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Cyngor Sir
CEREDIGION
County Council

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

8 June 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, 14 June 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 10 May 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 - 102)**
7. **Planning applications dealt with by way of delegated authority (Pages 103 - 114)**
8. **Appeals (Pages 115 - 122)**
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 'J. Edwards'.

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, 10 May 2023

Present: Councillor Rhodri Davies (Chair), Councillors Gethin Davies, Marc Davies, Meirion Davies, Ifan Davies, Rhodri Evans, Geraint Wyn Hughes, Hugh R M Hughes, Ceris Jones, Maldwyn Lewis, Gareth Lloyd, Sian Maehrlein, Chris James, Mark Strong 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, Ms Elin Prysor, Corporate Lead Officer – Legal and Governance & Monitoring Officer, Mr Steve Hallows, Service Manager, Highways Development, Mr Shaun Greatrix, Senior Engineer and Mrs Dana Jones, Democratic Services and Standards Officer

(10:00am-12:40pm)

1 Personal

The Chairman welcomed all to the meeting.

2 Apologies

None.

3 Disclosure of Personal and/or Prejudicial Interest

Councillor Rhodri Evans declared a personal and prejudicial interest in Application A201012, A220815 and A230102.

Councillor Marc Davies declared a personal interest in Application A230102.

Mr Russell Hughes-Pickering declared a personal a prejudicial interest in Application A230162.

4 Minutes of a Meeting of the Committee held on the 12 April 2023

It was RESOLVED to confirm as a true record the Minutes of the Meeting of 12 April 2023

Matters arising

None.

5 Planning applications deferred at previous Meetings of the Committee

None.

6 Development, Advertisement, Local Authority and Statutory Applications

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

A201012 Change of Use of Agricultural Land to Glamping Pod site, Fields South East of Pantyfod, Llanddewi Brefi, Tregaron

To note the application had been **WITHDRAWN** from the agenda, as further information had been received from the agent following the publication of the agenda for officers to consider.

Mr Paul Nicholls (Agent) addressed the Committee in accordance with the Operational procedure for Members of the Public addressing the Development Management Committee

A220398 Proposed infill dwelling, Land Adjacent Uwch-y-nant Borth

To **DEFER** the application to allow further time or a 'cooling off' period to consider the points raised by Members, to consider whether there are any material considerations that are sufficiently evidenced to outweigh the policies, to consider the significance of the departure and to consider the risks associated with approving the decision, prior to reporting back to Committee.

A220815 Erection of an agricultural shed to hold farm yard manure, Llanio Fawr, Tregaron

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

Mr Tim Rainbird (Agent) addressed the Committee in accordance with the Operational procedure for Members of the Public addressing the Development Management Committee

A230028 Erection of 1 no. retail unit (Class A1) along with the creation of external display area, access and servicing arrangements, car parking, landscaping and associated works, Land at Bath House Road, Cardigan

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

Ms Samantha Davies (objector) addressed the Committee in accordance with the Operational procedure for Members of the Public addressing the Development Management Committee

A230102 New build, single storey Primary School with Additional Learning Needs Unit (ALN), Canolfan Iaith, Meithrin, new road access and car parking, MUGA and floodlit 3G Pitch with WC/Storage building, sprinkler facilities, substation, service area and refuse storage, landscaping including fencing, boundary treatments and pathways, and highway pavement improvements, Aeron Valley Primary School Lampeter Road, Felinfach, Lampeter

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

Mr Keith Davies on behalf of Llangawsai Residents Group (objector) addressed the Committee in accordance with the Operational procedure for Members of the Public addressing the Development Management Committee

A230162 Demolition of 2no. Temporary classroom units and 1no. garage and replacement with a new build two storey, 10 classroom block, associated sprinkler tank, external works and landscaping, Ysgol Gymraeg, Plascrug Avenue, Llanbadarn Fawr, Aberystwyth

To **DEFER** determination of the application in order to receive satisfactory NRW consultee response on flooding, land contamination and a bat survey, and to also seek clarification on officer delegation to approve/refuse the application as the CLO for Economy and Regeneration had declared an interest in the application. The application be represented to Committee when the information from the consultees had been received.

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 14 June 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	Argymhelliad / Recommendation
1	A220398	01-06-2022	Kieran Mathews	Proposed infill dwelling	Land Adjacent Uwch-y- nant Borth, SY24 5NY	Refuse

1.1. A220398



Rhif y Cais / Application Reference	A220398
Derbyniwyd / Received	01-06-2022
Y Bwriad / Proposal	Proposed infill dwelling
Lleoliad Safle / Site Location	Land Adjacent Uwch-y-Nant, Borth, SY24 5NY
Math o Gais / Application Type	Outline Planning Permission - All/Some Matters Reserved
Ymgeisydd / Applicant	Kieran Mathews, Glan Dylan Cottage Ynyslas, Ynyslas, SY24 5JX
Asiant / Agent	Mr P Nicholls (ArchiSpec Architectural Consultants Ltd), Stiwdio Gido, Cwm Gido Gilfachreda, New Quay, SA45 9SS

Y SAFLE A HANES PERTHNASOL

Mae'r safle tua 620m i'r de-ddwyrain o anheddiad Borth ac mae'n wynebu ffordd Sirol sy'n cysylltu Borth Uchaf â Llandre. Mae'r safle'n cael ei ddefnyddio at ddibenion domestig ar hyn o bryd mewn perthynas ag eiddo Uwch y Nant. I'r dwyrain o'r safle y mae eiddo cyfagos Pant Glas. Mae'r ardal gerllaw yn cynnwys rhes o bump o anheddau ar ochr ddeheuol y ffordd Sirol.

Rhodddwyd caniatâd cynllunio ar gyfer yr eiddo a elwir yn Pant Glas yn 1987 ac eto yn 1988, a rhodddwyd caniatâd ar gyfer yr eiddo Uwch y Nant yn 1991. Yn 2011, ac yn groes i argymhelliad y swyddog, rhodddwyd caniatâd cynllunio amlinellol ar gyfer annedd ar y parcel hwn o dir, ac eto yn 2012, serch bod safle'r cais ychydig yn llai. Ni chyflwynwyd unrhyw geisiadau ar gyfer materion a gadwyd yn ôl, ac mae'r ddau ganiatâd wedi dod i ben erbyn hyn.

MANYLION Y DATBLYGIAD

Mae'r cais ar gyfer caniatâd cynllunio i godi annedd ar y parcel hwn o dir, gyda'r holl faterion, ar wahân i fynediad a maint, yn amodol ar gymeradwyaeth yn y dyfodol.

Mae'r cynlluniau'n dangos annedd o'r maint canlynol:-

Arwynebedd – dim mwy na 137m² net o arwynebedd llawr defnyddiadwy;

Lled – Isaf 13m Uchaf 18m;

Dyfnlder - Isaf 5.5m Uchaf 9.5m;

Uchder (at y bondo) - Rhwng 2.6m a 5.6m;

Uchder (at y grib) - Rhwng 4.3m a 6.8m.

Bwriedir creu mynedfa i'r safle drwy ledur'r fynedfa gerbydau bresennol i Uwch y Nant. Bwriedir cael llain weledd o 2.4m x 43m.

