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Cyngor Sir
CEREDIGION
County Council

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

4 April 2023

Dear Sir / Madam

I write to inform you that a Meeting of the Development Management Committee will be held HYBRID - NEUADD CYNGOR CEREDIGION, PENMORFA, ABERAERON / REMOTELY VIA VIDEO CONFERENCE on Wednesday, 12 April 2023 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 08 March 2023 (Pages 3 - 6)**
5. **To consider planning applications deferred at previous Meetings of the Committee (Pages 7 - 16)**
6. **Development, Advertisement, Local Authority and Statutory Applications (Pages 17 - 18)**
7. **Planning applications dealt with by way of delegated authority (Pages 19 - 30)**
8. **Appeals (Pages 31 - 54)**
9. **Any other matter which the Chairman decides is for the urgent attention of the Committee**

Members are reminded to sign the Attendance Register

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'L Edwards', written in a cursive style.

Miss Lowri Edwards
Corporate Lead Officer: Democratic Services

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

Wednesday, 08 March 2023

Present: Councillor Rhodri Davies (Chair), Councillors Gethin Davies, Meirion Davies, Ifan Davies, Rhodri Evans, Geraint Wyn Hughes, Hugh R M Hughes, Ceris Jones, Maldwyn Lewis, Gareth Lloyd, Sian Maehrlein, Mark Strong, Chris James and Carl Worrall

Also in attendance: Mr Russell Hughes-Pickering, Corporate Lead Officer – Economy & Regeneration, Mrs Catrin Newbold – Service Manager (Development Management), Mr Jonathan Eirug – Development Management Team Leader North, Mr Sam Pugh, Development Management Team Leader – South, Mrs Ffion Lloyd, Solicitor and Mrs Dana Jones, Democratic Services and Standards Officer

(10:00am-11:10am)

1 Personal

The Chairman welcomed all to the meeting.

2 Apologies

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

3 Disclosure of Personal and/or Prejudicial Interest

None.

4 Minutes of a Meeting of the Committee held on the 08 February 2023

It was RESOLVED to confirm as a true record the Minutes of the Meeting of 08 February 2023

Matters arising

Item 5- A220511 Erection of an affordable dwelling, Lleine, Ferwig, Cardigan- The Corporate Lead Officer -Economy and Regeneration reported that a letter had been received in the last two days from Welsh Government that directs the Council not to grant planning permission without prior authorisation of the Welsh Ministers. It was noted that decisions made on application are called under item 8, Appeals when received.

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:-

A200553 Erection of a managers Dwelling, Land Adjacent To Nantllan Business Park, Clarach, Aberystwyth

To **REFUSE** the application for the following reasons:-

1. The application site lies in the open countryside, outside of an established settlement, where there is a general presumption against new residential development unless it constitutes a specific exception prescribed by planning policy. The proposal as it stands does not fall within any such exception and is therefore considered to be contrary to the provisions of Planning Policy Wales, Technical Advice Note 6 and policies S01 and S04 of the Ceredigion Local Development Plan.
2. It is the opinion of the Local Planning Authority that 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. The proposal is contrary to policies DM06 and DM17 of the Local Development Plan.

A220097 Erection of a pair of semi detached houses, Isfryn, Talsarn Lampeter

To **REFUSE** the application for the following reason:

The proposal is contrary to both national and local planning policies and guidance, which seek to protect the open countryside from unsustainable and unjustified new residential development, specifically policy S04 of the LDP and PPW.

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 Peter Jones (applicant) addressed the Committee in accordance with the Operational procedure for Members of the Public addressing the Development Management Committee

A210757 Proposed horsebox fabrication building, to include installation of vehicular access and package treatment plant, Land Adjacent B4338, from junction with C1279 and junction with C1060, Llanybydder

To **REFER** the application to the Site Inspection Panel in accordance with Paragraph 5 of the Council's adopted criteria and to **DEFER** the application to allow further time or a 'cooling off' period to consider the points raised by Members, to include consideration to existing and alternative sites for the business in order to alleviate any potential risks, if the Committee was mindful in approving the application when reconsidered by the committee.

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

It was AGREED to note the appeals received.

Confirmed at the meeting of the Committee held on the 12 April 2023

Chairman:- _____

Date: _____

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1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymheliad / Recommendation
1	A220885	22-11-2022	Mr D Owen	Erection of one family dwelling and two affordable houses on land previously granted planning consent for residential use.	Land Adj. To Swn Y Gwynt, Bontgoch, Talybont, SY24 5DP	Refuse

1.1. A220885



Cyfeirnod y Cais	A220885
Derbyniwyd	22-11-2022
Y Bwriad	Codi un annedd teulu a dau dŷ fforddiadwy ar dir a gafodd ganiatâd cynllunio ar gyfer defnydd preswyl yn flaenorol.
Lleoliad y Safle	Tir yn Gyfagos i Sŵn Y Gwynt, Bont-goch, Tal-y-bont, SY24 5DP
Math o Gais	Caniatâd Cynllunio Llawn
Ymgeisydd	Mr D Owen, 4, Southgate Ffordd Penparcau, Southgate, Aberystwyth, Ceredigion, SY23 1SA
Asiant	Huw Evans, Craigfach Ffordd Penglais, Penglais, Aberystwyth, Ceredigion, SY23 2EU

Y SAFLE A HANES CYNLLUNIO PERTHNASOL

Mae safle'r cais yn ddarn o dir sy'n mesur tua 42m o hyd a thua 56m o ddyfnder rhwng eiddo Brynlllys a Sŵn y Gwynt yn anheddiad Bont-goch. Mae'r safle yn wynebu'r ffordd Sirol sy'n cysylltu Bont-goch â Thal-y-bont ac o ganlyniad i waith peirianyddol, mae'n dir gwastad tua 35m o'r ffordd cyn codi'n raddol i'r tir amaethyddol y tu ôl. Mae dau eiddo mawr yn ffinio â'r plot gyda thir amaethyddol yn y cefn.

Rhoddwyd caniatâd cynllunio amlinellol ym mis Medi 2004 i godi annedd ar y darn hwn o dir a ddilynwyd gan gais llawn a gymeradwywyd ym mis Gorffennaf 2005 i godi byngalo ar y safle. Gwrthodwyd caniatâd i gais llawn i godi dwy annedd fawr marchnad agored union yr un fath ar 28 Medi 2022 ar y sail ei fod yn groes i bolisïau S01 ac S04 y CDLI.

MANYLION Y DATBLYGIAD

Cyflwynir y cais yn llawn ac mae'n gofyn am ganiatâd cynllunio i godi annedd fawr marchnad agored ar ben deheuol y plot a chodi dwy annedd bâr 'fforddiadwy' ar y rhan ogleddol. Mae'r anheddau arfaethedig yn cyd-fynd â'r anheddau cyfagos ac maent i'w gwasanaethu gan fynedfa ganolog i gerbydau gyda manau parcio a throi i'w blaen a'u hochr.

Mae eiddo'r farchnad agored tua 15m x 9.2m ac mae'n ddau lawr o uchder gan ddarparu pedair ystafell wely. Bydd yn cael ei rendro'n bennaf gyda gorffeniad carreg rhannol a'i doi gyda theils concrit. Mae ffenestri crwn yn nodwedd ar yr annedd arfaethedig. Bwriedir i'r ymgeisydd, sy'n gyd-gyfarwyddwr mewn cwmni adeiladu, a'i deulu fyw yn yr annedd.

Mae'r unedau 'fforddiadwy' arfaethedig yn unedau pâr sydd wedi'u hadeiladu gyda gorffeniad rendr ac wedi'u toi â theils concrit. Mae pob uned yn mesur 6.9m x 8.3m ac yn darparu uned llety 3 ystafell wely. Nid oes dim angen cyfiawnadwy wedi'i roi ar wahân i ddatganiad sy'n nodi y bydd cymeradwyo'r unedau fforddiadwy yn cynorthwyo'r Awdurdod i ddarparu tai fforddiadwy yn y Sir.

POLISÏAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

DM06 Dylunio a Chreu Lleoedd 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

DEDDF TROSEDD AC ANHREFN 1998

Mae Adran 17(1) Deddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol arfer y swyddogaethau hynny ar droseddau ac anhrefn o fewn ei ardal, a'r angen i wneud popeth o fewn ei allu i atal trosedd ac anhrefn yn ei ardal. Mae'r ddyletswydd honno wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai dim cynnydd sylweddol nac annerbyniol mewn trosedd ac anhrefn o ganlyniad i'r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

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

- cael gwared ag anfanteision y mae pobl yn eu dioddef oherwydd eu nodweddion gwarchoddedig neu eu lleihau;
- cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig lle mae'r rhain yn wahanol i angen pobl eraill; ac
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

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

DEDDF LLESIAENT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar y Cyngor i gymryd camau rhesymol wrth arfer ei swyddogaethau i gyflawni'r saith nod llesiant yn y Ddeddf. Paratowyd yr adroddiad hwn wrth ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y nodir yn Neddf 2015. Wrth gyrraedd yr argymhelliad, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu diwallu heb gyfaddawdu ar allu cenedlaethau'r dyfodol i ddiwallu eu hanghenion eu hunain.

YMATEBION I'R YMGYNGHORIAID

Dŵr Cymru / Welsh Water - Dim sylw
Cyfoeth Naturiol Cymru - Dim gwrthwynebiad
Priffyrdd Ceredigion - Dim gwrthwynebiad yn destun amodau
Draenio Ceredigion - Sylwadau

ASESIAD SWYDDOG:

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".

Mae'r cais hwn yn gofyn am ganiatâd cynllunio i godi un annedd marchnad agored a dwy annedd 'fforddiadwy' ar y plot mewnlenwi hwn yn anheddiad Bont-goch.

Mae'r ymgeisydd o'r farn bod gwaith wedi cychwyn o fewn yr amserlen benodol i wneud y caniatâd a roddwyd ar gyfer y byngalo yn 2005 yn un sy'n bodoli. Barn yr awdurdod cynllunio lleol yw nad yw'r gwaith peirianyddol na'r fynedfa yn gymesur â'r cynlluniau a gymeradwywyd ac felly mae'r gwaith hwnnw'n anawdurdodedig ac felly mae unrhyw ganiatâd bellach wedi dod i ben. Mae'r awdurdod cynllunio lleol i ystyried y cais heb ystyried unrhyw sefyllfa wrth gefn.

Mae Bont-goch yn dod o fewn Grŵp Aneddiadau Tal-y-bont ac fe'i nodir yng Nghynllun Datblygu Lleol Ceredigion fel un sydd mewn dosbarthiad 'lleoliad arall'. O'r herwydd, y prif bolisi sy'n berthnasol wrth ystyried y cais yw polisi S04 Cynllun Datblygu Lleol Ceredigion sy'n ymdrin â chynigion datblygu mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'.

Er bod polisi S04 yn cydnabod yr angen am rywfaint o ddatblygu o fewn lleoliadau eraill i gwrdd ag anghenion cymunedau sydd eisoes yn bodoli, mae'r polisi yn ceisio sicrhau rheolaeth ar yr ymlediad o ddatblygu mewn lleoliadau anghynaliadwy. Nid yw polisi S04 yn cefnogi cynigion ar gyfer anheddau marchnad agored mewn 'lleoliadau eraill'.

Mae Polisi S04 yn caniatáu datblygiad newydd dim ond lle mae angen menter wledig y gellir ei chyfiawnhau yn unol â TAN6 neu ei fod yn ofynnol i ddiwallu angen sydd heb ei ddiwallu o ran tai fforddiadwy yn unol ag S05. O ran tai fforddiadwy, dim ond pan fydd wedi'i leoli o fewn neu'n union gerllaw aneddiadau presennol y caniateir datblygiad mewn lleoliadau eraill yn unol â pholisi cynllunio cenedlaethol.

Yn yr achos hwn ystyrir y byddai safle'r cais yn dderbyniol o safbwynt cwrdd â meini prawf polisi mewn perthynas â'i leoliad gan ei fod o fewn 'anheddiad' Bont-goch ac yn ei hanfod yn cynrychioli achos o ddatblygiad mewnlenwi. Gan mai dyna'r sefyllfa, byddai cefnogaeth ar gyfer annedd fforddiadwy'n gyfiawnadwy cyn belled ei bod yn cwrdd ag angen fforddiadwy sydd heb ei ddiwallu yn yr ardal.

Fodd bynnag, mae'r cais a gyflwynwyd ar gyfer darparu tair annedd, un yn annedd marchnad agored a dwy yn annedd fforddiadwy. Mae'r ymgeisydd yn honni bod ceisiadau blaenorol ym Mont-goch wedi eu cymeradwyo heb ddim cyfiawnhad neu hyd yn oed am gyfraniad swm gohiriedig o 10% ond mae'n barod i godi un annedd at ddefnydd ei deulu ei hun a chodi dwy uned fforddiadwy ar y plot ac mae'n cydnabod nad yw hynny'n ddelfrydol ond bydd gwerthu'r unedau fforddiadwy yn ei alluogi i frwr ymlaen â datblygiad y safle.

Mae'r awdurdod cynllunio lleol o'r farn y byddai annedd y farchnad agored yn groes i bolisi S04 y CDLI gan mai dim ond o dan TAN6 y gellir cefnogi unrhyw unedau newydd mewn lleoliadau eraill neu os eu bod yn unedau fforddiadwy a dim ond os ydynt yn bodloni angen fforddiadwy sydd heb ei ddiwallu. Nid dyna'r sefyllfa yma. Mae'r 'unedau fforddiadwy' arfaethedig yn rhai hapfasnachol eu natur. Nid oes angen fforddiadwy sydd heb ei ddiwallu wedi'i roi mewn perthynas â'r unedau arfaethedig ac felly nid oes dim cyfiawnhad ychwaith dros gefnogi'r elfen hon o'r cais.

