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Cyngor Sir
CEREDIGION
County Council

Neuadd Cyngor Ceredigion, Penmorfa,
Aberaeron, Ceredigion SA46 0PA
ceredigion.gov.uk

2 September 2021

Dear Sir / Madam

I write to inform you that a Meeting of the Development Control Committee will be held VIA VIDEO CONFERENCING on Wednesday, 8 September 2021 at 10.00 am for the transaction of the following business:

1. **Apologies**
2. **Personal Matters**
3. **Disclosures of personal interest/prejudicial interest**
4. **To consider the Minutes of the Meeting of the Committee held on the 11 August 2021 (Pages 3 - 6)**
5. **To consider planning applications deferred at previous Meetings of the Committee (Pages 7 - 16)**
6. **Development, Advertisement, Local Authority and Statutory Applications (Pages 17 - 26)**
7. **Planning applications dealt with by way of delegated authority (Pages 27 - 32)**
8. **Appeals (Pages 33 - 44)**
9. **Any other matter which the Chairman decides is for the urgent attention of the Committee**

Members are reminded to sign the Attendance Register

A Translation Services will be provided at this meeting and those present are welcome to speak in Welsh or English at the meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A. Edwards'.

Miss Lowri Edwards
Corporate Lead Officer: Democratic Services

To: Chairman and Members of Development Control Committee
The remaining Members of the Council for information only.

Minutes of a Meeting of the **DEVELOPMENT CONTROL COMMITTEE** held remotely by video-conference on

Wednesday, 11 August 2021

Present: Councillor Lynford Thomas (Chair), John Adams-Lewis, Bryan Davies, Gethin Davies, Meirion Davies, Odwyn Davies, Ifan Davies, Paul Hinge, Peter Davies MBE, Rhodri Davies, Dafydd Edwards, Rhodri Evans, Catherine Hughes, Maldwyn Lewis, Gareth Lloyd, Lyndon Lloyd MBE, Dai Mason, Rowland Rees-Evans and Wyn Thomas

Also in attendance:

Officers in attendance: Mr Alan Davies – Corporate Manager, Planning Services, Mrs Catrin Newbold- Service Manager, Development Management, Mr Jonathan Eirug – Development Management Team Leader North, Ms Elin Prysor- Corporate Lead Officer- Legal Services and Monitoring Officer, Ms Nia Jones – Corporate Manager – Democratic Services and Mrs Dana Jones, Democratic Services and Standards Officer

(10:00am –12:10pm)

1. Personal

The Chairman welcomed all to the meeting.

Condolences were expressed to Councillor Catherine Hughes and her family on the passing of her father.

2. Apologies

Councillor Ceredig Davies apologised for his inability to attend the meeting.

3 Disclosure of Personal and/or Prejudicial Interest

None.

4. Minutes of a Meeting of the Committee held on the 28 July 2021

It was **RESOLVED** to confirm as a true record the Minutes of the Meeting of the 28 July 2021.

Matters arising

None.

5. Planning applications deferred at previous Meetings of the Committee

None.

6. Development, Advertisement, Local Authority and Statutory Applications

Consideration was given to the Report of the Corporate Lead Officer Economy and Regeneration upon development, advertisement; local authority and statutory planning Applications:-

Written representation from Mr Robert Taylor (Applicant) was read out in committee in accordance with the temporary addendum to the Operational procedure for Members of the Public addressing the Development Control Committee in response to Covid-19

A201081 Proposed affordable dwelling to include installation of package treatment plant, Land adj College Farm, Bethania, Llanon

To **DEFER** determination of the application to allow further time to seek additional information and a 'cooling off' period to :

- consider the points raised by Members,
- seek additional information from the Highways service
- seek additional information from the Applicant
- to consider the significance of the departure
- to consider the risks prior to reporting back to Committee to include the new highways proposal
- if the dwelling could be considered under One Planet guidance.
- There was ambiguity in the proposal

Reason:

To ensure the Committee receives further advice on the significance of the departure and risks prior to making a final decision.

Written representation from Mr Alun Charles (Agent) was read out in committee in accordance with the temporary addendum to the Operational procedure for Members of the Public addressing the Development Control Committee in response to Covid-19

A210084 Retrospective planning application for consent for a holiday accommodation in a cabin located within the grounds of Porth Elenydd, Devils Bridge, Porth Elenydd, Devils Bridge, Aberystwyth

To **APPROVE** the application subject to conditions.

Written representation from Mr Alex Smith (Agent) was read out in committee in accordance with the temporary addendum to the Operational procedure for Members of the Public addressing the Development Control Committee in response to Covid-19

A210291 Erection of three affordable dwellings, including access, parking, landscaping and ancillary works, Land adjacent Maescrug, Pantycrug, Capel Seion, Aberystwyth

To **APPROVE** the application subject to a Section 106 for affordable dwellings and that the discount for sale remain at 30%, if the applicant does not agree, the Corporate Lead Officer – Economy & Regeneration be authorised to REFUSE the application.

Members did not agree with the recommendation of Officers, and were of the opinion that the application could be approved for the following reasons:-

- Principle of development had previously been established due to the approval of the previous planning application on the site, therefore an additional affordable dwelling was welcomed and the developer could possibly receive a more favourable financial return on the development if 3 affordable dwellings were approved;

- The applicant had a list of potential purchasers for these affordable dwellings which demonstrates that there's a demand for these dwellings;
 - Approval of this application would assist the Local Authority in its target for the number of affordable dwellings in the County;
 - Affordable dwellings were required urgently and this had recently been highlighted in the press by the Minister of Climate Change, Julie James MS;
 - Affordable dwellings at this location were required as there were no developments in the nearby town
 - Members stated that they did not accept a reduction of 15% in the discount of sale of these dwellings as all other developments with affordable dwellings had agreed to the 30%, approval of this request would set a precedent which was not viable
 - That a 15% Discount would be contrary to policy
 - Approval of one additional affordable dwelling was supported as Members did not wish for the two affordable dwellings previously granted planning permission to not be built
-

7. Planning Applications dealt with by Corporate Lead Officer – Economy and Regeneration:-

It was RESOLVED to note the schedule of planning applications dealt with the Report of the Corporate Lead Officer – Economy and Regeneration. The Service Manager, Development Management updated Members on the performance of the service since the last quarter. Members congratulated the service on their achievements in light of inadequate staffing.

8. Planning Appeals

It was AGREED to note the appeal decision received.

9. Any Other Business

Confirmed at the meeting of the Committee held on the 08 September 2021

Chairman:-_____

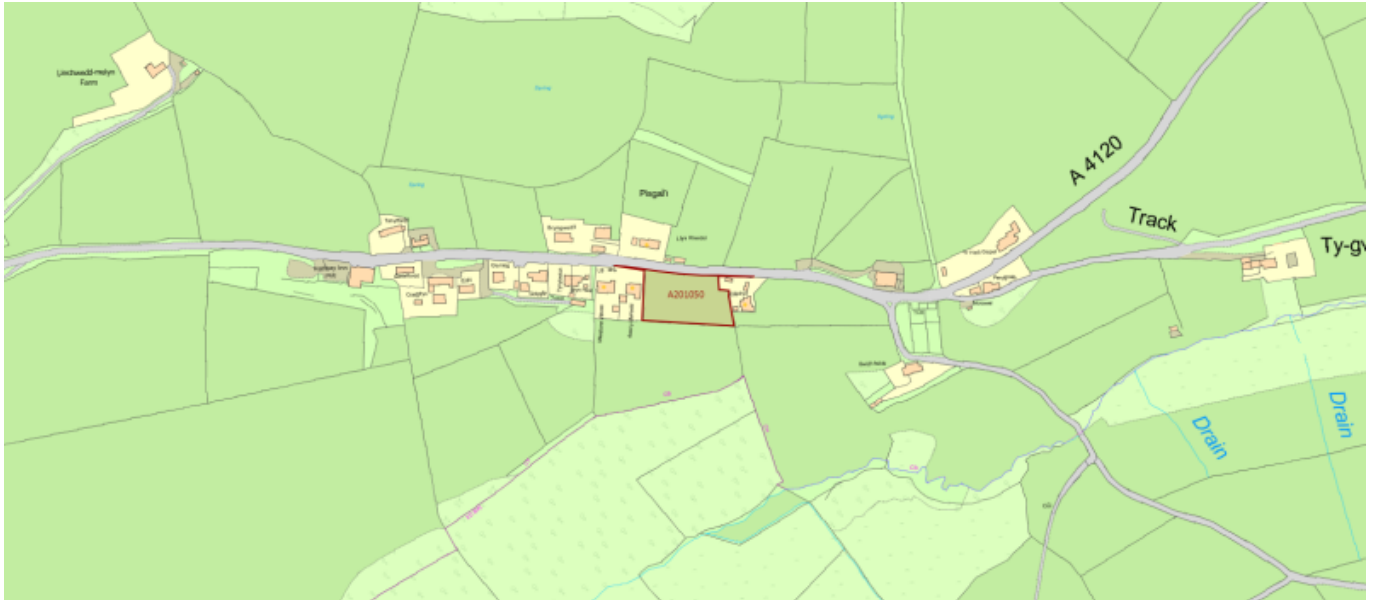
Date:_____

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1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A201050	09-12-2020	Wil & Annie Davey	Erection of a dwelling to include installation of vehicular access and treatment plant	Land Adjacent To Awel Y Mynydd, Pïsgah, Aberystwyth, SY23 4NE	Refuse

1.1. A201050



Rhif y Cais: A201050
Daeth i law: 09-12-2020
Y Bwriad: Codi annedd gan gynnwys creu mynediad i gerbydau a gosod cyfleuster trin carthion
Lleoliad y Safle: Tir wrth ochr Awel y Mynydd, Pïsgah, Aberystwyth, SY23 4NE
Math o Gais: Cynllunio Llawn
Ymgeisydd: Wil ac Annie Davey, Nythfa, Pantycrug, Capel Seion, Aberystwyth, Ceredigion, SY23 4EF
Asiant: Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan y Dderwen, Llanrhystud, Ceredigion, SY23 5ED

Y SAFLE A'I HANES PERTHNASOL

Darn o dir rhwng dau eiddo preswyl yw safle'r cais, ym mhentref bach gwledig Pïsgah. Defnyddir y safle at ddefnydd amaethyddol. Mae ffordd sirol yr A4120 yn ffinio â'r safle tua'r gogledd. I'r de mae rhagor o gaeau amaethyddol.

Mae'r safle mewn lleoliad amlwg uwchben Dyffryn Rheidol.

Hanes Perthnasol o ran Cynllunio

A010478 – Caniatâd amlinellol i godi tri thŷ – Gwrthodwyd 15/07/2021

MANYLION Y DATBLYGIAD

Mae'r cais sydd o dan sylw yn gofyn am ganiatâd llawn i godi annedd ar y farchnad agored.

Bydd yr annedd arfaethedig yn dŷ ffrŷnt-dwbl gyda phortsh gwydr amlwg a bydd y tŷ yn sefyll ar ganol y llain o dir. Bydd mynediad yn uniongyrchol o ffordd sirol yr A4120 rhwng Aberystwyth a Phontarfynach a bydd hwn yn arwain at le parcio a man troi ar gyfer tri char.

Mae'r deunyddiau allanol yn cynnwys rendr llyfn wedi'i baentio, cerrig naturiol, plinth o frics glas Swydd Stafford ar gyfer y waliau, ac uwch ei ben to llechi naturiol Sbaenaidd Iberaidd. Rhoddir gorffeniad UPVC llwyd anthracite i'r gwaith coed.

Bydd yr eiddo'n mesur tua 18.1m (ar y mwyaf) o led a 10.2m (ar y mwyaf) o ddyfnder. Bydd crib y to tua 9m o uchder.

Y tu mewn, ar y llawr gwaelod bydd yr eiddo arfaethedig yn cynnwys cyntedd, ystafell fyw, ystafell chwarae, cegin cynllun agored, ystafell deuluol, ystafell iwtiliti a thoiled. Ar y llawr cyntaf bydd pedair ystafell wely, landin ar ffurf oriel ac ystafell ymolchi, gan gynnwys prif ystafell wely gyda wardrob y gellir cerdded i mewn iddo ac ystafell ymolchi en-suite.

