



Llywodraeth Cymru
Welsh Government

Stopping Up and Diversion of Highways Section 247 of the Town and Country Planning Act 1990

Important

- You have no authority to stop up or divert a highway until the notice announcing that the Welsh Ministers have made an Order is published. Not only is it an offence to obstruct or interfere with a highway before this is done, but it may also make it impossible for the Welsh Ministers to make an Order.
- Please read the guidance notes at the end of this form before answering any questions.
- Please ensure all the necessary enclosures accompany this form (see guidance note)

A - Names and Addresses

Please give:

the address of the place where
the highway(s) is/are situated

Land at the Plas Power Estate, north and south of Ruthin Road, Wrexham

the name, address
and telephone number
of the Council Planning Department
for the highway(s) concerned

Wrexham County Borough Council
The Guildhall..
Wrexham
Postcode LL11 1AY Telephone: 01978 298989

the name, address
and telephone number
of the Council Highways Department
if different from above

Postcode: Telephone: 01978 729761
Sean Hanratty

(Named contact also, if available)

the name of the Community
or Town Council and
the address of its Clerk
(if none, put 'none')

Vicky Bolton, Coedpoeth Community Council, The Old Carnegie Library, Coedpoeth. Bryn Jones Esclusham Community Council, Parish Hall, Vicarage Hill, Rhostyllen
Postcode: LL11 3TD / LL14 3AR Telephone: 01978 756890 / 01978 3664911

the developer's full name,
address and telephone number

Lightsource SPV 192 Ltd
7th Floor, 33 Holborn, London,
Postcode: EC1N 2HU Telephone: 03332000755

the applicant's full name, address, postcode
and telephone number if not the developer

Postcode: Telephone:

the agent's full name, address
and telephone number
(if none, put 'none')

Mr Vincent Ryan
Stantec, 100 Barbirolli Square, Manchester
Postcode: M2 3BG Telephone: 01618174903

the names of two local newspapers and
the days on which they are published

Leader Live and Business News Wales (tbc)

a contact name, address and telephone number of a local
public office where the public may inspect the Order and
deposited plan free of charge

Coedpoeth Library, Plas Pentwyn, Castle Road, Coedpoeth, LL11 3NA
01978 72290

*(The office would usually be expected to be open during
normal business hours. Prior agreement with the Office
should be sought)*

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B - The Development

Describe briefly the development, which necessitates the proposed stopping up, or diversion. You should also attach a statement justifying this stopping up or diversion, either as an appendix or as a covering letter.

The construction and operation and maintenance of a solar photovoltaic electricity generating station, a Battery Energy Storage System (“BESS”), inverters, transformers, cabling, substations, access tracks, landscaping, ecological enhancement areas and associated ancillary development.

● Who granted planning permission for this development? N/A

● What is the date of this permission? N/A

● On what date is work on the development expected to start? Q1 2026 (approx.)

● Is there a related compulsory purchase Order, or other statutory action? Yes No
 If ‘Yes’, please give details.

C - Highway to be stopped up or diverted

● Is it:
 all purpose highway bridleway footpath or cycle track
 (including footways and verges)

● What is its name? Footpath #1178 BERSHAM 1 and footpath #1159 BERSHAM 8.
 and classification number? (if any) 1178 and 1159

● Description of each section

	(Maximum if appropriate)		Area in square metres if irregular in shape	Terminal points	
	Length (metres)	Width (metres)		From	To
1	1211	1	n/a	330479, 350374	330752, 349227
2	411	1	n/a	330043, 351241	329969, 350842
3					
4					

● Who owns the land on either side of each section?

1	Plas Power Estate: Edmund Francis Lloyd Fitzhugh & Pauline Fitzhugh, Tristram Edmund Fitzhugh, and Benjamin Lloyd Fitzhugh Care of Strutt and Parker Suite 2, The Coachworks, Northgate Street, CH1 2EY
2	
3	
4	

D - Consents

- Please confirm in writing that the consent of every person having an interest in the land to be developed whether adjoining or under the highway to be stopped up necessary to enable the development to be carried out has been obtained. If 'Yes', please attach these consents.

If 'No', please attach any consents received and give particulars below of those that you have yet to obtain.

● Yes
●
●

(Continue on a separate sheet)

WARNING – IF THERE IS NO EVIDENCE TO THE CONTRARY, THEN IT IS PRESUMED THAT THE OWNERS OF THE ADJOINING LAND OWN THE SUB-SOIL OF THE HIGHWAY, UP TO THE CENTRE LINE. THE MAKING OF AN ORDER MAY BE DELAYED OR FRUSTRATED IF YOU FAIL TO OBTAIN CONSENT FROM THE OWNER OF THE SUB-SOIL. EVEN IF AN ORDER IS MADE A DEVELOPMENT MAY BE FRUSTRATED IF CONSENT HAS BEEN WITHHELD.

E - New highway to be provided (if any)

- Will it be:
 all purpose highway bridleway footpath or cycle track

- Has the highway authority been asked to accept responsibility for maintaining the new highway? Yes No

If 'Yes', please attach copies of any correspondence.

- Who owns the land to be dedicated as new highway? Plas Power Estate

- If the applicant will not own or control the land to be dedicated, has the landowner's consent been given to the proposed dedication? Yes No

- Describe highway to be provided and give approximate measurements (maximum length and maximum width)

Footpath #1178 BERSHAM 1 diverted footpath to the west of the existing route from 330479, 350374 to
330752, 349227 measuring approximately 1259 metres long and approximately 1 metre wide.
Footpath #1159 BERSHAM 8 diverted footpath to the east of the existing route from 330043, 351241 to
329969, 350842 measuring approximately 451 metres long and approximately 1 metre wide.

