Cyngor Sir
CEREDIGION
County Council

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

2 December 2021

Dear Sir / Madam

I write to inform you that a Meeting of the Development Control Committee will be held remotely via video-conferencing on Wednesday, 8 December 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 24 November 2021 (Pages 3 - 4)**

5. **To consider planning applications deferred at previous Meetings of the Committee (Pages 5 - 24)**

6. **Development, Advertisement, Local Authority and Statutory Applications (Pages 25 - 46)**

7. **Planning applications dealt with by way of delegated authority (Pages 47 - 52)**

8. **Appeals (Pages 53 - 54)**

9. **Any other matter which the Chairman decides is for the urgent attention of the Committee**

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

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, 24 November 2021

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

Also in attendance: Councillor Endaf Edwards

Officers in attendance: Mr Russell Hughes-Pickering, Corporate Lead Officer- Economy & Regeneration, Mrs Catrin Newbold – Service Manager, Mr Alan Davies – Corporate Manager – Planning Services, Mr Jonathan Eurig – Development Management Team Leader –North, Ms Nia Jones – Corporate Manger – Democratic Services , Mrs Ffion Lloyd, Solicitor and Mrs Dana Jones, Democratic Services and Standards Officer

(10:00am –12:00pm)

1 **Personal**
The Chairman welcomed all to the meeting.

2 **Apologies**
Councillor Maldwyn Lewis 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 10 November 2021**
It was **RESOLVED** to confirm as a true record the Minutes of the Meeting of the 10 November 2021.

Matters arising
None.

5 **Planning applications deferred at previous Meetings of the Committee**
Consideration was given to the Report of the Corporate Lead Officer – Economy and Regeneration on the following planning applications which had been considered at a previous meeting and which required further consideration by the Committee:-

A200906 Conversion, extension and alterations of existing dwelling to provide 4 self contained flats, 1 Castle Terrace, South Road, Aberystwyth

To **APPROVE** the application subject to conditions to include soundproofing being installed prior to occupation of the flats, that the occupiers be prohibited from using the flat roof as an amenity area and that they are also prohibited of altering the window to door to access it.

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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:-

Mr Luke Veasey (Applicant) addressed the 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

A210529 Erection of an extension Trafford House, Trawsgoed, Aberystwyth

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

Mr Elfyn Jones (Applicant) addressed the 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

A210615 Proposed building plot for one dwelling along with a new access to the highway, Plot Adj Dolau Gwyn Dole, Bow Street, Aberystwyth

To **DEFER** determination of the application for one month to allow further time or a 'cooling off' period to consider all the facts on the application.

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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

8 **Planning Appeals**

None

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

Chairman:-_____

Date:_____

1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210463	07-05-2021	Mr S Crane	Proposed erection of a single storey dwelling.	Land At Woodcroft Capel Dewi, Aberystwyth, SY23 3HR	Refuse
2	A210464	10-05-2021	Ms Naomi Mudie	Erection of steel framed storage shed to be used for the storage of machinery and fodder.	Tyncelyn Fields, Llangeitho, Tregaron, SY25 6QL	Refuse

1.1. A210463

Rhif y Cais	A210463
Derbyniwyd	07-05-2021
Y Bwriad	Cynnig i adeiladu annedd un llawr
Lleoliad Safle	Tir yn Woodcroft, Capel Dewi, Aberystwyth, SY23 3HR
Math o Gais	Cais Cynllunio Llawn
Ymgeisydd	Mr S Crane, Woodcroft, Capel Dewi, Aberystwyth, SY23 3HR
Asiant	Mr Byron Jenkins (Ymgynghoriaeth Pensaernïol Byron Jenkins), Capel Afan, Llanafan, Aberystwyth, Ceredigion, SY23 4AY

Y SAFLE A HANES PERTHNASOL

Mae Capel Dewi yn anheddiad bach sydd wedi ei leoli tua 4.8 cilometr i'r dwyrain o Aberystwyth. Yn wreiddiol, datblygodd y pentref o amgylch y groesffordd â'r ffordd fawr - yr A4159, lle'r adeiladwyd nifer o fythynnod bychan. Mae datblygiad diweddar wedi bod ar ffurf linellol gyda býngalos a thai mawr ar hyd yr A4159 i'r de o'r pentref.

Mae safle'r cais ger pen deheuol yr anheddiad, ar ochr orllewinol cefnffordd yr A4159, gyferbyn â'r ffordd sy'n arwain at Fferm Gelli Angharad. Mae safle'r cais wedi ei leoli yn ôl rywfaint o'r ffordd fawr. Ceir Gorchmynion Cadw Coed ar hyd y tir o flaen y safle ac i'r cefn. Ar hyn o bryd, mae'r safle'n cynnwys tir pori a gynhelir ac mae wedi ei leoli rhwng yr eiddo Woodcroft ac adeilad sy'n floc o stablau ymhellach i'r de. Ymhellach i'r de, mae eiddo preswyl o'r enw North Lodge (Porthdy'r Gogledd).

O ran hanes cynllunio, cafwyd tri chais blaenorol i adeiladu annedd ar y safle penodol hwn, yn 2012, 2014 a 2020. Cafodd pob un o'r ceisiadau hyn eu tynnu yn ôl.

MANYLION Y DATBLYGIAD

Mae'r cais hwn yn cael ei gyflwyno'n llawn ac mae'n ceisio caniatâd cynllunio i adeiladu býngalo ar ffurf L. Mae'r cynlluniau'n dangos eiddo dwy ystafell wely ynghyd â garej integrol. Mae ôl troed allanol y býngalo oddeutu 265 metr sgwâr. Bydd yr adeilad yn cael ei orffen â rendrad llyfn a bydd llechi naturiol neu synthetig ar yr adeilad.

Bydd ardal ar gyfer parcio a throi yn cael ei darparu i'r gogledd o'r býngalo ac mae'r cynlluniau'n dangos mwy na digon o fan amwynder ar gyfer yr eiddo. Bydd tanc carthion yn ymdrin â dŵr brwnt.

POLISÏAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)

Mae polisïau canlynol y Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn:

DM06 Dylunio a Chreu Lle o Safon Uchel

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'

YSTYRIAETHAU PERTHNASOL ERAILL

Mae Adran 17(1) Deddf Troseddau ac Anhrefn 1998 yn rhoi dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau gan ystyried effaith debygol gweithredu'r swyddogaethau hyn ar droseddau ac anhrefn yn 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 gwarchodedig', sef oed; anabledd; ailbennu rhyw; beichiogrwydd a mamolaeth; hil; crefydd neu gredo; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw dyledus i hybu cydraddoldeb yn cynnwys:

- Gwaredu neu leihau'r anfanteision y mae pobl yn eu dioddef yn sgil eu nodweddion gwarchodedig;
- Cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchodedig lle bo'r anghenion yn wahanol i rai pobl eraill;
- Annog pobl o grwpiau gwarchodedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

Rhoddwyd sylw dyledus i'r ddyletswydd uchod wrth benderfynu ynghylch y cais hwn. Ystyrir na fyddai'r datblygiad arfaethedig yn peri goblygiadau sylweddol i bobl â nodweddion gwarchodedig 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 gosod dyletswydd ar y Cyngor i gymryd camau rhesymol i 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 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 YMGYNGHORI

Priffyrdd Ceredigion – Dim gwrthwynebiad, ond bydd rhai amodau

Draenio Ceredigion - Dim sylwadau anffafriol

Dŵr Cymru – Dim sylw

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".

Egwyddor y Datblygiad

Cais llawn yw hwn i godi býngalo yn anheddiad Capel Dewi. Mae Capel Dewi o fewn Grŵp Aneddiadau Aberystwyth, fodd bynnag nodir yng Nghynllun Datblygu Lleol Ceredigion ei fod o fewn y categori 'lleoliad arall'. Yn sgil hynny, y prif bolisi perthnasol wrth ystyried y cais yw polisi S04 Cynllun 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 ddatblygiad o fewn lleoliadau eraill er mwyn bodloni anghenion cymunedau sydd eisoes yn bodoli, mae'r polisi yn ceisio sicrhau rheolaeth ar amlhau datblygiadau mewn lleoliadau anghynaliadwy. Felly, dim ond mewn achosion lle ceir angen y gellir ei gyfiawnhau o ran menter wledig yn unol â Nodyn Cyngor Technegol (TAN6) y caniateir datblygiad newydd yn ôl y polisi, neu er mwyn bodloni angen am dai fforddiadwy, ac nad yw'r angen hwnnw eisoes wedi ei fodloni, yn unol â S05. O ran tai fforddiadwy, yn unol â pholisi cynllunio cenedlaethol, dim ond pan fo'r datblygiad wedi ei leoli o fewn neu yn union ar bwys aneddiadau sy'n bodoli eisoes y rhoddir caniatâd i ddatblygu mewn lleoliadau eraill.

Yn yr achos hwn, ystyrir y byddai lleoliad y cais yn dderbyniol o ran bodloni meini prawf polisi, gan ei fod o fewn 'anheddiad' Capel Dewi a'i fod yn ei hanfod yn cynrychioli achos o ddatblygiad mewnlenwi. Gan mai felly y mae yn yr achos hwn, byddai cefnogaeth yn cael ei gwarantu ar gyfer annedd fforddiadwy ar yr amod ei bod yn diwallu'r angen am dai fforddiadwy yn yr ardal ac nad yw'r angen hwnnw eisoes wedi ei fodloni.

Nid yw'r ymgeisydd wedi gofyn i'r cais gael ei ystyried yn annedd fforddiadwy ond mae'n fodlon cefnogi annedd marchnad agored a gwneud cyfraniad o 10% tuag at dai fforddiadwy yn unol â pholisi S05 y Cynllun Datblygu Lleol. Maent yn gwneud y pwynt y dylid rhoi cefnogaeth i anheddau marchnad agored yn yr aneddiadau a'r pentrefi eraill o fewn y Grŵp Aneddiadau hwnnw, gan nad yw'r Ganolfan Wasanaethau (Aberystwyth) yn diwallu ei chapasiti llawn o ran dyraniad tai.

Er nad yw'n hollol berthnasol, gan i'r ymgeiswyr wrthod caniatáu i'r cais gael ei ystyried yn uned fforddiadwy, wrth ystyried cynigion ar gyfer tai fforddiadwy, mae'r Cynllun Datblygu Lleol yn tynnu sylw at yr angen i sicrhau nad yw cartrefi fforddiadwy yn cael eu hadeiladu i safonau isel annerbyniol neu i greu 'tai sy'n rhy fawr neu'n dai sylweddol'. Mae Canllawiau Cynllunio Atodol: Tai Fforddiadwy Ceredigion yn rhoi'r Cynllun Datblygu Lleol ar waith drwy osod manylion ynghylch isafswm y gofod llawr mewnol ar gyfer cartrefi fforddiadwy. Mae'r manylion hyn wedi eu cymryd o safon Gofynion Ansawdd Datblygu Llywodraeth Cymru: a chynnydd o uchafswm o 20% ar y lleiafswm o ran gofod cyffredinol y llawr mewnol. Isafswm arwynebedd y llawr yn ôl safon y Gofynion Ansawdd Datblygu ar gyfer tŷ fforddiadwy pedair ystafell wely yw 114 metr sgwâr. Felly, yr uchafswm a ganiateir yng Ngheredigion yw 136 metr sgwâr, sydd 20% yn uwch na ffigwr y Gofynion Ansawdd Datblygu.

O'r cynlluniau llawr a ddarparwyd, byddai gan yr annedd arfaethedig ôl troed allanol o oddeutu 265 metr sgwâr a fyddai'n awgrymu bod y gofod llawr mewnol oddeutu 240 metr sgwâr. Byddai hynny hefyd yn groes i'r polisi.

Yn hynny o beth, o ran datblygiad mewn 'lleoliadau eraill', ystyrir bod y cynnig yn gwrthdaro â pholisïau lleol a chenedlaethol.

Tirwedd

Mae safle'r cais wedi ei leoli yn anheddiad Capel Dewi lle ceir mathau amrywiol o dai o ran eu maint a'u gwedd. Mae'r cynnig am fýngalo eithaf mawr mewn rhes o unedau preswyl eithaf modern. Ystyrir na fyddai'r cynnig yn tynnu oddi ar y strydlun ac felly byddai'n cydymffurfio â pholisi DM06 a DM17 y Cynllun Datblygu Lleol.

Priffyrdd

Nid oes gan Awdurdod Priffyrdd Lleol Ceredigion unrhyw wrthwynebiad i'r cynnig sy'n bwriadu defnyddio'r un fynedfa â'r eiddo cyfagos, sef Woodcroft. Mae'r Awdurdod Priffyrdd wedi nodi y gellir cefnogi'r cais ond bod amodau.

Trefniadau Draenio Tir a Dŵr Brwnt

Mae draenio tir yn fodlon gyda'r dulliau arfaethedig ar gyfer draenio dŵr wyneb, ond bod amodau.

Gan nad oes system garthffosiaeth gyhoeddus yng Nghapel Dewi, yna rhaid cael gwared ar ddŵr brwnt drwy ddulliau preifat. Y bwriad yw darparu tanc carthion ar gyfer hyn a byddai hwnnw'n ddarostyngedig i reoliadau Rheoli Adeiladu.

Argymhelliad:

I gloi, yn annibynnol ar y faith bod y safle wedi'i leoli mewn anheddiad, byddai darparu annedd marchnad agored yn y lleoliad hwn yn groes i bolisïau lleol a chenedlaethol ac argymhellir gwrthod y cais hwn.

PWERAU DIRPRWYEDIG

Mae'r aelod lleol ar gyfer Ward y Faenor, y Cynghorydd J Roberts, wedi gofyn i'r cais gael ei gyfeirio er ystyriaeth at y Pwyllgor Rheoli Datblygu, am y rhesymau canlynol:-

- Cafodd y cais hwn ei dynnu'n ôl y tro diwethaf a hynny am yr ail dro, gan fod yr ymgeisydd wedi gorfod mynd i'r ysbyty;
- Nid yw'n gallu mynd i fyny'r grisiau ac mae angen býngalo arno. Rwy'n deall y bydd ei ferch yn symud i'r prif dŷ, er mwyn bod yn agos ato a chynorthwyo os bydd angen cymorth;
- Ni ddywedodd wrthyf ei fod yn gwneud cais eto, felly nodyn yw hwn dim ond i ddweud fy mod yn cefnogi ei gais am fýngalo

(Nodir bod yr ymgeisydd wedi dweud o'r blaen wrth y Cynghorydd Roberts bod angen yr annedd ar gyfer ei rieni oedrannus).

RHESWM DROS OHIRIO:

Adroddwyd y cais i'r Pwyllgor Rheoli Datblygu ar 10 Tachwedd 2021 gydag argymhelliad i wrthod ar sail bod yn groes i bolisïau S01 ac S04 o'r Cynllun Datblygu Lleol. Penderfynodd y Pwyllgor ohirio penderfynu ar y cais am fis er mwyn caniatáu rhagor o amser neu gyfnod 'oeri' i ystyried y pwyntiau a godwyd gan yr Aelodau i gynnwys:
- barn Swyddogion Polisi Cynllunio ar ddyfodol Capel Dewi o fewn y CDLl, Polisi Cynllunio Cymru 4.2.5;
- Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 S5&7; a
- ar y cynnig o 10% o swm cymudo ac ar cyngor pellach ar arwyddocâd yr ymadawiad a'r risgiau cyn gwneud penderfyniad terfynol.