Y bwriad yw darparu annedd fforddiadwy ar gyfer un o'r trigolion lleol sy'n gweithio ar y môr ar hyn o bryd fel Morlywiwr Cenedlaethol. Cyflwynwyd asesiad o'r angen am dai fforddiadwy gyda'r cais, sy'n dangos nad oes unrhyw eiddo ar gael yn y Borth a'r ardal gyfagos sy'n dod o fewn y categori tai fforddiadwy, ac sy'n addas i'w amgylchiadau. Mi fyddai'r ymgeisydd yn bodloni'r meini prawf ar gyfer annedd fforddiadwy, yn ariannol ac o ran deiliadaeth.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiâu Cynllunio Cenedlaethol perthnasol:

- Cymru'r Dyfodol – Y Cynllun Cenedlaethol 2040 (2021)
- PPW11 Polisi Cynllunio Cymru (argraffiad 11, Chwefror 2021)

Mae'r polisiâu canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn:

DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Gymraeg

DM03 Teithio Cynaliadwy

DM06 Dylunio a Chreu Lle o Safon Uchel

DM10 Dylunio a Thirlunio

DM11 Dylunio ar gyfer y Newid yn yr Hinsawdd

DM13 Systemau Draenio Cynaliadwy

DM14 Cadwraeth Natur a Chysylltedd Ecolegol

DM15 Cadw Bioamrywiaeth Leol

S01 Twf Cynaliadwy

S04 Datblygu Mewn Aneddiadau Cyswllt a Lleoliadau Eraill

S05 Tai Fforddiadwy

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae Adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i ymarfer ei swyddogaethau amrywiol, gan roi sylw priodol i effaith debygol ymarfer y swyddogaethau hynny ar drosedd ac anhrefn yn ei ardal, a'r angen i wneud popeth sy'n rhesymol bosib i'w atal. Mae'r ddyletswydd honno wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai unrhyw gynnydd sylweddol neu annerbyniol yn lefel y 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 priodol i hyrwyddo cydraddoldeb yn golygu:

- dileu neu leihau'r anfanteision a wynebwr gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i gwrdd ag anghenion pobl o grwpiau gwarchoddedig pan fydd y rhain yn wahanol i anghenion 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.

Mae'r ddyletswydd uchod wedi cael ystyriaeth briodol wrth wneud penderfyniad am y cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol o ran pobl sydd â nodwedd warchoddedig, nac yn un a fydd yn cael effaith sylweddol arnynt, o'i gymharu ag unrhyw un arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION YMGYNGHORI

Ecoleg Ceredigion – Dim gwrthwynebiad yn amodol ar gontract

Draenio Ceredigion - Sylwadau

Priffyrdd Ceredigion – Dim gwrthwynebiad yn amodol ar gontract

Cyngor Cymuned Y Borth – Dim ymateb

Derbyniwyd sylwadau gan drydydd parti yn gwrthwynebu'r cynnig ar sail colli preifatrwydd; cysgodi; colli man agored, a phryderon ynghylch diogelwch ar y priffyrdd.

CASGLIAD

Mae Adran 38 (6) o Ddeddf 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 safle'r cais wedi'i leoli yng nghanol cefn gwlad agored tua 620m o Ganolfan Gwasanaethau Gwledig y Borth, ac er bod gan y safle hanes o ganiatâd cynllunio ar gyfer annedd, mae pob caniatâd wedi dod i ben erbyn hyn.

O ran Cynllun Datblygu Lleol Ceredigion mae safle'r cais yn dod o fewn y categori 'lleoliadau eraill' lle mae datblygu'n cael ei reoli'n llym er mwyn sicrhau datblygu cynaliadwy a gwarchod cefn gwlad agored.

Mae Polisi S04 y CDLI yn nodi bod datblygu tai yn gyffredinol yn amhriodol o fewn 'lleoliadau eraill' oni bai bod modd ei gyfiawnhau ar sail y ffaith ei fod yn cwrdd ag angen am dai fforddiadwy nas diwallwyd yn yr ardal, a'i fod yn cydymffurfio â pholisi S05; neu'r angen am annedd menter yn unol â TAN 6.

Nid oes angen safle'r cais at ddibenion TAN 6 ond yn hytrach mae'r cynnig yn ymwneud â darparu annedd fforddiadwy. Cyflwynwyd datganiad tai fforddiadwy i gefnogi'r cais, fel tystiolaeth o'r angen, y galw a'r cyfiawnhad dros annedd fforddiadwy yn yr ardal.

Mae Polisi S04 yn gofyn bod tai fforddiadwy wedi'u lleoli'n union gerllaw grwpiau presennol o anheddau yn unol â bwriadau paragraff 9.2.22 o Bolisi Cynllunio Cymru. Fodd bynnag mae Polisi Cynllunio Cymru wedi'i ddiweddarau ers hynny, gyda pharagraff 3.60 yn gofyn bod tai a ddatblygir yng nghefn gwlad wedi'u lleoli o fewn neu gerllaw aneddiadau, lle gellir darparu orau ar eu cyfer yn nhermau seilwaith, mynediad, cynefin a gwarchod y dirwedd. Mae'n nodi y gall mewnlenni neu estyniadau bach i aneddiadau presennol fod yn dderbyniol, yn arbennig os ydyn nhw'n cwrdd ag angen lleol am dai fforddiadwy, ond bod angen cadw rheolaeth lem ar unrhyw adeiladau newydd sydd o fewn ardal cefn gwlad agored, i fwrdd o aneddiadau presennol.

Er bod safle'r cais o fewn grŵp o bump o anheddau, mae'r safle cryn bellter i fwrdd o brif adeiladau'r dref ac anheddiad dynodedig y Borth. Ni ellid ei ddisgrifio felly fel datblygiad oedd o fewn neu gerllaw unrhyw anheddiad. Hefyd, does dim palmantau rhwng safle'r cais â'r Borth i ganiatáu cerdded yn ddiogel, a hefyd does dim trafndiaeth gyhoeddus o fewn pellter cerdded diogel o safle'r cais. Mi fyddai'r deiliaid felly'n llwyr ddibynnol ar ddefnydd o gerbyd preifat i gyrraedd gwasanaethau a chyfleusterau. Mae hyn yn mynd yn groes i bolisiau cynllunio cenedlaethol a lleol sy'n ceisio hyrwyddo dulliau teithio cynaliadwy, drwy sicrhau bod tai'n cael eu datblygu mewn lleoliadau lle gellir cyrraedd gwasanaethau a chyfleusterau drwy gerdded neu feicio yn y lle cyntaf, yna drwy drafndiaeth gyhoeddus, ac yn olaf drwy ddefnyddio cerbydau modur preifat.