F - Highway to be improved (if any)

- Is it: all purpose highway bridleway footpath or cycle track
- What is its name?
and classification number? (if any)
- Description of highway(s) to be improved including terminal points and approximate measurements (maximum length and maximum width).

G - Applying in anticipation of planning permission in accordance with Section 253 of the Act

(Normally only applicable to Local Authority or Statutory Undertakers unless (D) or (E) applies)

- If you are applying in anticipation of planning permission, then please state:
 - (A) the name of the local authority or statutory undertaker which is applying
 - (B) the date on which it applied
 - or (C) the date on which the local authority or statutory undertaker applied to a government department for deemed planning permission under section 90 of the Act or section 2 of the Opencast Coal Act 1958
 - or (D) the date on which the application was referred to the Welsh Government under section 77 of the Act
 - or (E) the date on which an appeal was made to the Welsh Government under Section 78 of the Act

H - Undertaking and declaration

- I declare that:

I understand that authority to stop up or divert a highway is conferred solely by the publication of a notice announcing that an Order has been made:

Except to the extent authorised by or under some other statutory provision, the highway(s) to be stopped up or diverted is/are in no way obstructed and is/are fully available for use.

- I undertake that:

Except to the extent authorised as above, such highway(s) shall in no way be obstructed before the Order comes into operation.

- All the information given in this form is, to the best of my knowledge and belief, true and accurate.

- I apply for an Order to authorise the stopping up or diversion of the highway(s) described above.

Signed	
Name	Vincent Ryan
Position	Director
Date	Tbc



Please check that you have enclosed everything specified in the guide then send your application to:

**Orders Branch
Transport
Welsh Government
Cathays Park
Cardiff CF10 3NQ**

Or by email to:

TransportOrdersBranch@gov.wales

Failure to submit all necessary documentation will result in your application being delayed. Your attention is drawn to the guidance notes within this application form.

Check List – Items to be submitted with the application (please 4 to check enclosures)

- Approved planning permission – (Order cannot be made without it)
- One** set of the plans approved by the above planning permission, including the approved site layout plan.
- One** copy of existing ground floor plan indicating the approved site boundary edged red and the existing highway boundary within the approved site edged blue.
- One** copy of existing highway layout taken from an up to date Ordnance Survey map scale 1/1250 or 1/500 as appropriate.
- Four** copies of proposed Order plan, showing the highway to be stopped up or diverted to scale as above (see guidance note).
- One** copy of Section 106 agreement (if applicable).
- One** copy of Compulsory Purchase Order details (if applicable).
- S253 relevant documents to be submitted (if applicable).
- Copies of correspondence with statutory undertakers.
- Copies of correspondence with highway authority including their approval to the proposal together with a plan.
- Photograph(s) of the location may be helpful (*optional*).

Guidance Notes

To be read before completing the application form for stopping up or diversion Orders

These notes relate to Orders under Section 247 of the Town and Country Planning Act 1990

Definitions

- ‘Highway’ means land over which the public have certain rights of way. Highways may be classified as follows:

‘all-purpose highway’ means one over which the public have rights of way on foot and with vehicles, and over which they may exercise an animal that can use a bridleway:

‘carriageway’ means a way forming all, or part of, a highway (other than a cycle track) over which the public have a right of way for the passage of vehicles;

‘footway’ means that part of an all-purpose highway over which the public have a right of way on foot only;

‘bridleway’ means a highway over which the public have rights of way on foot and on horseback, or when leading horses, with or without a right to drive any sort of animal along that highway. There is no other right of way on a bridleway, except in certain circumstances for non-motorised bicycles.

‘footpath’ means a highway over which the public have a right of way on foot.

‘cycle track’ means a way forming all, or part of, a highway, over which the public have a right of way on pedal cycles, with or without a right of way on foot. There is no other right of way on a cycle track.

Welsh Ministers’ Powers

- Under section 247 of the Act, the Welsh Ministers may, by Order, authorise the stopping up or diversion of any highway, if it is satisfied that it is necessary to do so to enable development to be carried out in accordance with planning permission granted under part III of the Act, or to be carried out by a government department.

Therefore a copy of the relevant planning permission must be submitted before an application can proceed – see advice under “Enclosures”.

- In the case of footpaths and bridleways, section 257 of the Act empowers a local planning authority to make a stopping up or diversion

Order if satisfied that it is necessary to do so to enable development to be carried out in accordance with planning permission granted under Part III of the Act, or to be carried out by a government department.

- Where an application for the stopping up or diversion of all-purpose highways also affects a footpath the Welsh Ministers may make the Order stopping up or diverting all-purpose highways and footpath.

Enclosures

- When the Welsh Government is considering an application to stop up or divert a highway, it must be able to understand the effect of the development on the highway. Also, it needs to know that the local highway authority have been fully consulted on the proposed stopping up or diversion. Therefore, it requires a letter and related plan confirming that the local highway authority agree to the proposed stopping up or diversion.
- It is essential that measurements be accurately described in the Order schedule, measurements must be to scale. It should be possible to scale the measurements from the approved plan and the Order plan and for both to agree.
- You should send the following items with your application:

a copy of the planning permission granted under part III of the Act, together with any plans. **Applicants are reminded that an Order can only be made if Welsh Ministers are satisfied that it is necessary to do so in order to enable the development for which permission has been granted to be carried out. Where only an outline permission has been granted it may not be possible to meet this test.**

a copy of the approved site layout plan with the site boundary edged red and the existing highway within that site edged blue.

copies of correspondence with the highway authority.

copies of correspondence with statutory undertakers.

a plan showing the highway to be stopped up or diverted.