Cyfarfu'r Grŵp Gorchwyl a Gorffen ar 23 Tachwedd 2021, adolygwyd y cais, adroddiad y Pwyllgor a chofnodion y cyfarfod. Nododd y Grŵp fod Capel Dewi wedi'i grybwyll fel rhan o'r ardal ehangach o amgylch Aberystwyth i'w ystyried yn y dyfodol ac nad oedd gan y dref ddigon o dir datblygu i adeiladu arno. Nododd y Grŵp hefyd, er y gallai ffosffadau hefyd effeithio ar

ddatblygiadau yng Ngheredigion yn y dyfodol, fod ystadegau poblogaeth Ceredigion yn is nag o'r blaen gyda 294 o ganiatadau ymrwymiedig mewn grwpiau anheddu, a 50 mewn lleoliadau eraill yn ardal Aberystwyth. At hynny, awgrymodd mapiau lleoliad y byddai'n cael ei ystyried o fewn rhan o ffurf adeiledig yr ardal. Mewn perthynas â'r Ddeddf Lles Cymdeithasol, ni ddarparwyd unrhyw dystiolaeth i gefnogi hyn a chyfeiriwyd at ddatblygu eiddo fforddiadwy gan yr ymgeisydd a oedd yn awgrymu y gallai fod opsiynau amgen ar gael i'r ymgeisydd yn hytrach na datblygu ar y safle hwn.

Barn y mwyafrif o'r grŵp oedd nad oedd y ffactorau dewisol yn drech na pholisi cynllunio cenedlaethol na lleol a bod polisi yn y dyfodol yn amherthnasol heddiw.

Daethpwyd i'r casgliad bod y grŵp yn argymell bod y Pwyllgor yn dilyn argymhelliad y Swyddog mewn perthynas â'r cais hwn.

ARGYMHELLIAD

GWRTHOD gan ei fod yn groes i bolisïau S01 ac S04 Cynllun Datblygu Lleol Ceredigion.

Rhif y Cais / Application Reference	A210463
Derbyniwyd / Received	07-05-2021
Y Bwriad / Proposal	Proposed erection of a single storey dwelling.
Lleoliad Safle / Site Location	Land At Woodcroft Capel Dewi, Aberystwyth, SY23 3HR
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr S Crane, Woodcroft, Capel Dewi, Aberystwyth, Ceredigion, SY23 3HR
Asiant / Agent	Mr Byron Jenkins (Byron Jenkins Architectural Consultancy), Capel Afan, Llanafan, Aberystwyth, Ceredigion, SY23 4AY

THE SITE AND RELEVANT PLANNING HISTORY

Capel Dewi is a small settlement situated approx 4.8km east of Aberystwyth. The village originally developed around the cross roads with the main A4159 road, where a number of small cottages were built. Recent development has taken the form of a linear of large bungalows and houses along the A4159 to the south of the village.

The application site is located adjacent to the southern extremity of the settlement, on the western side of the A4159 trunk road, opposite the access road to Lovesgrove Farm. The application site is set back slightly from the main road. There are Tree Preservation Orders along the frontage of the site and to the rear. The site currently consists of maintained grazing land and is sandwiched between the property of Woodcroft and a stable block building further south. Further to the south is the residential property known as the North Lodge.

In terms of planning history there have been three previous applications for the erection of a dwelling on this particular site, namely in 2012, 2014 and 2020. All applications were withdrawn.

DETAILS OF DEVELOPMENT

This application is submitted in full and seeks planning permisison for the erection of an L shaped bungalow. The plans show the provision of a two bedroomed property together with an integral garage. The external footprint of the bungalow is in the region of 265m². The building will be finished in a smooth render and will be either naturally or synthetically slated.

Parking and turning area will be provided to the north of the bungalow while the plans show more than adequate amenity space to serve the property. Foul water will be catered for via a septic tank.

RELEVANT PLANNING POLICIES AND GUIDANCE

- Future Wales: The National Plan 2040

- Planning Policy Wales (Edition 11, February, 2021)

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

DM06 High Quality Design and Placemaking

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

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 STC.

Ceredigion Drainage - No adverse comments.

Dŵr Cymru / Welsh Water - No observations.

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 consideration indicate otherwise".

The Principle of Development

This is a full application for the erection of a bungalow in the settlement of Capel Dewi. Capel Dewi falls within the Aberystwyth Settlement Group, however it is identified in the Ceredigion Local Development Plan as being in an 'other location' classification. 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.

In this instance it is considered that the application site would be acceptable in terms of meeting policy criteria in relation to its location as it is within the 'settlement' of Capel Dewi and represents in essence a case of infill development. As that is the position, support would be warranted for an affordable dwelling provided that it met an unmet affordable need in the locality.

The applicant has not requested that the application be considered as an affordable dwelling but is willing to support an

open market dwelling and make a 10% contribution for affordable housing in accordance with policy S05 of the LDP. They make the point that as the Service Centre (Aberystwyth) is not meeting its full capacity in terms of its housing allocation then support should be forthicoming for open market dwellings in the other settlements and villages within that Group.

Although not strictly relevant, as the applicants have declined the application be considered as an affordable unit, 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'. 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 an external footprint of approximately 265m² which would give an indication of an internal floorspace of approx 240m² which would also be contrary to policy.

In that respect it is considered that the proposal is in conflict with both local and national policies with regard to development in other locations.

Landscape

The application site is located in the settlement of Capel Dewi where there is a mixture of housing types in terms of sizes and appearances. The proposal represents a fairly large bungalow in a row of fairly modern residential units. It is considered that the proposal would not detract from the streetsce and therefore would be compliant with policy DM06 and DM17 of the LDP.

Highways

Ceredigion Local Highways Authority have no objection to the proposal which looks to utilise the same access with the neighbouring property of Woodcroft. They have indicated that the application can be supported subject to conditions.

Land Drainage and Foul Water Arrangements

Land drainage are content with the proposed means of surface water drainage subject to condition.

As there are no mains sewers in Capel Dewi then foul water disposal is to be served by private means. The intention is to provide a septic tank to cater for this provision which would be subject to Building Control regulations.

Recommendation

In conclusion, irespective that the site is located within a settlement, the provision of an open market dwelling at this location would be contrary to both local and national policies and it is recommended that the application be refused.

DELEGATED POWERS

The local Member for the Faenor Ward, Cllr J Roberts has requested the application be referred to the Development Control Committee for consideration for the following reasons:-
- This application was withdrawn last time for a second time due to the applicant having to go into hospital;
- He is unable to go upstairs and requires a bungalow, I understand that his daughter will be moving into the main house to be near him and to assist if help is required;
- He did not tell me that he was applying again so this note is simply to say that I support his application for a bungalow.

(It is noted that the applicant indicated previously to Cllr Roberts that the dwelling was required for the applicant's elderly parents).

REASON FOR DEFERRAL:

The application was reported to the Development Control Committee on 10th November 2021 with a recommendation to refuse on grounds of being contrary to policies S01 and S04 of the Local Development Plan. The Committee resolved to defer determination of the application for one month to allow further time or a 'cooling off' period to consider the points raised by Members to include:
- the views of the Forward Planning officers on the future of Capel Dewiwithin the LDP, PPW 4.2.5;
- the Social Services and Wellbeing (Wales) Act 2014 S5&7; and
- 10% commuted sum had been offered and so that the Committee received further advice onthe significance of the

departure and risks prior to making a final decision.

The Task and Finish Group met on 23 November 2021, reviewed the application, the Committee report and the minutes of the meeting. The Group noted that Capel Dewi was mentioned as part of the larger area surrounding Aberystwyth for future consideration and that the town did not have sufficient development land to build on. The Group also noted that although phosphates may also impact future developments in Ceredigion the population statistics for Ceredigion was lower than previous with 294 outstanding consents in settlement groups, and 50 in other locations in the Aberystwyth area. Furthermore, location maps suggested that it fell to be considered within part of the built form of the area. In relation to the Social Wellbeing Act no evidence had been provided to support this and reference wasmade potential to affordable properties being developed by the applicant which suggested that there may be alternative options available to the applicant rather than developing at this site.

The majority view of the group was that the discretionary factors did not outweigh national or local planning policy and that future policy was irrelevant today.

It was concluded that the group recommend that Committee follow the Officer recommendation in relation to this application.

RECOMMENDATION:

REFUSE as contrary to policy S01 and S04 of the Ceredigion Local Development Plan.

1.2. A210464

Pwyllgor / Committee

Rhif y Cais / Application Reference	A210464
Derbyniwyd / Received	10-05-2021
Y Bwriad / Proposal	Erection of steel framed storage shed to be used for the storage of machinery and fodder.
Lleoliad Safle / Site Location	Tyncelyn Fields, Llangeitho, Tregaron, SY25 6QL
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Ms Naomi Mudie, Tyncelyn Fields Llangeitho, Llangeitho, SY25 6QL
Asiant / Agent	Mr Graham Leaver (Egis Consultancy Ltd), Lowendel Cliffords Mesne, Newent, Gloucester, GL18 1JT

Y SAFLE A'I HANES PERTHNASOL O RAN CYNLLUNIO

Cae amaethyddol agored yw'r safle dan sylw. Datblygwyd nifer o adeiladau anghyfreithlon ar y safle a hefyd lleolwyd carafán yn anghyfreithlon ar y safle. Pan gynhaliwyd ymweliad â'r safle roedd peiriannau adeiladu yn amlwg. Mae ffeil orfodaeth ar agor parthed y datblygu anghyfreithlon.

Hanes o ran Cynllunio

A160747 - Cais am gymeradwyaeth ymlaen llaw ar gyfer codi adeilad storio ar gyfer contractwr amaethyddol – Angen caniatâd 04/09/2016

A200963 - Cais am gymeradwyaeth ymlaen llaw ar gyfer codi sied storio – Angen caniatâd 18/12/2020

A210117 - Codi sied storio o ffrâm ddur i gadw peiriannau a gwair – Gwrthodwyd 20/04/2021

MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio llawn ar gyfer codi adeilad amaethyddol ychwanegol.

Bydd y siec arfaethedig yn 22.86m o hyd a 10.67m o led gyda tho pwyso agored a fydd yn mesur 22.86m wrth 7.32m ar ochr y gogledd-ddwyrain. Bydd yr adeilad yn mesur 4.26m o uchder i'r bondo a 5.18m i grib y to. Bydd y sied arfaethedig yn gwbl gaeëdig ac iddi ddrysau dwbl ar ochr y gogledd-ddwyrain. Y deunyddiau fydd blociau concrid wrth fôn y waliau ac wedyn waliau a tho o ddur rhychiog.

POLISÏAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Mae'r polisïau canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu ar y cais hwn:

- DM06 Dylunio a Chreu Lle o Safon Uchel

- DM10 Dylunio a Thirweddu

- DM17 Y Dirwedd yn Gyffredinol
- S01 Twf Cynaliadwy

- S04 Datblygu mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'
- DM13 Systemau Draenio Cynaliadwy
- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)

YSTYRIAETHAU PERTHNASOL ERAILL

Mae Adran 17(1) Deddf Trosedd ac Anhrefn 1998 yn rhoi 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 gwarchodedig', sef oed; 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 golygu:

- dileu neu leihau anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchodedig;
- cymryd camau i ddiwallu anghenion pobl sy'n perthyn i grwpiau gwarchodedig pan fydd yr anghenion hyn yn wahanol i anghenion pobl eraill;
- annog pobl o grwpiau gwarchodedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

Rhoddwyd 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 gwarchodedig 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 I'R YMGYNGHORIAD

Cyngor Cymuned Llangeitho – Dim sylw

Priffyrdd – Dim sylwadau

Draenio Tir – Dim gwrthwynebiad, yn ddibynnol ar amodau

Ecoleg – Dim sylw

Daeth un gwrthwynebiad i law gan drydydd parti parthed y cais. Mae'r sylwadau yn cwestiynu beth yw'r cyfiawnhad dros adeilad mawr o'r fath yn y lle hwn ac yn tynnu sylw at y datblygu anghyfreithlon sydd wedi digwydd ar y safle eisoes.

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 Datblygu

Rhaid rheoli datblygiadau yn y cefn gwlad agored yn llym a dylai fod modd eu cyfiawnhau. Nid oes datganiad cyfiawnhau wedi'i gyflwyno i gefnogi'r cais. Mae'r rhesymau pam fod angen y datblygiad wedi'u nodi ar y ffurflen gais fel a ganlyn:

"1. Mae'r safle lle mae'r peiriannau yn cael eu storio ar hyn o bryd wrthi'n cael ei werthu ac, fel tenant, mae'r ymgeisydd yn gorfod gadael yr adeilad hwnnw cyn gynted â phosib.
2. Mae'r ymgeisydd yn ffermio yn rhan-amser ond oherwydd costau cynyddol y byrnau silwair mae am leihau ei gostau porthiant. Er mwyn cyflawni hynny mae'r ymgeisydd eisiau gwneud gwair yn hytrach na byrnau silwair ac mae arno angen adeilad i gadw'r gwair."

Pan gynhaliwyd ymweliad safle roedd peiriannau adeiladu, ar ffurf offer symud pridd, yn amlwg ar y safle ac nid oedd llawer o dystiolaeth fod y safle yn cael ei ddefnyddio at ddibenion amaethyddol. Nid ystyrir bod storio peiriannau adeiladu yn cyfiawnhau datblygu yn y cefn gwlad agored.

Mae Rheswm 2 yn ymwneud â chostau cynyddol byrnau silwair a'r angen i storio gwair. Mae'r datblygiad arfaethedig yn creu 412 metr sgwâr o ofod llawr ychwanegol. Ni roddir cyfiawnhad dros gael arwynebedd mor fawr i storio gwair. O ystyried maint yr uned amaethyddol, sef 5 hectar, nid ystyrir ei bod yn angenrheidiol at ddibenion amaethyddol.

Ers hynny mae'r ymgeisydd wedi cadarnhau bod ei phartner yn rhedeg cwmni contractio amaethyddol o'r safle, felly nid ystyrir bod angen gweithredol ar gyfer y datblygiad arfaethedig yn y lleoliad hwn.

Ystyrir felly fod yr egwyddor o ddatblygu yn y lleoliad hwn yn annerbyniol a byddai datblygu heb gyfiawnhad yn y cefn gwlad agored yn groes i Nodyn Cyngor Technegol 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010).

Effaith ar y Tirwedd
Fel y nodwyd uchod, saif safle'r cais yn y cefn gwlad agored ac mae mewn lle amlwg. Mae gogledd y safle yn arbennig o agored o ran y tirwedd gan olygu fod y safle yn weladwy o sawl cilomedr i ffwrdd. O ganlyniad, byddai adeilad o'r maint hwn yn y lleoliad a gynigir yn niweidiol i dirwedd a chymeriad yr ardal. Ar hyn o bryd, nid oes yr un adeilad cyfreithlon ar y safle ac felly byddai'r datblygiad arfaethedig yn cyflwyno adeilad sydd heb gyfiawnhad a hynny mewn lle amlwg iawn ar y tirwedd. Felly mae'r cais yn groes i Bolisïau DM06 a DM17 o'r Cynllun Datblygu Lleol.

Materion eraill

Nid yw'r Awdurdod Priffyrdd Lleol na'r adran Draenio Tir yn gwrthwynebu'r datblygiad. Mae'r adran Draenio Tir yn argymell amodau perthnasol.