Y tu allan, bydd yr ardd arfaethedig yn cynnwys lawnt yn bennaf a bydd perthi o rywogaethau cymysg yn cael eu plannu ar ffin ddeheuol y safle.

Y bwriad yw gosod cyfleuster trin carthion i waredu â dŵr brwnt cyn ei ryddhau i suddfan.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiau Cynllunio Cenedlaethol Perthnasol

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru (Fersiwn 11)

TAN 2 Cynllunio a Thai Fforddiadwy

TAN 6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy

Cynllun Datblygu Lleol Ceredigion 2007-2022 (mabwysiadwyd 25 Ebrill, 2013)

S01 Twf Cynaliadwy

S04 Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill

S05 Tai Fforddiadwy

DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Iaith Gymraeg

DM06 Dylunio a Chreu Lle o Safon Uchel

DM10 Dylunio a Thirwedd

DM15 Cadw Bioamrywiaeth Leol

DM17 Y Dirwedd yn Gyffredinol

DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd

Canllawiau Cynllunio Atodol

Tai Fforddiadwy

Safonau Parcio

Yr Amgylchedd Adeiledig a Dylunio

Cadwraeth Natur

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae Adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol y swyddogaethau hyn ar droseddau ac anhrefn o fewn ei ardal, ac i wneud popeth y gall yn rhesymol i atal troseddau ac anhrefn. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai cynnydd sylweddol neu annerbyniol mewn troseddau ac anhrefn o ganlyniad i'r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn nodi nifer o 'nodweddion gwarchoddedig', sef oed; anabled; ailbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw priodol i hyrwyddo cydraddoldeb yn golygu:

- gwaredu neu leihau'r anfanteision y mae pobl yn eu dioddef yn sgil eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl sy'n perthyn i grwpiau gwarchoddedig pan fydd yr anghenion hyn yn wahanol i anghenion pobl eraill;
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

Rhodddwyd sylw dyledus i'r ddyletswydd uchod wrth benderfynu ar y cais hwn. Ystyrir na fyddai'r datblygiad arfaethedig yn peri goblygiadau sylweddol i bobl â nodweddion gwarchoddedig nac yn cael effaith arnynt sy'n fwy nag ar unrhyw berson arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn rhoi dyletswydd ar y Cyngor i gymryd camau rhesymol wrth arfer ei swyddogaethau i fodloni'r saith nod llesiant a geir yn y Ddeddf. Paratowyd yr adroddiad hwn gan ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy' fel y'i nodir yn Neddf 2015. Wrth roi'r argymhelliad, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu bodloni heb amharu ar allu cenedlaethau'r dyfodol i gwrdd â'u hanghenion eu hunain.

YMATEBION YN SGIL YMGYNGHORI

Adran Briffyrdd Ceredigion – Dim gwrthwynebiad, yn ddibynnol ar amodau

Draenio Tir Cyngor Sir Ceredigion – Dim gwrthwynebiad, yn ddibynnol ar amodau

Ecoleg Cyngor Sir Ceredigion – Ni chafwyd sylw

Cyfoeth Naturiol Cymru – Dim gwrthwynebiad

Dŵr Cymru – Dim gwrthwynebiad, yn ddibynnol ar amodau

Daeth dau sylw i law oddi wrth drydydd partïon parthed y cais. Ers hynny, tynnodd trigolion yr eiddo cyfagos wrthwynebiad i'r cynnig yn ôl. Daeth sylw arall i law o blaid y cais.

CASGLIAD

Dywed Adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004:

“Os rhoddir ystyriaeth i'r cynllun datblygu er mwyn gwneud penderfyniad o dan y Deddfau Cynllunio, bydd yn rhaid i'r penderfyniad hwnnw fod yn unol â'r cynllun oni bai fod ystyriaethau perthnasol yn awgrymu fel arall.”

Egwyddor y Datblygiad

Dynodir yng Nghynllun Datblygu Lleol Ceredigion fod safle'r cais mewn 'lleoliad arall' neu gefn gwlad agored. Felly y prif bolisi sy'n berthnasol wrth ystyried y cais yw polisi S04 o Gynllun Datblygu Lleol Ceredigion sy'n ymdrin â chynigion i ddatblygu mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'.

Er bod polisi S04 yn cydnabod yr angen am rywfaint o ddatblygu mewn lleoliadau eraill, i ddiwallu anghenion y cymunedau presennol, mae'r polisi'n ceisio sicrhau rheolaeth rhag i ddatblygu ddigwydd yn helaeth mewn lleoliadau anghynnaladwy. Mae'r polisi felly'n caniatáu datblygiad newydd dim ond pan fo modd cyfiawnhau'r angen am fenter wledig yn unol â TAN 6 neu os yw'n angenrheidiol i ddiwallu angen am dai fforddiadwy yn unol ag S05. O ran tai fforddiadwy, caniateir datblygu mewn lleoliadau eraill dim ond pan fyddant o fewn aneddiadau presennol neu'n union gyfagos iddynt, yn unol â'r polisi cynllunio cenedlaethol.

Ni hawlr bod angen y cais hwn at ddibenion TAN 6.

Mae'r cais hwn yn cynnig codi annedd marchnad agored, ond yn ystod y broses benderfynu nododd yr ymgeiswyr y byddent yn fodlon ystyried dynodi'r annedd yn 'annedd fforddiadwy' a sicrhau am byth drwy gytundeb cyfreithiol o dan adran 106. Fel y trafodwyd, mae polisi S04 yn caniatáu ar gyfer tai fforddiadwy mewn 'lleoliadau eraill' lle gellir dangos bod angen am dai fforddiadwy yn yr ardal ac nad yw'r angen yn cael ei ddiwallu.

Wrth ystyried cynigion ar gyfer tai fforddiadwy, dywed Atodiad 4 y Cynllun Datblygu Lleol y dylid sicrhau nad yw tai fforddiadwy yn cael eu hadeiladu yn ôl safonau annerbyniol o isel ac na ddylid chwaith greu datblygiadau tai sy'n 'rhy fawr neu sylweddol'. Mae Canllawiau Atodol Tai Fforddiadwy Ceredigion yn rhoi'r Cynllun Datblygu Lleol ar waith drwy weithredu manylion gofynnol o ran arwynebedd y llawr o fewn tai fforddiadwy. Daw'r rhain o Ofynion Ansawdd Datblygu Llywodraeth Cymru. Caniateir hyd at 20% yn uwch na'r mesuriadau lleiaf posib ar gyfer llawr mewnol cyfan. Yr arwynebedd llawr lleiaf posib yn y Gofynion ar gyfer tŷ fforddiadwy pedair ystafell wely yw 114m². Yr uchafswm a ganiateir felly yng Ngheredigion yw 136m², sef 20% yn uwch na ffigwr y Gofynion Ansawdd Datblygu.

Ar sail cynlluniau'r lloiau a ddarparwyd, byddai gan yr annedd arfaethedig arwynebedd llawr o 275m² - llawer yn uwch na'r ffigwr a ganiateir yng Ngheredigion. Mae'r ymgeisydd wedi dweud y byddai'n amharod i leihau'r maint i gydymffurfio â'r polisi. Felly, yn sgil maint yr eiddo, ystyrir y byddai'r eiddo y tu hwnt i gyrraedd cyfran fawr o'r gymdeithas, hyd yn oed gyda chytundeb adran 106 ynghlwm.

Mae'r ymgeisydd wedi cadarnhau felly ei fod yn dymuno i'r cais gael ei ystyried ar sail deiliadaeth marchnad agored. Ni roddwyd cyfiawnhad felly o ran sut y byddai'r cais hwn yn diwallu'r angen am dai fforddiadwy yn lleol.

Tirwedd

Ni ddynodir bod safle'r cais o fewn Ardal Tirwedd Arbennig at ddibenion y Cynllun Datblygu Lleol. Serch hynny, yn rhinwedd lleoliad yr eiddo arfaethedig ar esgair Dyffryn Rheidol, a'i faint, a'i liw gwyn, byddai'n nodwedd amlwg ar y tirwedd wrth edrych o Ardal Tirwedd Arbennig Dyffryn Rheidol.

Priffyrdd

Roedd Awdurdod Priffyrdd Lleol Ceredigion wedi mynegi anfodlonrwydd â'r cais fel y'i cyflwynwyd am nad oedd modd cyflawni'r llain weledded ofynnol ar dir oedd yn eiddo i'r ymgeisydd. Mae'r ymgeisydd wedi darparu copïau o gytundeb ysgrifenedig gyda'r tai cyfagos i gynnal a chadw'r tir er mwyn sicrhau y gellir cyflawni'r llain weledded ofynnol. Mae'r Awdurdod Priffyrdd Lleol yn fodlon â'r trefniant hwn ac nid oes ganddynt wrthwynebiad, yn ddibynnol ar amodau.

Ecoleg a Draenio Tir

Mae Cyfoeth Naturiol Cymru yn fodlon ar ganfyddiadau'r arfarniad ecolegol a gyflwynwyd i gefnogi'r cais. Canfu'r arfarniad nad yw'r safle o fawr o werth ecolegol. Mae'r adran Draenio Tir yn fodlon ar y dull a gynigir o ddraenio dŵr wyneb, yn ddibynnol ar amod.

Materion Eraill

Mae Dŵr Cymru yn tynnu sylw'r ymgeisydd at y ffaith bod prif bibell ddŵr o fewn ffiniau'r safle. Mae Dŵr Cymru yn cynnig bod amodau i sicrhau fod y bibell yn cael ei diogelu a bod modd cael mynediad ati.

DIRPRWYO PWERAU

Mae'r Cynghorydd Rhodri Davies wedi gofyn am i'r cais gael ei gyfeirio at y Pwyllgor Cynllunio a hynny am y rhesymau canlynol:

Darparu cartref ar gyfer bobl leol.

Byddai annedd fach yn ymddangos yn anghydnaws â'r tai mwy o faint sydd gerllaw safle'r cais.

RHESWM AM OHIRIO

Yn Mhwyllgor Rheoli Datblygu a gynhaliwyd ar 23 Mehefin 2021, penderfynodd y pwyllgor gohirio penderfynu y cais i ganiatáu amser i'r ymgeisydd drafod gyda'r Awdurdod Cynllunio Lleol a fyddent yn ystyried newid y cais i gais am annedd fforddiadwy neu annedd TAN 6, gan roi pwerau awdurdodi i'r Prif Swyddog Corfforaethol ar gyfer yr Economi ac Adfywio i gymeradwyo cais diwygiedig boddhaol yn ddibynnol ar amodau a chytundeb cyfreithiol S106. Os nad oedd cytundeb rhwng yr Awdurdod a'r ymgeisydd, yna gofynnwyd i'r cais cael ei adrodd yn ôl i Bwyllgor er mwyn ei ystyried ymhellach.

Ni ystyrir y byddai'r ymgeisydd yn gymwys i feddiannu annedd TAN6 gan nad yw ei broffesiwn yn fusnes sy'n gysylltiedig â thir.

Mae'r ymgeisydd hefyd wedi cadarnhau nad yw'n dymuno adolygu'r cynnig i newid yr annedd i fod yn annedd fforddiadwy fel gofynnodd y Pwyllgor, gan ei fod yn anfodlon lleihau maint yr annedd o 275 metr sgwâr i lai na 200 metr sgwâr fel y gwnaethom ofyn ac yn ei farn ef byddai'n cael ei atal rhag rhedeg busnes o'r annedd trwy gytundeb S106.

ARGYMHELLIAD

Felly mae awgrymiad swyddogion yn dal i sefyll ac awgrymir **GWRTHOD** y cais am ei fod yn groes i bolisiâu S01, S04 ac S05 Cynllun Datblygu Lleol Ceredigion 2007-2022 (a fabwysiadwyd yn 2013).