Mewn perthynas â sylwadau a wnaed gan yr ymgeisydd nad oedd cydsyniadau blaenorol ym Mont-goch yn destun cyfyngiad naill ai o ran swm gohiriedig neu statws fforddiadwy, nodir bod y cynllun blaenorol (Cynllun Datblygu Unedol Ceredigion) wedi caniatáu darparu datblygiad preswyl dilyffethair o fewn aneddiadau dynodedig yn amodol ar ddyraniad. Rhoddwyd caniatâd cynllunio ar gyfer datblygu'r safle hwn ddiwethaf dan ddarpariaethau'r CDU o ystyried ei statws fel anheddiad a chan fod gallu i gwrdd â'r datblygiad bryd hynny.

Fodd bynnag, mae'r sefyllfa'n wahanol o ran Cynllun Datblygu Lleol Ceredigion. Sefydlodd y CDLI strategaeth aneddiadau yn amlinellu'r meini prawf ar gyfer twf o ran tai o fewn y Sir a cheisiodd ddarparu twf o 51% o leiaf yn y Canolfannau Gwasanaeth Trefol, 24% yn y Canolfannau Gwasanaeth Gwledig a thwf o 25% mewn Aneddiadau Cyswllt a 'Lleoliadau Eraill'. Roedd dosbarthiad y canolfannau yn seiliedig ar faint, ac ystod ac ansawdd y gwasanaethau a'r cyfleusterau sydd ar gael mewn lleoliadau penodol.

Rhoddwyd Bont-goch, o ran ei lleoliad yng Ngrŵp Aneddiadau Tal-y-bont ac oherwydd ei maint (llai na 27 o anheddau) ac ystod y cyfleusterau, fe'i dynodwyd fel 'lleoliad arall' ac felly'n gyfyngedig i anghenion lleol o ran tai fforddiadwy neu fentrau gwledig yn unig (mae datblygu diweddar ym Mont-goch wedi bod ar gyfer unedau fforddiadwy lle mae angen lleol wedi'i brofi). Ystyriwyd mai dim ond aneddiadau mwy a mwy cynaliadwy (Canolfannau Gwasanaeth) y byddai disgwyl iddynt ddiwallu anghenion cyffredinol o ran tai.

Serch hynny, mae'r CDLI yn tynnu sylw at yr angen i sicrhau na chaiff cartrefi fforddiadwy eu hadeiladu i safonau annerbyniol o isel nac i greu 'tai rhy fawr neu sylweddol.' Mae Canllawiau Atodol Tai Fforddiadwy Ceredigion yn rhoi'r CDLI mewn grym drwy roi ar waith manylebau lleiafswm arwynebedd llawr mewnol ar gyfer cartrefi fforddiadwy a gymerwyd o safon Gofynion Ansawdd Datblygu (GAD) Llywodraeth Cymru: ac uchafswm o 20% o gynnydd ar y manylebau lleiaf yn yr arwynebedd llawr mewnol cyffredinol. Yr arwynebedd llawr lleiaf o fewn safon GAD ar gyfer tŷ fforddiadwy 4 ystafell wely yw 114m². Yr uchafswm a ganiateir felly yng Ngheredigion yw 136m² sydd 20% yn uwch na ffigur y GAD.

Tra bod y ddwy uned fforddiadwy arfaethedig yn cwrdd â'r meini prawf hynny o ran maint, nodir o'r cynlluniau llawr a ddarparwyd fod gan yr annedd marchnad agored ôl troed allanol o oddeutu 138m² a fyddai'n rhoi arwydd o arwynebedd llawr mewnol o tua 250m² a fyddai'n groes i'r polisi petai'n cael ei ystyried yn uned fforddiadwy.

Yn hynny o beth, ystyrir bod y bwriad yn groes i bolisiâu lleol a chenedlaethol mewn perthynas â datblygu mewn lleoliadau eraill.

Er gwaethaf yr holl faterion eraill ac er gwaethaf bod y safle wedi ei leoli o fewn anheddiad Bont-goch, byddai darparu annedd marchnad agored a dwy uned fforddiadwy hapfasnachol yn y lleoliad hwn yn groes i bolisiâu lleol a chenedlaethol ac argymhellir gwrthod y cais.

RHESYMAU DROS OHIRIO:

Yn y Pwyllgor Rheoli Datblygu ar 8 Chwefror, 2023 penderfynodd yr Aelodau ohirio'r cais hyd nes y byddai'n cael ei gyfeirio at y Grŵp Oeri i ystyried y cynnig ynghyd ag unrhyw wybodaeth ychwanegol a dderbyniwyd yn fanwl. Ystyriwyd y cais yn

wreiddiol gan y Grŵp Oeri ar 22ain Chwefror 2023, a chytunwyd yn unfrydol bod Swyddogion yn cysylltu â'r ymgeisydd i'w hysbysu bod y Grŵp Oeri wedi ystyried y cais, ac wedi dod i'r casgliad na allent ddod i benderfyniad. heb wybodaeth ychwanegol i gefnogi'r cais mewn perthynas â:

- A yw'r ymgeisydd yn cydymffurfio â'r meini prawf deiliadaeth;
- Tystiolaeth o'r angen am dai fforddiadwy yn yr ardal'
- A fyddai'r ymgeisydd yn ystyried lleihau maint y datblygiad marchnad agored; a
- A fyddai'r ymgeisydd yn ystyried cais am swm gohiriedig ar gyfer yr annedd marchnad agored.

Cyfarfu'r Grŵp Oeri ar 23ain Mawrth, 2023 ac ystyriodd yr ymateb a dderbyniwyd gan yr ymgeisydd mewn perthynas â'r wybodaeth y gofynnwyd amdani.

O ran y meini prawf cymhwysu ar gyfer tŷ fforddiadwy, derbyniwyd cadarnhad gan yr ymgeisydd y byddai'n gallu cwrdd â'r gofynion meddiannaeth ac ariannol.

Darparodd yr ymgeisydd dystiolaeth hefyd o ran yr angen am dai fforddiadwy yn Bontgoch a'r ardal gyfagos yn gyffredinol. Dywedodd ei fod wedi derbyn nifer o geisiadau am dai fforddiadwy yn Bontgoch ei hun.

Mewn perthynas â lleihau maint y tŷ marchnad agored, cadarnhaodd yr ymgeisydd y byddai'n fodlon gwneud hynny ar yr amod ei fod yn cyd-fynd â'r tŷ marchnad agored olaf i'w ganiatáu yn Bontgoch sydd ag arwynebedd llawr mewnol o tua 216m².

Yn olaf, cadarnhaodd yr ymgeisydd y byddai'n barod i ystyried cais am swm gohiriedig o 10% ar gyfer y tŷ marchnad agored ond na fyddai'n barod i ystyried bod y tri thŷ arfaethedig yn cael eu dynodi'n dai fforddiadwy oherwydd rhesymau cyllidebol.

Rhoddodd Aelodau'r Grŵp ystyriaeth fanwl i'r ymateb, gan nodi eu bod yn cytuno â'r sylwadau mewn perthynas â fforddiadwyedd a'r angen am dai, ond nodwyd bod y risg o alw i mewn yn hynod o uchel gan fod polisi S04 ond yn caniatáu tai fforddiadwy yn yr ardal yma.

Holodd yr aelodau a fyddai'r risg o alw i mewn yn cael ei leihau petai'r cais yn cael ei newid i 3 tŷ fforddiadwy. Nododd swyddogion y byddai'r risg o alw i mewn yn debygol o leihau pe bai'r cynnig yn cael ei ddiwygio i dri chartref fforddiadwy ond mai mater i Lywodraeth Cymru benderfynu arno yn y pen draw, pe byddai cais galw i mewn yn dod i law. Ychwanegodd swyddogion fodd bynnag y byddai'n debygol y byddai Llywodraeth Cymru hefyd yn adolygu lleoliad y safle, ac efallai hefyd yn ystyried y ffaith nad yw Bontgoch yn cael ei hystyried yn ardal gynaliadwy, oherwydd prinder gwasanaethau a'r angen i deithio i ardaloedd cyfagos ar gyfer ysgolion, siopa ac ati ac y gallai'r angen cyffredinol am gartrefi fforddiadwy gael ei ddiwallu'n well mewn mannau eraill mewn lleoliadau mwy cynaliadwy.

Gofynnodd yr aelodau am faint y cais marchnad agored o'i gymharu â thŷ fforddiadwy. Cadarnhaodd swyddogion fod gan yr annedd marchnad agored arwynebedd llawr mewnol arfaethedig o tua 250m² a bod yr ymgeisydd wedi cadarnhau y byddai'n fodlon lleihau hyn i 216m². Fodd bynnag, mae hyn yn dal i fod yn uwch na'r rheoliadau sy'n ymwneud â thŷ fforddiadwy. Nodwyd bod Aelodau eisoes wedi cymeradwyo ceisiadau sy'n uwch na'r safon DQR ar gyfer tai fforddiadwy o 180m² a 190m², fodd bynnag mae pryderon wedi eu codi eisoes gan Archwilio Cymru ynglŷn â hyn.

Yn dilyn trafodaeth cytunodd y Grŵp Oeri yn unfrydol y dylid hysbysu'r ymgeisydd o friad y Grŵp i argymhell i'r Pwyllgor Rheolaeth Datblygu fod y cais yn cael ei wrthod oni bai bod y cais yn cael ei newid i 3 tŷ fforddiadwy, a lleihau maint yr eiddo mwy yn unol â'r canllawiau perthnasol.

Ar adeg ysgrifennu nid oes ymateb wedi ei dderbyn gan yr ymgeisydd na'r asiant i'r mater.

RHESYMAU DROS GYFEIRIO'R CAIS I'R PWYLLGOR RHEOLI DATBLYGU:

Mae'r Aelod lleol dros y Ward, y Cynghorydd C M S Davies wedi gofyn i'r cais gael ei gyfeirio at y Pwyllgor Rheoli Datblygu i'w ystyried am y rhesymau a ganlyn:-

- Byddai caniatáu'r cais yn golygu bod yr ardal penodol yma yn cael ei harddu;
- Byddai cael mwy o dai fforddiadwy yn y pentref yn ddefnyddiol.

ARGYMHELLIAD:

GWRTHOD oherwydd ei fod yn groes i bolisi S01 ac S04 Cynllun Datblygu Lleol Ceredigion.

Application Reference	A220885
Received	22-11-2022
Proposal	Erection of one family dwelling and two affordable houses on land previously granted planning consent for residential use.
Site Location	Land Adj. To Swn Y Gwynt, Bontgoch, Talybont, SY24 5DP
Application Type	Full Planning
Applicant	Mr D Owen, 4, Southgate Penparcau Road, Southgate, Aberystwyth, Ceredigion, SY23 1SA
Agent	Huw Evans, Craigfach Penglais Road, Penglais, Aberystwyth, Ceredigion, SY23 2EU

THE SITE AND RELEVANT PLANNING HISTORY

The application site is a parcel of land measuring approx. 42m long and approx 56m deep between the properties of Brynlllys and Sŵn y Gwynt in the settlement of Bontgoch. The site fronts onto the County road which links Bontgoch with Talybont and as a result of engineering works, is flat land ranging a distance of approx 35m from the road before rising gradually to the agricultural land behind. The plot is neighboured by two large properties with agricultural land to the rear.

Outline planning permission was granted in September 2004 for the erection of a dwelling on this parcel of land which was then followed by a full application which was approved in July 2005 for the erection of a bungalow on the site. An full application for the erection of two identical large open market dwellings was refused permission on 28 September 2022 on grounds of being contrary to policies S01 and S04 of the LDP.

DETAILS OF DEVELOPMENT

The application is submitted in full and seeks planning permission for the erection of a large open market dwelling on the southern end of the plot and the erection of two semi-detached 'affordable' dwellings on the northern part. The proposed dwellings are in line with the neighbouring dwellings and are to be served by a central vehicular access with parking and turning areas to their front and side.

The open market property is approx 15m x 9.2m and two storeys high providing four bedrooms. It is to be mainly rendered with part stone finish and roofed with concrete tiles. Round fenestration is a feature on the proposed dwelling. It is intended that the applicant, who is a joint director in a construction company, and his family will reside in the dwelling.

The proposed 'affordable' units are semi detached units constructed with a render finish and roofed with concrete tiles. Each unit measures 6.9m x 8.3m and provides a 3 bedroomed unit of accommodation. No justifiable need has been provided apart from a statement which indicates that approval of the affordable units will assist the Authority in the delivery of affordable housing in the County.

RELEVANT PLANNING POLICIES AND GUIDANCE

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
- S05 Affordable Housing

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

Dŵr Cymru / Welsh Water - No comment
NRW - No objection
Ceredigion Highways - No objection STC
Ceredigion Drainage - Comments

OFFICER ASSESSMENT:

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that: "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise".

This application seeks planning permission for the erection of one open market dwelling and two 'affordable' dwellings on this infill plot in the settlement of Bontgoch.

The applicant is of the opinion that work had commenced within the specific time frame to make the permission for the bungalow granted in 2005 extant. It is the opinion of the LPA that neither the engineering works or the access are commensurate with the approved plans and therefore those works are unauthorised and therefore any permission has now lapsed. The LPA are to consider the application without regard to any fallback position.

Bontgoch falls within the Talybont Settlement Group and 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. Proposals for open market dwellings in 'other locations' are not supported by policy S04.

Policy S04 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 Bontgoch 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.

However, the application submitted is for the provision of three dwellings, one being an open market dwelling and two affordable dwellings. The applicant claims that previous applications in Bontgoch have been approved without any justification or even for a 10% commuted sum contribution but is prepared to erect one dwelling for his own family use and erect two affordable units on the plot which he acknowledges that is not ideal but the sale of the affordable units will enable him to progress the development of the site.