Casgliad

Caiff adeiladau yn y cefn gwlad agored eu hannog i fod wrth ymyl y ffurf adeiledig. Felly, mae'r Awdurdod Cynllunio Lleol o'r farn fod y datblygiad arfaethedig yn annerbyniol oherwydd bod diffyg cyfiawnhad dros ddatblygu yn y lleoliad hwn. Yn ogystal, mae'r safle mewn lle amlwg yn y tirwedd ac ystyrir y byddai'n cael effaith andwyol ar dirwedd a chymeriad yr ardal.

ARGYMHELLIAD:

Gofynnir am bŵer dirprwyedig gan yr Aelod Lleol/ Gwrthod.

1. Nid yw'r cais yn llwyddo i ddangos bod angen y datblygiad arfaethedig yn y lleoliad hwn. Felly nid oes digon o gyfiawnhad dros ganiatáu datblygu yn y cefn gwlad agored, yn unol â'r polisi cynllunio cenedlaethol. Mae'r cais, felly, yn groes i Nodyn Cyngor Technegol 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010).

2. Saif safle'r cais mewn lle amlwg ar y tirwedd ac i ffwrdd oddi wrth unrhyw ffurf adeiledig gyfreithlon. Felly ystyrir y byddai lleoliad a maint y datblygiad yn niweidiol i gymeriad a golwg yr ardal a'r tirwedd. Felly mae'r cais yn groes i Bolisïau DM06 a DM17 o'r Cynllun Datblygu Lleol.

Awdurdod a ddirprwyir

Mae'r Cynghorydd Rhodri Davies wedi datgan buddiant personol a buddiant sy'n rhagfarnu yn y cais hwn ac felly mae wedi gofyn am i'r cais gael ei ystyried gan y Pwyllgor Rheoli Datblygu.

Rheswm dros y Gohirio

Ar ôl cyflwyno'r cais, mae'r ymgeisydd wedi darparu datganiad cynllunio mewn perthynas â'r cais. Ni ystyriwyd y datganiad cynllunio ar adeg ysgrifennu adroddiad gwreiddiol y pwyllgor. Felly gohiriodd y pwyllgor cynllunio ystyriaeth o'r cais hyd nes y gellid ystyried y datganiad cynllunio yn iawn. Ystyriodd y Grŵp Tasg a Gorffen y cais ymhellach hefyd.

Mae'r ymgeisydd wedi cadarnhau bod ganddi dir ychwanegol i'r 5ha yn y lleoliad hwn a elwir bellach yn Bryn Caseg. Mae 9 ha wedi'u lleoli ym Mhenuwch, 5ha yn Trawsgoed gyda 4ha arall yn cael ei ffermio ar ran ei rhieni yn Tynllidiart / Rhos y Gell. Mae 23ha yn eiddo i'r ymgeisydd.

Mae gan yr ymgeisydd 80 o ddefaid i gyd, gyda bwriadau i gynyddu maint y ddiadell i 150. Mae'r rhain wedi'u lleoli ar draws pob lleoliad o fewn rheolaeth yr ymgeisydd gyda'r eithriad tir yn Trawscoed sydd wedi'i gadw ar gyfer y gwair. Ar draws pob safle mae'r ymgeisydd wedi cadarnhau bod oddeutu 10.4ha wedi'u cadw ar gyfer gwair. (5ha yn Trawsgoed, 2.8 ha ym Mhenuwch a 2.8 ha ar gaeau Bryn Caseg / Tyncelyn) gyda'r posibilrwydd o gynnwys tir yn Tynllidiart / Rhos y Gell ar gyfer cynhyrchu'r gwair. Fodd bynnag, ni ystyrir bod cyfiawnhad dros adeilad o 412 metr sgwâr o arwynebedd ar gyfer 10.6ha o gynhaeaf gwair.

Nodir bod nifer o geisiadau am adeiladau amaethyddol wedi'u cymeradwyo yn Rhos y Gell, mae'n ymddangos bod y caniatâd hwn wedi'i weithredu a'r adeiladau wedi'u codi. Dangosir bod yr adeiladau hyn yn yr ardal a ffermir gan yr ymgeisydd yn y wybodaeth ategol a ddarperir. Ni ddarparwyd unrhyw gyfiawnhad pam na fyddai'r adeiladau hyn yn addas ar gyfer cynnal busnes fferm.

Mae'r ymgeisydd wedi cadarnhau bod ei phartner yn rhedeg busnes contractio amaethyddol sy'n darparu gwaith daear i ffermydd yn yr ardal. Mae hyn yn cynnwys cynnal a chadw traciau a ffensys, draenio tir a pharatoi safleoedd ar gyfer codi adeiladau amaethyddol. Mae'r ymgeisydd hefyd wedi cadarnhau bod ei phartner yn gwneud rhywfaint o waith adeiladu nad yw'n gysylltiedig ag amaethyddiaeth. Felly, ystyrir bod y gwaith a wnaed gan bartner yr ymgeisydd yn gyfystyr â gwaith adeiladu yn hytrach nag amaethyddiaeth ddilys, ac felly nid oes angen swyddogaethol i'r busnes gael ei leoli mewn lleoliad cefn gwlad agored anghynaliadwy.

Bu'r Grŵp Tasg a Gorffen hefyd yn ystyried y cais mewn cyfarfod a gynhaliwyd ar 23 Tachwedd 2021.

Cyfeiriwyd yr achos hefyd at y Grŵp Tasg a Gorffen.

Adolygodd yr aelodau'r cais, adroddiad y pwyllgor, cyflwyniad ysgrifenedig yr ymgeisydd a chofnodion y cyfarfod.

Nododd y Grŵp Tasg a Gorffen mai argymhelliad y Swyddogion oedd gwrthod y cais am y seiliau a ganlyn:

- Mae hwn yn gais am sied 412 metr sgwâr ar safle 5 hectar ar gyfer storio peiriannau a phorthiant, ond ni ddarparwyd unrhyw gyfiawnhad i gefnogi'r cais am ddatblygiad yng nghefn gwlad agored, nid yw wedi'i leoli'n agos at ffurf adeiledig. , ac mae'r safle mewn lleoliad amlwg yr ystyrir ei fod yn cael effaith niweidiol ar dirwedd a chymeriad yr ardal.

Nododd y Grŵp Tasg a Gorffen fod yr ymgeisydd yn y pwyllgor wedi cyfeirio nad oedd yr holl wybodaeth wedi'i hystyried, gan nad oedd y Swyddog wedi ystyried tir sydd wedi'i leoli'n achlysurol o amgylch y sir i gynnwys 13 erw yn Trawscoed, 10 erw yn Rhosygell , tir yn Tynllidiart (maint heb ei nodi) a thir yn Llanio (maint heb ei nodi).

Nododd yr Aelod fod y ffocws ar gyfer datblygu ar y darn hwn o dir, a'i bod yn anodd cyfiawnhau sied o'r maint hwn ar safle 5 hectar. Fe wnaethant nodi hefyd nad oedd yr ymgeisydd wedi cyflwyno gwybodaeth yn ymwneud ag addasrwydd lleoli'r sied yn un o'r safleoedd eraill, ac y byddai angen mwy o wybodaeth mewn perthynas â'r busnes amaethyddol, adeiladau eraill ger y safle a pherchnogaeth, gan ddwyn i mewn meddwl am yr angen i gefnogi busnesau amaethyddol.

Daethpwyd i'r casgliad bod y grŵp yn argymell bod y Pwyllgor yn dilyn argymhelliad y Swyddog mewn perthynas â'r cais hwn.

Pwyllgor / Committee

Rhif y Cais / Application Reference	A210464
Derbyniwyd / Received	10-05-2021
Y Bwriad / Proposal	Erection of steel framed storage shed to be used for the storage of machinery and fodder.
Lleoliad Safle / Site Location	Tyncelyn Fields, Llangeitho, Tregaron, SY25 6QL
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Ms Naomi Mudie, Tyncelyn Fields Llangeitho, Llangeitho, SY25 6QL
Asiant / Agent	Mr Graham Leaver (Egis Consultancy Ltd), Lowendel Cliffords Mesne, Newent, Gloucester, GL18 1JT

Y SAFLE A HANES PERTHNASOL / THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to an open area of agricultural field. Numerous buildings have unlawfully been developed on the site, as well as the unlawful sting of a caravan. When a site visit was undertaken construction machinery was prevalent. An enforcement file is open in regards to the unlawful development.

Planning History

A160747 - Prior approval application for the Erection of a storage building for agricultural contractor - Permission required 04/09/2016

A200963 - Prior approval application for the erection of storage shed - Permission required 18/12/2020

A210117 - Erection of a steel framed storage shed to be used for the storage of machinery and fodder – Refused 20/04/2021

MANYLION Y DATBLYGIAD / DETAILS OF DEVELOPMENT

This application seeks full planning permission for the erection of an additional agricultural building.

The proposed shed is to measure 22.86m in length and 10.67m in width with an open lean-to measuring 22.86m by 7.32m being positioned on the north east elevation. The building will have a height of 4.26mm to eaves and 5.18m to ridge. The proposed shed is to be fully enclosed with double doors to the south east elevation. The materials are to be concrete blockwork lower walls with corrugated steel walls and roof.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL / RELEVANT PLANNING POLICIES AND GUIDANCE

Mae'r polisÏau canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn: / These Local Development Plan policies are applicable in the determination of this application:

- DM06 High Quality Design and Placemaking
- DM10 Design and Landscaping
- DM17 General Landscape
- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- DM13 Sustainable Drainage Systems
- TAN6 Planning for Sustainable Rural Communities (2010)

YSTYRIAETHAU PERTHNASOL ERAILL / OTHER MATERIAL CONSIDERATIONS

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.

YMATEBION YMGYNGHORI / CONSULTATION RESPONSES

Cyngor Cymuned Llangeitho Community Council - Did not comment

Highways - No observations

Land Drainage - No objection STC

Ecology - Did not comment

1 Third party objection has been received in respect of the application. The representation questions the justification for such a large building in this location, and draws attention to the unlawful development which has already taken place on site.

CASGLIAD / 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 consideration indicate otherwise”.

Principle of Development
Development in the open countryside must be strictly controlled and should be justified. No justification statement has been submitted in support of the application. The reasons why the development is required as stated on the application form read as follows.

"1. The site where the machinery is currently stored is being sold and, as tenant, the applicant is having to vacate that building as soon as possible.
2. The applicant is farming on a part time basis, but due to the rising costs of silage bales wants to minimise the fodder costs. To meet this objective the
applicant wants to make hay rather than baled silage and a building is required to store the hay."

When a site visit was undertaken construction machinery in the form of earth moving equipment was prevalent on site and there was little evidence of the site being used for agricultural purposes. The storage of construction machinery is not considered a justified use for development in the open countryside.

Reason 2 relates to the rising cost of silage bails and the need to store hay. The proposed development creates 412 sq meters of additional floor space. No justification is given as to why such a large area is required for the storage of hay. Given the size of the agricultural unit of 5ha, it is not considered necessary for agricultural purposes.

The applicant has since confirmed that her partner operates an agricultural contracting company from the premises, it is not therefore considered that a functional need exist for the proposed development in this location.

The principle of development at this location is therefore considered unacceptable and would be unjustified development in the open countryside contrary to Technical Advice Note 6: Planning for Sustainable Rural Communities (2010).

Impact on the Landscape
As noted above, the application site is located in the open countryside and is in a prominent location. The north of the site in particular is very open in its landscape which allows the site to be visible from several kilometres. Consequently, a building of this scale in the proposed location would be detrimental to the landscape and character of the area. At present, there are no lawful buildings on the site and consequently, the proposed development would introduce an unjustified building in a very prominent location within the landscape. The proposal is therefore contrary to Policies DM06 and DM17 of the LDP.

Other Matters

The LHA, and land drainage department have no objection to the development with the land drainage department recommending relevant conditions.

Conclusion

Buildings in the open countryside are encouraged to be adjacent to the built form. Therefore, the LPA are of the opinion that the proposed development is unacceptable due to there being a lack of justification for development at this location. Additionally, the site is in a prominent location within the landscape and is considered to have a detrimental impact on the landscape and character of the area.

ARGYMHELLIAD / RECOMMENDATION:

Delegated Power sought from Local Member/Refuse.

1. The application fails to demonstrate a need for the proposed development in this location. Therefore there is not sufficient justification for allowing development in the open countryside in line with national planning policy. The proposal is therefore contrary to Technical Advice Note 6: Planning for Sustainable Rural Communities (2010).

2. The application site is located in a prominent location in the landscape away from any lawful built form. Therefore, the

siting and scale of the development is considered to be detrimental to the character and appearance of the landscape and area. Consequently, the proposed development is contrary to Policies DM06 and DM17 of the Local Development Plan.

Delegated Authority

Cllr Rhodri Evans has declared a personal and prejudicial interest in this application and has therefore requested that the application be referred to the Development Control Committee for consideration.

Reason for Deferral

Following the submission of the application the applicant has provided a planning statement in respect of the application. The planning statement was not considered at the time of writing the original committee report. The planning committee therefore deferred consideration of the application until such a time the planning statement could be properly considered. The Task and Finish Group also further considered the application.

The applicant has confirmed that she has additional land to the 5ha in this location which is now known as Bryn Caseg. 9 ha are located at Penuwch, 5ha at Trawsgoed with a further 4ha farmed on behalf of her parents at Tynllidiart/Rhos y Gell. In total 23ha are owned by the applicant.

I. total the applicant has 80 sheep with aspirations to increase the size of the flock to 150. These are located across all locations within the applicants control save for land at Trawscoed which is reserved for Hay. Across all sites the applicant has confirmed that approximately 10.4ha are reserved for hay. (5ha at Trawsgoed, 2.8 ha at Penuwch and 2.8 ha at Bryn Caseg/Tyncelyn fields) with the possibility of including land at Tynllidiart/Rhos y Gell for the production of Hay. It is not however considered that a building of 412 sqm of floor space is justified for 10.6ha of hay harvest.

It is noted that a number of applications for agricultural buildings have been approved at Rhos y Gell, it would appear has though these permissions have been implemented and the buildings constructed. These buildings are shown as being in the area farmed by the applicant within the supporting information provided. No justification has been provided as to why these buildings would not be suitable for the carrying out of farm business.

The applicant has confirmed that her partner runs an agricultural contracting business which provides ground works to farms in the locality. This includes track and fence maintenance, land drainage and the preparation of sites for the erection of agricultural buildings. The applicant has also confirmed that her partner carries out some building work not related to agriculture. The work undertaken by the applicants partner is therefore considered to constitute building work rather than genuine agriculture, and therefore no functional need exist for the business to be located in an unsustainable open countryside location.

The Task and Finish Group also considered the application at a meeting held on the 23rd of November 2021.

The case has also been referred to the Task and Finish Group.

Members reviewed the application, the committee report, the applicant's written submission and minutes of the meeting.

The Task and Finish Group noted that the Officers recommendation was to refuse the application on the following grounds:

- This is an application for a 412 sq m shed on a 5 hectare site for the storage of machinery and fodder, however no justification has been provided in support of the application for development in the open countryside, it is not located near to built form, and the site is in a prominent location which is considered to have a detrimental impact on the landscape and character of the area.