Rhif y Cais: A201050
Daeth i law: 09-12-2020
Y Bwriad: Erection of a dwelling to include installation of vehicular access and treatment plant
Lleoliad y Safle: Tir wrth ochr Awel y Mynydd, Pisgah, Aberystwyth, SY23 4NE
Math o Gais: Cynllunio Llawn
Ymgeisydd: Wil ac Annie Davey, Nythfa, Pantycrug, Capel Seion, Aberystwyth, Ceredigion, SY23 4EF
Asiant: Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan y Dderwen, Llanrhystud, Ceredigion, SY23 5ED

THE SITE AND RELEVANT PLANNING HISTORY

The application site is an area of land between two residential properties in the rural settlement of Pisgah. The site is in agricultural use. The A4120 county road bounds the site to the north. To the south are further agricultural fields.

The site occupies a prominent location on the upper reaches of the Rheidol Valley.

Relevant Planning History

A010478 – Outline Permission for the erection of three houses – Refused 15/07/2021

DETAILS OF DEVELOPMENT

The application under consideration seeks full planning permission for the erection of an open market dwelling.

The proposed dwelling is to be a double fronted residence with a prominent glazed porch feature which will be sat centrally within the plot. Access is to be taken directly from the A4120 county road between Aberystwyth and Devils Bridge which will lead to a parking and turning area for 3 cars.

External materials include smooth painted render, natural stonework and Staffordshire blue brick plinth for the walls under a Spanish Iberian natural slate roof. Joinery is to be finished in anthracite grey UPVC.

The property will measure approximately 18.1m (maximum) wide by 10.2m (maximum) deep. The property will be approximately 9m in height to the ridge.

Internally the proposed property is to include entrance hall, living room, play room, open plan kitchen, living family room, utility room and W.C on the ground floor, and 4 bedrooms, galleried landing and bathroom on the first floor, including a master bedroom with walk in wardrobe, and en-suite bathroom.

Externally the proposed garden area will be mainly laid to lawn, with mixed species hedgerow to be planted to the sites southern boundary.

A package treatment plant is proposed to dispose of foul drainage water before discharging into a soakaway.

RELEVANT PLANNING POLICIES AND GUIDANCE

National Planning Policy and Guidance

Future Wales: The National Plan 2040

Planning Policy Wales (Version 11).

TAN 2 Planning and Affordable Housing

TAN 6 Planning for Sustainable Rural Communities

Ceredigion Local Development Plan 2007-2022 (Adopted 25th April, 2013)

S01 Sustainable Growth

S04 Development in Linked Settlements and Other Locations

S05 Affordable Housing

DM01 Managing the Impacts of Development on Communities and the Welsh Language

DM06 High Quality Design and Placemaking

DM10 Design and Landscaping

DM15 Local Biodiversity Conservation

DM17 General Landscape

DM20 Protection of Trees, Hedgerows and Woodlands

Supplementary Planning Guidance

SPG Affordable Housing

SPG Parking Standards

SPG Built Environment and Design

SPG Nature Conservation

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

EQUALITY ACT 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-Being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

CONSULTATION RESPONSES

Ceredigion Highways No objection subject to condition

Ceredigion Land Drainage – No objection subject to condition

Ceredigion Ecology – Did not comment

Natural Resources Wales – No objection

Welsh Water – No objection subject to condition

2 Third party representations have been received in respect of the application. One representation objecting to the proposal has since been withdrawn by the residents of the neighbouring property. A representation in support of the application has also been made.

CONCLUSION

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise”.

The Principle of Development

The application site is identified in the Ceredigion Local Development Plan as being an ‘other location’ or open countryside. As such the main policy of relevance in considering the application is policy S04 of the Ceredigion Local Development Plan which deals with development proposals in ‘Linked Settlements and Other Locations’.

While policy S04 recognises the need for a degree of development within other locations to meet the needs of existing communities, the policy seeks to ensure the control of the proliferation of development in unsustainable locations. The policy therefore allows new development only where there is a justifiable rural enterprise need in accordance with TAN6 or is required to meet an unmet affordable housing need in line with S05. In terms of affordable housing, development in other locations will only be permitted when located within or immediately adjacent to existing settlements in line with national planning policy.

No claim is made that the proposal is required for TAN6 purposes.

The proposal is for the erection of an open market dwelling, however during the determination process the applicants indicated that they were willing to give consideration to the dwelling being designated an ‘affordable dwelling’ secured in perpetuity via a S106 legal agreement. As discussed, policy S04 does allow for affordable housing in ‘other locations’ where it can be demonstrated that there is an unmet affordable housing need in the locality.

In considering proposals for affordable housing, the LDP draws attention to the need to ensure that affordable homes are not built to unacceptably low standards or to create ‘overly large or substantial housing’ at Appendix 4. The Ceredigion Affordable Housing Supplementary Guidance gives effect to the LDP by applying minimum internal floor space specifications for affordable homes taken from the Welsh Government’s Development Quality Requirements (DQR) standard: and a maximum of a 20% increase on the minimum specifications in overall internal floor space. The minimum floor area within the DQR standard for an affordable 4 bedroom house is 114m². The maximum therefore allowed within Ceredigion is 136m² which is 20% above the DQR figure.

From the floor plans provided, the proposed dwelling would have a floor area of approximately 275m², significantly above the figure allowed within Ceredigion. The applicant has indicated that they would be unamenable to the required reduction in size to conform with policy. It is therefore considered that by virtue of its size the property would be unaffordable for a large section of society even with a S106 agreement attached.

The applicant has therefore confirmed that they wish for the application to be considered on the basis of an open market tenure. No justification has therefore been provided as to how the proposal will meet an unmet affordable housing need in the locality.

Landscape

The application site is not identified as being within a designated Special Landscape Area for the purposes of the LDP. Nevertheless the proposed property by virtue of its siting on the upper edges of the Rheidol Valley, its large size and white colouring would make it a prominent feature on the landscape when viewed from within the Rheidol Valley Special Landscape Area.

Highways

Ceredigion Local Highways Authority took issue with the application as submitted as the required visibility splays could not be achieved within the applicants land ownership. The applicant has provided copies of written agreement with neighbouring properties to maintain land in order to ensure the required visibility splays can be met. The LHA are content with this arrangement, and have no objection subject to conditions.

Ecology and Land Drainage

NRW are content with the findings of the ecological appraisal submitted in support of the application, which found the site to be of low ecological value. Land drainage are content with the proposed means of surface water drainage subject to

condition.

Other Matters

Welsh Water draw the applicant's attention to the presence of a water main within the site boundary. Welsh Water propose conditions to ensure the pipe is protected and access can be maintained.

DELEGATED POWERS

Rhodri Davies has confirmed his desire for the application to be referred to the development control committee for the following reasons.

Providing a home for local people

A smaller dwelling would appear at odds with the larger dwellings neighbouring the proposal.

REASON FOR DEFERRAL

At the Development Control Committee held on the 23rd of June 2021, the Committee resolved to defer determination of the application for negotiations between the Authority and the applicant as to whether the applicants would consider amending the application to an affordable or TAN 6 dwelling, with the Corporate Lead Officer for Economy and Regeneration being authorised to APPROVE an amended satisfactory scheme subject to conditions and a Section 106 legal agreement. The application was to be reported back to Committee for reconsideration should no agreement be reached on the proposal.

It is not considered that the applicant would qualify to occupy a TAN6 dwelling as his profession does not constitute a land related business.

The applicant has also confirmed that they do not wish to revise the proposal to designate the property as an affordable home as requested by Committee, as they are unwilling to reduce the size of the property from 275sqm to below 200sqm, and would be prevented, in their opinion, from running a business from the property by the S106 agreement.

RECOMMENDATION

The recommendation of officers therefore remains to **REFUSE** the application as being contrary to policies S01, S04, S05 of the Ceredigion Local Development Plan 2007 -2022 (adopted 2013).

2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210522	25-05-2021	Mr and Mrs M & S Jones	Proposed erection of a single new dwelling.	Land North Of Ty Blaencwm Brynhoffnant, Llandysul, Ceredigion, SA44 6ED	Refuse

2.1. A210522



Rhif y Cais / Application Reference	A210522
Derbyniwyd / Received	25-05-2021
Y Bwriad / Proposal	Codi un annedd newydd arfaethedig / Proposed erection of a single new dwelling.
Lleoliad Safle / Site Location	Tir i'r Gogledd o Dy Blaencwm, Brynhoffnant, Llandysul, Ceredigion SA44 6ED
Math o Gais / Application Type	Land North Of Ty Blaencwm Brynhoffnant, Llandysul, Ceredigion, SA44 6ED Caniatâd Cynllunio Amlinellol – gyda'r holl faterion/rhai materion wedi eu cadw yn ôl Outline Planning Permission - All/Some Matters Reserved
Ymgeisydd / Applicant	Mr and Mrs M & S Jones, Flat, Hoffnant Garage, Brynhoffnant, Llandysul, Ceredigion, SA44 6ED
Asiant / Agent	Mr M Edwards (Castle Arch. Designs Ltd), Bank House, 9 Bridge Street, Newcastle Emlyn , Newcastle Emlyn , SA38 9DX

Y SAFLE A HANES PERTHNASOL

Lleolir Brynhoffnant yn Ne Ceredigion ar gyffordd bum-ffordd ar gefnffordd yr A487, y B4334 ac is-ffordd 16km (10 milltir i'r gogledd-ddwyrain o Aberteifi).

Mae'r anheddiad yn cynnwys rhyw 45-50 o anheddau. Mae'r cyfleusterau yn y pentref yn cynnwys archfarchnad fechan/gorsaf betrol, Capel, Ysgol Gynradd ardal a thafarn a bragdy. Mae'r anheddiad hefyd ar lwybr bysiau o Aberystwyth i Aberteifi y darperir y gwasanaeth arno bob dydd.

Lleolir y safle i'r Gogledd o'r anheddiad ar hyd y ffordd sy'n arwain i Langrannog. Rhoddwyd caniatâd i godi pedair annedd (2 fforddiadwy a 2 marchnad agored) yma yn 2019 ac mae'r safle arfaethedig yn gorwedd y tu draw i'r olaf o'r anheddau marchnad agored. Mae'r safle'n gymharol wastad a cheir clawdd ar y blaen.

Bydd gan y safle ei fynediad ei hun i gerbydau. Nid oes hanes cynllunio blaenorol yn perthyn i'r safle.

MANYLION Y DATBLYGIAD

Ceisir caniatâd cynllunio amlinellol ar gyfer un annedd farchnad agored a'r holl faterion wedi eu cadw yn ôl.

Bwriad yr ymgeiswyr yw codi annedd bedair ystafell wely ar y tir gerllaw'r datblygiad ar gyfer pedair annedd y rhoddwyd caniatâd cynllunio iddo yn ddiweddar. Mae'r gwaith wedi dechrau ar y safle hwn ac mae'r pedair annedd wedi eu gwerthu. Nodir y terfynau isaf ac uchaf fel a ganlyn:

- Hyd/Dyfnnder ar hyd yr Ochr Fer - Isafswm o 8m - Uchafswm o 12m.
- Lled ar hyd y Darn Blaen - Isafswm o 10m - Uchafswm o 18m.
- Uchder o'r ddaear hyd at grib y to - Uchafswm o 9.5m.

Ni fyddai maint yr eiddo yn cael ei bennu hyd nes cyrraedd cam y materion a gedwir yn ôl. Fodd bynnag, gan ddefnyddio'r mesuriadau mwyaf ar gyfer eiddo deulawr, gallai arwyneb y llawr ymestyn i fwy na 400 metr sgwâr.