It is the opinion of the LPA that the open market dwelling would be contrary to policy S04 of the LDP as any new units in 'other locations' can only either be supported under TAN6 or if they are affordable units and only if they meet an unmet affordable need. That is not the case here. The proposed 'affordable units' are speculative in nature. No unmet affordable need has been provided in respect of the proposed units and therefore no justification exists either for the support of this element of the application.

With regard to comments made by the applicant that previous consents in Bontgoch were not the subject of restriction either in terms of commuted sum or affordable status it is noted that the previous plan (Ceredigion Unitary Development Plan) did allow the provision of unencumbered residential development within designated settlements subject to allocation. Planning permission for the development of this site was last granted under the provision of the UDP in view of its status as a settlement and as there was capacity to meet the development at that time.

The situation however is different with regards to the Ceredigion Local Development Plan. The LDP established a settlement strategy setting out the criteria for housing growth within the County and sought to provide at least 51% growth in the Urban Service Centres, 24% in the Rural Service Centres and 25% growth in Linked Settlements and 'Other Locations'. The classification of centres was based on size, and the range and quality of services and facilities available in specific locations.

Bontgoch, in respect of its location was placed in the Talybont Settlement Group and due to its size (less than 27 dwellings) and range of facilities, was designated as being an 'other location' and therefore limited to only local affordable housing or rural enterprise needs (recent development in Bontgoch have been for affordable units where local need have been demonstrated). It was considered that only larger and more sustainable settlements (Service Centres) would be expected to meet general housing needs.

Notwithstanding, 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.

Whilst the two proposed affordable units meets that criteria in terms of size it is noted that from the floor plans provided, the open market dwelling has an external footprint of approximately 138m² which would give an indication of an internal floorspace of approx 250m² which would be contrary to policy if it was considered as an affordable unit.

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.

Notwithstanding all other matters and irrespective that the site is located within Bontgoch settlement, the provision of an open market dwelling and two speculative affordable units at this location would be contrary to both local and national policies and it is recommended that the application be refused.

REASONS FOR DEFERRAL:

At the Development Management Committee on the 8th February, 2023 Members resolved to defer the application pending referral to the Cooling Off Group to consider the proposal together with any additional information received in detail. The application was initially considered by the Cooling Off group on 22 February 2023, and it was unanimously agreed that Officers contact the applicant to advise them that the Cooling Off' Group had considered the application, and concluded that they could not come to a decision without additional information in support of the application in relation to:

- Whether the applicant complies with the occupancy criteria;
- Evidence of the need for affordable housing in the area'

- Whether the applicant would consider reducing the size of the open market development; and
- Whether the applicant would consider the application of a commuted sum for the open market dwelling.

The Cooling Off Group met again on the 23rd March, 2023 and considered the response received from the applicant in respect of the requested information.

In terms of the qualifying criteria for an affordable dwelling, confirmation was received from the applicant that he would be able to meet both the occupancy and financial requirements.

The applicant also provided evidence in terms of need for affordable dwellings in Bontgoch and the immediate area in general. He indicated that he had received numerous requests for affordable housing in Bontgoch itself.

In relation to reducing the size of the open market dwelling, the applicant confirmed that he would be willing to do so provided that it was in keeping with the last open market dwelling to be approved in Bontgoch which had an internal floor space of circa 216m².

Lastly the applicant confirmed that he would be prepared to consider the application of a 10% commuted sum for the open market dwelling but would not be prepared to consider that all three proposed dwellings be designated as affordable dwellings due to viability issues.

Members of the Group considered the response in detail, noting that they agreed with the comments in relation to affordability and the housing need, however it was noted that the risk of call-in was extremely high as policy S04 only allows for affordable housing in this area.

Members queried whether the risk of call-in would be reduced if the application was changed to 3 affordable houses. Officers noted that the risk of call-in was likely to be reduced should the proposal be amended to three affordable homes but that ultimately this would be a matter for Welsh Government to decide, should a call-in request be received. Officers added however that it would be likely that Welsh Government would also review the location of the site, and may also consider the fact that Bontgoch is not considered to be a sustainable area, due to limited services and facilities and the need to travel to nearby areas for schools, shopping etc, and that the general need for affordable homes may be better met elsewhere in more sustainable locations.

Members asked about the size of the open-market application compared to that of an affordable house. Officers confirmed that the open market dwelling had a proposed internal floor area of approx. 250m² and that the applicant has confirmed that he would be willing to reduce this to 216m². However this still exceeds regulations relating to affordable houses. It was noted that Members have previously approved applications exceeding the DQR standard for affordable homes at 180m² and 190m², however concerns have already been raised by Audit Wales regarding this.

Following a discussion, the Cooling Off Group unanimously agreed that the applicant be informed of the Group's intention to recommend to the Development Management Committee that the application be refused unless the application is changed to 3 affordable houses, and a reduction to the size of the larger property in line with the relevant guidelines.

At time of writing no response has been received from the applicant or agent to the matter.

REASONS FOR REFERRING THE APPLICATION TO THE DEVELOPMENT MANAGEMENT COMMITTEE:

The local Member for the Ward, Cllr C M S Davies has requested the application be referred to the Development Management Committee for consideration for the following reasons:-

- Granting permission will mean that this parcel of land will be tidier;
- It would be helpful to have more affordable dwellings in the village.

RECOMMENDATION:

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

2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
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3. Diprwydedig/Delegated