Cafodd safiad y polisi cenedlaethol diweddaraf ei danlinellu gan yr Arolygydd Cynllunio mewn penderfyniad galw i mewn yn Llwydlo, Aberarth, ac mae'n berthnasol i'r cais hwn. Gan droi at dai fforddiadwy, mae polisi S04 y CDLI yn nodi, o fewn Lleoliadau Eraill, yn nhermau tai fforddiadwy, y dylai tai newydd gael eu lleoli'n union gerllaw grwpiau presennol o anheddau yn unol â bwriadau paragraff 9.2.22 Polisi Cynllunio Cymru a pharagraff 10.13 TAN 2. Mae'r cyfeiriad at baragraff 9.2.22 yn ymwneud ag argraffiad 9 o Bolisi Cynllunio Cymru, sydd wedi'i ddisodli erbyn hyn yn sgil cyhoeddi Argraffiad 10. Fodd bynnag, mae paragraff 3.56 o Argraffiad 10, y cyfeirir ato uchod, yn adlewyrchu'n bennaf yr hyn a geir ym mharagraff 9.2.22 o'r argraffiad blaenorol, er ei fod wedi'i ddiwygio i gyfeirio at fewnlenni neu estyniadau bach i aneddiadau (fy mhwyslais i) yn hytrach na grwpiau (fy mhwyslais i) o anheddau. Mae paragraff 4.2.34 o Argraffiad 10 a pharagraff 10.13 o TAN 2 yn ategu y dylai safleoedd gwledig sydd wedi'u heithrio ar gyfer tai fforddiadwy fod ar dir sydd o fewn, neu'n union gerllaw aneddiadau gwledig presennol. Dylai tai fforddiadwy ar safleoedd o'r fath ddiwallu anghenion pobl lleol am byth a chyfrif tuag at y ddarpariaeth dai yn gyffredinol.

Mae Cymru'r Dyfodol yn pwysleisio pwysigrwydd datblygu o fewn aneddiadau cynaliadwy. Mae'n nodi bod aneddiadau gwledig ffyniannus, cydnerth a chynaliadwy yn rhai sy'n cynnwys cymysgedd cyfoethog o dai, cyflogaeth, gwasanaethau a seilwaith, wedi'u lleoli yn y manau iawn i ddiwallu anghenion a dyheadau'r boblogaeth ar gyfer y dyfodol.

Ystyrir nad yw safle'r dablygiad arfaethedig o fewn anheddiad nac yn agos at unrhyw rai o'r gwasanaethau a'r seilwaith uchod, ac felly ystyrir nad yw'r lleoliad yn un cynaliadwy. Hefyd, byddai ychwanegu'r datblygiad yn creu mwy o anghydwysedd rhwng y ganolfan gwasanaethau â lleoliadau eraill, yn groes i Bolisi S04.

Er nad oes unrhyw wrthwynebiad i'r cynnig o bersbectif priffyrdd, draenio ac ecoleg, nodir bod gwrthwynebiad trydydd parti wedi'i dderbyn ar sail golli preifatrwydd, cysgodi, colli man agored a diogelwch ar y priffyrdd. Nodir seiliau'r gwrthwynebiad.

I gloi, byddai darparu annedd, serch ei gyflwyno fel uned fforddiadwy, yn y lleoliad hwn yng nghanol cefn gwlad agored yn mynd yn groes i egwyddorion datblygu cynaliadwy, a byddai'n arwain at ffurf datblygu annerbyniol o fewn cefn gwlad agored. Mae'r cynnig yn mynd yn groes i bolisiau cynllunio cenedlaethol a lleol.

RHESYMAU DROS GYFEIRIO'R CAIS AT SYLW'R PWYLLGOR RHEOLI DATBLYGU: -

Mae'r Cynghorydd Hugh Hughes wedi gofyn bod y cais yn cael ei gyfeirio at sylw'r Pwyllgor Rheoli Datblygu am y rhesymau canlynol:-

- Mae'r ardal dan sylw o fewn anheddiad ac mae'r cais ar gyfer annedd fforddiadwy o fewn yr anheddiad hwnnw;
- Mae'r ymgeisydd yn berson lleol a dyfodd i fyny yn y Borth gan fynychu'r ysgol leol. Ar hyn o bryd mae'n gweithio fel masnachlongwr ac mae i ffwrdd am 3 mis ar y tro. Mae bellach am ymgartrefu yn ymyl ei dad.

ARGYMHELLIAD:

Gwrthod y cais am ei fod yn groes i bolisiâu lleol a chenedlaethol.

RHESWM DROS OHIRIO:

Yng nghyfarfod y Pwyllgor Rheoli Datblygu ar y 10fed o Fai, 2023, penderfynodd yr Aelodau ohirio gwneud penderfyniad ar y cais, er mwyn caniatáu mwy o amser neu gyfnod "ail feddwl" i ystyried y pwyntiau a godwyd gan yr Aelodau. Yn fwy penodol, i ystyried a oes unrhyw ystyriaethau perthnasol sydd â thystiolaeth ddigonol i orbwyso'r polisiau, ystyried arwyddocâd y gwriad ac i ystyried y risgiau sy'n gysylltiedig â chaniatáu'r cais, cyn adrodd y mater yn ôl i'r Pwyllgor.

Cyfarfu'r Grŵp Oeri ar y 23ain o Fai, 2023, lle rhoddodd yr Aelodau ystyriaeth llawn i'r pwyntiau a godwyd uchod. Sylwch nid oedd y Cyng. Ceris Jones yn bresennol.

Er bod Aelodau'r grŵp yn derbyn nad yw'r safle wedi'i leoli o fewn ffiniau diffiniedig Y Borth, a'u bod yn deall felly pam yr oedd swyddogion yn argymhell gwrthod y cais, roedd y grŵp serch hynny o'r farn bod ystyriaethau perthnasol eraill yn yr achos hwn a oedd yn cyfiawnhau caniatáu'r cais yn groes i argymhelliad y swyddog.

Yn gyntaf, tra eu bod yn cydnabod bod y safle y tu allan i ffiniau diffiniedig yr anheddiad, nododd yr Aelodau fodd bynnag fod y safle yn agos iawn i Borth, lle mae gwasanaethau a chyfleusterau digonol ar gael i wasanaethu anghenion dyddiol. Roedd yr aelodau'n gweld agosrwydd Y Borth fel Canolfan Gwasanaeth Gwledig yn factor pwysig yn yr achos hwn, sy'n wahanol i'r achosion a ystyriwyd yn flaenorol gan y grŵp, a oedd â chyd-destun mwy gwledig.

Dywedodd yr aelodau hefyd fod y plot wedi'i leoli rhwng datblygiadau presennol, ac roedd felly'n cynrychioli cyfle mewnlenni yn hytrach na ffurf fwy achlysurol neu rhubanaidd o ddatblygiad. Yn ogystal, dywedodd yr Aelodau hefyd fod y safle yn agos iawn at Barc Gwyliau Brynowen.

Ymhellach, rhoddodd yr Aelodau bwysau sylweddol ar y ffaith bod caniatad wedi cael ei rhoi ar ddau achlysur yn y gorffennol ar gyfer datblygiad preswyl ar y safle hwn. Er gwaethaf y ffaith bod y ddau ganiatad hyn bellach wedi dod i ben, roedd yr Aelodau o'r farn bod cynsail wedi'i gosod gan y ddau caniatad cynllunio blaenorol.

Yn olaf, roedd yr Aelodau'n bryderus y bu diffyg cyflenwad tai o fewn yr anheddiad ei hun ac roeddent o'r farn bod angen i'r Cyngor ddarparu cymaint o dai fforddiadwy â phosibl, gan fod pobl lleol yn cael eu prisio allan o'r farchnad.