The Task and Finish Group noted that reference was made by the applicant in committee that not all the information had been considered, as Officer had not taken into consideration land which is sporadically located around the county to include 13 acres in Trawscoed, 10 acreas in Rhosygell, land in Tynllidiart (size not specified) and land in Llanio (size not specified).

Member noted that the focus for development was on this parcel of land, and that it is difficult to justify a shed of this size on a 5 hectare site. They also noted that the applicant had not put forward information relating to the suitability of locating the shed at one of the other sites, and that more information would be required in relation to the agricultural business, other buildings near the site and ownership, bearing in mind the need to support agricultural businesses.

It was concluded that the group recommend that Committee follow the Officer recommendation in relation to this application.

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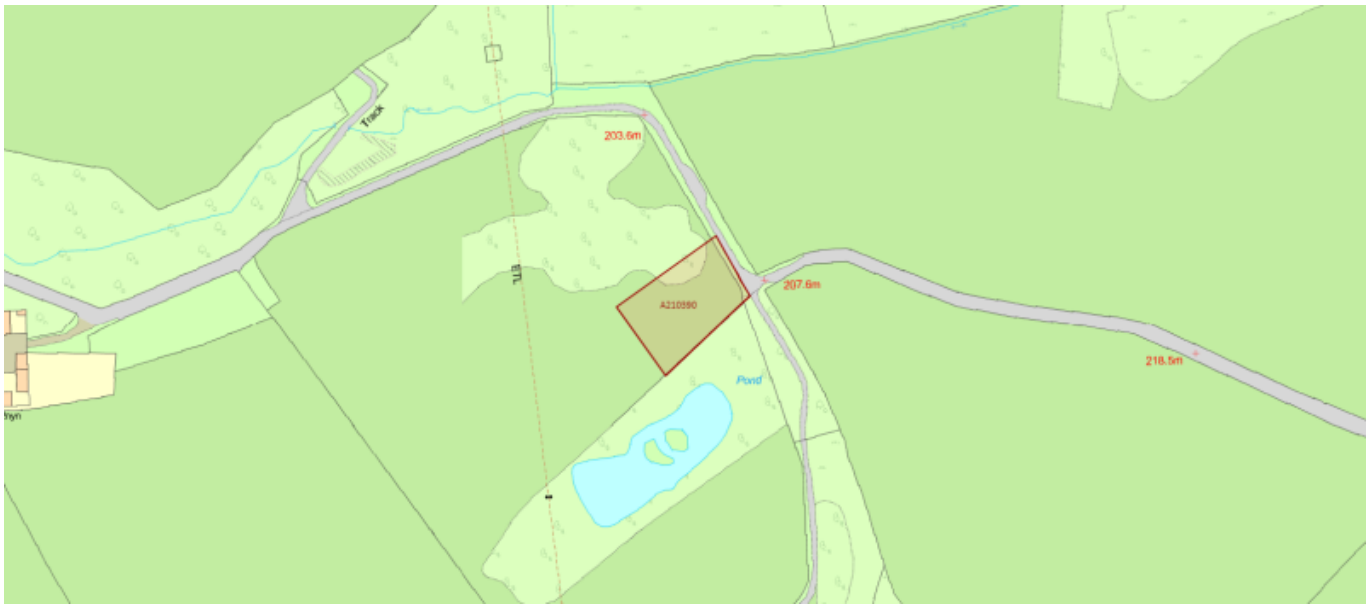
2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210390	16-04-2021	Mr S Owen & Miss E Rowbotham	Proposed rural enterprise dwelling to include installation of package treatment plant.	Land at Tynant, Tynreithyn, Tregaron, SY25 6TX	Refuse
2	A210725	26-07-2021	Mrs Carol Deal	Erection of a livestock polytunnel to house livestock comprising of sheep on smallholding.	Tegfan, Llanwenog Llanybydder, SA40 9UT	Approve Subject to Conditions

2.1. A210390



Pwyllgor

Rhif y Cais / Application Reference	A210390
Derbyniwyd / Received	16-04-2021
Y Bwriad / Proposal	Proposed rural enterprise dwelling to include installation of package treatment plant.
Lleoliad Safle / Site Location	Land at Tynant, Tynreithin, Tregaron, SY25 6TX
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr S Owen & Miss E Rowbotham, Penwernhir, Pontrhydfendigaid, Ystrad Meurig, Ceredigion, SY25 6BL
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen, Llanrhystud, Ceredigion, SY23 5ED

Y SAFLE A'R HANES CYNLLUNIO PERTHNASOL

Ar hyn o bryd mae safle'r cais yn dir maes glas amaethyddol mewn lleoliad cefn gwlad agored, tua 1.5km i'r dwyrain o grŵp o dai a adwaenir fel Tynreithin, sydd tua 2.5km i'r gogledd o Dregaron. Mae'r safle'n wynebu ffordd sirol, mae'n lefel ac mae'n ffinio â phwll i'r de. Yr eiddo agosaf at y safle yw Tŷ Nant sydd tua 250m i'r gorllewin fel yr hed y frân. Cefn gwlad agored sydd ar hyd ffin y safle ar bob ochr ac eithrio'r ochr ogleddol lle mae adeilad amaethyddol cymharol fach a adeiladwyd yn ddiweddar.

Cyflwynodd yr un ymgeiswyr gais cynllunio'n wreiddiol ar gyfer codi annedd fforddiadwy ac yna annedd menter wledig yn 2020 ond tynnwyd y cais hwn yn ôl. Rhoddwyd caniatâd cynllunio ym mis Ionawr 2021 ar gyfer y sied y cyfeiriwyd ati uchod.

MANYLION Y DATBLYGIAD

Cyflwynir cais cynllunio llawn ar gyfer codi annedd menter wledig, creu mynediad ar gyfer cerbydau a gosod cyfleuster parod i drin carthion.

Mae'r cynlluniau'n dangos tŷ deulawr cymharol fawr sy'n 13m o hyd ac yn 9.8m yn ei fan mwyaf llydan, ac mae'r ôl troed allanol yn 117m². Y bwriad yw y bydd yr adeilad yn cynnwys pedair ystafell wely a bydd yn cael ei adeiladu a'i orffen yn rhannol gyda cherrig naturiol ac yn rhannol â rendrad.

Maint y plot ei hun yw 65m x 30m ac mae'r eiddo wedi'i leoli hanner ffordd i lawr y plot a cheir mynediad ato ar hyd dreif hir cyn ymuno â'r ffordd sirol. Darperir man parcio a throi yn nhu blaen yr eiddo tra bod gweddill y plot yn fan amwynder.

Ar hyn o bryd mae safle'r cais yn rhan o ddarn 63 erw o dir amaethyddol sydd dan berchnogaeth rhieni un o'r ymgeiswyr. Mae'r ymgeiswyr yn byw ar hyn o bryd gyda'u rhieni mewn daliadau amaethyddol ym Mhontrhydfendigaid a Thregaron. Mae Mr Owens (yr ymgeisydd) yn gweithio fel ffermwr hunangyflogedig ar fferm y teulu ac mae hefyd yn is-gontractio i ffermydd eraill yn yr ardal.

Cyflwynir y cais ar y sail fod angen annedd amaethyddol ar gyfer gweithiwr amaethyddol. Sail y cais yw bod yr ymgeisydd mewn partneriaeth busnes gyda'i rieni ac yn gweithio'n bennaf o ddaliad amaethyddol sydd dan berchnogaeth y Cyngor sef Y Bryn, sydd i'r dwyrain o Dregaron a thua 2.4km (fel yr hed y frân) o safle'r cais. Mae fferm y Cyngor yn ddaliad 65 erw (sydd wedi'i rentu ar denantiaeth oes) ac mae 75 erw ychwanegol hefyd yn cael eu rhentu (ar gytundebau blynyddol) mewn dau floc o fewn 5 milltir i fferm Y Bryn. Y brif fenter yw gwartheg godro a chedwir defaid tac yn ystod y gaeaf. Mae'r wybodaeth a ddarparwyd i gefnogi'r cais yn cadarnhau bod y busnes yn ffermio cyfanswm o 155 o wartheg a 430 o ddefaid. Yn sgil ychwanegu rhagor o dir rhent yn safle'r cais, bwriedir cael 40 yn fwy o wartheg a 170 yn fwy o ddefaid yn y lleoliad hwnnw.

Y CANLLAWIAU A'R POLISÏAU CYNLLUNIO PERTHNASOL

Mae polisïau canlynol y Cynllun Datblygu Lleol yn berthnasol wrth ystyried y cais hwn:

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 Datblygiadau mewn ‘Aneddiadau Cyswllt a Lleoliadau Eraill’

YSTYRIAETHAU PERTHNASOL ERAILL

Mae Adran 17(1) Deddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol, gan roi sylw priodol i effaith debygol arfer y swyddogaethau hynny ar drosedd ac anhrefn o fewn ei ardal, a’r angen i gymryd pob cam rhesymol i atal hynny. Mae’r ddyletswydd hon wedi’i hystyried wrth werthuso’r cais hwn. Ystyrir na fyddai unrhyw gynnydd sylweddol neu annerbyniol yn y lefelau trosedd ac anhrefn o ganlyniad i’r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn nodi nifer o ‘nodweddion gwarchodedig’, sef oed; 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 golygu:

• dileu neu leihau’r anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchodedig;
• cymryd camau i gwrdd ag anghenion pobl o grwpiau gwarchodedig pan fydd y rhain yn wahanol i anghenion pobl eraill; ac
• annog pobl o grwpiau gwarchodedig i gymryd rhan mewn bywyd cyhoeddus, neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

Mae’r ddyletswydd uchod wedi cael ystyriaeth briodol wrth wneud penderfyniad am y cais hwn. Ystyrir nad yw’r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol nac yn un a fydd yn cael effaith sylweddol ar bobl sydd â nodwedd warchodedig, o’u cymharu ag unrhyw un arall.

DEDDF LLESIANT CENEDLAETHAU’R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau’r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar y Cyngor i gymryd camau rhesymol i 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 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 gwrdd â’u hanghenion eu hunain.

YMATEBION YMGYNGHORI

Mae gan Gyfoeth Naturiol Cymru bryderon sylweddol ynghylch y cais ac maent yn cynghori y dylid rhoi caniatâd dim ond os ceir cadarnhad y bwriedir cadw’r ffos agored bresennol wrth ochr y ffordd er mwyn diogelu cynefin posib ar gyfer dyfrgwn. Dylid gosod amodau ynghylch hyn a hefyd ynghylch y trefniadau goleuo ac ailosod y cloddiau.

Nid oedd CC Llangeitho yn gwrthwynebu’r cynnig, ar yr amod bod y tir a’r annedd dan sylw’n cael eu clymu fel un uned.

Draenio Tir Ceredigion – Dim sylwadau negyddol ynghylch y cynnig.

Priffyrdd Ceredigion – Dim gwrthwynebiad yn ddibynnol ar amodau.

Dŵr Cymru – Dim sylwadau.

Derbyniwyd sylwadau gan un trydydd parti, sef CPRW, a oedd yn gwrthwynebu’r cais ar y sail nad oes tystiolaeth wedi’i chyhoeddi i ddangos fod yna fenter wledig gynaliadwy sy’n bodloni amodau paragraff 4.6 Nodyn Cyngor Technegol (TAN) 6: mae 63 erw o dir yn hanner maint y daliad amaethyddol cyffredin yng Nghymru, ac mae’r drefn o ran cymorthdaliadau ar gyfer y dyfodol yn ansicr iawn. Pe roddir caniatâd cynllunio, byddai’n enghraifft arall o ddatblygiad preswyl ar dir maes glas amaethyddol – a hynny ar safle anghysbell, agored ac amlwg sy’n anaddas iawn ar gyfer annedd.

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 considerations indicate otherwise”.

Fel y nodwyd eisoes, mae safle’r cais mewn lleoliad cefn gwlad agored ac mae’r eiddo preswyl agosaf tua 250m i ffwrdd.

Felly, y polisi sy’n allweddol wrth ystyried y cais hwn yw Polisi S04 sy'n delio â chynigion datblygu mewn ‘aneddiadau cyswllt a lleoliadau eraill’. Mae’r polisi’n ystyried Polisi Cynllunio Cymru sy’n nodi y dylid lleoli datblygiadau yng nghefn gwlad o fewn a gerllaw’r aneddiadau lle gellir eu lleoli orau o ran seilwaith, mynediad, gwarchod cynefinoedd a gwarchod y dirwedd. Nodir hefyd y gall mewnlenwi neu estyniadau bach i aneddiadau cyfredol fod yn dderbyniol, yn enwedig os yw’n diwallu angen lleol am dai fforddiadwy. Fodd bynnag, mae’n rhaid parhau i reoli gwaith adeiladu newydd yn gaeth mewn cefn gwlad agored nad yw ger aneddiadau cyfredol neu ardaloedd a ddyrannwyd ar gyfer datblygu mewn cynlluniau datblygu.

Mae Polisi S04 y Cynllun Datblygu Lleol yn ceisio rheoli ymlediad datblygiadau preswyl mewn ‘lleoliadau eraill’ drwy

ganiatáu anheddau newydd dim ond lle y bo angen y gellir ei gyfiawnhau o ran menter wledig neu lle y bo angen y datblygiad i gyflawni angen heb ei ddiwallu am dai fforddiadwy.

Mae'r cais yn gofyn am annedd ar gyfer menter wledig newydd a dylid ei ystyried o safbwynt Nodyn Cyngor Technegol (TAN) 6.

O ran Nodyn Cyngor Technegol (TAN) 6, rhaid bodloni'r meini prawf canlynol:-

a. tystiolaeth amlwg o fwriad cadarn a gallu i ddatblygu'r fenter wledig dan sylw (mae buddsoddiad sylweddol mewn adeiladau ac offer newydd yn aml yn arwydd da o fwriad);

b. tystiolaeth amlwg bod angen sefydlu'r fenter newydd yn y lleoliad arfaethedig ac na ellir ei lleoli ar safle addas arall lle mae annedd yn fwy tebygol o fod ar gael;

c. tystiolaeth amlwg bod y fenter arfaethedig wedi'i chynllunio ar sail ariannol gadarn;

d. bod angen swyddogaethol clir am weithiwr *amser llawn,* nid rhan-amser;

e. ni ellid bodloni'r angen swyddogaethol gan annedd arall neu drwy drosi adeilad addas sydd eisoes ar safle'r fenter, nac unrhyw lety arall sy'n bodoli yn yr ardal sy'n addas ac sydd ar gael i'r gweithwyr dan sylw ei feddiannu; a

f. bod gofynion cynllunio arferol eraill, er enghraifft lleoliad a mynediad, wedi'u bodloni.

Maen prawf a – Rhaid bod angen swyddogaethol clir ar gyfer cael gweithiwr i fyw ar y safle.

Yn seiliedig ar yr wybodaeth a gyflwynwyd, noder bod y fenter ffermio wedi'i gwasgaru ar draws sawl lleoliad amrywiol sy'n cael eu rhentu yn ardal Tregaron, ac mae'r ymgeisydd hefyd yn cadw gwartheg ar ddaliad yn Llanybydder. Mae'r prif ddaliad yn Y Bryn, y tu allan i Dregaron, lle mae 65 erw yn cael eu ffermio. Yn ddiweddar mae'r ymgeisydd wedi cael gafael ar 63 erw (26ha) yn safle'r cais yn Nhŷ Nant, Llangeitho ac mae wedi adeiladu sied amaethyddol yn y lleoliad yn ddiweddar. Bwriad yr ymgeisydd yw symud y gwartheg sydd yn Llanybydder ar hyn o bryd i'r safleoedd yn ardal Tregaron gan gynnwys y safle yn Nhŷ Nant ac mae hefyd yn bwriadu cynyddu nifer y defaid sydd ar y safle.