02-03-2023 - 05-04-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
1	A180718	Mr Robert Taylor	Erection of an agricultural building	Cae Llyn Lan, Bethania, Llanon.	Not determined	28-03-2023
2	A181075	Mr J Morgan (Wilmott Dixon Construction)	Discharge condition 6 - Access from Highway - Aberystwyth Innovation and Enterprise Campus	Plas Gogerddan, Aberystwyth	Dychwelwyd yn annilys / Returned Invalid	07-03-2023
3	A200902	(Alveway Ltd)	Erection of 8 dwellings and associated works	Phase 4 Cwrt Dulas, Mill Street, Lampeter, SA48 7HY	Gwrthodwyd / Refused	23-03-2023
4	A200982	Mr and Mrs B & P Jones	Proposed change of use of agricultural land into an extension of the existing caravan park with an additional 30 number caravans along with access road and services.	Erwbarfe Caravan Park, Ponterwyd, Aberystwyth, SY23 3JR	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-03-2023
5	A201084	Mr and Mrs D & M Hudson	Proposed change of use of part of outbuilding into micropub.	Penlan Ganol, Cwrtnewydd, Llanybydder, SA40 9YN	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	09-03-2023
6	A201117	Ms M Griffiths	Proposed affordable house and garage	Land adjacent to Penffin Farm, Glynarthen, Llandysul. SA44 6NX	Gwrthodwyd / Refused	10-03-2023
7	A210278	Ms K Jones	Proposed conversion and change of use to single dwelling	Former St Mary's Church, Brongwyn, Cwmcou, SA38 9PR	Gwrthodwyd / Refused	31-03-2023
8	A210445	Mr G Peters	Convert a disused chapel into a two bedroom holiday accommodation.	Llwynygroes Mansion, Llanwnnen, Lampeter, SA48 7LF	Tynnwyd yn ôl / Withdrawn	02-03-2023
9	A210676	Lisa Evans Gary Jones	Proposed erection of a new dwelling.	Land On Gilfach Glynarthen, SA44 6NX	Gwrthodwyd / Refused	02-03-2023
10	A210825	Mr and Mrs Euros & Ceri Evans	Proposed erection of a new TAN 6 dwelling and detached car-port.	Land at Blaenffynnon Farm, Bryngwyn, Newcastle Emlyn, SA38 9PZ	Tynnwyd yn ôl / Withdrawn	29-03-2023
11	A210980	Ms H Evans	Removal of defective exterior UPVC double doors in kitchen to be replaced with wooden double doors. Removal of defective exterior UPVC windows and plastic wall panel in upstairs bedroom to be replaced with wooden double doors with ironwork safety rail.	Rocklee, Bridge Street, Llandysul, SA44 4BA	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
12	A210999	(Enzo Homes West Wales Ltd)	Change to Section 106 agreement in relation to the phasing arrangements of development.	Stad Craig Ddu, Llanon, SY23 5AQ	Tynnwyd yn ôl / Withdrawn	16-03-2023
13	A211020	Mr R Llwyd	Aberaeron Coastal Defence Scheme including the construction of a rock breakwater extending out from North Pier, refurbishment and re-building of pier head of South Pier, construction of flood walls, construction of flood gate at Pwll Cam inner harbour and improvements to the existing defences on South Beach.	Aberaeron Harbour & South Beach, Aberaeron	Caniatawyd gydag Amodau / Approved Subject to Conditions	31-03-2023
14	A220082	Mr J Lloyd (Castell Ystrad Developments)	Outline application for residential development.	Maes yr Halen, Cross Inn, Llandysul, SA44 6NU	Caniatawyd gydag Amodau / Approved Subject to Conditions	22-03-2023
15	A220200	Ms C Davis	Conversion of outbuildings into 4 no. holiday units, utilities building, installation of package treatment plant and demolition of agricultural buildings.	Gelli Genlas, Llanarth. SA47 0PH	Gwrthodwyd / Refused	09-03-2023
16	A220210	Mr Colin Davies (Teifi Kitchens Ltd)	Variation of condition 2 of planning permission A190301 - Approved plans	Site At Md Recycling Crugmor Farm, Cardigan, SA43 1QY	Caniatawyd gydag Amodau / Approved Subject to Conditions	06-03-2023
17	A220223	Ms N Lewis	Change of use and redevelopment of existing barns to provide 5no. self-contained units of holiday accommodation. Proposed new vehicle access and landscaping works.	Mount Pleasant Farm, Y Ferwig, Cardigan, SA43 1QJ	Caniatawyd gydag Amodau / Approved Subject to Conditions	28-03-2023
18	A220347	Mr Daniel Thomas (Tai Tysul Homes Ltd)	Variation of condition 2 (amended plans) to planning permission A180217	Plot 1 adj, to Pentir, Llynfran Road, Llandysul, SA44 4JW	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	23-03-2023
19	A220473	Mr and Mrs Bowden	Erection of a dwelling.	Land at Frondolau, Lewis Terrace, New Quay, SA45 9PQ	Gwrthodwyd / Refused	30-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
20	A220493	Mr and Mrs I Thomas	Construction of a stable block.	Pengallt, Henllan, Llandysul, SA44 5TE	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-03-2023
21	A220541	Mr Andrew Thomas (Aberystwyth Univeristy)	External Renovation work, replacement of sections of existing sash windows and sills, french windows, and sections of cast iron guttering and downpipes.	Y Plas, Penglais Hill, Aberystwyth. SY23 3DF	Dychwelwyd yn annilys / Returned Invalid	30-03-2023
22	A220610	Mr M Edwards (Teifi Developments Ltd)	Discharge of condition 12 (perc. test & soakaway deisgn) from planning permission A180900	Land at Penbedw Farm, Henllan, Llandysul	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	28-03-2023
23	A220617	Mr M Edwards (Teifi Developments Ltd)	Discharge of condition 12 (soakaway design) from planning permission A180901	Land at Penbedw Farm, Henllan, Llandysul	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	28-03-2023
24	A220637	Mr R Davies	Demolition of existing structure and erection of a general purpose agricultural building.	Land adj Ty Fri, Llangoedmor, Cardigan, SA43 2LQ	Caniatawyd gydag Amodau / Approved Subject to Conditions	27-03-2023
25	A220643	Mrs Davies	Proposed reinstatement of dwelling to include extension and access track	Mwnt Mawr, Felinwynt, Cardigan. SA43 1RW	Caniatawyd gydag Amodau / Approved Subject to Conditions	04-04-2023
26	A220678	(HSBC Bank/Holding)	Replacement of 1no external ATM and sign over together with minor internal alterations to accommodate new machines.	HSBC, 11 High Street, Cardigan, SA43 1JN	Caniatawyd gydag Amodau / Approved Subject to Conditions	28-03-2023
27	A220679	(HSBC Bank/Holding)	Display of signage	HSBC, 11 High Street, Cardigan. SA43 1JN	Caniatawyd gydag Amodau / Approved Subject to Conditions	28-03-2023
28	A220680	(HSBC Bank/Holding)	Replacement of 1no external ATM and sign over together with minor internal alterations to accommodate new machines.	HSBC, 11 High Street, Cardigan, SA43 1JN	Caniatawyd gydag Amodau / Approved Subject to Conditions	28-03-2023
29	A220682	Mr Jeff Morgan	Demolition of Bedwen and Residential Development of 9 dwellings	Bedwen, Stryd yr Eglwys, Llanon, SY23 5HW	Gwrthodwyd / Refused	15-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
30	A220733	Mr C Botwood	Installation and operation of a temporary meteorological testing mast for a period of 3 years to measure wind speed and wind direction. A single galvanised steel mast with guy wires and anchor blocks, and support solar array for the power supply. No change of use required.	Agricultural Land On Drybedd To The SW of Blaen Peithnant Forestry Block, Ystumtuen	Caniatâd dros dro / Temporary permission	14-03-2023
31	A220752	Mr J Ellis-Jones	Residential Development Comprising 2x 3 bedroom self-contained affordable apartments	Yr Hen Stabl, Heol Iwan, Llanbadarn Fawr, Aberystwyth, SY23 3SH	Tynnwyd yn ôl / Withdrawn	04-04-2023
32	A220758	Mr Andrew Thomas (Aberystwyth Univeristy)	Provision a covered facility over an existing all-weather pitch, in the form of a Sports Dome.	Sports Centre, Aberystwyth University Campus, Penglais, Aberystwyth, SY23 3AR	Caniatawyd gydag Amodau / Approved Subject to Conditions	30-03-2023
33	A220783	Mr Adam Gilbert	Erection of 2 storey extension to the rear east quarter. Extend the patio area to the rear and create a larger lawn area.	Brynllan, Cenarth, SA38 9JY	Caniatawyd gydag Amodau / Approved Subject to Conditions	13-03-2023
34	A220811	Mr and Mrs Gary Fryar	Kitchen extension and extension to bedroom with first floor bay to match existing	Llys Heli, Beach Parade, Aberaeron. SA46 0BE	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-03-2023
35	A220812	Mr G Davies	Residential Development	Land at Blaenhoffnant Uchaf, Llandysul. SA44 6ED	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	09-03-2023
36	A220816	Mrs Linda Hood	Replacement of existing boiler to oil-fired boiler	Tyn Cwm, Llanon, Ceredigion, SY23 5HX	Caniatâd wedi ei roi / Consent Granted	31-03-2023
37	A220822	Mr Alex Dawson (Barcud)	Erection of 8 one-bedroom apartments, construction of off-street parking area, and associated works (amendment to existing planning permission A180465)	Land between Quay Street and Market Lane, Quay Street, Cardigan. SA43 1HU	Caniatawyd gydag Amodau / Approved Subject to Conditions	03-03-2023
38	A220827	Mr A Evans	Proposed Cattle Housing Unit with Slatted Slurry Store Below to comply with The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021	Rhydsais, Talgarreg, Llandysul. SA44 4HH	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
39	A220830	Mr and Mrs O'Leary	Extension to existing dwelling, including part demolition of the original structure and other ancillary work.	Blaencrynant, Henllan, Llandysul. SA44 5UA	Caniatawyd gydag Amodau / Approved Subject to Conditions	24-03-2023
40	A220837	JD, EMD and H Evans	Construction of underground slurry store within existing cubicle building and associated works	Cribor Fach, Maesymeillion, Llandysul. SA44 4UU	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-03-2023
41	A220838	Mr Wareing	Retrospective application for single storey side extension used as storage.	Ynys Wen, High Street, Borth, SY24 5JD	Caniatawyd gydag Amodau / Approved Subject to Conditions	23-03-2023
42	A220839	Mr Dave Harris	Field barn with associated hardstanding and new access with associated hedgerow translocation and visibility splay	Land adj. to Felin Tyglyn, Ciliau Aeron, Lampeter. SA48 8BY	Caniatawyd gydag Amodau / Approved Subject to Conditions	15-03-2023
43	A220851	Mr D Griffiths (DT&O Griffiths Ltd)	Construction of a concrete floored and concrete walled pit to store conserved grass/silage The existing site is a level hardcore area used for storing machinery and silage bales.	Penwernfawr, Cwm Cou, Newcastle Emlyn, SA38 9PG	Caniatawyd gydag Amodau / Approved Subject to Conditions	23-03-2023
44	A220852	(AM and EL Evans & Son)	Construction of lined slurry lagoon, access track, access point and associated works	Penlanlas Isaf, Talsarn, Lampeter. SA48 8RB	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-03-2023
45	A220855	JD, EMD and H Evans	Erection of agricultural building and construction of underground slurry store and associated works for agricultural purposes	Ffosogob, Prengwyn, Llandysul. SA44 4LL	Caniatawyd gydag Amodau / Approved Subject to Conditions	23-03-2023
46	A220858	B D & M H Parry (B D & MH Parry & Son)	Construction of slurry storage tank and associated works.	Blaenborthyn, Maesycrugiau, Pencader, SA39 9LU	Tynnwyd yn ôl / Withdrawn	31-03-2023
47	A220859	DI & SE Jenkins	Construction of slurry store/tank and associated works.	Tyllwyd, Lampeter, SA48 7PA	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-03-2023
48	A220864	Will & Henrietta Delve & Painting-Robinson	Proposed Managers accommodation and associated works.	Land at Brynberwyn Guest House, Tresaith, Cardigan, SA43 2JG	Tynnwyd yn ôl / Withdrawn	28-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
49	A220866	Will & Henrietta Delve & Painting-Robinson	Proposed change of use of land for siting of 4no. holiday pods (ancillary serviced accommodation to the Guest House) and associated works.	Land at Brynberwyn Guest House, Tresaith, Cardigan, SA43 2JG	Tynnwyd yn ôl / Withdrawn	28-03-2023
50	A220867	Mr Euryl Rees	Proposed Slurry Lagoon at Castell-Y-Geifr	Castell y Gwifr, Llanarth. SA47 0PY	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-03-2023
51	A220874	Mr and Mrs G Thomas	Change of Use of First Floor from A3 (Restaurant) to C6 (Short-term lets)	Old Watch House Restaurant, The Watch House, South John Street, New Quay. SA45 9NP	Gwrthodwyd / Refused	20-03-2023
52	A220878	Mr Jones (E T Jones & Co)	Construction of slurry store/tank and associated works.	Garth, Llanddewi Brefi, Tregaron, SY25 6UH	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-03-2023
53	A220881	Mrs Ozcan	Change of use from shop (A1) to (A3) hot food takeaway - 2 nr extraction flues (max 350mm diameter) to rear elevation - and new single storey extension unit to rear garden.	Penny Pinchers, 15 Pendre, Cardigan. SA43 1JL	Caniatawyd gydag Amodau / Approved Subject to Conditions	31-03-2023
54	A220887	Mr H Williams	Proposed nissen hut to be used for agricultural purposes.	Cwmhowny, Blaenporth, Cardigan, SA43 2BD	Caniatawyd gydag Amodau / Approved Subject to Conditions	13-03-2023
55	A220891	Messrs TE, MRL & EG Jones (TE, MRL & EG Jones)	Construction of slurry store/tower and associated works	Pantyrhendy, Llanarth. SA47 0QS	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-03-2023
56	A220894	Jones (Blaeneifed Farm Ltd)	Extension to existing earth banked slurry nutrient store to provide additional on farm storage capacity.	Blaeneifed, Llangoedmor, Cardigan. SA43 2LZ	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-03-2023
57	A220900	Mr Mark Baggott (Dyffryn Teifi Developments Ltd)	CHANGE OF USE FROM D1 TO B2	Dyffryn Teifi Secondary School Heol Llyn Y Fran, Llandysul, Ceredigion, SA44 4HP	Caniatawyd gydag Amodau / Approved Subject to Conditions	03-03-2023
58	A220909	Mr R Griffiths	Creation of concrete pad for silage clamp	Blaenclettwr, Talgarreg, Llandysul. SA44 XE	Caniatawyd gydag Amodau / Approved Subject to Conditions	17-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
59	A220912	Mr David Lewis	Replacement front door, frame and surround with UPVC double glazed frame/surround and a composite door in gray, paint window sills and all front fascia's (currently red) and railings a different colour and replace guttering.	Bryncelyn, Station Road, Tregaron. SY25 6HX	Caniatawyd gydag Amodau / Approved Subject to Conditions	14-03-2023
60	A220916	Mr C Palmer	Proposed Conversion of Stable block into 2 bedroom Holiday let	Awel y Trydan, Pennant, Llanon. SY23 5JG	Caniatawyd gydag Amodau / Approved Subject to Conditions	21-03-2023
61	A220927	(Ceredigion County Council)	Proposed re-modelling of the external steps, paved areas to include new guardrails, balustrading and associated works.	The Public Conveniences, South John Street, New Quay, SA45 9NG	Tynnwyd yn ôl / Withdrawn	10-03-2023
62	A220929	Mr Ifan Jones Evans	Creation of access track to Pantyffynnon Isaf	Pantyffynnon Isaf, Ysbyty Ystwyth, SY25 6DG	Caniatawyd gydag Amodau / Approved Subject to Conditions	09-03-2023
63	A220931	Mr Jones	Variation of condition 1 of planning permission A200764 - Extend the period for commencement of development on-site by a further 18 months	Plot 4 Crib y Gwynt, Ferwig, Cardigan. SA43 1QA	Caniatawyd gydag Amodau / Approved Subject to Conditions	28-03-2023
64	A220932	Mr Griffiths (Messrs GR & ME Griffiths and Sons)	Construction of slurry tower and associated works	Ffosi gravel Uchaf, Borth. SY24 5NX	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-03-2023
65	A220938	Mr & Miss T & M Ogilvie & Goldsack	Change of use of part commercial, part residential premises to full residential use.	Badell Aur, Penparc, Cardigan. SA43 1RG	Caniatawyd gydag Amodau / Approved Subject to Conditions	23-03-2023
66	A220940	Janet Exelby	Installation of a ground mounted solar pv system with battery storage in a shed built for this purpose.	Pantresgaer, Penuwch, Tregaron. SY25 6RA	Caniatawyd gydag Amodau / Approved Subject to Conditions	21-03-2023
67	A220945	Evans & James	Relocation of existing lawful holiday static caravan to elsewhere within the site and siting of site store, office/shop structure.	Tygwyn, Caravan Site, Mwnt, Y Ferwig, SA43 1QH	Caniatawyd gydag Amodau / Approved Subject to Conditions	07-03-2023
68	A220948	Mr J O'Rourke (Prifysgol Aberystwyth University)	Discharge of condition 8.6 of planning permission A210459 - Door Repair and Upgrades	Old College, King St, Aberystwyth & 1 & 2 New Promenade, Aberystwyth, SY23 2BH	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	31-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
69	A220959	Ms Lowri Jones	Minor roof alteration to north east elevation and re-roofing works. Installation of new entrance doors and formation of raised deck area. Installation of external walls insulation and new render to external elevations to Penhelyg Block.	Urdd Centre, Llangrannog, SA44 6AE	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-03-2023
70	A220960	Mr D J Evans	Erection of a pool house	Cae Pant, Rhydyfelin, Aberystwyth. SY23 4PY	Gwrthodwyd / Refused	29-03-2023
71	A230037	Ms M Jervis	Variation of condition 2 of planning permission A211061 - approved plans	Rose Cottage, Aberporth, Cardigan. SA43 2DU	Caniatawyd gydag Amodau / Approved Subject to Conditions	31-03-2023
72	A230042	Ms Jessica Jones (ME Group International plc)	Installation of a modular self-service launderette facility and associated works (retrospective)	Morrisons Supermarket, Parc y Llyn Retail Park, Llanbadarn Fawr, Aberystwyth. SY23 3TL	Caniatawyd gydag Amodau / Approved Subject to Conditions	28-03-2023
73	A230044	Mr J O'Rourke (Prifysgol Aberystwyth University)	Discharge of condition 8.7 planning permission A210459 - Window repair methodology	Hen Goleg, King St. and 1 & 2 New Promenade, Aberystwyth. SY23 2BH	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	31-03-2023
74	A230048	Mr D Bowen	Discharge condition 3 of planning permission A031611 - sample of roof covering	Plot 1, Land Adjacent To Sarnau Church Penbryn Beach Road, Llandysul, Ceredigion,	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	31-03-2023
75	A230049	Mr D Bowen	Discharge condition 3 of planning permission A031609 - sample of roof covering	Plot 2, Land adjacent to Sarnau Church, Penbryn Beach Road, Llandysul.	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	31-03-2023
76	A230051	Mr E Bowen	Discharge condition 12 of planning permission A041583 - sample of roof covering	Plots 3 and 4, Land adjacent to Sarnau Church, Penbryn Beach Road, Llandysul.	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	31-03-2023
77	A230054	Mr J O'Rourke (Prifysgol Aberystwyth University)	Discharge condition 8.8 from planning permission A210459 - New metal windows	Hen Goleg and 1 and 2 New Promenade, Aberystwyth. SY23 2BH	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	31-03-2023
78	A230055	Mr John Davies	Proposed New Access to Land Adjacent to Norrlands, Llanfarian	Land adjacent to Norrland, Llanfarian, Aberystwyth	Caniatawyd gydag Amodau / Approved Subject to Conditions	31-03-2023
79	A230056	Mr A Holloway	Erection of 2 dwellings	6A Maes Wyre, Llanrhystud, SY23 5AH	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-03-2023
80	A230071	Mr and Mrs O & R Bentley	20m x 40m all weather horse exercise/riding arena for applicants own private use.	Brynhyfryd, Blaenannerch, Cardigan, SA43 2AL	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
81	A230077	Mr M Shields (Purepay Retail (EWM) Ltd)	Display of signage.	Units 3 & 4, 40/46 Great Darkgate Street, Aberystwyth, SY23 1DE	Caniatâd wedi ei roi / Consent Granted	29-03-2023
82	A230083	Mr Gareth Jones	Discharge of condition 3 from planning permission A220560 (windows)	Llwynfynwent, Llanfihangel y Creuddyn, SY23 4LA	Caniatawyd / Approved	16-03-2023
83	A230088	Mr Dennis Lloyd-Jones (Morfa Bychan Caravan Park)	Proposed toilet block	Morfa Bychan Caravan Park, Llanfarian, Aberystwyth. SY23 4QQ	Caniatawyd gydag Amodau / Approved Subject to Conditions	30-03-2023
84	A230095	Mr Russell Hughes-Pickering (Ceredigion County Council)	Amendment to planning application A180129 - level change to pathways, retaining walls, separated hall and stairs, dwarf walls to protect from falling from landing, store room in bedroom 2 of plots B & C split to two store rooms, elevations types D & E altered.	Council Land To The South West Of 12 Maes Llanio, Blaenplwyf, Ceredigion, SY23 4DJ	Caniatawyd / Approved	16-03-2023
85	A230096	Mr Ian Jones (Rheidol Properties)	Non material amendment to planning application A070061 - the floor plans and elevations	20 -32 Dol Y Meillion, Llanilar, Aberystwyth, SY23 4AH	Caniatawyd / Approved	17-03-2023
86	A230097	Mr Gareth Jones	Discharge of condition 3 from planning permission A220559 (windows)	Llwynfynwent, Llanfihangel y Creuddyn, Aberystwyth, SY23 4LA	Caniatawyd / Approved	16-03-2023
87	A230109	Mr Tomas Davies (Caredig Housing Ltd)	The proposal is to retrofit solar panels and battery storage into the building	Maes Mwldan, Bath House Road, Cardigan. SA43 1JZ	Dychwelwyd yn annilys / Returned Invalid	24-03-2023
88	A230111	Mr Dorian Jones	Proposed extension and change of use of the existing dwelling into 4 self contained residential units	Brynmarian, 11 Park Avenue, Aberystwyth, SY23 1PF	Dychwelwyd yn annilys / Returned Invalid	21-03-2023
89	A230120	Mr G Pemberthy	Discharge of condition 3 of planning permission A210484 - Photographic Survey.	Yr Hen Ysgol, Llandre, Aberystwyth, SY24 5AD	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	27-03-2023
90	A230121	Mr G Pemberthy	Discharge of condition 4 of planning permission A210484 - Bat Conservation Plan.	Yr Hen Ysgol, Llandre, Aberystwyth, SY24 5AD	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	05-04-2023
91	A230125	Mr and Mrs Calvert	Non-Material Amendment to application A220148 - roof material	Land adj. to Renfrew Drive, Ynyslas, Borth, SY24 5JY	Caniatawyd / Approved	14-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
92	A230133	Mr WGM Owen	Roof covered yard and agricultural implement store	Pantygwiall, Dihewyd, SA48 7QL	Rhoi caniatâd ymlaen llaw / Prior Approval Granted	10-03-2023
93	A230134	Mrs Dawn Hodgetts	Siting of family owned caravan within property boundary to be aesthetically clad with cedar boarding in keeping with property. The caravan is modern in design and is small in size for a static caravan, also being in immaculate condition. Access and utilities do not require additional considerations as the caravan will use the services and private access of the property. The delivery and siting of the caravan would be easily achieved. The caravan would be within the property boundary, not requiring more than 50% of the area, and would not encroach on other properties. The caravan is currently owned by family who reside at the property, who can no longer travel to access the caravan, therefore we request the siting of such at our property. The usage of the caravan would be initially as overspill accommodation for family only, no holiday or commercial use, with the possible intention of future residential purpose. The caravan is currently sited on a holiday park and costing a large sum whilst being unable to now be used, hence the request to site the caravan for the family member to use at our property. We request planning to cover the residential usage.	Annedd Aur, Beulah Road, Bryngwyn, Newcastle Emlyn. SA38 9QA	Dychwelwyd yn annilys / Returned Invalid	24-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
94	A230139	Mr J O'Rourke (Prifysgol Aberystwyth University)	Discharge of condition 8.2 of planning permission A210459 - Scaffold Design & Methodology.	Old College, King St, Aberystwyth & 1 & 2 New Promenade, Aberystwyth, Ceredigion, SY23 2BH	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	06-03-2023
95	A230140	Mr P Lettington	Discharge of condition 7 of planning permission A190433 - Ecology.	Gardeners Cottage, The Walled Gardens, Llangoedmor, Cardigan, Ceredigion, SA43 2LQ	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	28-03-2023
96	A230145	Mr D Jamieson	Minor amendment to planning permission D1/1376/89 - variation to condition 3 of - agricultural condition.	Maesymeillion, Cwm Cou, Newcastle Emlyn, Ceredigion, SA38 9PA	Caniatawyd / Approved	28-03-2023
97	A230146	Mr D Jamieson	Minor amendment to planning permission D1/847/90 - Removal of Condition 2 - agricultural condition.	Maesymeillion, Cwm Cou, Newcastle Emlyn, Ceredigion, SA38 9PA	Caniatawyd / Approved	28-03-2023
98	A230151	Mr Mark Baggott	Discharge of condition 5 of planning permission A220900 - plant, machinery, chimneys, ducting, filters & extraction vents.	Dyffryn Teifi Secondary School Heol Llyn Y Fran, Llandysul, Ceredigion, SA44 4HP	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	27-03-2023
99	A230152	Mr and Mrs J Wicke (Tide2Tide Properties Ltd)	Discharge of condition 3 of planning permission A220458 - Biosecurity Risk Assessment.	Plot 12, Hafod Y Mor Tresaith, SA43 2JH	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	30-03-2023
100	A230154	Mr and Mrs S Davies	Minor amendment to planning permission D1/854/92 - Removal of Condition 2 - Occupancy Condition.	Gwelfryn, Talgarreg, Llandysul, Ceredigion, SA44 4XE	Caniatawyd / Approved	23-03-2023
101	A230155	Mr and Mrs S Davies	Minor amendment to planning permission D1/464/91 - Removal or change to Condition 2 - Occupancy Condition.	Gwelfryn, Talgarreg, Llandysul, Ceredigion, SA44 4XE	Caniatawyd / Approved	23-03-2023
102	A230156	Mr Marc Rees	Non-material minor amendment to planning permission A220834 - re-wording of condition 4 highways works.	Brynawelon, Caerwedros, Llandysul, Ceredigion, SA44 6BS	Caniatawyd / Approved	15-03-2023
103	A230167	Mr Mark Baggott	Discharge of condition 6 of planning permission A220900 - Lighting	Dyffryn Teifi Secondary School Heol Llyn Y Fran, Llandysul, Ceredigion, SA44 4HP	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	27-03-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
104	A230168	Mr Mark Baggott	Discharge of condition 7 of planning permission A220900 - proposed on-site car and cycle parking, servicing, loading, unloading & turning areas	Dyffryn Teifi Secondary School Heol Llyn Y Fran, Llandysul, Ceredigion, SA44 4HP	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	27-03-2023
105	A230171	Mr Hugh Crawford	Discharge of condition 4 of planning permission - A220353 Ecology.	Blaengors, Dihewyd, Lampeter, Ceredigion, SA48 7QR	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	27-03-2023

