PRIFFYRDD, CYMRU

LLC24-32

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (HEOL HEMINGWAY, SCHOONER WAY A FFORDD GARTHORNE, CAERDYDD) 2024

Gwnaed	*23 Gorffennaf 2024*
Yn dod i rym	*31 Gorffennaf 2024*

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 a Chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Heol Hemingway, Schooner Way a Ffordd Garthorne, Caerdydd) 2024 a daw i rym ar 31 Gorffennaf 2024.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr "y Cyngor" ("*the Council*") yw Cyngor Sir Dinas a Sir Caerdydd;

ystyr "y datblygwr" ("*the developer*") yw'r person sy'n cynnal 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 sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Heol Hemingway, Schooner Way a Ffordd Garthorne, Caerdydd) 2024" o dan y cyfeirnod qA1910788 sy'n dod gyda'r Gorchymyn hwn.

Cau Priffyrdd

3. Yn ddarostyngedig i erthyglau 4 a 5 o'r Gorchymyn hwn mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffyrdd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn ac a ddangosir â llinellau sebra ar y plan a adneuwyd. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r priffyrdd er mwyn gwneud datblygiad yn unol

(**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 swyddogaethau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

HIGHWAYS, WALES

WG24-32

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (HEMINGWAY ROAD, SCHOONER WAY & FFORDD GARTHORNE, CARDIFF) ORDER 2024

Made	*23 July 2024*
Coming into force	*31 July 2024*

The Welsh Ministers, in exercise of their powers under section 247 of the Town and Country Planning Act 1990(**1**)**,** make this Order**.**

Title and Commencement

1. The title of this Order is the Stopping Up of Highways (Hemingway Road, Schooner Way & Ffordd Garthorne, Cardiff) Order 2024 and it comes into force on 31 July 2024.

Interpretation

2. In this Order—

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

"the deposited plan" *("y plan a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Hemingway Road, Schooner Way & Ffordd Garthorne, Cardiff) Order 2024" with reference qA1910788 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

3. Subject to articles 4 and 5 of this Order the Welsh Ministers authorise the stopping up of the length of highways described in Schedule 1 to this Order and shown by zebra hatching on the deposited plan. The Welsh Ministers are satisfied that the stopping up is necessary to enable a development to be carried out in accordance with planning permission granted under

(**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 functions are now exercisable by the Welsh Ministers in relation to Wales.

â'r caniatâd cynllunio a roddwyd gan y Cyngor o dan Ran 3 o Ddeddf 1990 ar 27 Chwefror 2023 o dan y cyfeirnod 21/02687/MJR ac a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn.

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

4. Ni chaniateir cau'r darnau 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 darnau o briffordd i'w cau;

(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 darnau o 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.

5.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 darnau 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.

Llofnodwyd ar / Ysgrifennydd y Cabinet dros yr Economi, Trafnidiaeth a Gogledd Cymru a Thrafnidiaeth, un o Weinidogion Cymru.

Dyddiedig 23 Gorffennaf 2024

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

Part 3 of the 1990 Act by the Council on 27 February 2023 with reference 21/02687/MJR and described in Schedule 2 to this Order.

Provisions Necessary or Expedient before Stopping Up

4. The lengths 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 lengths of highway are 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 lengths of 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

5.Where immediately before the lengths 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.

Signed on behalf of the Cabinet Secretary for the Economy, Transport and North Wales, one of the Welsh Ministers.

Dated 23 July 2024

Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1
(Bras amcan yw pob mesuriad)

Y darnau o briffordd sydd i'w cau

Darn afreolaidd ei siâp sy'n cynnwys rhannau o'r priffyrdd a elwir Heol Hemingway, Schooner Way a Ffordd Garthorne, Caerdydd, sydd â chyfanswm arwynebedd o 10,859 o fetrau sgwâr, a ddangosir gan linellau sebra ar y plan a adneuwyd.

ATODLEN 2

Y Datblygiad

Cais cynllunio hybrid ar gyfer datblygiad arfaethedig rhan o uwchgynllun defnydd cymysg yn Harbwr Mewnol Bae Caerdydd, gan gynnwys manylion amlinellol ar gyfer hyd at 890 o anheddau preswyl (dosbarth defnydd C3), 1,090 o welyau gwesty (dosbarth defnydd C1), 19,500 o fetrau sgwâr o arwynebedd llawr cyflogaeth (dosbarth defnydd B1), 27,500 o fetrau sgwâr o arwynebedd llawr hamdden (dosbarthiadau defnydd D1 a D2) a 12,310 o fetrau sgwâr o arwynebedd llawr manwerthu (dosbarthiadau defnydd A1 ac A3). Mae hefyd yn cynnwys tir y cyhoedd, mannau agored, gwaith tirlunio caled a meddal, systemau draenio, seilwaith cerdded, beicio a pharcio ceir, a seilwaith trafnidiaeth arall, sydd oll yn gysylltiedig. Ynghyd â hyn ceir manylion llawn ar gyfer arena aml-ddefnydd, dan do (dosbarth defnydd D2) â defnyddiau ategol a chaffi (dosbarth defnydd A3) a 182 o welyau gwesty (dosbarth defnydd C1). Yn ogystal, cynhwysir tir y cyhoedd, gwaith tirlunio caled a meddal, systemau draenio, seilwaith cerdded, beicio a pharcio ceir, a seilwaith trafnidiaeth arall, sydd oll yn gysylltiedig.

SCHEDULE 1
(All measurements are approximate)

Lengths of highway to be stopped up

An irregular shaped length that includes parts of the highways known as Hemingway Road, Schooner Way & Ffordd Garthorne, Cardiff, having a total area of 10,859 square metres, as shown by zebra hatching on the deposited plan.

SCHEDULE 2

The Development

Hybrid planning application for the proposed development of part of a mixed-use masterplan within the Inner Harbour, Cardiff Bay,including outline details for up to 890 residential dwellings (use class C3), 1,090 hotel bed spaces (use class C1), 19,500sqm of employment floorspace (use class B1), 27,500sqm of leisure floorspace (use classes D1 and D2) and 12,310sqm of retail floorspace (use classes A1 and A3). Plus associated public realm, open space, hard and soft landscaping, drainage, walking, cycling, car parking and other transport infrastructure. Together with full details for a multi-use, indoor arena (use class D2) with supporting uses and cafe (use class A3) a 182 bed space hotel (use class C1) plus associated public realm, hard and soft landscaping, drainage, walking, cycling, car parking and other transport infrastructure.