Mae'r cynllun dangosol yn gosod yr annedd ar ganol y llain o dir, gyda man parcio a throi ar y blaen a man amwynder o gwmpas.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

POLISI CYNLLUNIO CENEDLAETHOL

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru Rhifyn 11

TAN12 - Dylunio (2016)

TAN5 Cynllunio a Chadwraeth Natur (2009)

TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)

POLISIÂU Y CYNLLUN DATBLYGU LLEOL

Mae'r polisiâu a ganlyn o'r Cynllun Datblygu Lleol yn berthnasol wrth wneud penderfyniad ynghylch y cais hwn:

DM03 Teithio Cynaliadwy

DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol

DM05 Datblygu Cynaliadwy a Lles Cynllunio

DM06: Dylunio a Chreu Lle o Safon Uchel

DM10 Dylunio a Thirweddu

DM13 Systemau Draenio Cynaliadwy

DM14 Cadwraeth Natur a Chysylltedd Ecolegol

DM15 Cadw Bioamrywiaeth Leol

DM17 Y Dirwedd yn Gyffredinol

S01 Twf Cynaliadwy

S04: Datblygu Mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'

S05 Tai Fforddiadwy

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae Adran 17(1) Deddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol gweithredu'r swyddogaethau hynny ar droseddau ac anhrefn yn ei ardal, ac i wneud popeth y gall, yn rhesymol, i atal troseddau ac anhrefn. Rhoddwyd ystyriaeth i'r ddyletswydd hon wrth werthuso'r cais hwn. Ystyrir na fyddai cynnydd mawr neu annerbyniol mewn troseddau ac anhrefn o ganlyniad i'r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn dynodi nifer o 'nodweddion gwarchoddedig' sef oedran; anabledd; ailbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw priodol i hyrwyddo cydraddoldeb yn cynnwys:

- dileu neu leihau'r anfanteision y mae pobl yn eu dioddef yn sgil eu nodweddion gwarchoddedig;
- cymryd camau i gwrdd ag anghenion pobl o grwpiau gwarchoddedig lle bo'r rhain yn wahanol i anghenion pobl eraill; ac
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghymesur o isel.

Rhoddwyd ystyriaeth briodol i'r uchod wrth wneud penderfyniad ynghylch y cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol i bobl â nodweddion gwarchoddedig nac yn cael effaith arnynt yn fwy nag ar unrhyw un arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn rhoi dyletswydd ar y Cyngor i gymryd camau rhesymol wrth ymarfer ei swyddogaethau i gwrdd â'r saith nod llesiant sy'n rhan o'r Ddeddf. Paratowyd yr adroddiad hwn gan ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y'i gosodir yn Neddf 2015. Wrth bennu'r argymhelliad, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu bodloni heb amharu ar allu cenedlaethau'r dyfodol i fodloni eu hanghenion eu hunain.

YMATEBION I'R YMGYNGHORI

Cyngor Cymuned Penbryn - Cefnogi

Priffyrdd - Dim gwrthwynebiad

Draenio Tir - Dim gwrthwynebiad. Cymeradwyaeth SDCau yn ofynnol

Cyfoeth Naturiol Cymru - Dim sylw

Cafwyd sylw gan Ymgyrch Diogelu Cymru Wledig sy'n darllen fel a ganlyn:

"O gymryd yr annedd gyda'r pedair annedd yn union i'r de (A170850, A191013: gwerthwyd ond heb eu codi) byddai

hon yn enghraifft eithriadol o amlwg o ddatblygiad hirgul, ymgripiad trefol. Nid oes rheswm amlwg dros beidio â lleoli'r annedd hon i'r gorllewin o'r pedair annedd honno, yn yr un cae (sydd o dan yr un berchenogaeth) fel ag y maent."

CASGLIAD

Mae Adran 38(6) Deddf Cynllunio a Phrynu Gorfodol 2004 yn datgan:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material consideration indicate otherwise".

A YDI'R DATBLYGIAD YN DDERBYNIOL MEWN EGWYDDOR?

Y prif fater dan sylw wrth ystyried y cais hwn yw a yw'r cynnig yn dderbyniol mewn egwyddor, a'r polisi Cynllun Datblygu Lleol allweddol sy'n ymwneud â'r cynnig yw S04 (yn gysylltiedig â pholisi S01).

Yn gyntaf, mae polisi S04 yn glir o ran lleoliad ffisegol y datblygiad (waeth pa fath o ddatblygiad ydyw), mewn anheddiad cyswllt, rhaid i ddatblygiad fod yn union gerllaw neu o fewn ffurf adeiledig sylweddol. Yn yr achos hwn, efallai bod y cais yn rhy gynnar gan nad yw ar hyn o bryd wedi'i leoli yn union gerllaw ffurf adeiledig sylweddol Brynhoffnant gan fod bwllch lle y cymeradwywyd codi pedair annedd ond na chawsant eu cwblhau eto. Yn ychwanegol at hyn, o ran lleoliad ffisegol y datblygiad, mae'n ymledu ymhellach i gefn gwlad agored gan arwain at ddatblygiad hirgul ar hyd yr is-ffordd hon.

Yn gyffredinol, dylid cyfeirio'r rhan fwyaf o dwf tai y Sir tuag at y canolfannau gwasanaethu gwledig a threfol. Ystyrir bod yr 'Aneddiadau Cyswllt a Lleoliadau Eraill', yn gyffredinol, yn llai cynaliadwy na Chanolfannau Gwasanaethu ond eto bod rhyw gymaint o angen yno am ddatblygu cyfyngedig, gan gynnwys ar gyfer tai, naill ai i gydnabod eu cymeriad o ran anheddiad a'u rôl gymunedol neu o ganlyniad i anghenion penodol, fel anheddau i weithwyr amaethyddol.

Mae Polisi S04 yn cyflwyno'r ffurfiau datblygu a fyddai'n dderbyniol wrth fodloni amcanion strategol datblygu Aneddiadau Cyswllt a Lleoliadau Eraill yn y dyfodol, yn ddibynnol ar fodloni set o feini prawf (y byddai'n rhaid eu bodloni i gyd).

Manylir ar y meini prawf a'r atebion isod;

- Maen Prawf 2 (a) - A ydi'r cais wedi'i leoli mewn Anheddiad Cyswllt neu Leoliad Arall?

At ddibenion y Cynllun Datblygu Lleol, dosberthir Brynhoffnant yn anheddiad cyswllt i ganolfan wasanaethu wledig Aberporth/Parclyn. Felly, gellir caniatáu tai fforddiadwy a marchnad agored mewn egwyddor (yn ddibynnol ar gydymffurfio â'r meini prawf eraill).

Fodd bynnag, nid yw'r safle wedi'i leoli yn union wrth ymyl yr anheddiad.

- Maen Prawf 2 (b) - A oes capasiti ar ôl yn y ddarpariaeth 'Anheddiad Cyswllt a Lleoliadau Eraill' ar gyfer y grŵp anheddiad hwnnw?

Mae'r Cynllun Datblygu Lleol yn gosod cyfanswm o 332 uned breswyl newydd ar gyfer grŵp anheddiad Aberporth/Parclyn; 220 ohonynt i'w lleoli yn y ganolfan wasanaethu ei hun, a'r rhelyw o 112 mewn aneddiadau cyswllt a lleoliadau eraill.

Ers mis Mawrth 2021, cwblhawyd 73 annedd yn y categori aneddiadau cyswllt a lleoliadau eraill, a rhoddwyd caniatâd i 61 uned arall, gan adael 22 uned ar ôl i ddarparu ar eu cyfer.

Felly, nid oes dyraniadau pellach ar gael i ddarparu ar eu cyfer, sy'n golygu bod y cynnig yn groes i faen prawf 2(b), Polisi S04. Rhaid nodi bod 61 uned o hyd y rhoddwyd caniatâd cynllunio iddynt ac nad ydynt eto wedi'u datblygu.

Gellid dadlau, felly, bod digon o gyfleoedd yn bodoli'n barod ar gyfer tai newydd yn y categori aneddiadau cyswllt a lleoliadau eraill ar hyn o bryd, ac nad yw maen prawf 2(b) fel y cyfryw wedi'i ddiwallu.

- Maen Prawf 2(c) - A ydi'r cydbwysedd rhwng darpariaeth yn y Ganolfan Wasanaethu a'r 'Aneddiadau Cyswllt a Lleoliadau Eraill' yn unol â'r hyn a nodir yng nghlofn a, Atodiad 2?

Mae'r cydbwysedd yn anghywir ar hyn o bryd a chaniateir mwy o ddatblygu yn yr Aneddiadau Cyswllt a Lleoliadau Eraill yn hytrach nag yn y ganolfan wasanaethu. Byddai caniatáu mwy o anheddau yn yr Aneddiadau Cyswllt a Lleoliadau Eraill ar hyn o bryd yn peryglu fwy ar gyflawni'r strategaeth dai i'r Sir gyfan. Ni chydymffurfir felly â Maen Prawf 2 (c)

- Maen Prawf 2(d) - Yn yr 'Aneddiadau Cyswllt' yn unig, gyda'i gilydd, ni eir uwchlaw 12% o'r lefel bresennol o dai, fel ag yn 2007 yn yr 'Anheddiad Cyswllt' hwnnw -

Roedd y stoc dai ar gyfer Brynhoffnant yn 2007 yn 48 uned, ac roedd cynnydd o 12% yn gyfystyr â 6 uned newydd arall.

O'r 7 annedd y rhoddwyd caniatâd iddynt yn yr anheddiad, ni chwblhawyd unrhyw un hyd yma, er bod dwy uned fforddiadwy yn agosáu at gael eu cwblhau (A171013) ac mae'r gwaith ar y sylfeini wedi dechrau ar y 4 annedd gerllaw'r safle hwn (A170850).

Mae'r cynnig, felly, yn groes i faen prawf 2(d) gan nad oes un uned ar ôl o'r cap o 12% a ganiateir.

I grynhoi, mae'r cynnig felly yn gwrthdaro â maen prawf 2 (b, c, d), Polisi S04 y Cynllun Datblygu Lleol, sy'n nodi y dylai'r cynnig gael ei wrthod.

YR ANGEN AM DAI FFORDDIADWY

Mae Polisi Cynllunio Cymru (Rhifyn 11) yn cynghori:

□

"Mae angen y gymuned am dai fforddiadwy yn ystyriaeth gynllunio berthnasol wrth lunio polisïau cynlluniau datblygu a phenderfynu ceisiadau cynllunio perthnasol.

4.2.34 Mae'n rhaid ystyried darparu safleoedd eithriedig tai fforddiadwy er mwyn helpu i fodloni gofynion dynodedig a sicrhau hyfywedd y gymuned leol. Os credir bod y cyfryw bolisïau yn briodol, dylid nodi yn eglur bod rhyddhau safleoedd bach mewn aneddiadau presennol, neu am y ffin â hwy, sef safleoedd na chaent eu neilltuo fel arall yn y cynllun datblygu, at ddiben datblygu tai fforddiadwy i ddiwallu anghenion lleol, yn eithriad i'r polisïau ar gyfer y ddarpariaeth gyffredinol o dai. Rhaid cyfiawnhau polisïau o'r fath yn llawn gan nodi'r math o angen a'r math o ddatblygiad sy'n dod o fewn eu telerau. Dylai'r tai fforddiadwy a ddarperir ar safleoedd eithriedig ddiwallu anghenion pobl leol am byth."

Nid yw'r asiant sy'n gweithredu ar ran yr ymgeiswyr wedi darparu datganiad sy'n cynnig uned fforddiadwy nac unrhyw dystiolaeth bod angen nas diwallwyd am dai fforddiadwy yn yr ardal.

O ran ystyriaethau materol eraill, mae'n amlwg nad yw eiddo yn cael eu cyflwyno yng Nghanolfan Wasanaethu Wledig Aberporth/Parclyn, a bod anheddau y rhoddyd caniatâd iddynt ym Mrynhoffnant yn ddiweddar wedi'u gwerthu a'r gwaith adeiladu wedi dechrau. Mae Brynhoffnant yn lleoliad eithaf cynaliadwy gyda'i amryw wasanaethau a chyfleusterau. Fodd bynnag, nid yw'r safle wedi'i leoli ar hyn o bryd yn union gerllaw ffurf adeiledig ac nid yw'n annedd fforddiadwy y byddai ei hangen er mwyn bodloni angen lleol nas diwallwyd.

Mae Polisi Cynllunio Cymru a Pholisi S04 yn caniatáu rhoi caniatâd i anheddau fforddiadwy ar safleoedd yn union gerllaw'r ffurf adeiledig, a lle y gellir dangos bod angen amdanynt, ac nid ar gyfer anheddau marchnad agored. Nid yw'r cais hwn yn diwallu'r gofynion polisi lleol a chenedlaethol hyn.