Applying in anticipation of planning permission in accordance with Section 253

Copy of the application for planning permission and relevant plans, a copy of the appeal, CPO or submission to the Welsh Assembly Government.

Submission of plans for incorporation in Order

- The following will be required:

4 copies of an up to date plan, or plans A3 or A4 size based on Ordnance Survey and drawn to a scale of 1/1250 or 1/500 or to other suitable scales.

The plans should show existing highway(s) clearly labelled and be marked to show the details of stopping up etc as indicated below. It is also important that sufficient of the surrounding area appears on the plan to enable the location to be easily identified. Where locations to which reference is made in the form do not appear on the plan, their direction and the distance in metres from the end of the highway to be stopped up should be indicated.

plan(s) to be marked as follows:

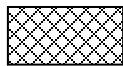
- a) The highways proposed to be stopped up or diverted should be shown by zebra hatching.



- b) any new highway (all-purpose highways, footpaths or bridleways) pursuant to the Order should be shown by stipple:



- c) Any existing highway to be improved pursuant to the Order should be shown by crossing hatching over the affected length. The cross hatching should also include any widening or realignment:



- d) Any private means of access to premises or footpath to be stopped up should be shown in solid black:



- e) Any new means of access to premises should be shown by thin diagonal hatching:



- f) New footpath to be provided:



- g) All plans must clearly show a North point, preferably prepared so that North is shown parallel with the vertical side of the plan:

- h) The terminal points of the lengths of highway proposed to be stopped up or diverted must be clear on the plans:

- i) Highways such as footpaths and bridleways must be identified in Orders in words eg “the footpath/bridleway leading to North Street from “West Road”. Sufficient information should be given on the plans to enable an adequate description to be prepared:

- j) An unmarked copy of the above plan is required.

- Measurements – metric, taken from a terminal point(s) clearly identifiable on the plan.
- No other details are required.

Timescale for making an Order

- Once the details of an application have been agreed, it can take a **minimum of 5 months** to make an Order providing there are no objections:

If objections are received and cannot be resolved within a reasonable timescale, it will normally be necessary for the Welsh Assembly Government to hold a local inquiry. **In such cases the period before a decision is taken will be considerably longer, possibly a year or even longer in some cases.**

Objections

- If any objections to the proposed Order are made to the Welsh Government, they will be copied to the applicant so that he may, if he wishes, negotiate with the objectors with a view to resolving the objections. Where objections cannot be resolved within a reasonable timescale, it will normally be necessary for the Welsh Government to hold a local inquiry.

Return of form

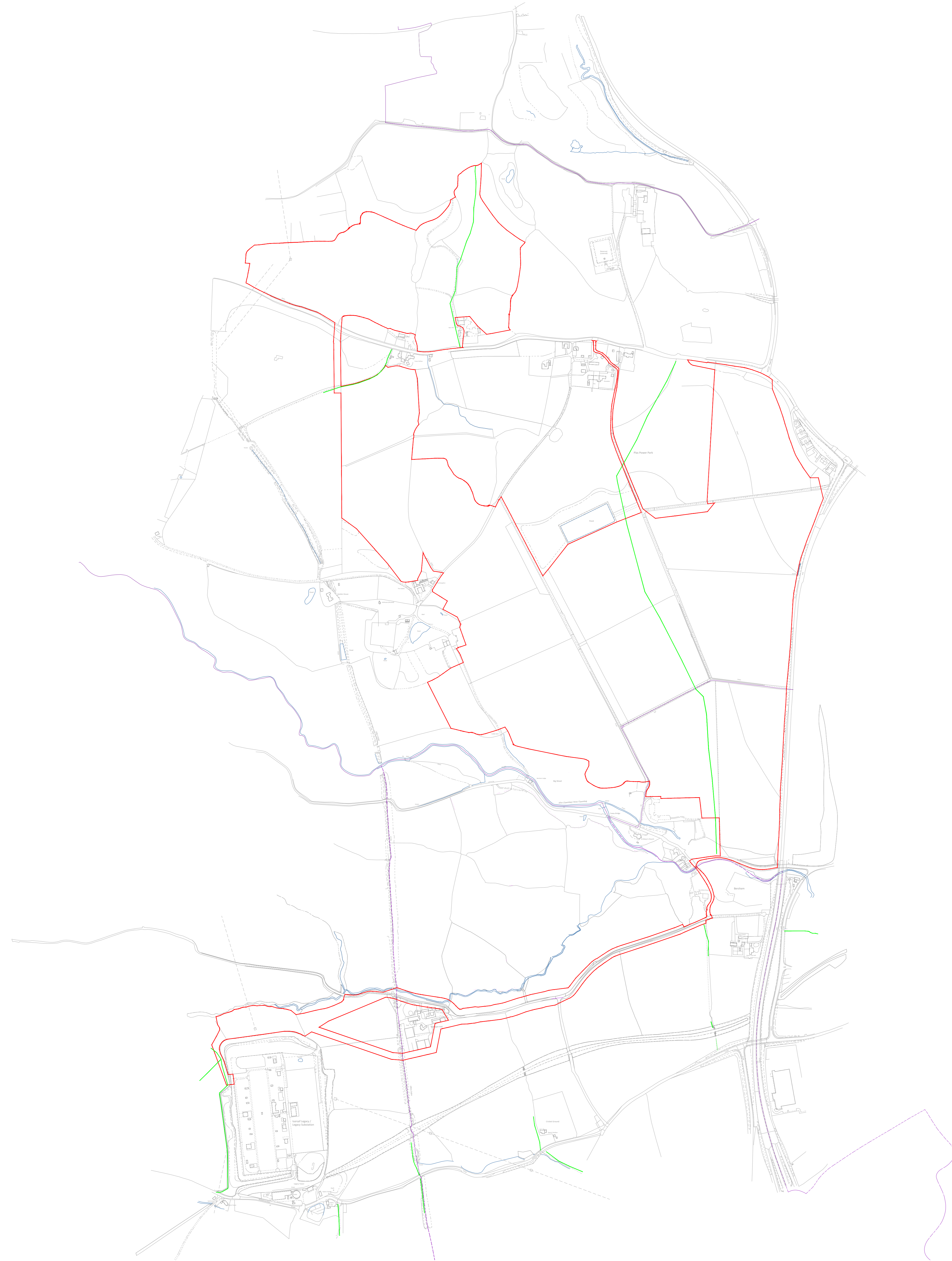
- One completed copy of form TCPA 247(2015) (together with all the necessary enclosures) should be sent to:

Orders Branch
Transport
Welsh Government
Cathays Park
Cardiff
CF10 3NQ.

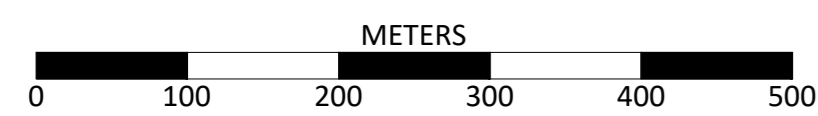
Or by email to: TransportOrdersBranch@gov.wales

GBR_Plas Power Solar & Energy Storage Project_AD - Existing PRoW_01

- Planning Application Boundary
- Existing PRoW



ISO full bleed A0 (841.00 x 1189.00 MM)

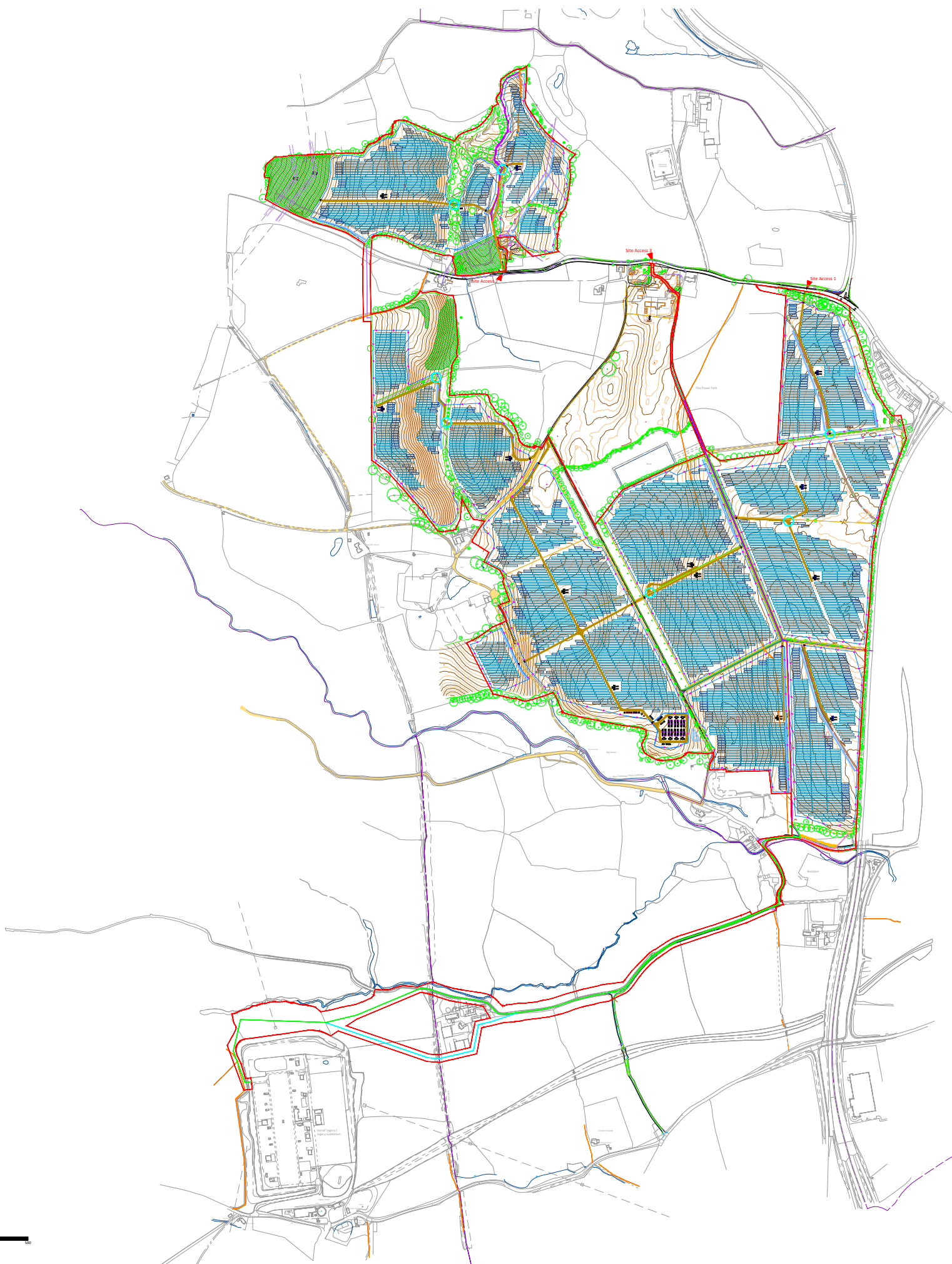


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GBR_Plas Power Solar & Energy Storage Project_AD - Existing PRoW_01			
DA			02.02.2024
DRAWN	CHECKED	APPROVED	DATE
PROJECT NAME & ADDRESS: Location: Plas Power Estate, Rhosrobin Postcode: Caego, Wrexham, Wales			
Paper Size: A0	Scale: 1:5000	Sheet: 1	
DRAWING NUMBER: AD-ERW		STATUS: Preliminary	
			
Lightsource Renewable Development Limited, 7th Floor, 33 Holborn, London, EC1N 2HU General: +44 (0) 333 200 0755 Web: www.lightsourcebp.com info@lightsourcebp.com			

GBR_Plas Power Solar & Battery Project_LP2 - Indicative Site layout_12

Area 1,355,397 m2 (334.93 acres)

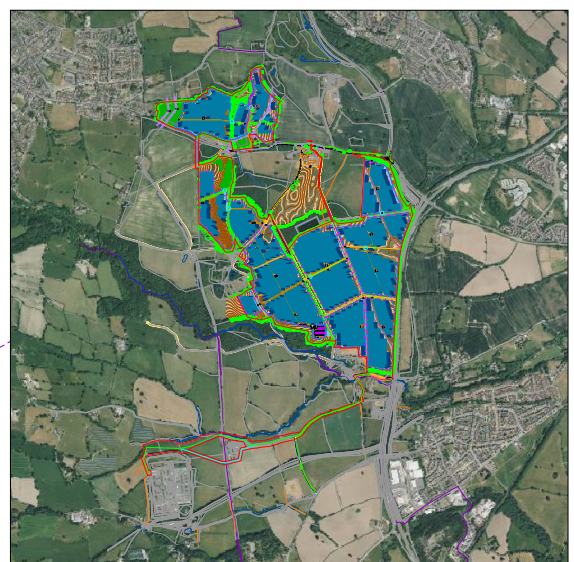


	Site Boundary
	Site Access
	Security Fence
	Module Table 30 x 2
	Module Table 15 x 2
	Transformer
	Inverter
	Switchgear Substation
	PV Intake Substation
	GRP
	Customer Substation
	Monitoring House
	Auxiliary Transformer
	Spares Container
	Access Road
	Access Gates
	CCTV
	Toilet
	BESS Enclosure x 4
	BIC
	Twin MV Skid
	Backup Generator
	BESS Intake Substation
	Spares Container
	BESS Security Fence
	Landscape / Biodiversity
	Preferred Cable Route Option
	Cable Route Option 1
	Cable Route Option 2
	Cable Route Option 3
	Cable Route
	Existing PRow
	Proposed PRow diversion
	Possible hedge removal
	Indicative Swales
	Attenuation Pond
	Existing Access Road
	Existing Tree
	Existing Hedgerow/Vegetation
	Existing Ditch

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DA	CHECKED	APPROVED	DATE
			02.02.2024
PROJECT NAME & ADDRESS:			
Location: Plas Power Estate, Rhosrobin			
Postcode: Caego, Wrexham, Wales			
NOTES:			
-			
-			
-			
Paper Size:	Scale:	Sheet:	
A3	1:12500	1	
CAPACITY:			
DRAWING TITLE:			
GBR_Plas Power Solar & Battery Project_LP2 - Indicative Site Layout_12			
DRAWING NUMBER:		STATUS:	
LP2-PDL		Pre-application Consultation	
Lightsource Renewable Development Limited, 7th Floor, 33 Holborn, London, EC1N 2HU General: +44 (0) 333 200 0755 Web: www.lightsourcebp.com info@lightsourcebp.com			