I gloi felly, roedd yr Aelodau o'r farn bod ystyriaethau perthnasol eraill yn yr achos hwn a oedd yn ddigonol i orbwyso'r rhagdybiaeth polisi yn erbyn y datblygiad. Felly argymhelliad y Grŵp Oeri oedd i argymhell i'r Pwyllgor Rheoli Datblygu bod y cais yn cael ei gymeradwyo.

Rhif y Cais / Application Reference	A220398
Derbyniwyd / Received	01-06-2022
Y Bwriad / Proposal	Proposed infill dwelling
Lleoliad Safle / Site Location	Land Adjacent Uwch-y-Nant, Borth, SY24 5NY
Math o Gais / Application Type	Outline Planning Permission - All/Some Matters Reserved
Ymgeisydd / Applicant	Kieran Mathews, Glan Dylan Cottage Ynyslas, Ynyslas, SY24 5JX
Asiant / Agent	Mr P Nicholls (ArchiSpec Architectural Consultants Ltd), Stiwdio Gido, Cwm Gido Gilfachreda, New Quay, SA45 9SS

THE SITE AND RELEVANT PLANNING HISTORY

The site is some 620m to the southeast of the settlement of Borth and fronts onto a County road which connects Upper Borth with Llandre. The site is currently used for domestic purposes in association with the property of Uwch y Nant. To the east of the site is the neighbouring property of Pant Glas. The immediate area is characterised by a row of five dwellings on the southern side of the County road.

Planning permission was granted for the property known as Pant Glas in 1987 and 1988 respectively, whilst permission was approved for the property of Uwch y Nant in 1991. In 2011 and contrary to officer recommendation, outline planning permission was granted for a dwelling on this parcel of land and again in 2012 albeit the application site being slightly smaller. No applications for reserved matters were ever submitted and both permissions have now lapsed.

DETAILS OF DEVELOPMENT

Outline planning permission is sought for the erection of a dwelling on this parcel of land with all matters apart from access and scale subject to future approval.

The plans show a dwelling with the following scale parameters:-

Area - no greater than 137m² net usable floor area;

Width - Min 13m Max 18m;

Depth - Min 5.5m Max 9.5m;

Height (to eaves) - Between 2.6m and 5.6m;

Height (to ridge) - Between 4.3m and 6.8m.

Access to the site is to be created by widening the existing vehicular access to Uwch y Nant. A 2.4m x 43m visibility splay is proposed.

The proposal is for the provision of an affordable dwelling to a local person who is currently at work on sea as an international Marine Navigator. An affordable housing needs assessment was submitted with the application which indicates that there are no properties available in the Borth and immediate area which falls within the affordable price bracket which meets his circumstances. The applicant would meet both the occupancy and financial criteria for an affordable dwelling.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy:

- Future Wales - The National Plan 2040 (2021)
- PPW11 Planning Policy Wales (Edition 11, February 2021)

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

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

DM03 Sustainable Travel

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

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

Ceredigion Ecology - No objection STC

Ceredigion Drainage - Comments

Ceredigion Highways - No objection STC

Cyngor Cymuned Y Borth Community Council - No response

One third party representation received objecting the proposal on grounds of loss of privacy; overshadowing; loss of open space and highway safety concerns.

CONCLUSION

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that: "If regard is to be had to the development

plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material consideration indicate otherwise”.

The application site lies in an open countryside location approximately 620m from the Rural Service Centre of Borth and whilst the site has history of planning permissions for a dwelling all consents have now lapsed.

As far as the Ceredigion Local Development Plan is concerned the application site falls within the 'other locations' category where development is strictly controlled in the interest of achieving sustainable development and protecting the open countryside.

LDP Policy S04 states that general housing is inappropriate within 'other locations' unless justified on the basis that it meets a demonstrated unmet affordable housing need in the locality and accords with Policy S05; or need for a rural enterprise dwelling in line with TAN 6.

The application site is not required for TAN6 purposes but rather the proposal is for the provision of an affordable dwelling. An affordable housing statement has been submitted in support of this application as evidence to demonstrate the need, demand and justification for an affordable dwelling in the area.

Policy S04 requires affordable housing to be located immediately adjacent to existing groups of dwellings in line with the intentions of Planning Policy Wales (PPW) paragraph 9.2.22. However, PPW has since been updated with paragraph 3.60 requiring development in the countryside to be located within and adjoining settlements where it can be best accommodated in terms of infrastructure, access, habitat and landscaping conservation. It states that infilling or minor extensions to existing settlements may be acceptable in particular where they meet a local need for affordable housing, but that new building in the open countryside away from existing settlements must continue to be strictly controlled.

Whilst the application site is within a group of five dwellings the site is a fair distance away from the main built form and designated settlement of Borth. It would therefore not be described as being within or adjoining any settlement. Furthermore, there are no pavements from the application site to Borth to allow safe walking, and there is also no public transport provision within a safe walking distance of the application site. Occupiers would therefore be solely reliant on the use of a private vehicle to access services and facilities. This is contrary to national and local planning policy which seek to promote sustainable means of travel by ensuring that housing development are built in locations where services and facilities can be accessed in the first instance by walking and cycling, then by public transport and then finally by private motor vehicles.

The updated national policy stance was emphasised by the Planning Inspector on a call-in decision at Llwydlo, Aberarth and is applicable to this application. *Turning to affordable housing, LDP policy S04 states that in Other Locations, in terms of affordable housing, new housing should be located immediately adjacent to existing groups of dwellings in line with the intentions of paragraph 9.2.22 of PPW and paragraph 10.13 of TAN 2. The reference to paragraph 9.2.22 is to edition 9 of PPW which has now been superseded by the publication of Edition 10. However, paragraph 3.56 of Edition 10, referred to above, largely reflects that of paragraph 9.2.22 of the previous edition although has been amended to refer to the infilling or minor extension of settlements (my emphasis) rather than groups (my emphasis) of dwellings. Paragraph 4.2.34 of Edition 10 and paragraph 10.13 of TAN 2 reiterate that rural exception sites for affordable housing should be on land within or adjoining existing rural settlements.*

Affordable housing on such sites should meet the needs of local people in perpetuity and count towards the overall level of housing provision.

Future Wales reiterates the importance of development within sustainable settlements. It notes that thriving, resilient and sustainable rural settlements are characterised by a rich mix of housing, employment, services and infrastructure located in the right places to meet the needs and future aspirations of the population.

The proposed development site is not considered to be within a settlement or close proximity to any of the above services and infrastructure and therefore, the location is not considered sustainable. Furthermore, the addition of the development would create a greater imbalance of housing between the service centre and other locations, contrary to Policy S04.

Whilst there are no objections to the proposal from a highways; drainage and ecological perspective it is noted that a third party objection was received on grounds of loss of privacy, overshadowing, loss of open space and highway safety. The grounds of objection are noted.

To conclude, the provision of a dwelling, irrespective being presented as an affordable unit, at this location in open countryside is contrary to the principles of sustainable development and will result in an unacceptable form of development in the open countryside. The proposal is contrary to both national and local planning policy.

REASONS FOR REFERRING THE APPLICATION TO THE DEVELOPMENT MANAGEMENT COMMITTEE: -

Cllr. Hugh Hughes has requested that the application be referred to the the Development Management Committee for consideration for the following reasons:-

- The area concerned is within a settlement and that the applicant is for an affordable house within that settlement;
- The applicant is a local who grew up in Borth and attended school locally. He currently works as a merchant seaman and is away for 3 months at a time. He is looking to settle his family home next to his father.