Argymhellir bod y cais hwn yn cael ei wrthod.

PWERAU DIRPRWYEDIG

Mae'r Cynghorydd Gwyn James am i'r cais cael ei benderfynu gan y Pwyllgor Rheoli Datblygu am y rhesymau canlynol:

□

- Mae Mr. a Mrs. Marc a Sarah Jones yn berchen ar ddau fusnes yn y pentref sef siop Londis a gorsaf betrol ac yn ddiweddar wedi ail adeiladu tafarn y pentef ac hefyd wedi agor bragdŷ yn y tafarn.
- Maent yn cyflogi tua hanner cant o staff o'r ardal, rhai yn rhan amser ond llawer iawn ohonynt yn llawn amser.
- Mae'n bwysig iddynt fyw yn agos i'r ddau fusnes er mwyn cadw golwg arnynt ond ar hyn o bryd maent yn byw mewn fflat fechan ar ben y siop sydd yn llawer rhy fach iddynt fod yn gyffyrddus.
- Hwn yw yr unig ddarn o dir sydd ar werth yn y pentre ac y mae yn syth wrth ochr bedwar tŷ sydd y cael eu hadeiladu ar hyn o bryd ac rwyf ar ddeall wedi eu gwerthu

□

ARGYMHELLIAD:

Gwrthod

Rhif y Cais / Application Reference	A210522
Derbyniwyd / Received	25-05-2021
Y Bwriad / Proposal	Proposed erection of a single new dwelling.
Lleoliad Safle / Site Location	Land North Of Ty Blaencwm Brynhoffnant, Llandysul, Ceredigion, SA44 6ED
Math o Gais / Application Type	Outline Planning Permission - All/Some Matters Reserved
Ymgeisydd / Applicant	Mr and Mrs M & S Jones, Flat, Hoffnant Garage, Brynhoffnant, Llandysul, Ceredigion, SA44 6ED
Asiant / Agent	Mr M Edwards (Castle Arch. Designs Ltd), Bank House, 9 Bridge Street, Newcastle Emlyn , Newcastle Emlyn , SA38 9DX

THE SITE AND RELEVANT PLANNING HISTORY

Brynhoffnant is situated in South Ceredigion at a five-way junction of the A487 trunk road, the B4334 and a minor road 16km (10 miles) north-east of Cardigan.

The settlement comprises of approximately 45-50 dwellings. Facilities within the village include a mini supermarket / petrol station, a Chapel, an area Primary School and a public house and brewery. The settlement also lies on a bus route from Aberystwyth to Cardigan which is serviced daily.

The site is located to the North of the settlement, along the road which leads to Llangrannog. Four dwellings (2 affordable, 2 open market) were granted here in 2019 and the proposed site sits beyond the last of the open market dwellings. The site is fairly level and has a hedgerow frontage.

The site will have its own vehicular access. The site has no previous planning history.

DETAILS OF DEVELOPMENT

Outline planning permission is sought for one open market dwelling with all matters reserved.

The intention of the applicants is to build a four + bedroom dwelling on land adjoining the development for four dwellings recently granted planning permission. Works have started on this site and all four dwellings have been sold. The upper and lower limits have been stated as being:

- Length/Depth along Short Side Elevations - Min 8m - Max 12m.
- Width along Front Elevation - Min. 10m - Max 18m
- Height from ground level to ridge - Max. 9.5m

The size of the property would not be established until the reserved matters stage, however using the maximum measurements over a two storey property, the floor area could extend to over 400 sq m.

The indicative layout plan shows the dwelling located within the centre of the plot with parking and turning to the front and amenity space surrounding.

RELEVANT PLANNING POLICIES AND GUIDANCE

NATIONAL PLANNING POLICY

Future Wales: The National Plan 2040

Planning Policy Wales Edition 11

TAN12 Design (2016)

TAN5 Nature Conservation and Planning (2009)

TAN6 Planning for Sustainable Rural Communities (2010)

CEREDIGION LOCAL DEVELOPMENT PLAN POLICIES

These Local Development Plan policies are applicable in the determination of this application:

DM03 Sustainable Travel

DM04 Sustainable Travel Infrastructure as a Material Consideration

DM05 Sustainable Development and Planning Gain

DM06 High Quality Design and Placemaking

DM10 Design and Landscaping

DM13 Sustainable Drainage Systems

DM14 Nature Conservation and Ecological Connectivity

DM15 Local Biodiversity Conservation

DM17 General Landscape

S01 Sustainable Growth

S04 Development in Linked Settlements and Other Locations

S05 Affordable Housing

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

EQUALITY ACT 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-Being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

CONSULTATION RESPONSES

Cyngor Cymuned Penbryn - Cefnogi / Support

Highways - No objection

Land Drainage - No objection. SUDS approval is required

Natural Resources Wales - No comment

A comment has been received from the Campaign for the Protection of Rural Wales which reads as follows:

"Taken together with the four dwellings just to the south (A170850, A191013: sold but unconstructed) this would be a particularly egregious example of ribbon development, urban creep. There seems to be no obvious reason for this dwelling not to be sited west of those four, in the same field (which is in the same ownership) as they are."

CONCLUSION

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise".

IS THE DEVELOPMENT ACCEPTABLE IN PRINCIPLE?

The main issue in relation to the consideration of this application is whether or not the proposal is acceptable in principle and the key LDP policy which pertains to the proposal is S04, (in association with policy S01).

Firstly, policy S04 is clear in that in terms of a development's physical location, (regardless of development type), in a linked settlement, development must be located within or immediately adjacent to the substantive built form. In this case, the application may be premature in that it is not yet located immediately adjacent to the substantive built form of Brynhoffnant as there is a gap where four dwellings have been approved but not yet completed. In addition in terms of the physical location of the development it further encroaches out into the open countryside, resulting in ribboning development along this minor road.

In general terms, the majority of the County's housing growth should be directed towards the urban and rural service centres. The 'Linked Settlements and Other Locations' are generally regarded as less sustainable than Service Centres but as still having some limited development need, including for housing, either in acknowledgement of their settlement character and community role or as a result of specific needs such as agricultural workers dwellings.

Policy S04 sets out the forms of development that would be acceptable in meeting the strategic objectives of the future development of Linked Settlements and Other Locations, subject to meeting a set of criteria, (all of which must be met).

Below the criteria and the answers have been detailed;

- Criterion 2 (a) – Is the application located in a Linked Settlement or Other Location?

For the purposes of the LDP, Brynhoffnant has been classified as a linked settlement to the rural service centre of Aberporth / Parcllyn. As such, both open market and affordable housing can be permitted in principle (subject to compliance with the remaining criterion).

However, the site is not currently located immediately adjacent to the built form.

- Criterion 2 (b) – Is there capacity remaining in the provision for the 'Linked Settlement and Other Locations' for that settlement group?

The LDP sets out a total requirement of 332 new residential units for the Aberporth / Parcllyn settlement group, of which 220 is to be provided for in the service centre itself and the remaining 112 within linked settlements and other locations.

As of March 2020, there had been 73 completions for the linked settlements and other locations category, with a further 61 units having had consent, thereby leaving a residual of - 22 units left to be provided for.

Therefore, there are no further allocations available to be provided for, meaning that the proposal is contrary to criterion 2(b) of Policy S04. It must be noted that there still remains 61 units which have been granted planning permission but which have not as yet been developed.

Arguably therefore, adequate opportunities already exist for new housing in the linked settlements and other locations category at the present time and as such criterion 2(b) is not met.

- Criterion 2 (c) – Is the balance between provision in the Service Centre and the 'Linked Settlements and Other Locations' in line with that set out in column a of Appendix 2?

The balance at present is incorrect, with more development being permitted in the Linked Settlements and Other Locations

category rather than the service centre. Permitting any more dwellings within the Linked Settlements and Other Locations at this point in time would further jeopardise the delivery of the housing strategy for the County as a whole. Criterion 2 (c) is therefore not complied with.

- Criterion 2(d) - In the 'Linked Settlements' only, it does not cumulatively exceed 12% of the existing level of housing as at 2007 in that 'Linked Settlement' –

The 2007 housing stock for Brynhoffnant stood at 48 units and a 12% increase equated to a further 6 new units.

From the 7 dwellings granted in the settlement, to date, 0 have been completed, even though two affordable units are nearing completion (A171013) and works have commenced on the footings for the 4 dwellings adjoining this site (A170850).

The proposal is therefore contrary to criterion 2 (d) as there are 0 units remaining within the 12% cap allowance.

In conclusion, the proposal is therefore in conflict with criterion 2 (b, c and d) of policy S04 of the LDP, which indicates that the proposal should be refused.

AFFORDABLE HOUSING NEED

Planning Policy Wales (PPW) (Edition 11) advises that:

“A community’s need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications

4.2.34 The provision of affordable housing exception sites must be considered to help meet identified requirements and ensure the viability of the local community. Where such policies are considered appropriate it should be made clear that the release of small housing sites within or adjoining existing settlements for the provision of affordable housing to meet local needs which would not otherwise be allocated in the development plan, is an exception to the policies for general housing provision. Such policies must be fully justified, setting out the type of need and the kind of development which fall within their terms. The affordable housing provided on exception sites should meet the needs of local people in perpetuity”.

The agent on behalf of the applicant has not provided a statement which proposes an affordable unit or any evidence that there is an unmet affordable housing need in the area.

In terms of other material considerations, it is evident that properties are not being bought forward within the Rural Service Centre of Aberporth / Parcllyn, and that dwellings which have recently been granted in Brynhoffnant have been sold and building work has commenced. Brynhoffnant is a fairly sustainable location with its various services and facilities. Nevertheless, the site is not currently located immediately adjacent to the built form and is not an affordable dwelling which would be required to meet unmet local need.

Planning Policy Wales and Policy S04 allows for affordable dwellings to be granted on sites immediately adjacent to the built form and where it is demonstrated that there is a need, but not open market dwellings. This application does not meet these local and national policy requirements.

This application is therefore recommended for refusal.

DELEGATED POWERS

Councillor Gwyn James wants the application decided by the Development Control Committee for the following reasons:

- Mr. and Mrs. Marc and Sarah Jones own two businesses in the village, a Londis shop and a petrol station and have recently rebuilt the village pub and also opened a brewery in the pub.
- They employ about fifty staff from the area, some part-time but many full-time.
- It is important for them to live close to both businesses to keep an eye on them but they currently live in a small flat at the top of the shop that is far too small for them to be comfortable.
- This is the only piece of land for sale in the village and is immediately adjacent to four houses currently under construction which I understand have been sold

RECOMMENDATION:

Refuse

3. Diprwydedig/Delegated

05-08-2021 - 01-09-2021

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
1	A200180	Mr and Mrs R Briddon	Change of use from old school building to dwelling (with previous permission for art studio/tea room).	Old School, Cross Inn, Llandysul, SA44 6NG	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-08-2021
2	A201027	D Jones (Towyn Marine Properties Ltd)	Erection of 7 dwellings (2 blocks of 4 semi-detached and one block 3 terraced dwellings).	Garn Rhos, Maesceiro, Bow Street, SY24 5BG	Gwrthodwyd / Refused	19-08-2021
3	A201075	Mr A Ballard (Aberystwyth Holiday Village)	Erection of 2no. residential dwellings and associated works	Aberystwyth Holiday Village, Penparcau Road, Aberystwyth. SY23 1TH	Caniatawyd gydag Amodau / Approved Subject to Conditions	30-08-2021
4	A210105	Mr Simon Bentley	Change from flat roof to pitch roof to provide storage for existing garage/domestic workshop	Pen y Felin, Newmill Road, Cardigan, SA43 1QT	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-08-2021
5	A210192	Mr Wynford Williams (Wynford Williams Car Sales)	Demolition of existing sales hut and construction of a new Car Sales Showroom & Workshop, with associated offices, store, sitting area for customers & WC facilities.	Wynford Williams Car Sales, Glanyrafon Industrial Estate, Aberystwyth, SY23 3JQ	Caniatawyd gydag Amodau / Approved Subject to Conditions	13-08-2021
6	A210312	M Jacques	Demolition of existing Garage and Conservatory and erection of new extension.	Gerynant, Penrhyncoch, Aberystwyth. SY23 3EH	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-08-2021
7	A210321	M Goodman	Removal of window, form new door opening by removing stonework below sill level, install new door and frame. Form new ramped approach including stonework low level ramp wall with glass and stainless steel handrail system including ancillary works to provide parasol units incorporating LED lighting and heating units.	Unit 6-7, Yr Hen Ysgol Gymraeg Alexandra Road, Aberystwyth, SY23 1LD	Caniatâd wedi ei roi / Consent Granted	12-08-2021