4. Penderfyniadau Apeliadau/Appeal Decisions

02-03-2023 - 05-04-2023

#	Cyfeirnod yr Apel / Appeal Reference	Cais / Gorfodaeth / Linked Application / Enforcement	Apeliwr / Appellant	Rhesymau dros apelio / Grounds for Appeal	Lleoliad / Location	Penderfyniad Allanol / External Decision	Dyddiad Penderfyniad Allanol / External Decision Date
1	CAS-01875-G8V1T5	A210615	Mr E Jones	Called in	Plot Adj Dolau Gwyn, Dole, Bow Street, Aberystwyth, SY24 5AE	LPA Decision Overturned	07-03-2023

5. Apeliadau a Dderbyniwyd/Appeals Received

02-03-2023 - 05-04-2023

#	Cyfeirnod yr Apel / Appeal Reference	Cais / Gorfodaeth / Linked Application / Enforcement	Apeliwr / Appellant	Rhesymau dros apelio / Grounds for Appeal	Lleoliad / Location	Penderfyniad Allanol / External Decision	Dyddiad Penderfyniad Allanol / External Decision Date
1	CAS-02271-X6F9F4	A201119	Mr Meirion & Emyr Williams (Lampeter Tree Services Ltd)	Against refusal	Cae Celyn, Llanfair Road, Lampeter, SA48 8JX		



Ein cyf/Our ref: qA1646865

Mr Byron Jenkins
Byron Jenkins Architectural Consultancy
Capel Afan
Llanafan
Aberystwyth

By E-mail: byronwynjenkins@gmail.com

7 March 2023

Dear Mr Jenkins,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77.
CALLED IN PLANNING APPLICATION FOR PROPOSED BUILDING PLOT FOR ONE
DWELLING ALONG WITH A NEW ACCESS TO THE HIGHWAY.
PLOT ADJACENT DOLAU GWYN, DOLE, BOW STREET, ABERYSTWYTH, SY24 5AE.
APPLICATION NO. A210615.**

1. Consideration has been given to the report of the Inspector, regarding your client's planning application, Local Planning Authority ("LPA") reference: A210615.
2. On 5 April 2022, in accordance with Section 77 of the Town and Country Planning Act 1990 ("the 1990 Act"), the above named planning application was called in for decision by the Welsh Ministers. Under the provisions of the Government of Wales Act 2006, the power to determine applications under Section 77 of the 1990 Act has been transferred to the Welsh Ministers, these functions have been exercised by me as Minister for Climate Change.
3. The Inspector recommends planning permission be refused. A copy of the Inspector's report ("IR") is enclosed. All references to paragraph numbers, unless otherwise stated, relate to the IR.

Main Issues

4. The Inspector considers the main considerations in this case are whether the development is acceptable in principle, having regard to the planning policy framework, and whether the development would be acceptable in terms of flood risk. I agree with the Inspector that these are the main issues relating to the application.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

5. For the purposes of the Ceredigion Local Development Plan (“LDP”) the application site falls within an area termed as ‘Other Locations’. Consistent with national planning policy, development in such locations should be strictly controlled, although there are some exceptions for affordable housing schemes. (IR 61)
6. The Inspector notes policy S04 of the adopted LDP states general housing provision will only be permitted in ‘*Linked Settlements*’ and that all ‘*Other Locations*’ are inappropriate for housing development unless justified on the basis that, amongst other things, it meets a demonstrated unmet affordable housing need in the locality and otherwise accords with Policy S05. Policy S05 goes on to seek to facilitate the delivery of affordable housing, specifically permitting 100% affordable housing sites where justified by evidence of unmet affordable local need. This includes those ‘*Other Locations*’, although the reasoned justification of Policy S05 goes on to clarify that such ‘*rural exception sites*’ would be required to be within or adjoining existing rural settlements which would not otherwise be released for market housing. (IR62)
7. The Inspector notes the application includes an executed planning obligation under Section 106 of the 1990 Act (“Section 106 Agreement”) retaining the dwelling as “affordable” in perpetuity, and despite objections received regarding the size of the proposed dwelling in relation to affordable housing standards, considers the submitted Section 106 Agreement, to which the LPA is a signatory, as meeting the relevant statutory and policy tests. (IR63)
8. The Inspector notes LDP Policy S05 permits exceptions for affordable dwellings, but these must be located within or adjoining existing settlements. The Inspector considers the proposed location is, despite some disagreement on actual distance, clearly outside of the nearest settlement and the proposal is therefore contrary to Policy S05 (IR64).
9. The Inspector states as the application site is located away from the settlements identified within the adopted LDP, it follows that development in such locations should be strictly controlled. (IR65)
10. The Inspector notes the existence of a rural bus service and plans for the construction of a nearby pedestrian route. The Inspector considers, however, that Dole is relatively isolated in terms of pedestrian access in the short term, and does not consider the suggestions for sustainable transport means to and from the site are viable alternatives to the car. (IR66)
11. The Inspector considers the proposal would comprise an unsustainable form of development in the rural countryside which would be contrary to national and local policy, as well as the principles of sustainable placemaking. (IR67)
12. The Inspector notes the development constitutes “highly vulnerable development” (“HVD”) for the purposes of Technical Advice Note (“TAN”) 15 “Development and Flood Risk”, and that the site lies within zone C2 of the Development Advice Map (“DAM”) accompanying the TAN. The Inspector also notes the Welsh Government has confirmed Natural Resources Wales’s ‘Flood Map for Planning’ (“FMP”) provides better and more up to date information than the DAM and may represent a material consideration in planning decisions. The FMP identifies the site as being partly within zones 2 and 3 for rivers. Zone C2 in the DAM, and Zone 3 in the FMP, are high risk areas for flooding. (IR68-69).
13. The application was accompanied by a Flood Consequences Assessment which considers flooding on-site could be managed to an acceptable level, including part-flooding of some of the site, but with the building footprint remaining flood-free. (IR70)

14. The Inspector notes, however, that in order to be compliant with TAN 15, the entirety of a site for HVD must remain flood-free. The Inspector considers that, even with the proposed mitigation, the development would be contrary to the Welsh Government's fundamental policy position on flood risk, which is to avoid locating HVD in areas at high risk of flooding the C2 flood plain (or Zone 3 in the FMP). The Inspector considers the whole application site, rather than part of it, should be considered in relation to flood risk. The Inspector considers the development would be unacceptable on flood risk grounds (IR71-72).

Other material considerations

15. The Inspector has regard for other material considerations in relation to the application. As this is an outline application the Inspector is satisfied a reserved matters application would assess issues relating to layout, design and landscaping, and the loss of hedgerow associated with access arrangements could be controlled by condition, were the Welsh Ministers minded to grant consent. The Inspector also considers ecological enhancement and issues relating to protected species, such as otters and bats, could also be effectively managed via conditions, including the submission of a scheme of works to be approved by the LPA prior to works commencing. The Inspector also notes the need for a separate consent to manage surface water drainage. (IR73-75).

Overall Conclusions

16. The Inspector notes much of the arguments advanced in favour of the development relate to the need for affordable housing. Whilst the Inspector attaches weight to this issue, the Inspector concludes this does not overcome the need to apply sustainability principles to the decision, nor does it override national policy in relation to flood risk. The Inspector concludes the identified harm and policy conflict is not outweighed by the matters advanced in favour of the development, and do not present compelling reasons why planning permission should be granted. (IR76-77)
17. In reaching their recommendation, the Inspector has considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-being of Future Generations (Wales) Act 2015 ("WFG Act"). The Inspector has taken into account the ways of working set out at section 5 of the WFG Act and considers that the recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WFG Act. (IR 78)
18. The Inspector recommends the application for planning permission is refused. (IR 81)

Formal Decision

19. I agree with the Inspector's reasoning and conclusions. For the reasons set out in the Inspector's report, and in exercise of the power referred to in paragraph 2 of this decision letter, I hereby refuse planning permission for planning application A210615.
20. In reaching this decision I note the Welsh Ministers must, in accordance with the WFG Act, carry out sustainable development. I have taken into account the ways of working set out at section 5(2) of the WFG Act and 'SPSF1: Core Guidance, Shared Purpose: Shared Future – Statutory Guidance on the WFG Act'. My assessment against each of the ways of working is set out below:

Looking to the long-term

21. The decision takes account of the need to create sustainable developments for the long-term.

Taking an integrated approach

22. I have considered the impacts from the development proposal on the Welsh Government's well-being objectives, which incorporate the well-being goals set out in section 4 of the WFG Act. Where an objective is not set out, the effect of this decision is neutral.