RECOMMENDATION:

Refuse the application as being contrary to both national and local policy.

REASON FOR DEFERRING:

At the Development Management Committee meeting on the 10th May, 2023, Members resolved to defer the determination of the application, in order to allow further time or a 'cooling off' period to consider the points raised by Members. More specifically, to consider whether there are any material considerations that are sufficiently evidenced to outweigh the policies, to consider the significance of the departure and to consider the risks associated with approving the application, prior to reporting the matter back to Committee.

The Cooling Off Group subsequently met on the 23^d May, 2023, whereby Members gave full consideration to the points raised above. Please note that Cllr. Ceris Jones was not in attendance.

Whilst Members of the group accepted that the site is not located within the defined settlement boundaries for Borth, and understood therefore why Officers were recommending the refusal of the application, the group were nevertheless of the opinion that there were other material considerations in this case that would justify approving the application contrary to officer recommendation.

Firstly, whilst acknowledging that the site lies outside of the defined settlement boundaries, Members noted however that the site lies within very close proximity to the settlement, where there are adequate services and facilities available to serve the daily needs of the future occupiers. Members saw the proximity of Borth as a Rural Service Centre as being an important factor in this case, which is different to the cases previously considered by the group, which have had a more rural context.

Members also commented that the plot had built form to either side, thereby representing an infilling opportunity as opposed to a more sporadic or ribboning form of development. Additionally, Members also commented that the site also lies within very close proximity to Brynowen Holiday Park.

Furthermore, Members placed significant weight on the fact that consent has been given on two occasions in the past for the residential development of this site. Notwithstanding the fact that these consents have now lapsed, Members considered that a precedent had been set by these previous planning permissions.

Finally, Members were concerned that there had been a lack of housing delivery within the settlement itself and they were of the opinion that the Council needed to deliver as many affordable homes as possible, as local people were being priced out of the market.

In conclusion therefore, Members considered that there were other material considerations in this case that were sufficient to outweigh the policy presumption against the development. The recommendation of the Cooling Off Group therefore was to recommend the approval of the application to the Development Management Committee.

2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A201012	01-12-2020	Mr O Jones	Change of Use of Agricultural Land to Glamping Pod site	Fields South East of Pantyfod, Llanddewi Brefi, Tregaron. SY25 6PE	Refuse
2	A210384	15-04-2021	Mrs A Jaques-Clarke & Miss L J Bennett	Change of use and conversion of redundant agricultural building to a children's nursery.	Redundant Outbuilding @ Crymant, Brongest, Newcastle Emlyn, SA38 9EX	Refuse
3	A220035	10-01-2022	Mr and Mrs G & B Davies	Erection of a rural enterprise dwelling and workshop.	Fferm Cwmcoedog, Mydroilyn, Lampeter, SA48 7RL	Refuse
4	A220250	27-03-2022	Mr D J Evans	Erection of a detached block of flats, six storeys in height (sixth storey within roof space), containing 24 units with associated car parking and communal amenity spaces.	Area of land adjacent to the Brynderw Building, Stanley Road, Aberystwyth. SY23 1LB	Approve Subject to Conditions
5	A220454	21-06-2022	Mrs Mair Jenkins	Residential development of up to three dwellings.	Land At Plwmp Plwmp, Llandysul	Refuse
6	A220714	26-09-2022	Mr Matthew Vaux	Demolition of existing produce shop to be replaced with new shop and first floor flat	Parc y Pant Produce Shop, Cross Inn, New Quay. SA44 6NG	Approve Subject to Conditions
7	A220763	10-10-2022	Mr M Evans	Proposed replacement dwelling (Demolition at completion), extension to the garden area and associated works.	Allt y Bryn, Beulah, Newcastle Emlyn, SA38 9QH	Refuse

2.1. A201012



Rhif y Cais / Application Reference	A201012
Derbyniwyd / Received	01-12-2020
Y Bwriad / Proposal	Change of Use of Agricultural Land to Glamping Pod site
Lleoliad Safle / Site Location	Fields South East of Pantyfod, Llanddewi Brefi, Tregaron. SY25 6PE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr O Jones, Penlanwen, Llanddewi Brefi, Tregaron, Ceredigion, SY25 6PE
Asiant / Agent	Emmanuel Kincaid (Living Design Consultancy), Glyn, Llanddewi Brefi, Tregaron, Ceredigion, SY25 6RL

Y SAFLE A HANES PERTHNASOL

Mae Penlanwen wedi'i leoli mewn ardal cefn gwlad agored, tua milltir i'r de o bentref Llanddewi Brefi. Mae Penlanwen yn fferm fynydd 550 acer gyda diadell o 800 o ddefaidd mynydd Cymreig.

Mae safle'r cais wedi'i leoli tua 0.5km i'r dwyrain o fferm Penlanwen, ac mae'n cael ei ddefnyddio ar hyn o bryd fel tir pori amaethyddol.

Does dim hanes cynllunio blaenorol i'r safle.

MANYLION Y DATBLYGIAD

Mae'r cais yn un llawn ac mae'n gofyn caniatâd cynllunio i ddarparu pedwar pod glampio ar gyfer llety gwyliau. Mae'r perchnogion am arallgyfeirio i gynhyrchu incwm ychwanegol at fusnes y fferm. Mae'r cynnig hefyd yn cynnwys trac mynediad at y podiau glampio, a gosod pecyn trin carthffosiaeth i gael gwared â charthion. Mae'r cais yn cynnwys cynllun gwarchod coed a thirwedd, sy'n cynnig plannu gwrych i sgrinio'r safle.

Mae'r podiau wedi'u gosod mewn rhes ar ben deheuol cae llethrog sy'n wynebu'r gogledd. Bydd y podiau'n cael eu gosod tua 0.5km o Benlanwen ei hun. Bydd mynediad i gerbydau ar hyd trac presennol, a mynediad o'r briffordd ar hyd y lôn unffordd annosbarthedig. Bydd y podiau'n rhai unllawr 3m o uchder at y grib. Y deunyddiau arfaethedig yw Cladin Pren Naturiol gyda ffenestri a drysau uPVC llwyd.

Cyflwynwyd Asesiad o'r Effaith ar Ddatblygiad ac Anghenion Twristiaeth i gefnogi'r cais.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiau Cynllunio Cenedlaethol perthnasol:

- Cymru'r Dyfodol – Y Cynllun Cenedlaethol 2040 (2021)
- PPW11 Polisi Cynllunio Cymru (argraffiad 11, Chwefror 2021)
- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)

Mae'r polisiau canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn:

- S01 Twf Cynaliadwy
- S04 Datblygu Mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'
- LU14 Safleoedd Llety Twristiaeth Ledled y Sir: Carafannau Statig a Theithiol, Lleiniau Gwersylla, Cabanau a Chalets
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirlunio
- DM13 Systemau Draenio Cynaliadwy
- DM17 Y Dirwedd yn Gyffredinol

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae Adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i ymarfer ei swyddogaethau amrywiol, gan roi sylw priodol i effaith debygol ymarfer y swyddogaethau hynny ar drosedd ac anhrefn yn ei ardal, a'r angen i wneud popeth sy'n rhesymol bosib i'w atal. Mae'r ddyletswydd honno wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai unrhyw gynnydd sylweddol neu annerbyniol yn lefel y trosedd ac anhrefn o ganlyniad i'r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

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

- dileu neu leihau'r anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i gwrdd ag anghenion pobl o grwpiau gwarchoddedig pan fydd y rhain yn wahanol i anghenion 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.