Gan fod y busnes presennol yn seiliedig ar unedau rhent a bod y rheiny wedi'u lleoli cryn bellter o safle'r cais, mae'r Awdurdod Cynllunio Lleol yn credu y gellir ond rhoi ystyriaeth i deilyngdod y darn penodol hwn o dir. Fel y nodwyd, nid oes nifer fawr o dda byw yn y safle penodol hwn, a hyd yn oed pe bai'r niferoedd yn cynyddu i'r ffigwr arfaethedig byddai'r sied a'r tir yn cael eu defnyddio ar gyfer pori yn bennaf ac nid ar gyfer godro. Gan mai dyma yw'r sefyllfa, ni fyddai angen swyddogaethol ar gyfer cael gweithiwr amser llawn yn y lleoliad penodol hwn.

Maen prawf b: Rhaid i'r angen swyddogaethol ymwneud â gweithiwr amser llawn.

Mae'r wybodaeth a gyflwynwyd gyda'r cais yn nodi'r oriau gwaith yn Y Bryn a'r ddau safle arall sydd wedi'u lleoli y tu allan i Dregaron. Mae'r manylion a ddarparwyd yn nodi bod angen 2.5 aelod o staff ar hyn o bryd, yn seiliedig yn bennaf ar gyfanswm o 585 o dda byw sy'n gyfystyr â 5,510 awr o waith.

Fodd bynnag, yn seiliedig ar y 63 erw yn y safle hwn a'r ffaith y byddai cynnydd o 210 anifail ychwanegol yn unig, credir na fyddai cyfiawnhad digonol dros gael gweithiwr amser llawn yn y lleoliad penodol hwn.

Maen prawf c: Rhaid i'r fenter dan sylw fod wedi'i sefydlu ers o leiaf tair blynedd, wedi gwneud elw yn ystod un ohonynt o leiaf, a bod y fenter a'r busnes sydd â'r angen am y swydd yn ariannol gadarn ar hyn o bryd a bod yna ragolwg clir y byddant yn parhau felly.

Darparwyd gwybodaeth ynghylch sefyllfa'r busnes presennol yn Y Bryn a'r ddau ddarn arall o dir, fodd bynnag nid ydy'r busnes ar safle'r cais fel uned annibynnol wedi'i sefydlu eto.

Maen prawf d: Rhaid i'r cais ddangos na ellid bodloni'r angen swyddogaethol gan annedd arall na thrwy drosi adeilad addas sydd eisoes ar safle'r fenter, nac unrhyw lety arall sy'n bodoli yn yr ardal sy'n addas ac sydd ar gael i'r gweithwyr dan sylw ei feddiannu.

Nid oes anheddau cysylltiedig ar gael ar y safle na gerllaw. Er y bu'r eiddo a elwir yn Nhŷ Nant o dan berchnogaeth teulu'r ymgeisydd, nid yw hynny'n wir erbyn hyn. Fodd bynnag, mae anheddau yn gysylltiedig â'r busnes presennol yn Y Bryn ac mae perchnogion y safle yn Nhŷ Nant yn byw ym Mhontrhydfendigaid ar hyn o bryd.

Maen prawf e – Rhaid i'r datblygiad arfaethedig fodloni'r gofynion cynllunio arferol o ran lleoliad, dyluniad, mynediad, ecoleg, y dirwedd ac ati.

Mae'r cynlluniau'n dangos y bwriedir adeiladu tŷ mawr gyda phedair ystafell wely, ac yn seiliedig ar faint yr uned amaethyddol yn Nhŷ Nant ni fyddai'n gymesur o gwbl â maint y daliad.

Byddai darparu annedd sengl, fawr mewn lleoliad sy'n weddol amlwg a hynny yn bell o unrhyw adeiladau cyfagos, yn cael effaith andwyol ar gymeriad yr ardal ac yn ychwanegiad anghyson i'r dirwedd.

f. Bod gofynion cynllunio arferol eraill, e.e. lleoliad a mynediad, wedi'u bodloni.

Nid oes gwrthwynebiadau penodol yn hyn o beth. Er bod yr ymatebion ymgynghori wedi'u nodi, gan gynnwys yr angen i osod amodau yn unol â sylwadau Cyfoeth Naturiol Cymru a'r Adran Priffyrdd, nid yw hyn yn gwrthbwyso'r ffaith y gwrthwynebir y cais o safbwynt polisi cynllunio.

Ffactor allweddol arall o ran egwyddor y datblygiad yw'r ffaith nad ydy'r ymgeisydd yn berchen ar unrhyw un o'r safleoedd na'r tir. Mae'r holl safleoedd y cyfeirir atynt yn y ddogfennaeth ategol yn rhai sy'n cael eu rhentu gan yr ymgeisydd, naill ai ar sail tenantiaeth oes, tenantiaeth busnes fferm neu gytundeb blynyddol. Byddai Ceredigion yn disgwyl i unrhyw anheddau newydd a gyfiawnheir ar ddaliadau amaethyddol gael eu clymu â'r tir er mwyn sicrhau bod yr anheddau'n cael eu meddiannu a'u defnyddio ar gyfer yr angen penodol hwnnw. Gwneir hynny drwy gytundeb Adran 106 o dan Ddeddf Cynllunio Gwlad a Thref 1990 a byddai'n orfodol i'r holl dirfeddianwyr perthnasol fod yn rhan o'r cytundeb.

Gan mai tenantiaid yn unig yw'r ymgeiswyr yng nghyd-destun y tir hwn (a'r tir arall sy'n gysylltiedig), byddai gofyn am gwblhau cytundeb Adran 106 yn anodd yn y sefyllfa hon a byddai'n rheswm arall dros beidio â chefnogi'r cais fel y mae ar hyn o bryd.

I gloi, nid oes unrhyw gyfiawnhad dros gefnogi adeiladu annedd mewn lleoliad sydd ar safle maes glas a hynny y tu hwnt i unrhyw anheddiad neu ffurf adeiledig. Mae'r cynnig yn mynd yn groes i bolisïau S01 a S04 y Cynllun Datblygu Lleol ynghyd â Nodyn Cyngor Technegol (TAN) 6.

ARGYMHELLIAD:

Dylid GWRTHOD y cais gan ei fod yn mynd yn groes i Nodyn Cyngor Technegol (TAN) 6 a pholisïau S01 a S04 y Cynllun Datblygu Lleol.

Pwyllgor / Committee

Rhif y Cais / Application Reference	A210390
Derbyniwyd / Received	16-04-2021
Y Bwriad / Proposal	Proposed rural enterprise dwelling to include installation of package treatment plant.
Lleoliad Safle / Site Location	Land at Tynant, Tynreithin, Tregaron, SY25 6TX
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr S Owen & Miss E Rowbotham, Penwernhir, Pontrhydfendigaid, Ystrad Meurig, Ceredigion, SY25 6BL
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen, Llanrhystud, Ceredigion, SY23 5ED

THE SITE AND RELEVANT PLANNING HISTORY

The application site is currently greenfield agricultural land in an open countryside location approx 1.5km to the east of the group of houses known as Tynreithin which is some 2.5km to the north of Tregaron. The site fronts onto a County road, is level and adjoins a pond to its south. The nearest neighbouring property of Tŷ Nant is found approx 250m to the west as the crow flies. The site is bordered on all sides by open countryside apart from the northern side which is characterised by a modest sized recently constructed agricultural building.

A planning application initially for the erection of an affordable dwelling and then a rural enterprise dwelling by the same applicants was submitted in 2020 but subsequently withdrawn. Planning permission was granted to the above mentioned shed in January 2021.

DETAILS OF DEVELOPMENT

The application is submitted in full for the erection of a rural enterprise dwelling, vehicular access and the installation of a package treatment plant.

The plans show the provision of a fairly large two storey house being 13m long and 9.8m at its widest with an external footprint of 117m². The building looks to accommodate four bedrooms and is to be constructed and finished with part natural stone / part render.

The plot itself measures 65m x 30m and the property is located half way down the plot and accessed via a long drive before meeting up with the County road. Parking and turning area is provided to the front of the property whilst the remainder of the plot is made up of amenity space.

The application site is currently part of a parcel of agricultural land totalling approx 63 acres in the ownership of the one of the applicants parents. The applicants currently live with their parents on agricultural holdings in Pontrhydfendigaid and Tregaron respectively. Mr Owens (the applicant) works as a self employed farmer working on the family farm and also sub contracts to other farms in the area.

The application is submitted on the basis of a need for an agricultural dwelling to house an agricultural worker. The basis of the application is that the applicant is in a business partnership with his parents and operating mainly from the Council owned agricultural holding of Y Bryn which is to the east of Tregaron and approx 2.4km (as the crow flies) to the application site. The Council owned farm is a 65 acre holding (rented on a lifetime tenancy) and an additional 75 acres is also rented (on annual agreements) in two blocks within 5 miles of Y Bryn. The main enterprise is dairy cattle, and tack sheep are kept during the winter. Information provided in support of the application confirms that the business farm in total 155 cattle and 430 sheep. The recent addition of further rented land at the application site means that it is intended to increase cattle numbers by 40 and sheep by 170 at that location.

RELEVANT PLANNING POLICIES AND GUIDANCE

Mae'r polisÏau canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn:: / These Local Development Plan policies are applicable in the determination of this application:

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

OTHER MATERIAL CONSIDERATIONS

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

NRW have significant concerns with the application and advise that permission should only be granted upon confirmation of the retention of the exisitng open roadside ditch in order to protect potential otter habitat. Conditions should be imposed to that effect and also in relation to lighting arrangements and replacement of hedgerow.

CC Llangeitho CC do not object the proposal subject to the proposed land and dwelling are tied as one unit.

Ceredigion Land Drainage - No adverse comments to proposal.

Ceredigion Highways - No objection STC

DC/WW - No observations.

One third party representation from CPRW objecting the application on grounds that there is no published evidence of a sustainable rural enterprise that meets the conditions of TAN 6, para 4.6: 63 acres of accomodation land is half the size of the average Welsh agricultural holding, and the future subsidy regime is very uncertain. If granted, this would be yet one

more example of residential development on greenfield agricultural land — and on an isolated, exposed & prominent site very inappropriate for a dwelling.

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 consideration indicate otherwise”.

As stated, the application site is in an open countryside location and some 250m to the nearest residential property. As such the key policy relating to the consideration of this application is S04 which deals with development proposals in ‘linked settlements and other locations’. The policy takes account of Planning Policy Wales in that development in the should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled.

Policy S04 of the LDP seeks to control the proliferation of residential development in ‘other locations’ permitting new dwellings only where there is a justifiable rural enterprise need or is required on unmet affordable need basis.

The application is for a dwelling on a new rural enterprise to be considered under TAN6.

In terms of TAN 6 the following criteria must be met:-
a. clear evidence of a firm intention and ability to develop the rural enterprise concerned (significant investment in new buildings and equipment is often a good indication of intentions);
b. clear evidence that the new enterprise needs to be established at the proposed location and that it cannot be accommodated at another suitable site where a dwelling is likely to be available;
c. clear evidence that the proposed enterprise has been planned on a sound financial basis;
d. there is a clearly established functional need and that need relates to a full-time worker, and does not relate to a part-time requirement;
e. the functional need could not be fulfilled by another dwelling or by converting an existing suitable building on the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the workers concerned; and
f. other normal planning requirements, for example siting and access, are satisfied.

Criterion a - there must be a clear established functional need for a worker to be living on site.

Based on information submitted it is noted that the farming enterprise is scattered in various rented locations in the Tregaron area and also the applicant keeps cattle on a holding at Llanybydder. The main holding is located at Y Bryn on the outskirts of Tregaron where 65 acres in farmed. The applicant has recently acquired 63 acres (26 ha) at the application site at Tŷ Nant, Llangeitho and has recently constructed an agricultural shed at the location. It is the applicants intention to relocate the cattle currently resident at Llanybydder to the sites in the Tregaron area including the site at Tŷ Nant and increase the number of sheep on the site.

Given that the exisitng business are based on rental units and are located some distance from the application site then it is the opinion of the LPA that consideration can only be given to the merits of this particular parcel of land. As noted, there is not a high number of livestock at this particular site and even if the numbers are to be increased to the proposed figure the shed and land would primariliy be used for grazing purposes and not for milking purposes. As that is the case then there would be no functional need for full time presence at this particular location.

Criterion b: The functional need must relate to a full-time worker

Information submitted with the application base the relevant man hours at Y Bryn and the two other satelitte sites located outside Tregaron. The details provided indicate that currently and based primariliy on a total of 585 of livestock that equates to 5,510 man hours which suggest a need for 2.5 members of staff.

However, based on the 63 acres at this site and the fact that there would only be an increase of 210 additional animals it is considered that there would not be sufficent justification to warrant a full time worker at this particular location.

Criterion c: requires the enterprise concerned to be established for at least three years, profitable for at least one of them and both the enterprise and the business need for the job, is currently financially sound, and has a clear prospect of remaining so.

Information has been provided detailing the position in relation to the exisitng business at Y Bryn and the other two parcels of land, however the business at the application site as an independent unit is yet to be established.

Criterion d: The application must demonstrate that the functional need could not be fulfilled by another dwelling or by converting an existing suitable building, or any other existing accommodation in the locality which is suitable and available for occupation by the worker.

There are no associated dwellings on the site or nearby which are available. Whilst the property of Tŷ Nant was formerly in the ownership of one of the applicant's family it no longer is. Notwithstanding there are farm dwellings assocaited with the exisitng business at Y Bryn and the landowners of the site at Tŷ Nant currently reside at Pontrhydfendigaid.

Criterion e - requires the proposed development to satisfy the usual planning requirements in terms of siting, design, access, ecology, landscape and so forth.

The plans show the provision of a large four bedroomed house and based on the size of the agricultural unit at Tŷ Nant would not be at all commensurate with the size of the holding.

The provision of a single, large dwelling in a fairly prominent location detached from any nearby buildings will detrimentally impact the character of the area, constituting an incongruous addition on the landscape.

f. other normal planning requirements, for example siting and access, are satisfied.

There are no objections in this particular regard. Whilst consultee reponses are noted including the requirement for the imposition of conditions required by NRW and the Highways Department it does not outweigh the policy objection to the application.

Other key factor in relation to the principle of development would be the fact that none of the land and sites are owned by the applicant is a key factor. All the sites referred to in the supporting documentation are under rent by the applicant either on a lifetime tenancy, a farm business tenancy or on an annual agreement. Ceredigion would expect any new dwelling justified on agricultural holdings to be tied to the land and vice versa in order to ensure that the dwellings are occupied / and utilised in association with that specific need through a S106 agreement under the Town and Country Planning Act 1990 which would require all relevant landowners to be party to the agreement.

As the applicants are only tenants of this land (and other associated land) requiring the completion of a S106 agreement would be difficult in this scenario and would be another reason not to support the application as it stands.

In conclusion, there is no justification for supporting a dwelling in such a location on a greenfield site outside of any settlement or built form. The proposal is contrary to policies S01 and S04 of the LDP and TAN6.