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
8	A210346	Mr and Mrs Carden	Replacement of windows with double glazed sash windows. Repair of chimney and replacement of roof like for like to rectify internal damp issues. Replacement of roughcast sand and cement render with lime based render to rectify internal damp issues.	Crugiau Lodge, Rhydyfelin, Aberystwyth, SY23 4PT	Caniatâd wedi ei roi / Consent Granted	13-08-2021
9	A210347	Mr and Mrs Carden	Replacement of timber windows with double glazed sash windows.	Crugiau Lodge, Rhydyfelin, Aberystwyth, SY23 4PT	Caniatawyd gydag Amodau / Approved Subject to Conditions	13-08-2021
10	A210366	Mr D Jones (EH Jones & Co)	Circular above ground vitreous coated steel storage store to meet current NRW rules and advice and surrounding hardcore access	Felinhen, Capel Madog, Aberystwyth, SY23 3HY	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-08-2021
11	A210383	Mr and Mrs G & B Jones	Proposed new dwelling and detached garage.	Land At Dolgaran Penrhiwllan, Llandysul, SA44 5NU	Tynnwyd yn ôl / Withdrawn	12-08-2021
12	A210394	Ms F Owen	Formation of a 40 x 20m equestrian manege for applicants personal use only	Land at Murmur y Coed, Tynreithin, Tregaron. SY25 6LL	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-08-2021
13	A210402	Mr and Mrs Rees	Rural enterprise dwelling at a vacant parcel of land with associated private amenity and car parking facilities.	Land At Maes Y Glyn, Aberffrw, SY23 3ND	Gwrthodwyd / Refused	12-08-2021
14	A210414	Mr and Mrs Stanfield	Erection of New Dwelling and Outbuilding.	Land opposite Tyr Let, Bowls Road, Beulah, Cardigan. SA43 2AR	Gwrthodwyd / Refused	01-09-2021
15	A210415	Mr Dewi Day (Aberystwyth University)	Proposed solar farm and associated works.	Land North Of Fferm Penglais Fferm Penglais, Aberystwyth, Ceredigion, SY23 3FH	Caniatawyd gydag Amodau / Approved Subject to Conditions	23-08-2021
16	A210477	Mr R Williams	Change of use of agricultural land for siting of 2 log cabins	Land Formerly Part Of Caeglas, Llanfihangel Y Creuddyn, Aberystwyth, SY23 3JG	Caniatawyd gydag Amodau / Approved Subject to Conditions	13-08-2021
17	A210480	Mr Owain Dimmick (Pont Steffan Dental Practice)	Proposed change of use of existing dwelling (C3 use) to dental administration offices and space in connection with existing adjoining dental practice (D1 use) and the formation of internal opening linking the two.	Millfield Cottage Mill Street, Lampeter, Ceredigion, SA48 7HX	Caniatawyd gydag Amodau / Approved Subject to Conditions	17-08-2021

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
18	A210481	Mr Owain Dimmick (Pont Steffan Dental Practice)	Proposed change of use of existing dwelling (C3 use) to dental administration offices and space in connection with existing adjoining dental practice (D1 use) and the formation of internal opening linking the two.	Millfield Cottage Mill Street, Lampeter, Ceredigion, SA48 7HX	Caniatâd wedi ei roi / Consent Granted	17-08-2021
19	A210489	Mr and Mrs Rory & Emma Robinson	Proposed extension to the existing property.	3 Maes Yr Efail, Penrhynoch, Aberystwyth, Ceredigion, SY23 3HE	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-08-2021
20	A210503	Mr and Mrs Terry Francis	Proposed alterations & extension.	Ffynnon Fendigaid, Rhydlewis, Llandysul, Ceredigion, SA44 5SR	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-08-2021
21	A210505	Mr Gyles Morris	New dwelling. Dormer bungalow.	Plot 1, Tyngwndwn Cilcennin, SA48 8RJ	Tynnwyd yn ôl / Withdrawn	09-08-2021
22	A210509	Mr Richard Morgan	The construction of a portal framed roof, over an existing concrete yard to improve the storage of produce and essential equipment. Improvements requested by a large customer of the tenants Marks and Spencer. The yard will continue to be used for delivery and storage.	Tropical Forest Products Ltd, Adelad Glyndwr Lon Glan-fred, Llandre, Bow Street, Ceredigion, SY24 5AQ	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-08-2021
23	A210511	Mr L & L Wyatt	Proposed erection of a new agricultural building for the storage of farm implements, animal feed and bedding (straw and hay), which will replace an existing similar building which will be demolished due to serious disrepair.	Pantmoch Fach Farm, Maesymeillion, Llandysul, Ceredigion, SA44 4NH	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-08-2021
24	A210516	Mr T Harris	Agricultural shed for machinery storage.	Brynhawk, Maesycrugiau, Llanybydder, SA39 9LW	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-08-2021
25	A210526	Ms C Sharp	Proposed erection of a first floor decking area with access steps.	Seahorse Margaret Street, New Quay, SA45 9QJ	Tynnwyd yn ôl / Withdrawn	18-08-2021
26	A210527	Mr and Mrs A Ballard	Proposed conversion/change of use of existing disused beauty salon and storage outbuildings into 2no. residential holiday lets (Phase 1)	Conrah Country Hotel, Llanfarian, Aberystwyth, SY23 4DF	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-08-2021

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
27	A210553	Mr A Davies	Variation of condition 2 of planning permission A170333 - Approved plans to enable amendments to be made to the proposed design to accommodate specific requirements of the intended occupier.	5 Pendre, Cardigan. SA43 1JL	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-08-2021
28	A210557	Mr and Mrs A Ballard	Change of Use of touring caravan camping park approved 10th January 2020 under planning ref. A190777 to a more permanent tourism development with lodges, carriageway, dedicated on site parking and associated works.	Conrah Country Hotel, Llanfarian, Aberystwyth, SY23 4DF	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-08-2021
29	A210560	Mr J Jones	Change of use of part of the land for siting of 4 small holiday cabins positioned within the harvested woodland area.	Harvested Woodlands, adjacent to A487 Glandyfi, Machynlleth	Dychwelwyd yn annilys / Returned Invalid	13-08-2021
30	A210561	Mrs R Taylor	Extension to dwelling to include demolition of outhouse	2, Y Werydd, Aberarth, Aberaeron, Ceredigion, SA46 0LU	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-08-2021
31	A210570	J & L Duffy	Ground floor rear extension to a detached cottage.	One Cat Farm, Bronfre Fach, Ciliau Aeron, Lampeter. SA48 7PT	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-08-2021
32	A210572	Mr and Mrs M & B Watkins	Proposed change of use of land to accommodate a shepherds hut.	Glandwr, Lledrod, Aberystwyth, SY23 4TA	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-08-2021
33	A210579	Mr and Mrs A Davies	Extension to dwelling off south west elevation.	Crud Yr Awel, Waungiach, Llechryd, Cardigan.	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-08-2021
34	A210583	Mr and Mrs D & C Lloyd	Proposed alteration and extension to the existing farmhouse.	Blaen Waun Fach, Synod Inn, Llandysul, Ceredigion, SA44 6JJ	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-08-2021
35	A210591	Ms Eirwen Hughes	Proposed first floor extension to dwelling to include removal of part flat roof.	Kergalon Ffordd Y Goitre, Aberaeron, Ceredigion, SA46 0DS	Caniatawyd gydag Amodau / Approved Subject to Conditions	09-08-2021
36	A210593	Mr A Davies	Occupation of dwelling house in breach of an agricultural condition imposed on planning permissions 860413 & 860913.	Bryn Aur, Mydroilyn, Lampeter, SA48 7QP	Caniatawyd y Tystysgrif / Certificate Granted	10-08-2021
37	A210598	Mr and Mrs F Richards	Demolition of existing garage and erection of replacement garage.	1 Regent Street, Aberaeron, SA46 0HY	Caniatawyd gydag Amodau / Approved Subject to Conditions	17-08-2021
38	A210599	Mr and Mrs F Richards	Demolition of existing garage and erection of replacement garage.	1 Regent Street, Aberaeron, SA46 0HY	Caniatâd wedi ei roi / Consent Granted	17-08-2021

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
39	A210600	Mrs Sali Davies	Proposed extension and alterations to dwelling to include removal of conservatory and roof over part of dwelling.	38 Maesceinion, Waunfawr, Aberystwyth, Ceredigion, SY23 3QQ	Caniatawyd gydag Amodau / Approved Subject to Conditions	13-08-2021
40	A210602	Mr R Stagge	Install land drain to the north-west and north-east elevation to redirect ground and surface water from the property.	Garden Cottage, Alltrodyn, Capel Dewi, SA44 4PU	Caniatâd wedi ei roi / Consent Granted	31-08-2021
41	A210610	Miss Julie Jones	Change of use of the existing HMO into 2 self contained flats.	5 George Street, Aberystwyth, Ceredigion, SY23 1QG	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-08-2021
42	A210611	Miss E Bradley	Demolition of a single-storey rear extension and a re-erection of a double-storey rear extension as well as a proposed new vehicular entrance to lead to a new parking area.	Chapel House, Silian, Lampeter. SA48 8AR	Caniatawyd gydag Amodau / Approved Subject to Conditions	17-08-2021
43	A210618	Mr and Mrs P & A Wright	Erection of a polytunnel.	Llwynceilyn Bach, Llanwenog, Llanybydder, SA40 9UT	Caniatawyd gydag Amodau / Approved Subject to Conditions	31-08-2021
44	A210620	Mr R Davies	Proposed change of use of Solicitors office into a 6 bedroom guest house.	1 Cadwgan Place, Aberaeron, SA46 0BU	Dychwelwyd yn annilys / Returned Invalid	10-08-2021
45	A210621	Mr R Davies	Proposed change of use of Solicitors office into a 6 bedroom guest house.	1 Cadwgan Place, Aberaeron, SA46 0BU	Dychwelwyd yn annilys / Returned Invalid	10-08-2021
46	A210625	(Allens Caravans Estates Ltd)	Discharge condition 7 of planning permission A200257 - Detailed ecological enhancement scheme.	Glan Y Mor Holiday Park Clarach Bay, Aberystwyth, SY23 3DT	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	06-08-2021
47	A210637	Mr and Mrs J Morris	Lawful development certificate to demonstrate that planning permission A090598 is extant and capable of full implementation (6 dwellings)	Llwynpïod, Gwbert Road, Cardigan. SA43 1PJ	Caniatawyd y Tystysgrif / Certificate Granted	10-08-2021
48	A210638	Mr E Davies (Llanilar Developments Ltd)	Retention of 2 holiday let timber lodges and highway improvements to provide access lane to site including 2 passing bays with junction improvements.	Pengarreg Farm, Llanilar, Aberystwyth, SY23 4SB	Dychwelwyd yn annilys / Returned Invalid	13-08-2021
49	A210639	Katerina Nazarova	Building a double garage with a room above, and also a further wooden shed.	The Holt, Cardigan, Ceredigion, SA43 2LD	Dychwelwyd yn annilys / Returned Invalid	12-08-2021
50	A210642	Mr O Hamond	Codi sied ardd/erection of a garden shed	Pennant, Bontgoch, Talybont, Aberystwyth. SY24 5DP	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-08-2021