Impact on well-being objectives

- Make our cities, towns and villages even better places in which to live and work – positive effect.

Involving people/Collaborating with others

23. Within the framework of a statutory decision-making process, which is governed by prescribed procedures, the application was subject to publicity and consultation, providing the opportunity for public and stakeholder engagement. Representations received through these procedures have been considered and taken into account in making a determination on this application.

Prevention

24. The decision would prevent development being undertaken which would undermine the placemaking principles in Planning Policy Wales.

Integration

25. The decision has been made taking into account economic, social and cultural well-being which has led to the developer not being considered sustainable.
26. I consider my decision accords with the sustainable development principle set out in the WFG Act. Therefore, I consider the decision is a reasonable step towards meeting the Welsh Government's well-being objectives.
27. A copy of this letter has been sent to Ceredigion County Council.

Your sincerely,



Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Report

by **Richard E. Jenkins BA (Hons) MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Report date: 08/02/2023

TOWN AND COUNTRY PLANNING ACT 1990

Section 77

APPLICATION BY: MR ELFYN JONES

LOCAL PLANNING AUTHORITY: CEREDIGION COUNTY COUNCIL

FOR: PROPOSED BUILDING PLOT FOR ONE DWELLING ALONG WITH A NEW ACCESS
TO THE HIGHWAY.

At: PLOT ADJACENT DOLAU GWYN, DOLE, BOW STREET, ABERYSTWYTH, SY24 5AE

Ref: CAS-01875-G8V1T5

Ref: CAS-01875-G8V1T5

Site address: Plot adjacent Dolau Gwyn, Dole, Bow Street, Aberystwyth, SY24 5AE

- The application was called in for decision by the Minister for Climate Change, one of the Welsh Ministers, in a letter issued under section 77 of the Town and Country Planning Act 1990, on 5 April 2022.
- The application is made by Mr Elfyn Jones to Ceredigion County Council.
- The application Ref: A210615 is dated 21 June 2021.
- The development proposed is building plot for one dwelling along with a new access to the highway.

Summary of Recommendation: That the application be refused.

Background and Preliminary Matters

1. Planning application Ref: A210615 seeks outline planning permission for a single dwelling with a new access to the highway on a parcel of land known as the plot adjacent to Dolau Gwyn in Dole, Bow Street, Aberystwyth.
2. The application was first reported to Ceredigion County Council's (hereinafter referred as the Council) '*Development Management Committee*' on 24 November 2021. The Council's professional officers recommended that the application be refused, with the '*Officer's Report*' outlining the following reasons for refusal:
 - *The application site lies in the open countryside, outside of an established settlement, where there is a general presumption against new residential development unless it constitutes a specific exception prescribed by planning policy. The proposal does not fall within any such exception. The location is considered to be unsustainable for new residential development and the proposal is therefore considered to be contrary to the provisions of Planning Policy Wales Edition 10, Technical Advice Note 6 and Policies S01 and S04 of the Ceredigion Local Development Plan.*
 - *The provision of a large two storey dwelling in an open countryside location would detrimentally impact the rural character of the area. It is the opinion therefore that the application is contrary to policies DM06, DM10 and DM17 of the Ceredigion Local Development Plan.*
 - *The planning application proposes highly vulnerable development as a residential dwelling, which is in Zone C2 of the 'Development Advice Map' contained in Technical Advice Note 15 Development and Flood Risk (TAN15) paragraph 6.2 of TAN15 advises 'highly vulnerable development and emergency services should not be permitted' within Zone C2. A planning decision to permit development would therefore be contrary to planning policy advice.*
3. At the '*Development Management Committee*', members resolved 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. Members also requested that the applicant give consideration as to whether he would be agreeable to entering into an agreement under Section 106 of the Act to designate the proposed dwelling as an affordable dwelling should members be minded to support the application. Specifically, it was requested that the applicant confirms qualification to occupy the house should it be designated as

affordable for the purposes of the Section 106 agreement and the Council's adopted Supplementary Planning Guidance (SPG) document entitled '*Affordable Homes*' (2014).

4. The application was considered again at the '*Development Management Committee*' on 9 February 2022. It was confirmed that the applicant met the qualifying criteria to occupy an affordable dwelling and was agreeable to entering a Section 106 agreement to ensure that the dwelling would be retained as an affordable dwelling in perpetuity. Members resolved to further defer the determination of the application to facilitate:
 - the submission of an executed section 106 agreement;
 - a consultation exercise with Natural Resources Wales (NRW) in respect of the submitted Flood Consequence Assessment (FCA); and
 - a reduction in the size of the proposed dwelling to ensure compliance with its affordable housing standards.
5. It was also clarified at the '*Development Management Committee*' of 9 February 2022 that the '*Corporate Lead Officer*' for '*Economy and Regeneration*' at the Council had delegated authority to approve the application subject to compliance with the above conditions or, conversely, to refuse permission if the conditions could not be satisfied.
6. The Council subsequently concluded that the consequences of a flooding event would be acceptable, should the recommendations of the submitted FCA be conditioned as part of the approved plans and documents. Whilst acknowledging that scale is a reserved matter, it also noted that the scale parameters submitted as part of the application would allow for the construction of an overly large dwelling. However, it felt that permission could be granted, subject to a planning condition being imposed to restrict the internal floorspace of both the proposed dwelling and detached.
7. The Welsh Government (WG) subsequently directed that the application be called in for a decision by the '*Minister for Climate Change*', under Section 77 of the above Act. The full reasons for that direction are set out in WG's letter dated 5 April 2022. That letter also identified the main issues in relation to the call-in request. These are as follows:
 - *The application site lies entirely within a C2 Flood Zone;*
 - *The application site lies within the definition of 'other locations' as identified in the adopted Ceredigion Local Development Plan (LDP) where development is strictly controlled; and*
 - *The site is not a sustainable location.*
8. Subsequent to the call-in request, PEDW sought comments from NRW in respect of the issue of flood risk. Whilst numerous invitations were not responded to, a written response was eventually received on 10 January 2023. In the interest of fairness, that representation was exchanged with the applicant and a written response was received via email dated 12 January 2023. A schedule of suggested planning conditions was also sought from the LPA. The schedule of suggested conditions was received on 13 January 2023 and the applicant's rebuttal was received via an email dated 23 January 2023.

The Site and Surroundings

9. The application site currently comprises undeveloped agricultural land located some distance from the eastern-most residential property in the built-up area of Dole, which is located to the north of Bow Street, near Aberystwyth. The site fronts onto a county road and slopes broadly from east to west. The site is relatively well-screened from the public highway by a mature hedgerow and is bordered to the north by the Afon Ceiro.

The Proposal

10. The application represents a resubmission of a previous application and seeks outline planning permission, with all matters reserved for subsequent determination, for the erection of a single dwelling with associated access. Whilst the '*Officer's Report*' refers to the dwelling as a proposed '*open market dwelling*', the wider evidence including a planning obligation submitted under Section 106 of the above Act confirms that the resulting dwelling would be an '*affordable discount for sale dwelling*' under the affordable housing provisions of national policy. This differentiates the current proposal from previous applications that sought planning permission for an open market dwelling.
11. The submitted plans indicate that the proposed dwelling would have a maximum height (to ridge) of some 8.5 metres, a maximum width of some 12 metres and a maximum length of some 18 metres. Whilst indicative at this stage, the plans also illustrate the provision of a double garage. The existing mature hedgerow fronting the application site would be translocated behind the required visibility splay.

National and Local Planning Policy

National Policy

12. Future Wales: *The National Plan 2040* (2021) (hereinafter referred as Future Wales) sets out a national development framework that sets the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.
13. Future Wales places a strong emphasis on the climate emergency and sets a direction for where Wales should be investing in infrastructure and development. It is generally consistent with the overarching principles of the Well-being of Future Generations (Wales) Act 2015 (WCFG Act) and seeks to influence the way new development is planned. Specifically, it demands that development and the use of land contributes to improving the economic, social, environmental and cultural well-being of Wales. It provides support for sustainable development and puts placemaking at the heart of the planning system. It seeks to direct growth towards urban areas, whilst supporting sustainable rural communities and proportionate growth in rural towns and villages. It also seeks to ensure that the delivery of affordable housing is increased in areas where it is needed. Further advice in respect of proposals for affordable housing is set out in Technical Advice Note (TAN) 2: '*Planning and Affordable Housing*' (2006)(TAN2)
14. The Planning (Wales) Act 2015 and the WCFG Act enact the sustainable development principle and require planning decisions to comply with seven wellbeing goals. Consistent with such principles, Planning Policy Wales (Edition 11, 2021) (PPW) seeks to ensure that the planning system operates to deliver sustainable development and improves the social, economic, environmental and cultural well-being of Wales. It creates a presumption in favour of sustainable development that ensures social, economic, cultural and environmental issues are balanced by the decision-taker in making decisions on individual planning applications and emphasises the importance of placemaking. It sets out five key principles in delivering sustainable places. These are: Growing the economy in a sustainable manner; making best use of resources; facilitating accessible and healthy environments; creating and sustaining communities; and, maximising environmental protection and limiting environmental impact.
15. PPW sets out a framework for strategic placemaking, with the aim to make the best possible use of suitable previously developed land in preference to greenfield sites.

Development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where they meet a local need for affordable housing or it can be demonstrated that the proposal will increase local economic activity. However, new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled.

16. PPW promotes distinctive and natural placemaking and well-being, with green infrastructure playing a fundamental role in shaping places and our sense of well-being. The planning system should protect and enhance green infrastructure assets and networks because of their multi-functional roles. The protection and enhancement of biodiversity must be carefully considered as part of green infrastructure provision, alongside the need to meet society's wider social and economic objectives and the needs of local communities. Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species locally or nationally and must provide a net benefit for biodiversity. In doing so Local Planning Authorities (LPAs) must also take account of, and promote, the resilience of ecosystems.
17. PPW also sets out WG's position in respect of development and flood risk. Specifically, that document advises that "*Local Planning Authorities should adopt a precautionary approach of positive avoidance of development in areas of flooding*" [paragraph 6.6.22] and that "*development should reduce, and must not increase, flood risk arising from river and/or coastal flooding on and off the development site itself*" [paragraph 6.6.25]. TAN15: *Development and Flood Risk* (2004) (TAN15) remains extant and provides further technical advice, specifically classifying land into Zones A, B and C. Zone C is split into category C1, which constitutes areas of the floodplain which are served by significant infrastructure including flood defences, and C2 which comprise areas of the floodplain without significant flood defence infrastructure.
18. TAN15 acknowledges that some flexibility is necessary to enable the risks of flooding to be addressed, whilst recognising the negative economic and social consequences if policy were to preclude investment in existing urban areas and the benefits of reusing previously developed land. However, consistent with the thrust of PPW, TAN15 states that new development should be directed away from Zone C and towards suitable land in Zone A, otherwise to Zone B, where river or coastal flooding will be less of an issue. In Zone C the tests outlined in sections 6 and 7 will be applied, recognising however that highly vulnerable development and Emergency Services in Zone C2 should not be permitted. All other new development should only be permitted within Zones C1 and C2 if determined by the planning authority to be justified in that location. Development will only be justified if it can be demonstrated that:
 - i. Its location in Zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or
 - ii. Its location in Zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;
AND
 - iii. It concurs with the aims of PPW and meets the definition of previously developed land; and

- iv. The potential consequences of a flooding event for the particular type of development have been considered, and in terms of stipulated criteria, found to be acceptable.
19. Appendix 1 of TAN15 should be used in circumstances where the consequences of a flooding event are a material consideration. Specifically, that section of the TAN outlines the acceptability of flooding consequences for planning applications supported by an FCA.
20. It is material to note that WG published a draft version of a revised TAN15 (hereinafter referred as 'draft TAN15') between October 2019 and January 2020. It has also recently published a further consultation on amendments to that document. However, until a final version is published, PPW and TAN15 (2004) remain the principal national planning policy documents in respect of flood risk. It has however been clarified by both WG and NRW that the '*Development Advice Map*' supporting the extant TAN15 are out of date and that the more recent '*Flood Map for Planning*' constitutes the best available spatial information in respect of flood risk and that it may represent a material consideration in planning decisions [WG Letter, dated 15 December 2021, Ref: MA-JJ-3967-21].
21. As set out above, TAN2 supplements national policy in respect of affordable housing schemes. TAN6: *Planning for Sustainable Rural Communities* (2010) is also material to the determination of the application, outlining WG advice in respect of planning for sustainable rural communities.

Local Policy

22. The development plan for the area is the adopted Ceredigion Local Development Plan 2007- 2022 (Adopted 2013) (hereinafter referred as the LDP). The Council has identified a number of its policies as material to the determination of the planning application. These are as follows:
 - S01: *Sustainable Growth*;
 - S04: *Development in Linked Settlements and Other Locations*;
 - S05: *Affordable Housing*;
 - DM06: *High Quality Design and Placemaking*;
 - DM10: *Design and Landscaping*;
 - DM11: *Designing for Climate Change*;
 - DM13: *Sustainable Drainage Systems*;
 - DM14: *Nature Conservation and Ecological Connectivity*;
 - DM15: *Local Biodiversity Conservation*;
 - DM17: *General Landscape*;
 - DM20: *Protection of Trees, Hedgerows and Woodlands*; and
 - DM22: *General Environmental Protection and Enhancement*.
23. The Council's SPG document entitled '*Affordable Homes*' (2014) is also of relevance to the application. Amongst other things, that SPG document specifies minimum and maximum net floor areas for affordable homes. The absolute maximum standard is 137 square metres (sqm).