RECOMMENDATION:

REFUSE the application as being contrary to TAN6; and policies S01 and S04 of the LDP.

2.2. A210725

Pp Ho
Pp Ho
A 475
Pond
Fronbeulog
Gruga
207.1m
Tegfan
Spring
Tynyfron
174.8m

Rhif y Cais	A210725
Derbyniwyd	26-07-2021
Y Bwriad	Codi twnel polythen ar dyddyn i gartrefu da byw, gan gynnwys defaid.
Lleoliad Safle	Tegfan, Llanwenog Llanybydder, SA40 9UT
Math o Gais	Cais Cynllunio Llawn
Ymgeisydd	Mrs Carol Deal, Tegfan, Llanwenog Llanybydder, SA40 9UT
Asiant	

Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn cyfeirio at dyddyn wedi'i leoli ar hyd yr A475 i'r gorllewin o Dre-fach ac i'r gogledd o Lanwenog. Mae'r safle'n cynnwys annedd ddeulawr a'i thalcen yn cyffinio â'r ffordd, tŷ allan sengl i gefn yr annedd a chae cyffiniol sy'n cael ei ddefnyddio gan yr ymgeisydd ar hyn o bryd i gadw da byw gan gynnwys moch, ieir, diadell fechan o ddefaid ynghyd â thai cysylltiedig. Ceir mynediad i'r safle yn uniongyrchol o'r ffordd i'r gogledd-orllewin o'r annedd.

Rhoddwyd caniatâd cynllunio ar 14-08-1984 ar gyfer mynediad i'r cae, a ddefnyddir yn ogystal yn fynediad i'r annedd (840345). Nid oes hanes cynllunio perthnasol arall.

MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio i godi twnel polythen i'w leoli yn y cae sy'n cyffinio â'r annedd ac sy'n cael ei ddefnyddio ar hyn o bryd i gadw da byw. Lleolir y twnel polythen yn rhan dde-orllewinol y cae, i ffwrdd o'r ffin â'r brifffordd. Bydd y twnel polythen yn 22 metr o hyd, 9 metr o led a 3.9 metr o uchder ac yn cynnwys ffrâm ddur a chladin PVC gwyrdd 600gm, gyda stribed integredig lled dryloyw ar frig y bwa i gael golau naturiol. Bydd y twnel polythen yn cael ei sodro i'r ddaear drwy roi angor ddwbl ym mhen pob cylch, ar ddyfnder o 1 metr. Gosodir angorau sengl ar ddyfnder o 0.5 metr ar bob pen o'r talcenni ac angorir sadiwr ychwanegol ar ddyfnder o 0.8 metr ar y 'pod' rhychwant sengl. Bydd ffens o rwyllwaith ar gyfer da byw, 1.5 metr o uchder, yn amgylchynu'r twnel polythen.

Mae'r cais yn nodi y bydd y twnel polythen yn cael ei ddefnyddio fel sied wyna ar gyfer y 25 o ddefaid sydd yno'n barod, a hynny ond am gyfnod o ychydig wythnosau adeg geni'r ŵyn. Fel arall, yr unig adeg y byddai'r defaid yn cael eu caretrefu yn y twnel polythen fyddai oherwydd yr angen am warchodaeth ychwanegol rhag amodau tywydd eithafol neu ofal milfeddygol. Cynigiwyd yn y lle cyntaf bod y twnel polythen yn cael ei ddefnyddio i gartrefu'r 45 iâr ar y safle petai ffliw adar yn digwydd taro'r DU unwaith eto, a bod gofyn cadw'r adar dan orchudd i'w gwarchod rhag cyswllt ag adar gwyllt. Fodd bynnag, mae'r ymgeisydd wedi'n hysbysu ers hynny na fydd y twnel polythen yn angenrheidiol ar gyfer yr ieir bellach gan ei bod wedi cael cartref newydd ar gyfer yr ieir yn ddiweddar.

Mae'r ymgeisydd wedi'n hysbysu na fydd newid yn lefelau'r safle.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisi Cynllunio Cenedlaethol Perthnasol

- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)

Polisi Cynllunio Lleol Perthnasol:

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

- DM06: Dylunio a Chreu Lle o Safon Uchel
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol
- DM18: Ardaloedd Tirwedd Arbennig
- DM22 Gwarchod a Gwella'r Amgylchedd yn Gyffredinol
- SO4: Datblygu Mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'

Canllawiau Cynllunio Atodol Mabwysiedig Perthnasol:

- Canllawiau Cynllunio Atodol Ardal Tirwedd Arbennig Ebrill 2014
- Canllawiau Cynllunio Atodol Gwarchod Natur 2015

YSTYRIAETHAU PERTHNASOL ERAILL

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 gwarchodedig' 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 golygu:

• dileu neu leihau'r anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchodedig;
• cymryd camau i gwrdd ag anghenion pobl o grwpiau gwarchodedig lle bo'r rhain yn wahanol i anghenion pobl eraill; ac
• annog pobl o grwpiau gwarchodedig 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 gwarchodedig 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 Llanwenog Community Council** - Gwrthwynebu am y rhesymau a ganlyn
  - Llygredd posib gan ddŵr ffo o elifion gwastraff moch a ieir i'r Cwrs Dŵr Cyfredol sy'n llifo i ffynnon, sef unig ffynhonnell ddŵr eiddo cyfagos
  - Mae'r ffurflen yn nodi y bydd y dŵr ffo yn mynd i'r cwrs dŵr presennol.
  - Potensial i gadw 600 o ieir mewn twnel polythen o'r math hwn - ond ni ddarperir manylion
  - Dim gwrthwynebiad i'r effaith weledol, dim ond ar agweddau amgylcheddol y cynnig.
- **Priffyrdd** - Pryderon
- **Draenio Tir** - Mwy o wybodaeth yn angenrheidiol
- **Ecoleg** - Dim gwrthwynebiad
- **Iechyd yr Amgylchedd** - Dim gwrthwynebiad, ond pryderon os yw nifer y da byw yn cynyddu ar y safle.

Derbyniwyd sylwadau gan drydydd parti (ni roddwyd cyfeiriad) yn gofyn am eglurhad ar y pryderon a ganlyn -

- sut fydd llygredd o wastraff anifeiliaid yn cael ei rwystro rhag mynd i'r nant sy'n llifo rhwng eiddo Tegfan a Tynyfron. Mae'r nant yn darparu cyflenwad dŵr i anifeiliaid sy'n pori ar y caeau cyffiniol
- mae'r nant yn llifo dros gyflenwad preifat o ddŵr ffynnon. Sut fydd yr ymgeisydd yn sicrhau na fydd y cyflenwad dŵr preifat hwn yn cael ei lygru
- sut fydd unrhyw wastraff anifeiliaid yn cael ei storio a'i waredu
- rhyw syniad o'r nifer o anifeiliaid (yn ôl brîd) y bwriedir eu cartrefu, a'r effaith o ran sŵn, arogl a llygredd aer o ganlyniad i hynny

Mae'r ymgeisydd wedi cyflwyno ymateb i'r pryderon uchod a gaiff eu trafod isod.

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".

Egwyddor Datblygu

Mae safle'r cais yn gorwedd y tu allan i ffurf adeiledig presennol Anheddiad Cyswllt Drefach ac felly o fewn 'lleoliadau eraill'

fel y'u dynodir yn y Cynllun Datblygu Lleol. Mae Polisi S04 yn caniatáu elfen o ddatblygu i fodloni anghenion y cymunedau presennol sy'n rhan o 'leoliadau eraill', ac mae maen prawf 4 yn mynnu bod pob math o ddatblygiad yn bodloni gofynion TAN6. Mae TAN6, ymysg pethau eraill, yn cyfeirio at ddatblygu sy'n gysylltiedig ag amaeth a, gan fod y cynnig ar gyfer cartrefu da byw, ystyrir ei fod yn bodloni gofynion TAN6. O ganlyniad i hyn, ystyrir bod yr egwyddor o ddatblygu yn dderbyniol.

Graddfa, Dylunio ac Effaith Weledol:

Yn ôl Polisi DM06 y Cynllun Datblygu Lleol, rhaid i ddatblygiadau fod o ddyluniad o safon uchel sy'n cyfrannu'n gadarnhaol at gyd-destun eu lleoliad, ac mae Polisi DM17 yn mynnu nad yw datblygiadau yn cael effaith andwyol ar y tirlun. Mae safle'r cais yn gorwedd o fewn Ardal Cadwraeth Arbennig Dyffryn Teifi ac felly mae Polisi DM18 hefyd yn berthnasol, sy'n ceisio gwarchod rhinweddau arbennig y dirwedd.

Bydd y twnel polythen arfaethedig wedi'i leoli yn y cae a ddefnyddir ar hyn o bryd i gartrefu da byw. Mae'r cae i'w weld yn rhan o'r dirwedd, wedi'i leoli wrth ymyl yr A475 ac ar dopograffi wedi'i godi. Bydd y twnel polythen wedi'i leoli gerllawr'r fan lle mae'r da byw presennol yn cael eu cartrefu, yn agos at ffin ddeheuol y cae - i ffwrdd o'r ffin a'r A475. Mae'r twnel polythen yn un ar raddfa fawr, yn 22 metr wrth 9 metr, ac yn 3.5 metr o uchder ac felly codir rhai pryderon o ran ei effaith weledol. Mae'r cynlluniau a ddarperir yn dangos y bydd stribedi gwyrdd tywyll, lled dryloyw gyda stribed glir ar y to, a byddai hyn o gymorth i leihau ei effaith weledol. Mae'r cae yn cael ei ddefnyddio eisoes i gadw da byw gydag adeiladau cysylltiedig, fel corlannau pren a ffensys weiar. Byddai hefyd yn bosibl tynnu'r twnel polythen o'r safle heb adael ôl parhaol os na fyddai ei angen yn y dyfodol.

Felly, gan gymryd i ystyriaeth y defnydd presennol o'r cae lle byddai'r twnel polythen yn cael ei gymryd yn ei gyd-destun, y cyfiawnhad dros yr angen i ddarparu adeilad dan do, lliw gwyrdd tywyll y twnel polythen - yr argymhellir ei fod yn cael ei sicrhau drwy amod cynllunio, a natur lled-barhaol y twnel polythen, ystyrir y gellir cefnogi'r cynnig yn yr achos hwn o safbwynt gweledol; er y byddai ychydig o effaith weledol andwyol, nid yw hyn debygol o fod yn sylweddol am y rhesymau a nodir uchod.

Amwynder Preswyl:

Bydd y twnel polythen wedi'i leoli rhyw 60 metr i ffwrdd o'r eiddo preswyl agosaf i'r gogledd, sydd wedi'i leoli ar ochr arall y ffordd (Grugwen); rhyw 100 metr o eiddo Tynyfron; rhyw 170 metr a rhyw 200 metr o Fferm Fronheulog a Hafod Wen, a mwy na 230 metr o'r eiddo preswyl yn Llanwenog. Bydd y cloddiau a'r coed presennol sydd ar ffiniau'r safle hefyd yn rhoi rhywfaint o sgrinio rhag eiddo cyfagos. Mae'r ymgeisydd hefyd wedi cadarnhau y bydd y twnel polythen yn cael ei ddefnyddio i gartrefu'r da byw presennol ar y tir, ac nad oes bwriad i gynyddu nifer y da byw. O ganlyniad i hyn, ystyrir bod y cynnig yn annhebygol o arwain at effaith andwyol sylweddol ar amwynderau preswylwyr cyfagos o ran sŵn, arogl neu effaith weledol. Mae'r cynnig yn dderbyniol yn unol â maen prawf 7, Polisi DM06 y Cynllun Datblygu Lleol.

Effaith Amgylcheddol:

O ran effaith amgylcheddol y cynnig, mae'r ymgeisydd wedi cyflwyno mwy o wybodaeth sy'n nodi'r hyn a ganlyn -

- Rhwyllwaith ar gyfer da byw 25mm x 55mm yw adeiladwaith waliau isaf y twnel polythen, a fydd yn cadw deunydd yn y twnel polythen, ac mae'r ymgeisydd yn bwriadu gosod ffens solet, fel cynhaliaeth eilaidd wrth gefn, ar hyd gwaelod y rhwyllwaith. Nid y nant ei hun yw'r prif gyflenwad dŵr ar gyfer y da byw yn y caeau ar hyn o bryd gan fod yma gafnau dŵr i'r defaid eu defnyddio.
- Bydd y twnel polythen yn cael ei lanhau'n rheolaidd a bydd y gwastraff yn cael ei waredu o'r safle drwy gontractiwr (LAS Recycling Cyf, Llanbedr Pont Steffan) i'w eiddo. Nid yw'r ymgeisydd yn rhagweld y bydd unrhyw wastraff ychwanegol gan fod y defaid eisoes yn y cae
- O ran sŵn ac arogl, ni fydd cynnydd yn nifer y dofednod neu ddefaid yn sgil y datblygiad arfaethedig
- Mae system gafnau a pheipiau glaw yn rhan o'r twnel polythen a fydd yn cysylltu â chynwysyddion storio dŵr fel y gellir ailddefnyddio dŵr glaw ar gyfer y da byw.

Ymgynghorwyd â Swyddog Iechyd yr Amgylchedd y Cyngor, sydd hefyd wedi ymweld â'r safle, i ystyried effaith y datblygiad ar yr Amgylchedd. Mae'r Swyddog yn fodlon na fydd y twnel polythen arfaethedig yn cynyddu unrhyw risgiau i'r ffynnon ddŵr breifat a oedd yn achos pryder, nac i'r cwrs dŵr cyfagos o gymharu â'r risgiau sydd eisoes yn bresennol ar y safle. Mae rhyw 150m rhwng y twnel polythen a'r ffynnon ddŵr yfed ac mae rhyw 15-20 metr rhwng y twnel polythen a'r cwrs dŵr. Fodd bynnag, mae'r da byw eisoes ar y safle a bydd y twnel polythen yn cartrefu'r stoc presennol pan fo angen. Nodir bod parth gwarchod ffynnon ddŵr breifat yn 50 metr.

Mae'r ymgeisydd wedi rhoi gwybod na fydd cynnydd o ran stoc yn sgil y datblygiad arfaethedig. Mae Swyddog Iechyd yr Amgylchedd wedi cynghori y byddai ychydig o bryder pe byddai cynnydd yn nifer y da byw.

Mae'r ymgeisydd wedi cadarnhau y byddai'r twnel polythen yn cael ei ddefnyddio i gartrefu'r 25 o ddefaid sydd yno'n barod, a hynny yn ystod y cyfnod wyna yn unig. Mae'r ymgeisydd hefyd wedi egluro, oherwydd maint y cae, nad oes digon o borfa i

ddarparu ar gyfer defaid ychwanegol yn y cae, ac felly unwaith y bydd yr ŵyn yn ddigon hen, byddant yn cael eu trosglwyddo i'r cae cyffiniol i'r gorllewin i bori, sydd hefyd yn eiddo i'r ymgeisydd; mae gan yr ymgeisydd hefyd fynediad at gaeau rhent. Byddai'r ŵyn yn cael eu gwerthu wedi hynny.