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
51	A210644	Mr and Mrs Kenobi	ERECTION OF A SINGLE STOREY EXTENSION	34 Dan-y-Coed, Aberystwyth. SY23 2HD	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-08-2021
52	A210650	Mr S Deakins	First floor extension and single storey extension to replace existing first floor extension	Mor Lan, High Street, Borth. SY24 5JA	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-08-2021
53	A210652	Mr and Mrs D & C Lloyd	Proposed erection of a general purpose agricultural building.	Blaenwaun Fach, Synod Inn, Llandysul, SA44 6JJ	Caniatawyd gydag Amodau / Approved Subject to Conditions	09-08-2021
54	A210656	Mr D Standing	Erection of an agricultural building for storage of machinery.	Ty Newydd, New Mill Road, Cardigan, SA43 1QT	Caniatâd ei angen / Permission required	17-08-2021
55	A210665	Mr G James	Erection of an agricultural shed for storage of hay.	Penrallt Deri, Llangoedmor, Cardigan, SA43 2LR	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	10-08-2021
56	A210670	Mr and Mrs N & S Evans	Proposed change of use of outbuilding into extension to dwelling.	Pyllau Dwr, Bwlchllan, Lampeter, Ceredigion, SA48 8QH	Caniatawyd gydag Amodau / Approved Subject to Conditions	31-08-2021
57	A210674	Colin Jones	Internally illuminated fascia signs.	Anthony Motors Ltd, Llanbadarn Road, Llanbadarn Fawr, Aberystwyth, SY23 3QP	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-08-2021
58	A210695	Mr and Mrs A Lewis	Erection of an agricultural building for storage of machinery and equipment.	land to the South of Rhosgraigna, Felinfach, Lampeter, SA48 7QD	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	20-08-2021
59	A210698	Dr Wendy Hurst (Lidl Great Britain Ltd)	Minor amendment to planning permission A190639 (amended plans).	Lidl Uk, Rheidol Retail Park, Aberystwyth, SY23 1LL	Caniatawyd / Approved	13-08-2021
60	A210707	Mr J Griffiths	Forestry road.	Nant Cynodion, Llanddewi Brefi, Tregaron	Rhoi caniatâd ymlaen llaw / Prior Approval Granted	20-08-2021
61	A210708	Mr and Mrs J Morris	Minor amendment to planning permission A090598 (Change of wording to condition 24).	Site adj to Llwynpïod Farm, Ferwig Road, Cardigan, SA43 1PJ	Caniatawyd / Approved	11-08-2021
62	A210715	Mr A Sweeney	Minor amendment to planning permission A160342 (amended plans).	Land Adjacent To Village Hall Aberarth, SA46 0LN	Caniatawyd / Approved	13-08-2021
63	A210726	E Jones-Bright (Natural Resources Wales)	Alteration to existing road	Lakeside, Nant Y Moch, Aberystwyth, SY23 3JG	Rhoi caniatâd ymlaen llaw / Prior Approval Granted	20-08-2021

4. Penderfyniadau Apeliadau/Appeal Decisions

02-08-2021 - 01-09-2021

#	Cyfeirnod yr Apel / Appeal Reference	Cais / Gorfodaeth / Linked Application / Enforcement	Apeliwr / Appellant	Rhesymau dros apelio / Grounds for Appeal	Lleoliad / Location	Penderfyniad Allanol / External Decision	Dyddiad Penderfyniad Allanol / External Decision Date
1	APP/D6820 /A/21/32734 32	A200723	Mr Leon Goburn (Clarach Bay Services)	Against refusal of permission	Clarach Bay Services, Cwm Nant Yard, Capel Bangor, Aberystwyth. SY23 3LL	Dismissed	02-08-2021
2	APP/D6820 /A/21/32740 21	A200660	Mr A Clements	Against refusal of planning permission	Parc y Pant, New Quay, SA45 9SH	Dismissed	11-08-2021

5. Apeliadau a Dderbyniwyd/Appeals Received

05-08-2021 - 01-09-2021

#	Cyfeirnod yr Apel / Appeal Reference	Cais / Gorfodaeth / Linked Application / Enforcement	Apeliwr / Appellant	Rhesymau dros apelio / Grounds for Appeal	Lleoliad / Location	Penderfyniad Allanol / External Decision	Dyddiad Penderfyniad Allanol / External Decision Date
1	APP/D6820/E/21/3279670	A200719	Mr and Mrs Rushworth	Refusal of Planning Permission	Yr Hen Stablau, Devil's Bridge, Aberystwyth, SY23 3JL		
2	APP/D6820/E/21/3279670	A200718	Mr and Mrs Rushworth	Refusal of Listed Building Consent	Yr Hen Stablau, Devil's Bridge, Aberystwyth, SY23 3JL		



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 13/07/21

gan **J P Tudor, BA (Hons), Cyfreithiwr (ddim yn ymarfer)**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 11/8/21

Appeal Decision

Site visit made on 13/07/21

by **J P Tudor, BA (Hons), Solicitor (non-practising)**

an Inspector appointed by the Welsh Ministers

Date: 11/8/21

Appeal Ref: APP/D6820/A/21/3274021

Site address: Land at Parc y Pant, Cnwc y Lili, New Quay, Ceredigion, SA45 9SH

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr A Clements against the decision of Ceredigion County Council.
 - The application Ref: A200660 dated 5 August 2020, was refused by notice dated 3 November 2020.
 - The development proposed is erection of two new dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal is in outline only with all matters reserved. A layout plan was submitted by the appellant showing a 'possible/indicative' layout. The scale parameters proposed for the dwellings are: width 12m-20m, depth 8m-16m and height 7.5m-9.5m. I have considered the appeal proposal on that basis.

Main Issues

3. The main issues are:
 - whether the proposed development would make a sufficient contribution towards the provision of affordable housing; and,
 - whether it would be in a suitable location with regard to local and national planning policy.

Reasons

4. The appeal site comprises a parcel of land used as an extended garden area of a residential property known as Parc y Pant. It is located on the edge of New Quay, but outside its settlement boundary. The site is largely grassed and set back from the road, while it is effectively screened from public view by mature hedgerow along its boundaries. It is proposed to construct two market dwellings within the site with access via an existing private shared drive off the highway.
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Affordable housing

5. Policy S05 of the Ceredigion Local Development Plan 2007-2022 (LDP) advises that LDP policies and allocations aim to secure in the region of 1100 affordable homes by seeking to negotiate a proportion of 20% affordable housing on all housing development. The policy's supporting text states that the justification for applying the requirement to all sites is set out in paragraphs 6.75-6.78 of the LDP. They explain that the requirement is based on the Local Housing Needs Assessment which informed the LDP. Policy S05 includes an option, exercisable at the discretion of the Council, for a commuted sum to be accepted in some circumstances, at the 'equivalent value' of 10% of the Open Market Value of the development as valued at the time of the application. Policy S05 appears to be broadly in accordance with guidance contained within Welsh Government's Technical Advice Note 2: Planning and Affordable Housing.
6. According to the appellant, the provision of on-site affordable housing, as preferred by policy S05, would be unviable in relation to the proposal and this particular site. That is said to be because of the generous plot sizes, with ecological and highway constraints limiting a greater density of housing that might otherwise enable an affordable housing element. Additional information regarding viability is presented by the appellant with his appeal submissions, including calculations of estimated build cost and sale prices, with a commuted sum offered as a more realistic and beneficial alternative to on-site provision. However, the Council fails to engage with or provide any assessment of that additional information, instead merely referring back to the position at the application stage, when it considered insufficient information had been provided. Its principal concern appears to remain the location of the site outside the settlement boundary, which I will consider later in this decision.
7. The appellant indicated that although no affordable housing agreement was submitted during the initial planning application, a signed agreement for consideration would be supplied during the appeal process.¹ However, no legal agreement has been received. Therefore, even if I considered that a commuted sum would be acceptable in this case, there is no means to secure it before me. I am satisfied that an appropriate s106 Agreement would meet the tests set out in Welsh Office Circular 13/97 'Planning Obligations'.
8. The Planning Inspectorate's 'Procedural Guide – Wales – Annexe 03 – Planning Obligations' advises that, in written representation cases, if the appellant wants a planning obligation to be taken into account they must make sure that it has been executed and a certified copy submitted no later than 6 weeks from the start date of the appeal.²
9. It would not be appropriate to seek to secure such an agreement by means of a planning condition.³ In the absence of a completed legal agreement, approved by the Council, I can only conclude that the proposal fails to make a sufficient contribution towards the provision of affordable housing, contrary to the requirements of LDP policy S05.

¹ Paragraph 3.4 of the appellant's Statement of Case

² Paragraphs 2.1 and 2.2

³ See paragraph 5.41 Welsh Government Circular 016/2014: 'The Use of Planning Conditions for Development Management'

Suitability of location

10. Policy S03 of the LDP forms part of the Council's strategy to direct development towards sustainable locations identified in a settlement hierarchy, which includes Rural Service Centres (RSCs) such as New Quay. Policy S03 states that focussing development in RSCs will improve the sustainability of rural areas. The policy permits housing development on allocated sites and 'windfall' sites but requires all housing development to be within defined settlement boundaries, other than rural exception sites providing affordable housing.
11. As the appeal site is outside, although adjacent to, the defined settlement boundary for New Quay and the proposal is for market dwellings, it would be contrary to LDP policy S03, which is accepted by the appellant. Notwithstanding, the appellant maintains that the site is within a highly built-up area and effectively constitutes a 'windfall' opportunity in a sustainable location.
12. The site is adjacent to the house at Parc y Pant, and proximate to a line of residential dwellings running along the eastern side of the adjacent public highway. As indicated by the appellant and confirmed by my site visit, it is otherwise largely surrounded by extensive holiday park developments of static caravans. Given the nature of the site, screened by tall hedgerow, enclosed by development and adjacent to existing housing, the proposed scheme would not result in an incursion into the countryside. Moreover, the centre of New Quay is relatively close by and could be accessed by walking, cycling or making use of the regular bus service from nearby bus stops. Therefore, there would be alternatives to private car use, a principal concern of the LDP. Overall, given its proximity to an RSC, where the LDP seeks to focus development, the proposed housing would be in a relatively sustainable location.
13. Although the Council notes those arguments advanced by the appellant, it does not persuasively explain why it considers them to be insufficient. Furthermore, it does not identify any tangible or significant harm that would result from this development outside, but immediately adjacent to, the settlement boundary.
14. The LDP explains that: '*Settlement boundaries are drawn for each of the Service Centres...to ensure that development relates to the existing built form and takes place in the most suitable locations*'.⁴ Notwithstanding the conflict with LDP policy S03 in relation to the settlement boundary, in this case, the development would relate to the existing built form, given its location next to existing housing, while its design and appearance could be controlled at the reserved matters stage. It would also be in a sustainable location adjacent to an RSC. In addition, it is material that the LDP's spatial strategy, which includes its settlement boundary criterion, does not appear to have been successful in meeting the housing provision targets for the area, with less than a year of the plan period to run.
15. Paragraph 3.60 of Planning Policy Wales (Edition 11) (PPW)⁵ states that: '*Infilling or minor extension to existing settlements may be acceptable, in particular where they meet a local need for affordable housing or it can be demonstrated that the proposal will increase local economic activity. However, new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.*'

⁴ Paragraph 6.39

⁵ February 2021

16. Although the Council appears to quote the above paragraph to support its case, in my view the development would constitute 'infilling or a minor extension' to an existing settlement. Furthermore, it would not be 'new building in the open countryside away from existing settlements or areas allocated for development', as the site is enclosed by surrounding development and is immediately next to an existing settlement, which is a focus for development in the LDP. I have dealt with the affordable housing aspect above.
17. I conclude, therefore, that the proposed development would be in a suitable location. While there would be conflict with policy S03 of the LDP, as the site is outside the settlement boundary, given the nature and context of the site and the scale of the development, the breach would not cause material harm or significantly undermine the LDP's spatial strategy.