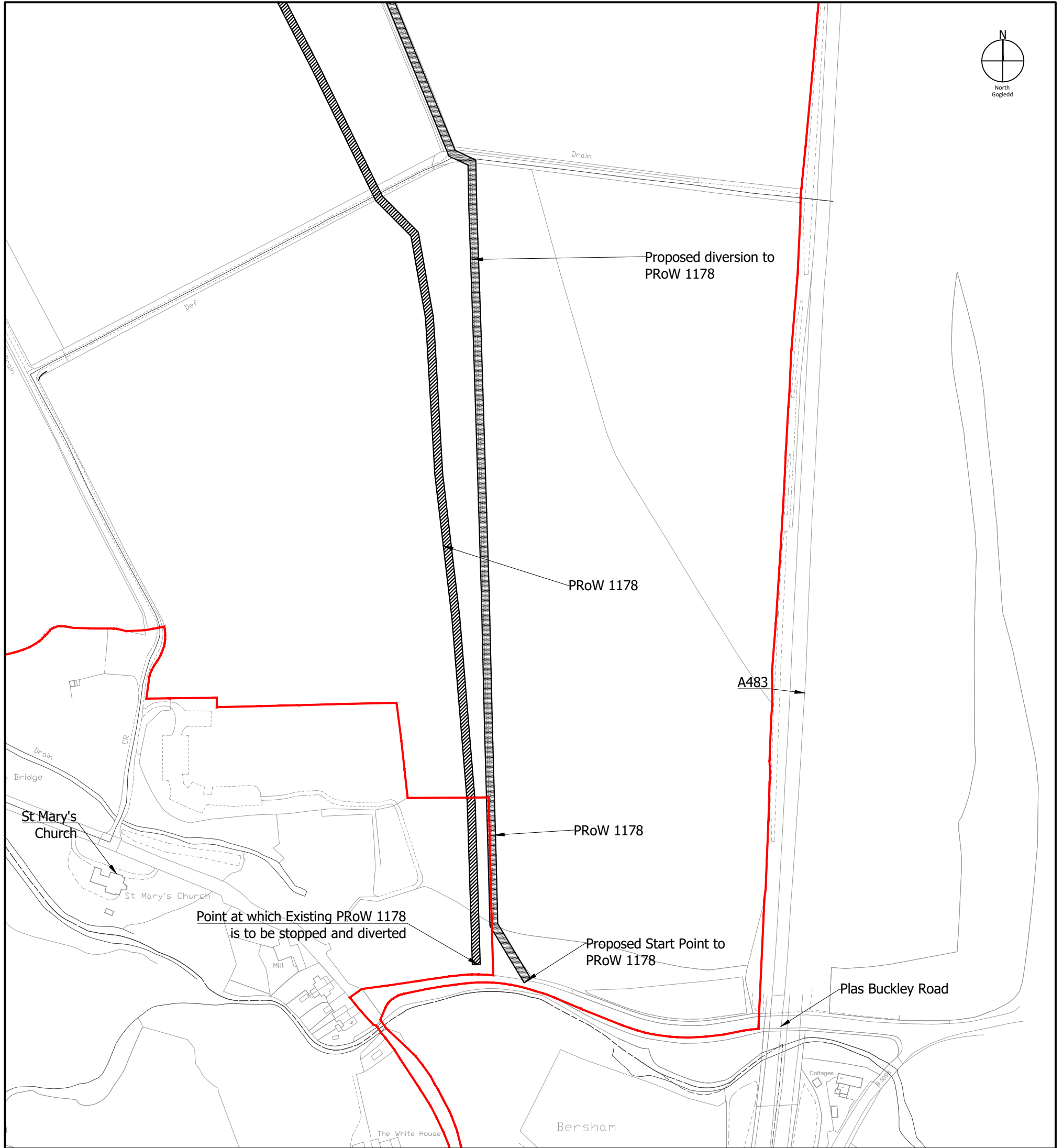
Scale 1:50000






ISO full bleed A3 (420.00 x 297.00 MM)

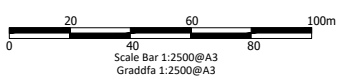


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LEGEND

-  Site Boundary
Ffin y safle
-  Extent of PROW/ Footpath to be stopped and diverted
Llwybr troed Newydd o fewn ffin y safle
-  Extent of New PROW / Footpath within Site Boundary