Mae'r ddyletswydd uchod wedi cael ystyriaeth briodol wrth wneud penderfyniad am y cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol o ran pobl sydd â nodwedd warchoddedig, nac yn un a fydd yn cael effaith sylweddol arnynt, o'i gymharu ag unrhyw un arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION YMGYNGHORI

Cyngor Cymuned Llanddewi Brefi – Dim Ymateb

Priffyrdd – Dim Gwrthwynebiad Yn Unol ag Amodau

Draenio Tir – Dim Gwrthwynebiad, Angen Cymeradwyaeth SuDS

Ecoleg – Cynhaliwyd Prawf o Effaith Arwyddocaol Debygol (TLSE) ac Asesiad Priodol am fod safle'r cais yn agos at ACA Afon Teifi. Cafodd y cynnig ei sgrinio fel un nad oedd yn debygol o gael effaith ar Afon Teifi o ganlyniad i ollwng mwy o ffosffad i'r afon. Dim gwrthwynebiad yn amodol ar gontract.

Naturiol Cymru – Rydym wedi adolygu'r Asesiad Priodol ac wedi dod i'r casgliad na fyddai'r cynnig yn cael unrhyw effaith andwyol ar ACA Afon Teifi. Nid oedd gan Cyfoeth Naturiol Cymru unrhyw wrthwynebiad i'r cynnig.

Sylwadau Trydydd Parti

Derbyniwyd tri llythyr o gefnogaeth i'r cais.

Derbyniwyd un llythyr yn gwrthwynebu gosod y podiau mor bell oddi wrth y brif fferm.

CASGLIAD

Mae Adran 38 (6) o Ddeddf 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 safle'r cais wedi'i leoli o fewn cefn gwlad agored a nodir ei fod o fewn 'lleoliadau eraill' fel y'u diffinnir yn y CDLI mabwysiedig. Mae polisiâu lleol a chenedlaethol yn nodi y dylai datblygiadau o fewn 'lleoliadau eraill' fod dan reolaeth lem, i sicrhau bod yna ddatblygu cynaliadwy ac i amddiffyn nodweddion cefn gwlad agored.

Mae Polisi S04 y CDLI yn cyfeirio at ddatblygu o fewn 'lleoliadau eraill' ac yn nodi bod angen rhywfaint o ddatblygu i ddiwallu anghenion cymunedau presennol, ond fe'u hystyrir yn leoliadau llai cynaliadwy ar gyfer datblygu. O ganlyniad, mae maen prawf 4 yn gofyn bod unrhyw ddatblygiad o fewn 'lleoliadau eraill' yn nhermau ei leoliad ffisegol, yn cydymffurfio â TAN 6. Mae'r cynnig yn rhan o gynllun arallgyfeirio amaethyddol sy'n gysylltiedig â'r gweithgareddau ffermio ym Mhenlanwen, ac fel y cyfryw, mae'n bodloni gofynion TAN 6 a Pholisi S04.

Er nad oes unrhyw bolisi penodol yn ymwneud â chynigion glampio o fewn y CDLI, ystyrir ei bod hi'n rhesymol asesu'r datblygiad dan Bolisi LU14, sy'n cyfeirio at safleoedd gweryslla a chalets. Mae safle'r cais wedi'i leoli tu allan i'r ardal arfordirol am ei fod i'r dwyrain o'r A487 ac felly mae'n dod dan ofynion Polisi LU14.

Yn ôl Polisi LU14, y tu allan i'r ardal arfordirol :

a. Caniateir safleoedd newydd ar gyfer carafannau teithiol, gwersylla a llety cabanau ar yr amod:

i. Y bydd hynny, lle bo modd, yn cefnogi canolbwyntiau twristiaeth strategol;

ii. Y bydd yn cefnogi rôl a swyddogaeth yr anheddiad y bwriedir lleoli'r safle ynddo (neu, fel arall, yr anheddiad agosaf), lle mae'n bosibl, drwy ddarparu cyfleusterau ychwanegol sydd ar gael at ddefnydd y gymuned;

iii. Nad yw'r cyfleusterau a gynigir drwy'r safle yn effeithio ar ddichonoldeb gwasanaethau sydd eisoes yn bodoli yn yr anheddiad agosaf; a

iv. Bod Asesiad o'r Effaith ar Ddatblygiad ac Anghenion Twristiaeth yn cael ei gyflwyno fel rhan o'r broses ymgeisio.

Mae Rhan 7.90 o'r CDLI yn nodi:

"Mewn ardaloedd y tu allan i Ardal yr Arfordir, caniateir safleoedd newydd ar gyfer carafannau teithiol, gan gynnwys cartrefi modur, a meysydd gwersylla, cyn belled â'u bod yn briodol i'r lleoliad. Dylai safleoedd mwy o faint gael eu lleoli o fewn neu gerllaw Canolfannau Gwasanaethau Trefol a Chanolfannau Gwasanaethau Gwledig, lle dylai amrywiaeth ehangach o gyfleusterau a gwasanaethau fodoli'n barod. Gellir lleoli safleoedd llai, nad ydynt efallai ond yn darparu 5 llain ac yn cynnig cyfleusterau sylfaenol, mewn Aneddiadau Cyswllt neu gerllaw ffermydd, os ydynt wedi'u sgrinio'n briodol. Mae'r drefn hon yn cydfynd â Pholisïau S02-S04."

Mae polisïau ategol yn cefnogi safleoedd glampio llai ar yr amod eu bod wedi'u lleoli gerllaw ffermydd, er budd y dirwedd ac at ddibenion swyddogaethol. Ni ystyrir bod y cynnig wedi'i leoli gerllaw'r fferm. Bydd y podiau wedi'u gosod tua 450m i ffwrdd o'r fferm, gyda nifer o gaeau'n gwahanu'r datblygiad arfaethedig oddi wrth fferm Penlanwen ei hun. Dylai'r podiau glampio fod wedi'u gosod yn nes at y gweithgareddau amaethyddol ym Mhenlanwen at ddibenion swyddogaethol, i helpu i reoli safle wersylla fach, ac i leihau effaith y datblygiad ar y dirwedd mewn lleoliad cefn gwlad agored.

Mae'r cais yn cynnwys ystyriaethau dilyniannol i gyflawnhau safle arfaethedig y podiau glampio. Mae'r materion a godwyd yn y prawf dilyniannol yn cynnwys cyfyngiadau topograffaid, fferm foch gerllaw, tir anaddas a chyfyngiadau o ran y briffordd. Fodd bynnag, mae'r Awdurdod Cynllunio Lleol o'r farn y gellid gosod y podiau'n nes at y ffem ei hun. Dylai'r ymgeiswyr edrych ar opsiynau i leoli'r podiau glampio mewn man llai amlwg gerllaw fferm Penlanwen.