Planning Balance and Conclusion

18. Citing figures published by the Council in December 2020⁶, the appellant notes that of the 151 housing units required for New Quay during the LDP period (2007-2022), 92 were outstanding and infers an associated under-delivery of affordable housing. The Council has not disputed those delivery shortfalls over the plan period, which has only a short time left to run. Given that context, although the proposal is limited to two dwellings, it would nevertheless make a modest contribution to the provision of housing in the area at a sustainable location. The development would also offer some economic benefits, including in the provision of short-term employment opportunities during construction and in the purchase of building materials. Future occupiers would also be likely to contribute towards the local economy and to the viability of nearby services and facilities, albeit to a relatively modest extent.
19. While I have considered the benefits and did not find that the development would be in an unsuitable location, those factors do not outweigh the significant failure to make a sufficient contribution towards the provision of affordable housing, as required by the LDP.
20. Accordingly, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.
21. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015 ('the Act'). I consider that this decision is in accord with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's well-being objectives as required by section 8 of the Act.

JP Tudor

INSPECTOR

⁶ Report on LDP Housing Commitments at December 2020: Monitoring the Ceredigion Local Development Plan (LDP 2007-2022)



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 13/07/21

gan **J P Tudor, BA (Hons), Cyfreithiwr
(ddim yn ymarfer)**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 2/8/21

Appeal Decision

Site visit made on 13/07/21

by **J P Tudor, BA (Hons), Solicitor (non-
practising)**

an Inspector appointed by the Welsh Ministers

Date: 2/8/21

Appeal Ref: APP/D6820/A/21/3273432

Site address: Cwm Nant Yard, Capel Bangor, Aberystwyth, SY23 3LL

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Leon Goburn (Clarach Bay Services Ltd.) against the decision of Ceredigion County Council.
 - The application Ref: A200723 dated 3 September 2020, was refused by notice dated 12 November 2020.
 - The development proposed is storage compound for skips and storage containers to include new vehicular access.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the existing site and the area; and,
 - whether sufficient information has been submitted with regard to effects on nearby Sites of Special Scientific Interest (SSSI).

Reasons

Character and appearance

3. The appeal site comprises a reasonably sizeable parcel of greenfield land, bounded by trees and hedgerow, in a rural location. It lies just south of a country road and is opposite Cwm Nant Yard, a skip and recycling centre which has operated since the 1990s. There are some residential dwellings to the west but the site is about 1km north-west of the nearest small settlement of Capel Bangor. The surrounding area is predominantly open countryside consisting of mostly agricultural land, some wooded areas and scattered rural dwellings and farms.
-

4. The appeal proposal would provide additional storage space for the existing skip and recycling business, Clarach Bay Services Ltd, which is run from Cwm Nant Yard. It would be used to store empty skips and containers. Natural screening is proposed around the site perimeter.
5. Policy DM06 of the Ceredigion Local Development Plan 2007-2022 (LDP)¹ states that development should positively contribute to its location and surroundings, while criterion 2 indicates that development should complement the site and its surroundings in terms of layout, respecting views into and out of the site and produce a cohesive form in relation to the scale, height and proportion of existing built form. Similarly, LDP policy DM17 seeks to ensure that development does not have a significant adverse impact on the qualities and special character of, amongst other things, the visual landscape of Ceredigion. According to that policy, development should not cause significant visual intrusion, be insensitively or unsympathetically sited within the landscape or fail to harmonise with the landscape.
6. Although the appeal site is opposite the existing recycling centre and some residential units, it is physically separated from them by the country road and the mature hedgerow running along its northern boundary. As the site comprises grass, scrub, scattered trees and vegetation, it has more natural affinity with adjacent fields, a fishing pond to the south-west and the wider surrounding landscape of rolling countryside than the pocket of commercial and residential development to the north. The proposed development would include a series of engineered tiered plateaus, formed with hardcore², associated embankments, a wide access from the highway and a 6m wide interior roadway and turning area running centrally through the site, with groups of stacked skips and storage containers to a height of approximately 3m. Therefore, the proposed location, form and semi-industrial use would transform the character of the existing greenfield site to its detriment and represent a significant visual intrusion into the countryside.
7. It is submitted by the appellant that various design features of the proposed scheme would reduce the impact on the rural character of the site and the area. For example, it is suggested that the plateaus have been designed to complement the natural gradient of the site. However, it seems to me that the primary function of the plateaus is to provide a level area for storage of the skips.³ Moreover, in attempting to level out the natural slope of the land, the artificially created plateaus and embankments, would appear incongruous and at odds with the undulating character of the surrounding landscape.
8. According to the appellant, existing landscaping would be retained and there would be additional planting and a green buffer and embankment to enhance screening of the site. While those efforts are noteworthy, the proposal indicates that the established hedgerow along the northern boundary would be removed. The site is already visible from parts of the road and, although the descending plateaus would be below road level, given the extent of the site the removal of the hedgerow would be likely to further expose the proposed storage compound to public views from the road and at the new wide entrance. Although the hedgerow would be replaced with a mixed species hedgerow, that and other proposed new or additional planting along boundaries and embankments is likely to take some time to establish. In any event,

¹ Adopted 25 April 2013

² Referred to as 'recycled aggregate' on the Proposed Block Plan & Proposed Cross Section (Drawing No. 2)

³ As indicated in the notes on Drawing No. 2 and within the Design and Access Statement.

the effectiveness of screening vegetation along boundaries is likely to vary at different times of the year, with many plants losing their leaves during the autumn and winter months. Moreover, the sloping nature of the topography from north to south would be likely to make parts of the terraced site visible in the landscape from both neighbouring properties and elevated parts of the surrounding rolling countryside. Therefore, while various measures within the scheme attempt to mitigate the adverse visual impact on the site and the area, I do not consider that they would be sufficient or successful.

9. Although acknowledging that the surrounding area is predominantly countryside, the appellant refers to the built form of the established recycling facility itself, along with other built development further east alongside the road comprising large, steel clad barns, other farm buildings to the west and some development at the fishing lake to the south-west. Be that as it may, most of those other developments appear to be largely agricultural buildings or barns, albeit of the modern steel-framed variety, which are fairly typical features of rural landscapes, and often associated with, and seen in the context of, established farmsteads including farmhouses and other outbuildings. In any case, those existing agricultural buildings and scattered developments would not justify the proposed noticeable visual intrusion into the countryside of semi-industrial appearance, involving new entrances, roadways and the extensive engineering and remodelling of a previously undeveloped greenfield site.
10. The appellant holds that, in terms of mass and height, the proposal does not include any permanent structures above ground level and that, therefore, any visual impact would be temporary and fully reversible. However, the proposal is for a full rather than a temporary permission and relates to a compound for skips and storage containers, to be stored in groups up to 3m high. Therefore, there would be items above ground level on site for much of the time, albeit the individual skips and containers would be removed and delivered at regular intervals. Moreover, the engineered, hardcore plateaus, embankments and central access road would be relatively permanent features in the landscape and not readily or easily reversible, without incurring likely significant costs.
11. I conclude, therefore, that the proposed development would have a significant adverse effect on the character and appearance of the existing site and the area. Consequently, of the various LDP policies referred to by the Council, the material conflict would be with policies DM06 and DM17, the relevant content of which has been set out above.

Sites of Special Scientific Interest (SSSI)

12. Although not a reason for refusal in its decision notice, within its appeal statement the Council submits that the proposal does not include sufficient information with regard to possible impacts on nearby SSSI. It advises that the Afon Ger Capel Bangor SSSI is partly designated for its river shingle invertebrate assemblage and a rare water beetle⁴, which are both sensitive to pollution. It also states that the Rheidol Shingle and Backwaters SSSI is located downstream and within 5km of the proposed development site and that the Rheidol river is connected to the site via a stream, which could offer a pathway to the protected site for pollution and for non-native and invasive species. The Council's concerns that pollution and sedimentation/silt run-off

⁴ Bidessus minutissimus

from the appeal site could result in significant damage to the SSSI appear to be based on similar concerns expressed by Natural Resources Wales (NRW).⁵

13. The proposal relates to the storage of 'empty' skips and containers, an aspect which could be controlled by condition. The appeal site is also some distance from the relevant SSSI. Therefore, while I have carefully considered the Council's and NRW's views⁶ and notwithstanding the possible connection pathway, I consider that the risk of pollution or other damage would be low rather than likely. While further assessment information would have been preferable, given the limited nature of the risk, I am satisfied, on this occasion, that a permission could be made subject to a suitable condition, requiring a detailed Pollution Prevention Plan to be submitted to the local planning authority for approval before any development could be commenced.
14. Therefore, I conclude that, subject to appropriate conditions, adequate information has been submitted with regard to the effect on nearby Sites of Special Scientific Interest (SSSI). On that basis, the proposed development would comply with LDP policy DM14, which indicates that development should protect biodiversity, geodiversity and ecological connectivity across Ceredigion and relevant national advice, contained in the Welsh Government's Technical Advice Note 5: Nature Conservation and Planning⁷ and Planning Policy Wales (Edition 11).

Planning Balance and Conclusion

15. The appellant focusses on part of paragraph 3.1.6 of the Welsh Government's Technical Advice Note 23 (TAN 23)⁸, which states: *'Proposals on land not identified in the plan will often come from established businesses wishing to expand or modernise... If the planning system prevents such firms from expanding or modernising in situ, significant economic benefits may be foregone.'* However, as indicated elsewhere in the appellant's submissions, that part of the paragraph is bookended by: *'Allocated sites should be given priority, but development on unallocated sites could be permitted if the resulting benefits outweigh any adverse impacts of the development.'* [and] *'Development on land not allocated in the development plan should, however, only be permitted in exceptional circumstances and must be fully justified.'* Therefore, that guidance suggests that a balancing exercise is required and development on unallocated sites should only be permitted in exceptional circumstances and where fully justified. I have also considered the content of LDP policy LU12 in this regard.
16. It is appreciated that the appellant wishes to expand the existing recycling facility to provide additional storage space. In support, the appellant also points to the contribution that the existing business makes towards environmental sustainability objectives through its recycling and waste operations. In addition, the appellant refers to the need for flexibility to expand in order to maintain a viable business and indicates that the business employs 12 people, with the suggestion that more might be employed if the site was extended.⁹ While that may be, I note that the appellant's Design and Access Statement indicates, albeit in relation to traffic, that: *'In terms of traffic generation, there will be no additional traffic along this county road. The proposal is not to develop the business and increase volumes of waste and additional employment. The proposal is to provide a new storage compound which will enable*

⁵ NRW letter dated 7 October 2020

⁶ And the relevant statutory framework including s28I of the Wildlife and Countryside Act 1981

⁷ September 2009

⁸ February 2014

⁹ Paragraph 5.10 of the appellant's Appeal Statement and section 18 of the Application Form.

*the existing recycling facilities to be improved and provide segregated zones for the storage of recycled waste allowing Clarach Bay Services to operate more efficiently.*¹⁰ Therefore, while the development may assist in the operational efficiency of the business and provide possible additional employment opportunities, the extent of those and any other economic benefits is unclear.

17. It is submitted by the appellant that it would not be realistic or viable to expand the existing operations site to the north because of issues relating to topography, site levels and the presence of a heavily wooded area. However, those assertions are not supported by any detailed or persuasive evidence in relation to cost or effects. Moreover, the appeal proposal also appears to involve relatively significant engineering operations to create plateaus on sloping land and the removal of mature hedgerow along the northern boundary. The alleged difficulties, including the distance from the existing business, associated with other possible alternative sites are also noted.
18. The proposed development would be likely to offer greater flexibility and efficiency for the existing business by providing extra storage space for skips and containers. The additional planting on the appeal site would also be of some value in enhancing ecological diversity through the mix of species. Although I found that there would not, subject to appropriate conditions, be likely harm to nearby SSSI, that is neutral in the balance. Overall however, while I have considered the benefits, I am not persuaded that they would outweigh the significant harm to the character and appearance of the existing site and the area, already identified. Therefore the proposal fails to comply with the LDP, considered as a whole.
19. Accordingly, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.
20. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015 ('the Act'). I consider that this decision is in accord with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's well-being objectives as required by section 8 of the Act.

JP Tudor

INSPECTOR

¹⁰ Which the Highway Authority based its consultation response upon.

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