Llwybr troed i'w gau a'i ddargyfeirio



Project
**Plas Power Estate,
 Wrexham**

Drawing Title
**PRoW Stopping Up PRoW 1178 Bersham 1 (South)
 Cau Llwybr Troed Cyhoeddus 1178 Bersham 1 (De)**

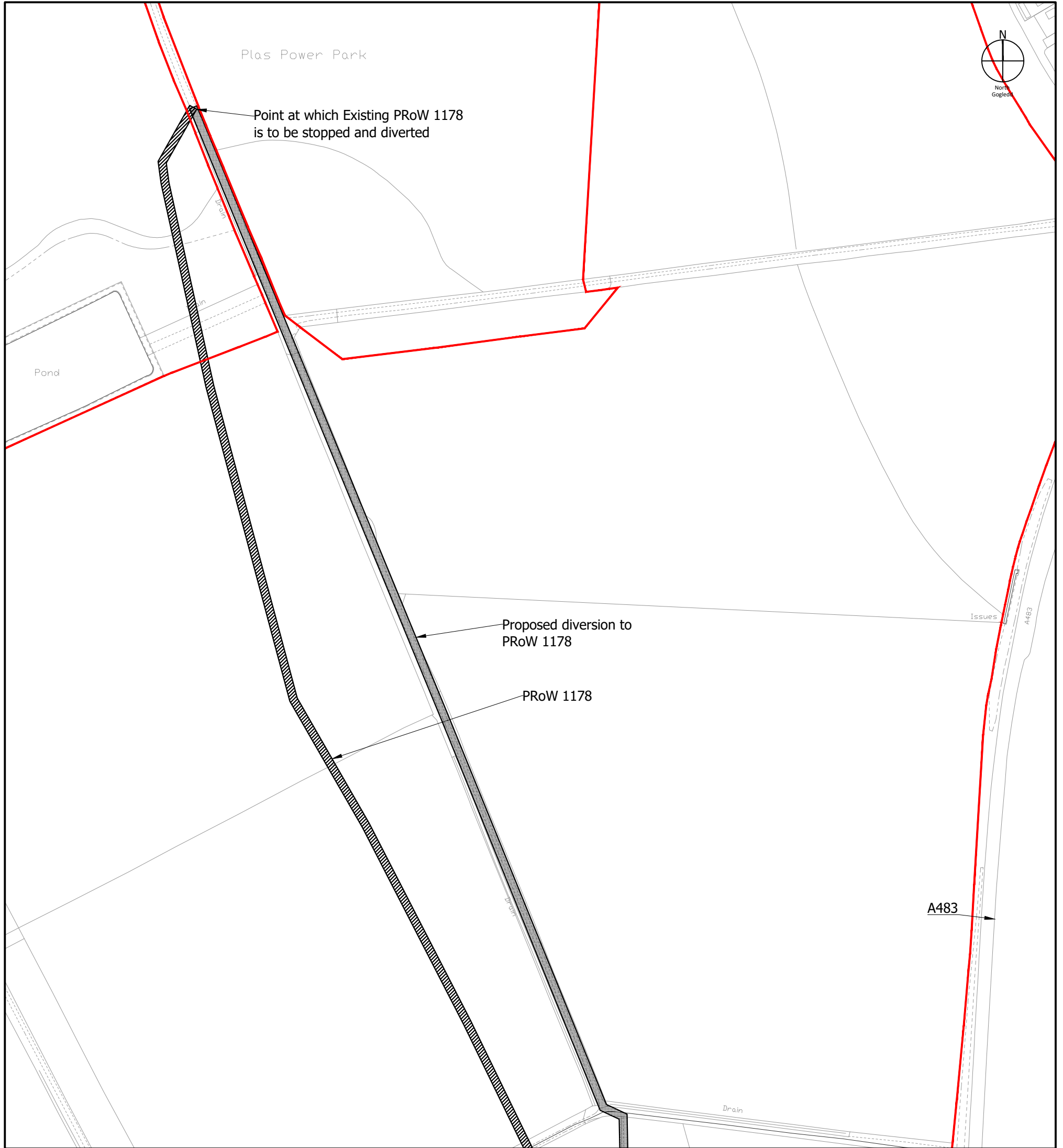
Date	Scale	Drawn by	Check by
16/02/23	1:2500@A3	LC	VR/SG
Project No	Drawing No	Revision	
333134470201	MR-M-DWG-01(3)	-	