Mae'r defnydd o'r tir ar gyfer pori defaid a'r defnydd o'r twnel polythen ar gyfer eu cartrefu yn ystod y cyfnod wyna yn annhebygol o arwain at effaith amgylcheddol sylweddol ac mae maint y cae ynddo'i hun yn cyfyngu'n naturiol ar nifer y defaid y gellir eu cadw ar y tir. O ran yr ieir, nid oes gan y twnel polythen y potensial i gartrefu nifer sylweddol o ieir, a allai godi pryderon amgylcheddol yn ogystal â phryderon amwynderau. Felly, a derbyn bod yr ymgeisydd wedi cadarnhau nad yw'n bwriadu cartrefu ieir yn y twnel polythen bellach, argymhellir bod amod yn cael ei osod ar y caniatâd gan gyfyngu ar y defnydd o'r twnel polythen ar gyfer cartrefu defaid yn unig.

Dŵr Wyneb:

Mae'r ymeisydd yn datgan y bydd dŵr wyneb yn cael ei waredu drwy'r cwrs dŵr presennol. Mae Swyddog Draenio Tir y Cyngor wedi cynghori y bydd angen cyfradd ollwng ar gyfer unrhyw ollyngiad i gwrs dŵr sy'n bodoli sy'n welliant ar y gyfradd ddŵr ffo bresennol, ac y bydd angen mwy o wybodaeth am leoliad y cysylltiad â chwrs dŵr sy'n bodoli. Mae'r Swyddog hefyd wedi cynghori y dylid ystyried dulliau cynaliadwy yn hytrach na'r systemau pibau i garthffos traddodiadol wrth ymdrin â dŵr wyneb.

Mae'r ymgeisydd wedi rhoi gwybod wedi hynny y bydd gan y twnel polythen system gafnau a fydd ynghlwm wrth y cynwysyddion storio dŵr fel y gall dŵr glaw gael ei ailddefnyddio ar gyfer y da byw. Ystyrir bod hwn yn ddull cynaliadwy o drin dŵr wyneb a gellir sicrhau hyn drwy amod cynllunio.

Priffyrdd:

Mae'r awdurdod priffyrdd lleol wedi codi pryderon ynghylch y peryglon posib o fwy o draffig yn arafu, troi a stopio yn y lleoliad hwn ac mae'n argymell na fydd manwerthiannau o'r datblygiad yn cael eu caniatáu ar y safle. Mae hyn oherwydd bod y fynedfa wedi'i lleoli ar ran o Brif Ffordd sydd wedi'i digyfyngu lle ceir amodau gweledegd sy'n is na'r safon o ran cerbydau sy'n agosáu.

Mae'r pryder yn ymwneud â'r ffaith fod yr ymgeisydd yn hybysebu drwy arwydd wrth y fynedfa ar hyn o bryd bod cynnyrch o'u da byw h.y. wyau, selsig, golwythion porc a bacwn ar werth. Mae hyn yn annog cwsmeriaid i stopio wrth y fynedfa i brynu'r cynnyrch. Mae'r giât wrth y fynedfa wedi'i gosod yn ôl o'r ffordd sy'n caniatáu i geir dynnu i mewn o'r ffordd, ac mae digon o le ar y safle i droi a gadael gan yrru am ymlaen. Fodd bynnag, mae'r Awdurdod Priffyrdd Lleol yn nodi bod yr amodau gweledegd yn y fynedfa yn is na'r safon.

Mae TAN6 yn nodi ym mharagraff 3.8.1 "Os yw siop fferm yn cael ei defnyddio i werthu nwyddau a gynhyrchir ar y fferm honno yn unig, ac ond ychydig iawn o nwyddau eraill o fannau eraill, mae felly'n ddiben sy'n atodoli'r defnydd fel fferm ac nid oes angen caniatâd cynllunio penodol."

Nid oes gan y safle siop ond yn hytrach ceir arwydd ar ymyl y ffordd yn hysbysebu bod cynnyrch ar werth. Deëllir mai dim ond cynnyrch y da byw, sy'n cael eu cadw ar y safle, a werthir yma. Mae hefyd ar raddfa fach. Felly, ystyrir bod hwn yn ategol i'r defnydd amaethyddol o'r tir ac nad oes angen caniatâd cynllunio. At hynny, nid yw'r twnel polythen ei hun yn ganlyniad uniongyrchol i gynnydd mewn gwerthiant masnachol ar y safle ac felly o dan y profion am amodau, ni fyddai'n rhesymol, yn angenrheidiol nac yn berthnasol i osod amod i gyfyngu ar werthiannau masnachu ar y safle yn rhan o'r cais hwn. Pe byddai gwerthiannau masnachol, er enghraifft, yn cynyddu ar y safle i'r graddau na fyddent bellach yn cael eu hystyried yn ategol i'r defnydd amaethyddol o'r tir, yna byddai hyn yn cael ei drin fel mater ar wahân yn ymwneud â thorri rheolau cynllunio.

Bydd y twnel polythen ei hun yn cartrefu'r da byw presennol ac fel y cyfryw nid yw'n arwain at gynnydd mewn traffig gan gerbydau ar y safle.

Rhywogaethau a Warchodir:

Bydd y twnel polythen yn cael ei leoli ar y Maes Glas presennol sy'n cael ei ddefnyddio ar hyn o bryd gan dda byw ac mae'n debygol o fod o werth ecolegol isel. Ni fydd coed neu gloddiau yn cael eu tynnu o ganlyniad i hynny. Ni ystyrir bod y cynnig felly yn cael effaith andwyol ar ecoleg. Ni chodwyd gwrthwynebiad i'r datblygiad arfaethedig gan yr ecolegydd cynllunio chwaith.

Safleoedd Gwarchodedig (Ffosffad):

Mae safle'r cais yn gorwedd yn nalgylch Ardal Cadwraeth Arbennig Afon Teifi. O dan y Rheoliadau Cynefinoedd, pan fo cynllun neu brosiect yn debygol o gael effaith sylweddol ar safle Ewropeaidd, naill ai ar ei ben ei hun neu drwy ei gyfuno â chynlluniau neu brosiectau eraill, a lle nad oedd yn uniongyrchol gysylltiedig â rheolaeth y safle neu'n angenrheidiol ar gyfer rheolaeth y safle cyn hyn (wedi'i ddynodi yn unol â chyfraith a ddargedwir yr UE) rhaid i'r awdurdod cymwys gynnal asesiad

priodol o oblygiadau'r cynllun neu brosiect yng ngoleuni amcanion cadwraeth y safle. Mae Cyfoeth Naturiol Cymru wedi gosod safonau ffosffad newydd ar gyfer Ardaloedd Cadwraeth Arbennig afonydd yng Nghymru. Gallai unrhyw ddatblygiad arfaethedig yn nalgylch yr Ardaloedd Cadwraeth Arbennig, a allai gynyddu faint o ffosffad sydd yn y dalgylch, arwain at effeithiau niweidiol ychwanegol i nodweddion Ardaloedd Cadwraeth Arbennig ac felly rhaid i gynigion o'r fath gael eu sgrinio drwy'r Asesiad Rheoliadau Cynefinoedd (HRA) i bennu a ydynt yn debygol o gael effaith sylweddol ar amodau'r Ardaloedd Cadwraeth Arbennig.

Mae'r cais hwn wedi'i sgrinio yn unol â chyngor interim Cyfoeth Naturiol Cymru ar gyfer ceisiadau cynllunio yn nalgylch Ardaloedd Cadwraeth Arbennig (a gyhoeddwyd 20fed Ionawr 2021). Ystyrir bod y datblygiad hwn yn annhebygol o gynyddu mewnbynnau ffosffad gan ei fod yn disgyn o fewn meini prawf y cyngor interim:

1. Unrhyw ddatblygiad nad yw'n cynyddu maint neu grynodiad dŵr gwastraff

Pwerau Dirprwyedig

Mae'r aelod lleol, y Cynghorydd Euros Davies, wedi datgan buddiant yn y cais ac felly cyfeirir y cais i'r Pwyllgor Cynllunio Rheoli Datblygiadau i benderfynu arno.

ARGYMHELLIAD:

Argymhellir bod y cais yn cael ei gymeradwyo yn ddibynnol ar amodau.

Rhif y Cais / Application Reference	A210725
Derbyniwyd / Received	26-07-2021
Y Bwriad / Proposal	Erection of a livestock polytunnel to house livestock comprising of sheep on smallholding.
Lleoliad Safle / Site Location	Tegfan, Llanwenog Llanybydder, SA40 9UT
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mrs Carol Deal, Tegfan, Llanwenog Llanybydder, SA40 9UT
Asiant / Agent	

THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to a small holding situated alongside the A475 to the west of Dre-fach and to the north of Llanwenog. The site includes a two storey dwelling with its gable end adjoining the road, a detached outbuilding to the rear of the dwelling, and an adjoining field which is currently used by the applicants to keep livestock, including pigs, chickens and small flock of sheep, with associated housing. The site is accessed directly from the road to the north-west of the dwelling.

Planning permission was granted on 14-08-1984 for the access to the field, which is also used as the access to the dwelling (840345). No other planning history of relevance.

DETAILS OF DEVELOPMENT

The application seeks planning permission for the erection of a polytunnel to be located within the field adjoining the dwelling and which is currently used to accommodate the livestock. The polytunnel will be situated within the south-west area of the field, away from the boundary with the main road. The polytunnel will measure 22 metres long, 9 metres wide and 3.9 metres high and will consist of a steel frame clad in 600gm green PVC cover with integrated translucent strip on very top of arch for natural light. The polytunnel will be secured to the ground via a double anchor which will be positioned at every hoop termination which will be 1 metres deep into the ground. A single anchor, 0.5 metre deep, will be positioned at the gable ends, and an additional anchored outrigger, 0.8 metres deep, will be fitted to single-span pod. A mesh livestock fence measuring 1.5 metres high will surround the polytunnel.

The application states that the polytunnel will be used as a lambing shed for the existing 25 sheep which would only be for a few weeks over the time in which they would be giving birth. Other than this the only time the sheep would be housed within the polytunnel would be due to one needing extra protection from extreme weather conditions or veterinary care. It was initially proposed that the polytunnel would be used to house the existing 45 hens on site in the occurrence of bird flu re-occurring in the UK, where there is a requirement to keep the birds covered to be protected from wild bird contact, however the applicant has since advised that the polytunnel will no longer be required to accommodate hens as they have recently had new housing for the hens.

The applicant has advised that there will no change to the site levels.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

- TAN6 Planning for Sustainable Rural Communities (2010)

Relevant Local Planning Policy

Mae'r polisÏau canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn: / These Local Development Plan policies are applicable in the determination of this application:

- DM06 High Quality Design and Placemaking
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape
- DM18 Special Landscape Areas (SLAs)
- DM22 General Environmental Protection and Enhancement
- S04 Development in Linked Settlements and Other Locations

Relevant adopted Supplementary Planning Guidances:

- Special Landscape Areas SPG April 2014
- Nature Conservation SPG 2015

OTHER MATERIAL CONSIDERATIONS

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 Llanwenog Community Council** - Object for the following reasons
  - Potential pollution run-off of waste effluent from the pigs and chickens into the Existing
  - Watercourse which feeds into a spring which is the only source of water to a nearby property
  - The form states that water run off will be into the existing watercourse
  - Potential to house 600 chickens in a polytunnel of this size- but no details provided
  - No objection to the visual impact only the environmental aspects of the proposal.
- **Highways** - Concerns
- **Land Drainage** - Further information required
- **Ecology** - No objection
- **Environmental Health** - No objection, but concerns if the number of livestock were to increase on site

Representation has been received from a third party (no address given) asking for the following concerns to be clarified -

- how animal waste pollution will be prevented from entering the stream running between the Tegfan and Tynyfron properties. The stream provides water supply to animals grazing the adjoining fields
- the steam runs over a private spring water supply, how will the applicants ensure that this private water supply will not get contaminate
- how will any excess animal waste be stored and disposed of
- indication of the number of animals (by breed) that are planned to be housed and the consequent noise, smell and air pollution impact

The applicant has submitted a response to the above concerns which are discussed below.

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 consideration indicate otherwise".

Principle of Development:

The application site lies outside of the substantive built form of the Linked Settlement of Drefach and is therefore within 'other locations' as identified within the LDP. Policy S04 allows a degree of development to meet the needs of existing communities within 'other locations' with criterion 4 requiring all development type to meet with the requirements of TAN6. TAN6 refers to, amongst other, agricultural related development and as the proposal is to provide accommodation for livestock it is considered to meet with the requirement of TAN6. As a result, the principle of development is considered to be acceptable.

Scale, Design and Visual Impact:

LDP Policy DM06 requires development to be of a high quality design that contributes positively to the context of its location whilst Policy DM17 requires development to not have a significant adverse impact on the landscape. The application site lies within the Teifi Valley Special Landscape Area and therefore Policy DM18 is also relevant which seeks to protect the special qualities of the landscape.

The proposed polytunnel will be located within the field, which is currently used to house livestock. The field is visible within the landscape, being located next to the A475 and on raised topography. The polytunnel will be located next to the existing livestock housing, near to the south boundary of the field - away from the boundary with the A475. The polytunnel is of a large scale, measuring 22 metres by 9 metres, and 3.5 metres in height and therefore some concerns are raised with regards to its visual impact. The plans provided show that the polytunnel will have dark green translucent strips, with a clear strip on the roof, and that this would help to minimise its visual impact. The field is already used for the keeping of livestock with associated housing, such as timber pens and wire fencing. The polytunnel could also be easily removed from the site without a permanent trace if no longer required in the future.

Therefore, taking into account the existing use of the field in which the polytunnel would be read in the context of, the justification for the need to provide covered accommodation, the dark green colour of the polytunnel - which is recommended to be secured via a planning condition, and the semi-permanent nature of the polytunnel, it is considered that the proposal in this instance can be supported on visual grounds, as although it would have some adverse visual impact, this is unlikely to be significant for the reasons set out above.

Residential Amenity:

The polytunnel will be located approximately 60 metres away from the nearest residential property to the north, which is located on the other side of the road (Grugwen); approximately 100 metres from the property of Tynyfron; approximately 170 metres from approximately 200 metres from Fronheulog Farm and Hafod Wen, and more than 230 metres from the residential properties within Llanwenog. The existing hedges and trees that border the site will also provide some screening from these neighbouring properties. The applicant has also confirmed that the polytunnel will be used to provide accommodation for the existing livestock on the land, and it is not proposed to increase the number of livestock. As a result, it is considered that the proposal is unlikely to result in significant adverse impact on the amenity of nearby occupiers in terms of noise, smells or being a visual impact. The proposal is acceptable in line with LDP Policy DM06, criterion 7.

Environmental Impact:

In terms of the environmental impact of the proposal, the applicant has submitted further information, which states the following -

- The polytunnel has 25mm x 55mm livestock mesh construction of the lower walls which will hold materials within the polytunnel and as a secondary back-up the applicant's propose to install a solid barrier along the bottom of the mesh. The stream itself is not the main water supply to the livestock currently in the fields as they have water troughs which the sheep use.
- The polytunnel will be cleaned regularly and waste removed from the site via contractor (LAS Recycling Ltd, Lampeter) to their property. The applicants do not envisage any extra waste as the sheep are already in the field
- In terms of noise and smell, there will not be any increase in poultry numbers or sheep as a result of the proposed development.
- The polytunnel has a gutter system which will be attached to water storage containers so that rainwater can be re-used for the livestock.