Ar hyn o bryd nid yw'r podiau wedi'u lleoli gerllaw fferm Penlanwen, ac felly nid yw'r cynnig yn cydymffurfio â Pholisi LU14 y CDLI

Yn ogystal, mae safle'r cais wedi'i leoli mewn man agored, amlwg, gyda golygfeydd yn ymestyn dros Ddyffryn Teifi a thu hwnt. Mi fydd y podiau wedi'u gosod yn agos at y grib ar lethr gogledd orllewinol sy'n wynebu'r dyffryn, a byddant i'w gweld o'r briffordd a thu hwnt. Mi allai lleoliad y podiau amharu ar olwg yr ardal a byddant yn elfen anodweddiadol o leoliad cefn gwlad agored, sydd heb ei ddatblygu fel arall. Mae paragraff 3.34 o Bolisi Cynllunio Cymru'n dweud, "*Rhaid cadw a gwella cefn gwlad, yn unol â datblygu cynaliadwy ac egwyddorion cynllunio cenedlaethol, ar gyfer ei werth fel tirwedd*". Ystyrir bod adeiladu llwybr mynediad newydd a 5 pod glampio mewn lleoliad gwledig agored, i ffwrdd o unrhyw adeiladau, yn gyfystyr â datblygu gwasgaredig o fewn cefn gwlad agored nad yw'n cadw nac yn gwella'r dirwedd, ac sy'n cael effaith andwyol ar gymeriad yr ardal. Mae'r datblygiad felly yn mynd yn groes i nodau polisïau cenedlaethol a pholisïau DM06 a DN17 y CDLI.

O ran ystyriaethau perthnasol eraill, ni dderbyniwyd unrhyw wrthwynebiad i'r cynnig o bersbectif priffyrdd, draenio nac ecoleg. Am fod y safle'n agos at ACA Afon Teifi, cafodd y cynnig, gan gynnwys y trefniadau carthffosiaeth, ei sgrinio am ei botensial i gynyddu'r ffosffad a ollyngir i'r ACA. Daeth y TLSE a'r Asesiad Priodol i'r casgliad na fyddai'r cynnig yn cael unrhyw effaith andwyol ar yr ACA.

Nodwyd y sylwadau o gefnogaeth a gwrthwynebiad gan drydydd partion.

Cyn adroddwyd y cais i'r Pwyllgor, derbyniwyd gwybodaeth ychwanegol gan yr asiant yn ceisio cyfiawnhau lleoliad y cais a pham na ellid ystyried safle arall yn nes at y fferm ynghyd â engreiffiau o geisiadau eraill â gymeradwywyd a oedd cryn bellter wrth y brif fferm.

Roedd y rhesymau a roddwyd yn erbyn ystyried safleoedd a oedd yn agosach at y fferm yn cynnwys cyfeiriad at y ffaith fod tir sy'n nes at y fferm yn serth, yn gorsiog ac yn anaddas ar gyfer podiau. Darparwyd gwybodaeth hefyd a oedd yn ceisio dangos y byddai'r rhaid diystyru safleoedd sy'n agosach at Benlanwen oherwydd na allent gydymffurfio â gofynion CNC ynghylch gollyngiadau ffosffad. Fodd bynnag, ni ellid diystyru addasrwydd y safleoedd hyn heb gynnal ARhC.

Roedd y wybodaeth hefyd yn cynnwys cyfeiriad at gyfraith achosion a oedd yn nodi nad oedd y testun ategol yn bolisi ac felly ni allai'r ACLI fynnu bod unrhyw gais yn gyfagos i'r fferm fel yr awgrymwyd yn y testun. Mewn ymateb, cydnabyddir na ellir ystyried y testun ategol fel polisi ei hun ond fel gwybodaeth ategol sy'n ceisio cynorthwyo dehongli'r polisi ei hun. Serch

hynny, nodir er nad yw'r testun ategol efallai'n rhan o'r polisi, mae PCC yn berthnasol wrth ystyried y cais ac yn nodi bod yn rhaid i unrhyw gynnig gydymffurfio â gofynion PCC a TAN6. Mae PCC a TAN6 yn nodi y dylai datblygiadau fod o fewn cyfdeiladau fferm ac nid mewn lleoliad cefn gwlad agored.

I gloi, mae'r egwyddor o ddatblygu safle glampio bach ym Mhenlanwen fel rhan o gynllun arallgyfeirio amaethyddol yn un a gefnogir gan bolisiâu lleol a chenedlaethol. Fodd bynnag, nid yw'r safle wedi'i leoli gerllaw'r fferm ei hun nac unrhyw adeiladau eraill, ac fel y cyfryw, mae'r datblygiad yn mynd yn groes i Bolisi LU14. Mae'r safle mewn lleoliad amlwg o fewn ardal cefn gwlad agored, ar lethr gyda golygfeydd yn ymestyn dros y dyffryn; byddai 4 pod glampio a'r ffordd fynediad yn amharu ar gymeriad y dirwedd, ac mae'n gyfystyr â datblygu gwasgaredig o fewn cefn gwlad agored. Mae'r datblygiad felly yn mynd yn groes i bolisiâu DM06 a DM17 y CDLI.

RHESYMAU DROS GYFEIRIO'R MATER AT SYLW'R PWYLLGOR RHEOLI DATBLYGU:

Mae'r cais yn cael ei adrodd i'r Pwyllgor Rheoli Datblygu i'w ystyried gan fod yr aelod lleol, y Cynghorydd Rhodri Evans, wedi datgan diddordeb yn y cais.

ARGYMHELLIAD:

GWRTHOD y cais ar sail y ffaith ei fod yn mynd yn groes i bolisi LU14 y CDLI. Bydd y cynnig hefyd yn cael effaith andwyol ar gymeriad cefn gwlad agored y dirwedd, ac mae felly'n mynd yn groes i bolisiâu DM06 a DM17 y CDLI.

Rhif y Cais / Application Reference	A201012
Derbyniwyd / Received	01-12-2020
Y Bwriad / Proposal	Change of Use of Agricultural Land to Glamping Pod site
Lleoliad Safle / Site Location	Fields South East of Pantyfod, Llanddewi Brefi, Tregaron. SY25 6PE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr O Jones, Penlanwen, Llanddewi Brefi, Tregaron, Ceredigion, SY25 6PE
Asiant / Agent	Emmanuel Kincaid (Living Design Consultancy), Glyn, Llanddewi Brefi, Tregaron, Ceredigion, SY25 6RL

THE SITE AND RELEVANT PLANNING HISTORY

Penlanwen lies in an open countryside location, approximately 1 mile to the south of the village of Llanddewi Brefi. Penlanwen is a 550 acre hill farm, which has a flock of 800 welsh mountain ewes.

The application site itself lies some 0.5km to the south of Penlanwen farm, and is currently used as agricultural grazing land.

The site has no former planning history.

DETAILS OF DEVELOPMENT

The application is in full and seeks planning permission for the provision of four glamping pods for holiday purposes. The owners wish to diversify in order to generate additional income into the farming business. The proposal also includes an access track to serve the glamping pods and the installation of a package treatment plant to dispose of foul sewage. The application includes a landscape and tree protection plan, which proposes hedge planting to screen the proposal.

The pods are positioned in a row on the southern end of the sloping field, which faces north. The pods will be sited approx. 0.5km from Penlanwen itself. Vehicle access is gained from an existing track and highway access from the unclassified single-track road. The pods will be single storey and are 3m high to ridge. The proposed materials are Natural Timber Cladding with Grey uPVC windows and doors.