Stantec UK Limited
 Tower 12
 18/22 Bridge Street
 Spinningfields
 Manchester
 M3 3BZ
 T: 0161 817 4900

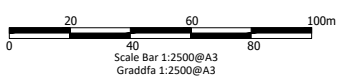


stantec.com\uk



LEGEND

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Llwybr troed Newydd o fewn ffin y safle
-  Extent of New PROW / Footpath within Site Boundary
Llwybr troed i'w gau a'i ddargyfeirio



Project
**Plas Power Estate,
 Wrexham**

Drawing Title
**PRoW Stopping Up PRoW 1178 BERSHAM 1 (North)
 Cau Llwybr Troed Cyhoeddus 1178 Bersham 1 (Gogledd)**

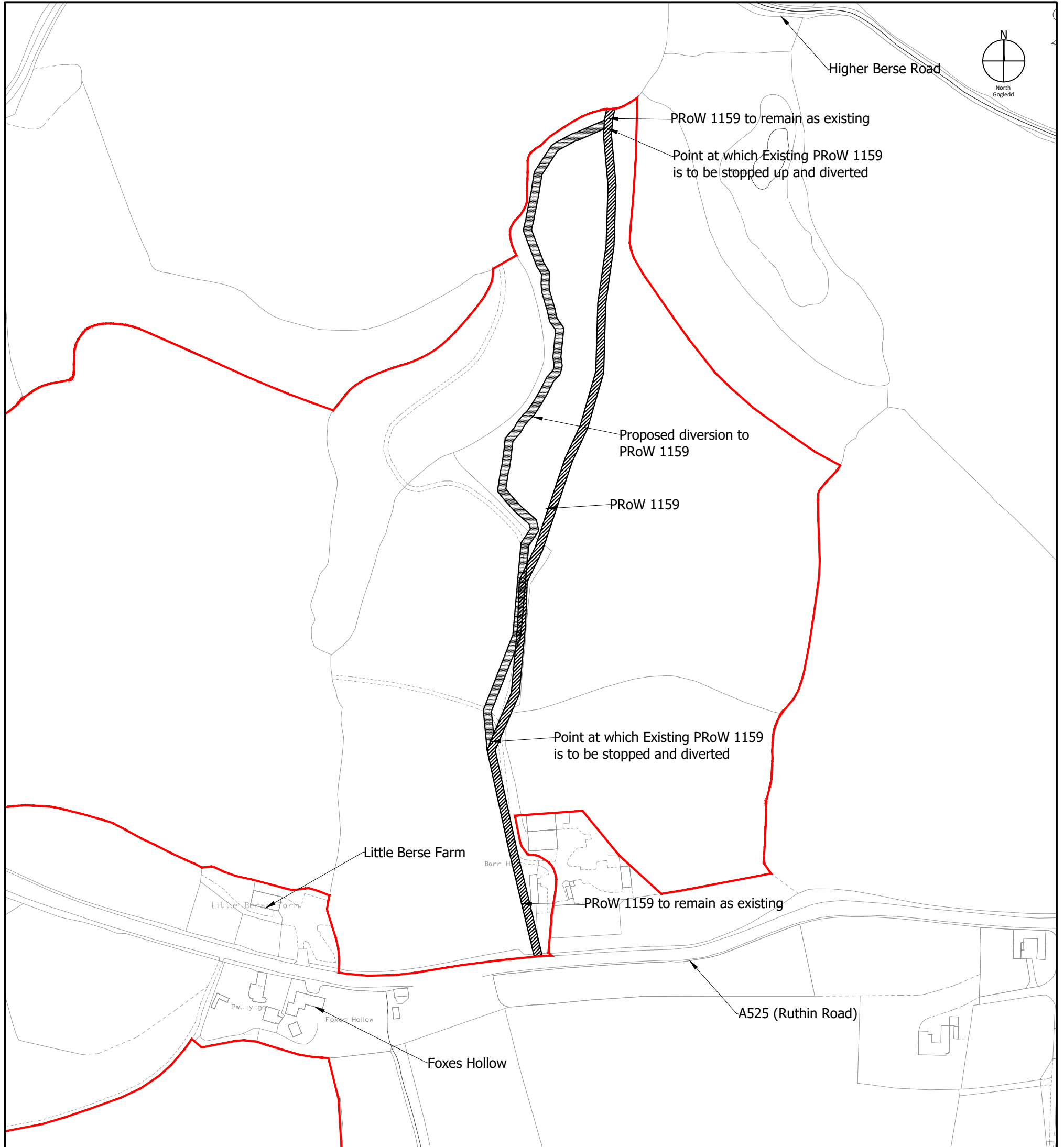
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Project No	Drawing No	Revision	
333134470201	MR-M-DWG-01(2)	-	