The Council's Environmental Health Officer has been consulted and has also visited the site to consider the impact of the development on the Environment. The Officer is satisfied that the proposed polytunnel will not increase any risks to the private water spring of concern, or to the nearby watercourse, compared to the risks that are already present on site. There is approximately 150m between the polytunnel and the drinking water spring and there is around 15-20 metres between the polytunnel and the watercourse, however the livestock are already on site, and the polytunnel will provide accommodation to the existing stock when required. It is noted that the protection zone of a private water spring is 50 metres.

The applicant has advised that there will be no increase in stock as a result of the proposed development. The

Environmental Health Officer has advised that there would be slight concern if there were to be an increase in livestock number.

The applicant has confirmed that the polytunnel would be used to provide accommodation for the existing 25 sheep during lambing only. The applicant has also explained that due to the size of the field, there is not enough grass to accommodate additional sheep on the field, and therefore once the lambs are old enough, they would be transferred to the adjoining field to the west, which is also owned by the applicant, to graze the land, and the applicant also has access to rented fields. The lambs would then be subsequently sold.

The use of the land for grazing sheep and the use of the polytunnel for their accommodation during lambing is unlikely to result in significant environmental impact and the size of the field itself also naturally limits the amount of sheep that can be kept on the land. In terms of the hens, the polytunnel does have the potential to accommodate a significant amount of hens, which could give rise to environmental concerns plus amenity concerns. As a result, and given that the applicant has confirmed that it is no longer proposed to accommodate hens within the polytunnel, it is recommended that a condition is imposed on the permission restricting the use of the polytunnel to be accommodated by sheep only.

Surface water:

The application states that surface water will be disposed of via the existing watercourse. The Council's Land Drainage Officer has advised that any discharge to an existing watercourse will need a discharge rate which is an improvement on the existing greenfield runoff rate, and that further information is required on the location of the connection to an existing watercourse. The Officer has also advised that sustainable approaches to surface water should be considered before traditional pipe-to-sewer systems.

The applicant has subsequently advised that the polytunnel will have gutter system which will be attached to water storage containers so that rainwater can be re-used for the livestock. This is considered to be a sustainable approach to surface water and can be secured via a planning condition.

Highways:

The local highway authority has raised concerns with the potential hazard of increased slowing down, turning and stopping of traffic movements at this location and recommends that retail sales from the development shall not be permitted on the premises. This is because the means of access is located on a section of de-restricted Principal Road and has substandard visibility conditions for emerging vehicles.

The concern relates to the fact that the applicants currently advertise the sale of produce from their livestock, by a sign at the entrance of the access - i.e. eggs, sausages, pork joints and bacon. This encourages customers to stop at the access to purchase the produce. The gate to the access is set back from the road which allows for cars to pull in from the road, and there is sufficient room within the site to turn around and exit in a forward gear. However the LHA notes that the access has substandard visibility conditions.

TAN 6 states at paragraph 3.8.1 that "if a farm shop is used only for the sale of good produced on that farm, with a minimal quantity of other goods from elsewhere then it is a use which is ancillary to the use as a farm and does not require specific planning permission".

The site does not have a shop, but instead a sign is situated on the roadside advertising the sale of produce. It is understood that the produce sold are from the livestock kept on the site only. It is also of a small scale. As a result, this is considered to be ancillary to the agricultural use of the land and does not require planning permission. Furthermore, the polytunnel itself does not directly result in the increase in retail sales at the site, and therefore under the tests for conditions, it would not be reasonable, necessary or relevant to impose a condition restricting retail sales on the site as part of this application. If for instances, retail sales were to increase at the site to the extent that it would no longer be regarded as being ancillary to the agricultural use of the land, then this would be dealt with as a separate matter relating to breach of planning control.

The polytunnel itself will provide accommodation to the existing livestock and as such does not result in increase in vehicular traffic to the site.

Protected Species:

The polytunnel will be located on an existing Greenfield which is currently used by livestock and is likely to be of low ecological value. No trees or hedges will be removed as a result. The proposal is therefore not considered to have any adverse impact on ecology. The planning ecologist has also raised no objection to the proposed development.

Protected Sites (Phosphates):

The application site lies within catchment area of the river Teifi SAC. Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site previously (designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

This application has been screened in accordance with Natural Resources Wales' interim advice for planning applications within the river Special Areas of Conservation (SACs) catchments (issued on 20th January 2021). It is considered that this development is unlikely to increase phosphate inputs as it falls within the following criterion in the interim advice:

1. Any development that does not increase the volume or concentration of wastewater

Delegated powers:

The local member, Cllr Euros Davies, has declared an interest in the application and therefore the application is referred to the Development Control Planning Committee for determination.

RECOMMENDATION:

The application is recommended for approval subject to conditions.

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3. Diprwydedig/Delegated

18-11-2021 - 01-12-2021

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
1	A190803	R Hopkins & H Hughes	Erection of Rural Enterprise Dwelling, new vehicular access and installation of package treatment plant.	Land at Gilfachafael, Llanrhystud	Caniatawyd gydag Amodau / Approved Subject to Conditions	22-11-2021
2	A200975	Mrs N Fuller-Love	Proposed 5no. dwellings and associated works.	Safle ger Closcorwen, Llangorwen, Clarach, Aberystwyth, SY23 3DP	Caniatawyd gydag Amodau / Approved Subject to Conditions	24-11-2021
3	A200999	Llyr and Lowri James	Erection of an affordable dwelling to include installation of package treatment plant	Land At Llanerch Clwydau, Bontgoch, Talybont, SY24 5DR	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-11-2021
4	A210221	Mr Townsend & Miss Taylor	Change of use of land for the stationing of up to 6 no. glamping tents, 1no. activity tent with associated ancillary facilities and carparking.	Pantygorlan, Ystymtuen, SY23 3AE	Gwrthodwyd / Refused	22-11-2021
5	A210359	Mr Emyr Davies	The erection of an extension to the existing building to form two new flats	60 Marine Terrace, Aberystwyth, SY23 2BX	Caniatâd wedi ei roi / Consent Granted	19-11-2021
6	A210711	Mr H Davies (Cartrefi DERI Homes)	Residential development of the site to deliver 9 dwellings together with associated access road and works.	Land At Tan Yr Eglwys Lane Blaenporth, Cardigan	Tynnwyd yn ôl / Withdrawn	25-11-2021
7	A210718	Mrs M Jones	Proposed kennels and alterations to existing kennels to include alterations to existing access and installation of septic tank and demolition of one kennel block.	Bryn Lluest, Cilcennin, Lampeter, SA48 8RJ	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-11-2021
8	A210772	Mr I Jones	Extension to dwelling to include demolition of flat roof and porch extension	Y Nyth Church Street, Llanrhystud, Ceredigion, SY23 5DQ	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-11-2021
9	A210782	(Searivers Leisure Sales Ltd.)	Variation of Condition 3 of planning permission 901422 (Extend the time allowed that caravans/holiday homes can be occupied)	Riverside Caravan Park Lon Glan-fred, Llandre, Bow Street, Ceredigion, SY24 5BY	Caniatawyd gydag Amodau / Approved Subject to Conditions	24-11-2021
10	A210807	Mr D Davies	Discharge of condition 23 of planning permission A170614 (Retaining Walls/Gabions).	Field South West of Plas Estate, Aberporth, Cardigan	Gwrthodwyd / Refused	23-11-2021

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
11	A210814	Mr and Mrs B & DL Jameson	Removal of Section 106 agreement in relation to to Penralltgeri Uchaf farmhouse and land.	Penralltgeri Uchaf, Cwmcou, Newcastle Emlyn, SA38 9PA	Caniatawyd / Approved	24-11-2021
12	A210816	Ms G Jones	Occupation of dwelling house in breach of an agricultural condition imposed on planning permissions 881268 & 881987.	Blaenddol, Tre'rddol, Machynlleth, SY20 8PL	Caniatawyd y Tystysgrif / Certificate Granted	22-11-2021
13	A210817	Mr and Mrs B & DL Jameson	Removal of Condition 1 of planning permission A190077 (Planning Statement)	Cegin Fach/Store House, Penralltgeri Uchaf, Cwm Cou, Newcastle Emlyn, Ceredigion, SA38 9PA	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-11-2021
14	A210819	Mr and Mrs Davies	Extension to dwelling.	Brynsiriol, North Road, Lampeter, Ceredigion, SA48 7HZ	Caniatawyd gydag Amodau / Approved Subject to Conditions	18-11-2021
15	A210860	Mr and Mrs Simon & Gaynor Hunt	Proposed Extension to dwelling	Lluestwen, Penuwch, Tregaron, Ceredigion, SY25 6QZ	Caniatawyd gydag Amodau / Approved Subject to Conditions	25-11-2021
16	A210866	Mrs E Jones	Proposed single storey rear extension and detached garage and shed.	Meads, Ynyslas, Borth, Ceredigion, SY24 5JX	Caniatawyd gydag Amodau / Approved Subject to Conditions	26-11-2021
17	A210869	Barcud	Construction of a single storey rear extension	9, Heol Y Waun, Maesycrugiau, Pencader, Ceredigion, SA39 9NA	Caniatâd ddim ei angen / Permission not required	18-11-2021
18	A210871	Mr R Davies (Area 43)	Proposed change of use from storage to 2 office spaces for the use of Area 43, 2 Counselling rooms, and workshop/ arts and crafts area and associated works.	35 Pendre, Cardigan, SA43 1JS	Dychwelwyd yn annilys / Returned Invalid	22-11-2021
19	A210879	Mrs Lucinda Pearson	Extend extension to create sitting room. Also remove kitchen/dining room wall.	Delfor, 16 Tabernacle Street, Aberaeron, Ceredigion, SA46 0BN	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-11-2021
20	A210884	Mr Dewi Day (Aberystwyth University)	Discharge condition 5 of planning permission A210415 - Prior to commencement of the development hereby approved, the passing place areas identified along the county unclassified road serving the site shall have been surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority.	Land North of Fferm Penglais, Aberystwyth. SY23 3FH	Caniatawyd / Approved	25-11-2021

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
21	A210887	Christopher, Nicola and Suzannah Seal and Clarke	Re-build of front dormer with new window and pitched roof, new rear dormer and new conservation roof windows to front elevation	Mindraeth, 1 Rock Street, New Quay, Ceredigion, SA45 9PL	Dychwelwyd yn annilys / Returned Invalid	22-11-2021
22	A210889	Mr and Mrs K & D Barron	Erection of a dwelling - Appearance, Landscaping, Layout and Scale	Canol y Bryn, Rhos y Garth, Llanilar. SY23 4SE	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-11-2021
23	A210895	Anne Bunker	3 metre side extension with pitched roof attached to existing.	Beili, Tregroes, Llandysul. SA44 4NP	Caniatawyd y Tystysgrif / Certificate Granted	24-11-2021
24	A210897	(CB Environmental Ltd)	Retention of existing Biomass Boiler and flue pipe	Rheidol Recycling Park, Glanyrafon Industrial Park, Aberystwyth. SY23 3JG	Caniatawyd gydag Amodau / Approved Subject to Conditions	26-11-2021
25	A210898	Mr P Jefferies	Conversion of garage into holiday unit	Pencwm, Post Bach, Synod Inn, Llandysul. SA44 6JR	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-11-2021
26	A210910	Mrs S Hambley	Change of use from first floor residential with commercial ground floor to sole residential accommodation.	Talbot House, 6 North Road, Aberaeron, SA46 0JD	Dychwelwyd yn annilys / Returned Invalid	22-11-2021
27	A210919	Mr Andrew Davies (Wales & West Housing Association)	Minor amendment to planning permission A200730 - (Removal of condition 22).	Former Aberaeron Hospital, Princes Avenue, Aberaeron, SA46 0JJ	Amod(au) wedi'u rhyddhau yn rhannol / Condition(s) Partially Discharged	22-11-2021
28	A210940	Mr J Leubourne	Proposed replacement Garden Outbuilding	Talywern, Gilfachreda, New Quay. SA45 9SN	Caniatawyd gydag Amodau / Approved Subject to Conditions	01-12-2021
29	A210944	Mr and Mrs B & J Beddows & Grimshaw	Proposed extension to existing dwelling	Parum Wallia, Llanwenog, Llanybydder. SA44 9UU	Caniatawyd gydag Amodau / Approved Subject to Conditions	01-12-2021

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
30	A210955	Mr M Milner	Minor amendment to planning permission A190624 (amended plans)	Bryngwyn, Penuwch, Tregaron, Ceredigion, SY25 6RD	Gwrthodwyd / Refused	23-11-2021
31	A210957	K Hosker (Ty Gwyn Design Services)	Minor amendment to planning permission A190327 (Amended plan)	Ty Gwyn Cottages, Borth, SY24 5LA	Caniatawyd / Approved	19-11-2021
32	A210958	Mr S B Ali	Installation of extractor system with rear flue.	Albion House, 11 Bridge Street, Aberaeron, SA46 0AP	Tynnwyd yn ôl / Withdrawn	24-11-2021
33	A210974	Mr and Mrs J Morris	Discharge condition 24 of planning permission A090598 - Before development commences a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be used for the external walls and roofs, and on any screen/boundary walls and fences, shall be submitted to and approved by the Local Planning Authority.	Plots 4 And 5 Ferwig Road, Cardigan, SA43 1PJ	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	18-11-2021
34	A210994	E Jones-Bright (Natural Resources Wales)	2X10m x 4.5m stone ramps SN7096184338, SN7073184241 - 4X10m x 4.5m stone ramps SN6966684454, SN6969984478, SN26975984518, SN26981384534 - Increase from 16m to 22m diameter turning point SN7028984684 - 2 X 20m x 4.5m single tier stacking shelves SN7023184560, SN7024984440 - 2 X 20m x 4.5m stone ramps SN709614338, SN7073184241 - 20m x 4.5m track extension Start SN7130884091, End SN27132484100	Nant Yr Arian Mega Thin, Nant Yr Arian, Aberystwyth	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	18-11-2021
			A more full description is attached as a PDF in documents, but to summarise, we wish to grow our small rural enterprise into a volunteer-run community permaculture farm with			

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
			teaching facilities, disabled access and off-grid solutions to water and electricity. There is			
35	A211013	Ms M Griffiths	main access to the farm using an existing turning off the A486. At the end of a short, private, well maintained lane there is an existing barn (large Nissen Hut) that is in poor state of repair which we would like to refurbish and use for agricultural ancillary, workshop, food store and classroom. There is a drawing attached for the proposed improvement to both the barn and the land but there are only minimal changes required to the existing appearance and size of the barn. If we replace with a kit, as per the dimensions in the drawing attached, the new Nissen Hut would be slightly narrower and shorter. We would like to reinstate and add windows and slightly alter the sides to allow for guttering to catch rainwater. As the track is shared and our neighbour would appreciate the increased privacy from not sharing the lane, we would like to create a new entrance at the road end of the lane with some hardstanding for 4-6 cars. We would like to cover two of those parking spaces with solar panels to create shaded parking and provide enough power to charge devices, power tools and lights at the barn. The creation of an edible garden, nature trail and a couple of wild camping spots would compliment the permaculture school over Summer and provide lots of food for the locality. There is a 3 berth caravan currently sited, but we would prefer to offer more comfortable accommodation to	Fferm Heulog, Capel Cynon, Ffostrasol, Llandysul, SA44 4TJ	Dychwelwyd yn annilys / Returned Invalid	26-11-2021

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4. Penderfyniadau Apeliadau/Appeal Decisions

#	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

5. Apeliadau a Dderbyniwyd/Appeals Received

#	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