Planning History

24. The evidence suggests that an application for a similar proposal was submitted to and refused by the Council, under LPA Ref: A200114, in 2020. In that case, the application was reported to the '*Development Control Committee*' with a recommendation to refuse on grounds of being unsustainable development in an open countryside location and also for comprising highly vulnerable development in a C2 flood zone. Members were however satisfied that the principle of development was acceptable and resolved to defer the determination of the application pending agreement for the scheme to be amended to comprise an affordable dwelling and for NRW to consider the consequences of a flooding event. The applicant subsequently confirmed his/ her inability to meet the Council's affordable housing criteria and the application was refused in November 2020.

The Case for the Applicant

25. The case for the applicant is set out through a number of '*Application Submission Documents*', with the principal arguments in favour of the development summarised in the '*Full Statement of Case*', dated June 2022. Final comments on the representations made in respect of the application are also set out in a letter dated 18 October 2022. The key matters raised can be summarised as follows.

Principle of Development/ Site Location

26. The applicant accepts that the site is located within an '*Other Location*' for the purposes of Policy S04 of the adopted LDP. However, it is noted that, amongst other things, Policy S04 states that all '*Other Locations*' are inappropriate for housing development unless justified on the basis that it meets a demonstrated: i) *unmet affordable housing need in the locality and accords with Policy S05*. The application is supported by a Section 106 agreement that would ensure that the resulting dwelling would be affordable for the purposes of planning policy and would be retained as such in perpetuity.
27. The applicant contends that PPW and TAN6 recognise that to meet the need for affordable housing in smaller rural communities, LPAs should adopt a flexible approach to delivery. The applicant contends that the Council's financial qualifications are satisfied, namely a (combined) ability to borrow not more than the amount required to purchase the property at its discounted price plus 10% of that price. In respect of plots for self-build the '*discounted price*' will be based on an off-plan estimate of the value of the unit. The applicant also meets the residency qualification in that he has a local connection having lived in Ceredigion or an adjoining town/ community council area (or a combination of the two) for a continuous period of 5 years. The applicant and his partner meet the definition of key workers and the proposed affordable dwelling would meet a demonstrated local need in a small rural community. It would also be built by, and for, the intended occupier and would be retained as a discounted sale affordable unit in perpetuity.
28. In relation to criterion 2b) and c) of Policy S04, it is noted that the Council has a significant issue in relation to the under delivery of affordable housing across Ceredigion. Policy S05 of the LDP identifies that 1,100 affordable homes are required across Ceredigion by the end of the plan period to 2022. The latest published evidence on the delivery of affordable housing shows that the Council had completed 494 affordable homes between 1 April 2007 and 31 March 2019. This equates to a total delivery rate of 41.16 affordable dwellings per annum against a required trajectory of 70 dwellings per annum. Therefore, up to the latest evidence position, the completed affordable dwellings was 346 units below the affordable housing trajectory up to 31st March 2019. This means that only 58.8% of the required affordable housing had been provided with less than three years of the plan period remaining at the last point of assessment.

29. In terms of its physical location, Policy S04 requires that housing development should be located immediately adjacent to existing groups of dwellings in line with the provisions of national policy. The intention of TAN2 is that rural exception sites are solely for affordable housing on land within or adjoining existing rural settlements which would not otherwise be released for market housing. This is consistent with the advice contained in PPW which states that development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access, habitat and landscape conservation.
30. The application site is located to the east of the small linear settlement of Dole. The easternmost house is Dolau-Gwyn. The western boundary of the application site is around 40m from Dolau-Gwyn. Policy S04 confirms that affordable housing is acceptable in '*other locations*'. It is therefore submitted that the wording of the LDP is permissive of affordable housing developments, even in areas which are likely to be reliant on private car. The applicant contends that, given the rural nature of Ceredigion, rural settlements will never be self-contained and will always look to the larger '*Rural and Urban Service Centres*' for facilities and services.
31. The site is said to be an 18 minute walk (1.2km) from the outskirts of Rhydypennau. The first part of that walk would be through the settlement of Dole on a quiet country lane, but it is accepted that, to reach Rhydypennau and Bow Street, a pedestrian would have to walk on the grass verge alongside the A487 which is in part national speed limit. There is, however, a sheltered bus stop at the corner of Dole and the A487. The applicant asserts that this provides access to at least hourly bus services between Machynlleth and Aberystwyth (X28) and less frequent services (at least every other hour) between Bangor and Aberystwyth (T2). Both of these services provide easy access to the shops and services of Bow Street, with a travel time of less than five minutes to Bow Street Station.
32. In addition to such matters the applicant notes that, in November 2021, the WG confirmed its agreement to create a shared-use path for cyclists and pedestrians along the A487 between Dole and Rhydypennau. Construction is said to commence shortly. It is therefore submitted that the occupiers would not be solely reliant on a private car as a means of transport, as stated in WG's call-in letter. Consequently, it is alleged that there would be no conflict with LDP Policy S01, which aims to focus growth to deliver stronger, more sustainable communities, or with LDP DM03 because the application proposal provides an opportunity for sustainable modes of transport to be used.

Development and Flood Risk

33. The site is separated from Dolau-Gwyn by a broadly triangular shaped field that is largely located within Flood Zone C2 of the '*Development Advice Map*' and Zone 3 of the more recent '*Flood Map for Planning*'. The applicant states that the application site is the closest plot of land to the built form which is not affected by Flood Zone 3. It is therefore submitted that it is the sequentially most preferable plot of land adjoining the built form where the identified affordable housing need of the applicant could be met.
34. The '*Development Advice Map*' identifies the majority of the application site as located in Flood Zone C2, without significant flood defence infrastructure. The general approach of PPW, supported by TAN15, is to advise caution in respect of new development in areas at high risk of flooding by setting out a precautionary framework to guide planning decisions.
35. The applicant accepts that the development proposed constitutes highly vulnerable development. It is also accepted that highly vulnerable development is not considered acceptable in Flood Zone C2. However, the applicant notes that a draft TAN15, accompanied by the '*Flood Map for Planning*', has been published and that the advice

from WG is that it may be appropriate to take the best and more recent information into account as a material consideration.

36. The applicant states that the '*Flood Map for Planning*' shows the application site as falling broadly within Flood Zone 1 (less than 1 in 100/ 0.1%, plus climate change chance of flooding in a given year), where all types of development are acceptable in principle. Notwithstanding this, an FCA which included detailed modelling to assess the site-specific flood risk of the application site was submitted with the planning application. In summary the FCA shows that:
- During the 1% Annual Exceedance Probability (AEP) plus climate change design event, an area to the north of the site will experience shallow flooding. The location of the proposed dwelling as indicatively shown on drawing ref. 456/01B is outside this area; and
 - During more extreme flood events and scenarios, such as the 0.1% AEP flood event and the downstream culvert blockage (so, the worst case scenario), a small area to the north and west of the site would experience very shallow flooding. Again, the proposed dwelling could be located out of these flood extents.
37. The maximum depth of water in the adjacent overland flow path in all modelled scenarios would be 0.05m. The FCA therefore recommends that finished floor levels (FFLs) should be set 0.35m over adjacent ground (0.3m above typical flood depth) to mitigate any residual risk of an overland flow passing through the site. It is submitted that this could be controlled by an appropriately worded planning condition. It is further noted that, in a flood event, safe access would be available by leaving the site from the east to Dole.
38. The FCA identifies that the maximum depth of water in the shallow flow paths (confined to the northern part of the site) in all modelled scenarios, including the 1% AEP plus climate change, is only 500mm. This is 100m (or around 16.6%) lower than the indicative guidance for the maximum depth of flooding considered 'tolerable' for a residential property or its access, as set out at paragraph A1.15 of TAN15. Whilst it is accepted that the northern part of the site would be reasonably close to these tolerable values, it is submitted that there is no actual conflict with TAN15 in this respect.
39. The advice at paragraph A1.14 of TAN15 is that development should be designed to be flood free during the 1% fluvial flood. The applicant contends that such advice is not that the entire site should be flood free. As the indicative '*Site Plan*' illustrates, the proposed dwelling, including its drive and access, could more than comfortably be accommodated on the southern part of the site. As the shallow flooding would only affect the northern part of the garden, the applicant contends that there would be no conflict with A1.14 of TAN15 which is to prevent the traumatic impact of flooding on people's personal lives.
40. It is therefore submitted that there would be no conflict with LDP Policy DM11. Whilst the applicant acknowledges that there would be a technical conflict with TAN15 because a highly vulnerable development is proposed in a C2 Flood Zone, the best and more recent information in the form of both the FCA and the '*Flood Map for Planning*' is a material consideration that merits significant weight.

Scale of Dwelling

41. The Council's adopted SPG document entitled '*Affordable Homes*' (2014) applies a minimum internal floorspace specification for affordable homes taken from the Welsh Government's Development Quality Requirements (WDQR, 2021), and a maximum of a 20% increase on the minimum specifications in overall internal floorspace.
42. The planning application was submitted in outline with all matters, including scale and layout, reserved for subsequent determination. The applicant states that any concerns

regarding the scale of the dwelling could be adequately dealt with through the consideration of the reserved matters, with the rebuttal to the Council's suggested planning conditions confirming the applicant's view that a condition would fail to meet the policy tests for planning conditions.

The Case for the LPA

43. The officer's assessment of the proposal and recommended reason for refusal is set out in the '*Officer's Report*' to the meeting of the '*Development Control Committee*'.
44. Notwithstanding this, the Council submitted a '*Statement of Case*' following receipt of the call-in request under Section 77 of the Act. That '*Statement of Case*', however, merely sets out the factual history of the case.
45. The '*Statement of Case*' confirms that the application was deferred by the '*Development Control Committee*' to:
 - enable the applicant to enter into a Section 106 agreement to ensure that the proposed dwelling would be affordable in perpetuity;
 - obtain a satisfactory response from NRW in respect of the submitted FCA; and
 - seek agreement on a reduction of the size of the dwelling to ensure that it would be commensurate with an affordable dwelling.
46. The Council considers that the executed legal agreement submitted under Section 106 of the Act would adequately ensure that the dwelling would be affordable in perpetuity. It also notes that, whilst NRW has concerns with the application as submitted, it is satisfied that the concerns can be overcome if the recommendations of the FCA are conditioned as part of any planning permission. Similarly, the Council contends that, despite scale being a reserved matter, the overall size of the proposed dwelling could be controlled through a planning condition. In this respect, it is submitted that the dwelling should be limited to some 142sqm and the detached garage to 25sqm.

Written Representations

Representations submitted to the LPA

47. Dwr Cymru Welsh Water and both the Highways and Drainage Authority offered no objection to the proposal, subject to planning conditions being imposed.
48. NRW, in its representation dated 13 July 2021, stated that it had concerns with the application as submitted because inadequate information had been provided in support of the proposal. To overcome these concerns, it advised that the Council should seek further information from the applicant regarding flood risk. Moreover, it required the LPA to provide overriding reasons to consider granting the application despite its location within Zone C2. If planning permission was to be granted despite its location in the C2 Flood Zone, NRW advised that the consequences of a flooding event are robustly assessed. Ecological matters could be addressed through the use of planning conditions.
49. Subsequent to the Members' decision to defer the decision on the application, NRW were reconsulted on the submitted FCA. NRW's representation dated 4 March 2022 stated that it has concerns with the application as submitted. However, it stated that it is satisfied that these concerns could be overcome if the following is included in the approved plans and documents condition on the Notice of Decision:
 - Land raising in accordance with the Flood Consequences Assessment (FCA) by Rab Consultants Ltd entitled "Bow Street, Dole (Site 2 – East) FLOOD

50. Without the inclusion of this document on any consent, NRW advised that it would object to planning permission being granted.
51. Objections were received from 'Campaign to Protect Rural Wales' and an interested party. Those representations respectively state that the development would have a detrimental impact upon the rural character of the area and that the development would be unacceptable due to its risk of flooding.
52. Six representations in support of the proposal were also received. These refute the flood risk concerns raised elsewhere in the evidence. They also corroborate the evidence that suggests that the applicant is local to Dole and note that the proposed access arrangements would be welcomed as a passing place on an otherwise constrained section of carriageway.

Representations submitted to Planning and Environment Decisions Wales (PEDW)

53. In addition to the written representations submitted to the Council, a number of written representations were submitted to Planning and Environment Decisions Wales (PEDW).
54. NRW has advised that the application proposes highly vulnerable development in the form of a residential dwelling. It also confirmed that the site lies within Zone C2 of the 'Development Advice Map' contained in TAN15 and that the 'Flood Map for Planning' identifies part of the application site to be at risk of flooding, falling into Flood Zone 2/ 3 for Rivers.
55. With regards the FCA, NRW notes that the risks and consequences could be managed to an acceptable level, provided a planning condition regarding finished floor levels is attached to any permission granted. The FCA indicates that, during the 1% Annual Probability of Flooding (APF) scenario with climate change, the site would experience shallow flooding to the north of the site, but the building would remain flood free. To comply with A1.14 of TAN15, the entire site should be flood free. The flood depths are likely to be close to the values within A1.15 of TAN15 but are not shown to exceed the values in the 0.1% APF scenario. From reviewing the FCA, while the flood depths to the site are shallow, the building is shown to be flood free. As part of mitigation, the building should be raised by 0.35m above the adjacent ground level.
56. NRW also advised that ecological matters could be addressed through planning conditions that would ensure that a light spillage and Otter 'Reasonable Avoidance Measures' are implemented.
57. There were also a number of interested party representations objecting to the scheme. These cited concerns over the fact that the scheme proposes development in the countryside and would be contrary to national policy in respect of flood risk. Concerns have also been raised in respect of a misuse of the provisions of the affordable housing policy set out at a national level.