Stantec UK Limited
 Tower 12
 18/22 Bridge Street
 Spinningfields
 Manchester
 M3 3BZ
 T: 0161 817 4900

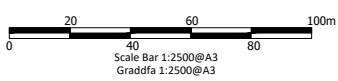


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LEGEND

-  Site Boundary
Ffin y safle
-  Extent of PROW/ Footpath to be stopped and diverted
Llwybr troed Newydd o fewn ffin y safle
-  Extent of New PROW / Footpath within Site Boundary
Llwybr troed i'w gau a'i ddargyfeirio



Project
**Plas Power Estate,
 Wrexham**

Drawing Title
**PRoW Stopping Up PRoW 1159 Bersham 8
 Cau Llwybr Troed Cyhoeddus 1159 Bersham 8**

Date	Scale	Drawn by	Check by
16/02/23	1:2500@A3	LC	VR/SG
Project No	Drawing No	Revision	
333134470201	MR-M-DWG-01(1)	-	



Stantec UK Limited
 Tower 12
 18/22 Bridge Street
 Spinningfields
 Manchester
 M3 3BZ
 T: 0161 817 4900



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HIGHWAYS, WALES

WG

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (LAND
AT THE PLAS POWER ESTATE, NORTH
AND SOUTH OF RUTHIN ROAD,
WREXHAM) ORDER 202-

Made 202-

Coming into force 202-

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. —(1) The title of this Order is the Stopping Up of Highways (Land at the Plas Power Estate, north and south of Ruthin Road, Wrexham) Order 202- and it comes into force on ***** 202-.

Interpretation

2. In this Order—

“the Council” (“*y Cyngor*”) means Wrexham County Borough Council;

“the deposited plans” (“*y plan a adnewwyd*”) means the plan entitled “The Stopping Up of Highways (Land at the Plas Power Estate, north and south of Ruthin Road, Wrexham) Order 202-” with reference qA2055502 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, 5, and 6 of this Order the Welsh Ministers authorise the stopping up of the lengths of highway described in Schedule 1 to this

(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.

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 Welsh Ministers on ***** with reference number DNS 3253253 and described in Schedule 3 to this Order.

New Highways

4. There must be created, to the reasonable satisfaction of the Council, the new lengths of highway described in Schedule 2 to this Order, which is highway maintainable at the public expense for the purposes of the Highways Act 1980(2) and the Council is to be the highway authority responsible for them.

Provisions Necessary or Expedient before Stopping Up

5. 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 developer has provided the new lengths of highway described in Schedule 2 to this Order to the reasonable satisfaction of the Council;

(c) the development described in Schedule 3 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

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

Undertakers and Providers

6. Where immediately before the lengths of highway are 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.

(2) 1980 c. 66

Signed on behalf of the Deputy Minister for Climate Change, acting under the authority of the Minister for Climate Change, one of the Welsh Ministers.

Dated 28 November 2023

Nicci Hunter
Business Team Leader
Welsh Government

SCHEDULE 1

(All measurements are approximate)

Lengths of Footpath to be stopped up

A length of Footpath known as PRow 1178 Located north of River Clywedog and east of the A483 that travels in a northerly direction for a distance of 1211 metres with a maximum width of 1 metres given the reference 'PRow1178' and show as zebra hatching on the deposited plan.

A length of Footpath known as PRow 1159 Located north of the A525 and east of Heritage Way that travels in a northerly direction for a distance of 411 metres with a maximum width of 1 metres given the reference 'PRow1159' and show as zebra hatching on the deposited plan.

SCHEDULE 2

(All measurements are approximate)

Length of new footpath to be provided

A length of Footpath to be known as PRow 1178 Located to the east for the former PRow 1178 north of River Clywedog and east of the A483 that travels in a northerly direction for a distance of 1259 metres with a maximum width of 1 metres given the reference 'PRow1178' and show as Block hatching on the deposited plan.

A length of Footpath known as PRow 1159 to be diverted in north-easterly direction leading to Higher Berse Road for a distance of 451 metres with a maximum width of 1 metres given the reference

‘PRoW1159 ’ and show as Block hatching on the deposited plan.

SCHEDULE 3

The Development

The construction and operation and maintenance of a solar photovoltaic electricity generating station, a Battery Energy Storage System (“BESS”), inverters, transformers, cabling, substations, access tracks, landscaping, ecological enhancement areas and associated ancillary development.