodi cau’r darn o briffordd a ddisgrifir yn Atodlen 1 i’r Hysbysiad hwn. Nid awdurdodir cau’r briffordd ond er mwyn gwneud y datblygiad yn unol â’r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y Cyngor ar 22 Hydref o dan y cyfeirnod C18/0520/44/LL ac a ddisgrifir yn Atodlen 2 i’r Hysbysiad hwn.

Bydd Gorchymyn Cau Priffyrdd (Britannia Terrace, Porthmadog, Gwynedd LL49 9AB) 2020 (“y Gorchymyn”), os caiff ei wneud, 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 adnewydw yn rhad ac am ddim yn Llyfrgell Porthmadog, Stryd y Llan, Porthmadog LL49 9HX yn ystod oriau swyddfa arferol neu gellir eu cael yn rhad ac am ddim o’r cyfeiriad isod gan ddyfynnu’r cyfeirnod qA1410278.

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

- a. nad yw o fewn pwerau Deddf 1990; neu
- b. na chydymffurfiwyd ag un o ofynion gweithdrefnol Deddf 1990;

o fewn 6 wythnos i 4 Mawrth 2020, wneud cais i’r Uchel Lys at y diben hwnnw.

Gellir gweld copi o’r Gorchymyn a’r Hysbysiad ar <https://llyw.cymru/gorchymynion-cau>.

Gellir cael copi print bras o’r Hysbysiad hwn oddi wrth: Y Gangen Orchmyinion, Trafnidiaeth, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

J SADDLER
Trafnidiaeth
Llywodraeth Cymru

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (BRITANNIA TERRACE, PORTHMADOG, GWYNEDD LL49 9AB) ORDER 2020

The Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 (“the 1990 Act”) to authorise the stopping up of the length of highway described in Schedule 1 to this Notice. The stopping up will be authorised only in order to enable the development to be carried out in accordance with the planning permission granted under Part 3 of the 1990 Act by the Council on 22 October under reference number C18/0520/44/LL and described in Schedule 2 to this Notice.

The Stopping Up of Highways (Britannia Terrace, Porthmadog, Gwynedd LL49 9AB) Order 2020 (“the Order”), if made, will cease 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 Porthmadog Library, Stryd y Llan, Porthmadog LL49 9HX during normal office hours or may be obtained free of charge from the address below quoting reference qA1410278.

If a person is aggrieved by the Order, on the ground that:

- a. it is not within the powers of the 1990 Act; or
- b. a procedural requirement of the 1990 Act has not been complied with;

that person may, within 6 weeks of 4 March 2020 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at <https://gov.wales/stopping-orders>.

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

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