Planning Obligations and Conditions

58. As set out above, the application is supported by a planning obligation submitted under the provisions of Section 106 of the above Act. Amongst other things, the obligation sets out that the landowner covenants with the Council to provide affordable housing on the land and that it would remain as such in perpetuity. The legal agreement meets the necessary legislative and policy tests for planning obligations. It therefore merits weight in the determination of the application.

59. As set out above, a schedule of suggested planning conditions has been submitted by the Council. I have considered the suggested conditions in the event that the Welsh Ministers decide to approve the application and have assessed them against the advice set out in Welsh Government Circular 16/2014: *The Use of Planning Conditions for Development Management* (October 2014). Planning conditions have only been recommended where the relevant policy tests have been satisfied and may have been amended in the interest of clarity and precision.

Planning Appraisal

60. Based on the foregoing, I consider the main issues in the determination of the planning application to be:

- Whether the development would be acceptable in principle, having particular regard to the planning policy framework; and
- Whether the development would be acceptable in terms of flood risk.

Principle of Development

61. The application site is located away from the settlement boundaries defined by the adopted Ceredigion LDP and is therefore situated in the '*Other Locations*' category for the purposes of development plan policy. Consistent with national planning policy, development in such locations should be strictly controlled, although there are some exceptions particularly for, amongst other things, affordable housing schemes.
62. Policy S04 of the adopted LDP states that general housing provision will only be permitted in '*Linked Settlements*' and that all '*Other Locations*' are inappropriate for housing development unless justified on the basis that, amongst other things, it meets a demonstrated unmet affordable housing need in the locality and otherwise accords with Policy S05. Policy S05 goes on to seek to facilitate the delivery of affordable housing, specifically permitting 100% affordable housing sites where justified by evidence of unmet affordable local need. This includes those '*Other Locations*', although the reasoned justification of that policy does go on to clarify that such '*rural exception sites*' would be required to be within or adjoining existing rural settlements which would not otherwise be released for market housing.
63. As set out above, the application includes an executed planning obligation that would ensure that the resulting dwelling would comprise affordable housing and that it would remain as such in perpetuity. I have not seen any cogent evidence to lead me to take issue with this position. Indeed, despite some concerns regarding the potential size of the property, the Council is a signatory of the submitted Section 106 agreement which meets the relevant statutory and policy tests for planning obligations.
64. Nevertheless, whilst the applicant argues that the proposal would be policy compliant, I am not persuaded that the development would be compliant with the thrust of local or national policy in respect of affordable housing developments. Indeed, the reasoned justification to Policy S05 clarifies that such exception sites should be located within or adjoining existing rural settlements and, despite a dispute over the exact distance from the nearest residential property, it is in fact clear that the application site is not within, and neither does it adjoin, an established settlement for planning purposes. It would therefore conflict with both the LDP strategy and would thereby represent an unjustified incursion into the countryside with inevitable harms to the rural character of the area.
65. It is clearly material to note that national policy encourages the delivery of affordable housing. It is also relevant to note that PPW allows for some infilling or minor extensions where it meets a local need for affordable housing. However, broadly consistent with the arguments set out above, PPW states that new building in the open countryside away from existing settlements, or areas allocated for development in development plans, must continue to be strictly controlled. As I have already outlined that the application site is located away from the settlements identified within the adopted LDP, it follows that development in such a location should be strictly controlled.
66. The applicant points to a rural bus service and I have no reason to dispute the evidence submitted in this respect. I also note the applicant's suggestion that the construction of a

shared-use path for cyclists and pedestrians along the A487 between Dole and Rhydypennau is to commence shortly. However, I am not aware of the full details of the proposed shared-use path and, in any event, it is clear that Dole is relatively isolated in terms of pedestrian access in the short term. Notwithstanding this, I have not seen any cogent evidence to persuade me that the modes of sustainable transport on offer would in this instance be sufficient to realistically attract the occupiers of the proposed dwelling away from the use of a private car for access to day to day facilities and services.

67. For these reasons, I find that the proposed development would comprise an unsustainable form of development that would represent an unjustified and unacceptable incursion into the rural countryside. The development would therefore conflict with the overall strategy promoted through the adopted LDP and, in particular, the collective aims of Policies, S01, S04, S05, DM06 and DM17. For the same reasons, it would also conflict with the sustainability and placemaking principles that represent a prominent feature of national planning policy and would therefore be unacceptable in principle.

Development and Flood Risk

68. As set out above, WG recently republished a 'draft TAN15'. However, PPW (Edition 11, 2021) and TAN15 (2004) remain extant and are therefore the principal national planning policy documents in respect of flood risk. Nevertheless, it has been acknowledged by both WG and NRW that the 'Development Advice Map' supporting the extant TAN15 are out of date. It has also been confirmed that the more recent 'Flood Map for Planning' constitutes the best available spatial information in respect of flood risk and that it may represent a material consideration in planning decisions [WG Letter, dated 15 December 2021, Ref: MA-JJ-3967-21]. I shall consider the issue of flood risk accordingly.
69. The development clearly constitutes highly vulnerable development for the purposes of planning policy and NRW has confirmed that the application site lies within Zone C2 of the out-dated 'Development Advice Map' associated with TAN15. It has also confirmed, however, that part of the site is at risk of flooding using the best and most up to date spatial information. In particular, the more recent 'Flood Map for Planning' designates the site as partly within Zone 2 and 3 for Rivers. Zone 2 represents a medium risk and Zone 3 represents a high risk, defined as having more than a 1% (1 in 100) chance of flooding from rivers in a given year, including the effects of climate change.
70. The applicant has submitted an FCA that confirms that the risks and consequences could be managed to an acceptable level, provided a planning condition regarding finished floor levels is attached to any permission granted. The FCA indicates that, during the 1% Annual Probability of Flooding (APF) scenario with climate change, the site would experience shallow flooding to the north of the site, but the footprint of the building would remain flood free. Whilst access remains a reserved matter, the evidence also suggests that this would be away from the areas at risk of flooding.
71. Nevertheless NRW has confirmed that, to comply with A1.14 of TAN15, the entire site should be flood free and, notwithstanding this, I am of the view that, even with the mitigation proposed, the development would conflict with the fundamental principle of WG's policy position in respect of flood risk which is to avoid locating highly vulnerable development in areas of such high risk. It is material to note that, despite layout comprising a reserved matter, the 'Site and Location Plan' indicates that the proposed dwelling would be located outside of the area identified as at high risk of flooding. However, it is my view that the application site as a whole needs to be assessed against national policy, not just the footprint of the proposed dwelling. Indeed, the residential curtilage in this instance would clearly extend into areas of high and medium risk (Zone 3 and Zone 2 respectively) and the residential use of this land could clearly have implications for the consequences of a flooding event both on and off site. Whilst it may

be possible to mitigate or manage some of the potential implications, such an approach would clearly run counter to the general thrust of national policy which is to ensure that highly vulnerable development is not permitted in such high risk areas, but rather directed to areas where flooding is less of an issue.

72. Therefore, whilst mitigation measures have been identified through the submitted FCA, they do not in my view justify the wider conflict with national policy which outlines a precautionary approach in respect of flood risk. The proposed development would therefore be unacceptable on flood risk grounds.

Other Material Considerations and Planning Conditions

73. A reserved matters application would be the most appropriate mechanism to assess matters of layout, detailed design and landscaping. This could satisfactorily deal with the overall impact upon the character and appearance of the area and the living conditions of the occupiers of neighbouring residential properties. Without prejudice to the determination of those reserved matters, I have not seen anything to suggest that access arrangements could not be satisfactorily addressed through a reserved matters application. Access arrangements would result in the loss of part of an existing hedgerow, although such matters could be controlled through the imposition of a suitably worded planning condition.
74. Ecological interests, including those relating to foraging otters and bats, could also be satisfactorily controlled through the use of planning conditions and ecological enhancements could be required through a scheme to be submitted to and approved in writing by the LPA. Subject to the imposition of planning conditions, I am therefore satisfied that there would not therefore be any conflict with the relevant policy or legislative framework in respect of ecological interests.
75. Matters relating to the management of surface water would be satisfactorily addressed through the requirements of separate legislation. There are also no objections from the statutory bodies in respect of foul drainage, with the '*Site and Location Plan*' indicating that new foul drains would connect to the existing foul mains system located on the main road. I have no reason to raise any concerns in respect of these matters.

Planning Balance and Overall Conclusion

76. Based on the foregoing analysis, I have found that the development would conflict with the sustainability and placemaking principles that underpin both local and national planning policy. It would therefore represent an unjustified incursion into the open countryside and would be unacceptable in principle. I have also found that the development would run counter to the overarching principles of WG's policy position in respect of flooding which seeks to avoid locating highly vulnerable development in areas of high risk. That in-principle policy conflict is not outweighed or justified by the findings of the submitted '*Flood Consequences Assessment*'.
77. Much of the arguments advanced in favour of the development relate to the need for affordable housing and, in particular, the need to meet affordable housing projections identified through the adopted LDP. However, whilst such arguments represent a weighty material consideration, I have not seen anything to lead me to conclude that such affordable housing need obviates the need to apply the sustainability principles that are fundamental to the planning system in Wales. Neither do I consider that it overrides national policy in respect of flood risk. The identified harm and associated policy conflict is not therefore outweighed by the matters advanced in favour of the development. Rather, on the balance of the available evidence, I conclude that the identified harm and

associated policy conflict represent compelling reasons why planning permission should be withheld in this instance.

78. I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). I have also taken into account the ways of working set out at section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

Planning Conditions

79. A schedule of recommended planning conditions, with associated reasons, is attached at 'Appendix A' of this Report. Whilst I do not consider that the conditions satisfactorily mitigate the foregoing concerns, I have included them in the event that the Minister takes a different view on the planning merits of the case. They should therefore be imposed should the application be approved and planning permission be granted.

80. As set out above, the suggested planning conditions have been assessed against the advice set out in Circular 016/2014 and have only been recommended where the relevant policy tests have been satisfied. Some of the recommended conditions have also been amended in the interest of clarity and precision. Specifically, I have not seen any evidence to justify a deviation from the standard time commencement periods. I have therefore amended the Council's suggested condition Nos. 2 and 3 accordingly. I have not imposed the Council's suggested Condition No.6 as scale could be adequately controlled through a reserved matters application. I have also not recommended the Council's suggested Condition No.8 as surface water management would be covered by separate SuDs legislation and is therefore unnecessary.

Recommendation

81. For these reasons, and having considered all matters raised, I recommend that the application be refused.

Richard E. Jenkins

INSPECTOR

APPENDIX A: Schedule of Recommended Planning Conditions

1. Details of the appearance, access, landscaping, layout, and scale, (hereinafter referred as "*the reserved matters*") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: *To ensure compliance with Section 92(2) of the Town and Country Planning Act 1990, as amended.*

2. The development shall begin either before the expiration of 5 years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: *To ensure compliance with Section 92(2) of the Town and Country Planning Act 1990, as amended.*

3. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of this permission.

REASON: *To ensure compliance with Section 92(2) of the Town and Country Planning Act 1990, as amended.*

4. The development shall be carried out in accordance with the following approved plans and documents: *Site and Location Plan No. 456/01B, January 2020; and Land raising in accordance with the Flood Consequences Assessment (FCA) by Rab Consultants Ltd entitled "Bow Street, Dole (Site 2 – East) FLOOD CONSEQUENCE ASSESSMENT" Reference Version 1.0 RAB: 2258L- East dated 23rd October 2019.*

REASON: *To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and in the interest of flood risk – Policy DM11.*

5. The proposed dwellings shall be designed in accordance with the upper and lower limits as stated in the indicative Site and Location Plan No. 456/01B and shall not exceed the upper limits: Length/Depth - 8m - 18m max; Width - 6m - 12m max; Max height from ground level to ridge – 8.5m max.

REASON: *To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.*

6. The dwellings hereby approved shall include the provision of '*gigabit capable*' broadband infrastructure.

REASON: *In order to provide access to gigabit capable broadband in accordance with Policy 13 of Future Wales 2040.*

7. No development or site clearance shall commence until an Otter Reasonable Avoidance Measures Scheme (RAMS) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

REASON: *To avoid adverse effects on a European protected species (otter) – Policy DM14, Policy DM15, PPW and TAN5.*

8. No development or site clearance shall commence until a translocation method statement for the roadside hedgerow has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include an estimate of the percentage species composition of the hedge and shall detail a method to ensure successful

translocation. The translocation shall be implemented as approved and maintained as such in perpetuity.

REASON: *To avoid adverse effects on protected species (breeding birds) – Policy DM20 and TAN5.*

9. No development shall commence until a Pollution Prevention Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Pollution Prevention Plan.

REASON: *To protect the water environment during construction - Policy DM15 and Policy DM22.*

10. No development shall commence until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The ecological enhancement shall be provided as approved prior to the occupation of the dwelling and shall be retained as such in perpetuity.

REASON: *To enhance biodiversity - Policies DM06, DM14 and DM15, PPW, Future Wales and TAN5.*

11. Any exterior lighting shall be less than 3 metres from the ground, and fitted with hoods to direct the light below the horizontal plane, at an angle of less than seventy degrees from vertical, and shall not be fixed to, or directed at, bat boxes, gables or eaves. Lighting must be less than 3 lux at ground level and there shall be no light splay exceeding 1 lux along buildings, eaves, roofs or adjacent hedgerows or trees. Any lighting shall be Passive Infrared (PIR) triggered.

REASON: *To avoid adverse effects on European protected species (bats) - Policy DM14, DM15, PPW and TAN5.*