The application is supported by a Tourism Needs and Development Impact Assessment.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy:

- Future Wales - The National Plan 2040 (2021)
- PPW11 Planning Policy Wales (edition 11, February 2021)
- TAN6 Planning for Sustainable Rural Communities (2010)

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

- S01 Sustainable Growth
- S04 Development in 'Linked Settlements and Other Locations'
- LU14 Countywide Tourism Accommodation Sites: Static and Touring Caravans, Camping Pitches, Cabins and Chalets
- DM06 High Quality Design and Placemaking
- DM10 Design and Landscaping
- DM13 Sustainable Drainage Systems
- DM17 General Landscape

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment;

pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. Having due regard to advancing equality involves:

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

Cyngor Cymuned Llanddewi Brefi Community Council – No Response

Highways – No Objection Subject to Conditions

Land Drainage – No Objection, SuDS Approval required

Ecology – A Test of Likely Significant Effects (TLSE) and Appropriate Assessment was undertaken in view of the application's site proximity to the River Teifi SAC. The proposal was screened out as not likely to have an impact on the river Teifi from increased phosphate discharge. No objections STC.

NRW - We have reviewed the Appropriate Assessment and your conclusions that as a result of the proposal there would be no adverse effects on the integrity of the River Teifi SAC. NRW offer no objection to the proposal.

Third Party Representations

Three letters were received in support of the application.

One letter was received in objection to the siting of the proposal some distance away from the main farm holding.

CONCLUSION

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

The application site lies in the open countryside and identified as being within 'other locations' as set out in the adopted LDP. National and local planning policy outlines that development in 'other locations' should be strictly controlled in the interest of achieving sustainable development and protecting the qualities of the open countryside.

LDP Policy S04 refers to development in 'other locations' and states that they require a degree of development to meet the needs of existing communities, but they are considered to be less sustainable locations for development. As a result, criterion 4 requires all development, in terms of both its physical location, within 'other locations' to accord with TAN6. The proposal forms part of an agricultural diversification scheme in connection with the farming activities at Penlanwen, and as such satisfies the requirements of TAN6 and Policy S04.

Whilst there is no specific policy relating to glamping proposals within the LDP, it is considered reasonable to assess the development under Policy LU14, which refers to camping sites and chalets. The application site lies outside the coastal area as it is eastwards of the A487 and is therefore subject to the requirements of Policy LU14:

Policy LU14 states that Outside the Coastal Area:

- a. New sites for touring caravans camping and cabin accommodation will be permitted provided that:*
 - i. Where possible it supports strategic tourism nodes;*

- ii. *It supports the role and function of the settlement within which it is proposed (or otherwise nearest settlement), where possible, by providing additional facilities that are available for use by the community;*
- iii. *Facilities offered via the site do not affect the vitality of services which already exist within the nearest settlement; and*
- iv. *Tourism Needs and Development Impact Assessment is submitted as part of the application process.*

Part 7.90 of the LDP states that:

"In areas outside of the Coastal Area development of new touring caravan, which includes motorhomes, and camping sites will be permitted providing that it is appropriate in relation to the location. Larger sites should be located within or adjacent to USCs and RSCs where a wider range of facilities and services should already be present. Smaller sites, which perhaps only cater for 5 pitches and offer basic facilities, can be accommodated in Linked Settlements or adjacent to farmsteads where suitably screened. This approach accords with Policies S02-S04."

Supporting policy supports smaller glamping sites subject to the siting being adjacent to farmsteads for both landscape and functional purposes. The proposal is not considered adjacent to the farmstead. The pods will be located approx. 450m away from the farmstead with several fields separating the proposed development from the main built form at Penlanwen. The glamping pods should be sited closer to the farming activities at Penlanwen for functional purposes to assist in managing a small camping site, and to lessen the impact of development on the landscape in an open countryside location.

The application includes a sequential approach to justify the proposed siting of the glamping pods. The issues raised in the sequential test includes topographical constraints, a nearby pig farm, and unsuitable land and highway constraints. However, the Local Planning Authority are of the opinion that the pods could be sited closer to the farmstead. The applicants should explore options to locate the glamping pods in a less intrusive location adjacent to the farmstead at Penlanwen.

Currently, the pods are not sited adjacent to the farmstead of Penlanwen, as such the proposal falls short of Policy LU14 of the LDP.

Additionally, the application site is located in an open visually prominent location with wide reaching views over the Teifi Valley and beyond. The pods will be sited close to the ridgeline on a north western facing slope facing the valley and will be visible from the highway and further afield. The setting of the pods could be visually obtrusive and will present an uncharacteristic element in an otherwise undeveloped open countryside location. Planning Policy Wales paragraph 3.34 states, "*The countryside in line with sustainable development and national planning principles must be conserved, and enhanced for its landscape value*". Constructing a new access path and five glamping pods in an exposed rural location away from any built form is considered sporadic development in the open countryside and would fail to conserve or enhance the landscape and detrimentally impact the character of the area. The development is therefore in conflict with national policy aims and policies DM06 and DM17 of the LDP.

With regard to other material considerations, no objections were received to the proposal from a highway, drainage or ecological perspective. In view of the site's proximity to the River Teifi SAC the proposal including its foul water disposal arrangements were screened in respect of potential increase in phosphates emission into the SAC. The TLSE and Appropriate Assessment concluded that there would not be an impact on the integrity of the SAC as a result of the proposal.

The third party correspondence of support and objection are noted.

Prior to reporting the application to Committee, additional information was received from the agent seeking to justify the location of the proposal and why other site closer to the farmstead could not be considered together with examples of similar applications which were approved where the application sites were some distance from the main farmstead.

Reasons as to why the site could not be closer to Penlanwen included reference to land closer to the farmstead being steep, boggy and unsuitable for pods. Information was also provided which sought to demonstrate that sites closer to Penlanwen would have to be discounted as not being able to comply with NRW requirements regarding phosphate discharges. However, the suitability of these sites could not be discounted without the undertaking of a HRA.

The information also contained reference to caselaw which indicated that supporting text was not policy and therefore the LPA could not insist on any application being adjacent the farmstead as the text suggested. In response, it is acknowledged the supporting text cannot be regarded as policy itself but rather as supporting information which seeks to aid the interpretation of the policy itself. Nevertheless, it is noted that whilst supporting text may not form part of the policy, PPW is material to the consideration of the application and states that any proposal must accord with PPW and TAN6 requirements. Both PPW and TAN6 stipulates that development should be within farm complexes and not in an open countryside location.

In conclusion, the principle of developing a small glamping site at Penlanwen as part of a farm diversification scheme is supported by both National and local policy. However, the proposal is not sited adjacent to the farmstead or any built form, as such; the development runs contrary to Policy LU14. The site is in an exposed and prominent open countryside location

on the hillside with wide ranging views over the valley; the proposed 4 glamping pods and access road will detriment the character of the landscape and constitutes sporadic development in the open countryside. The development is therefore in conflict with policies DM06 and DM17 of the LDP.

REASONS FOR REFERRAL TO THE DEVELOPMENT MANAGEMENT COMMITTEE:

The application is reported to the Development Management Committee for consideration as the local member, Cllr Rhodri Evans, has declared his interest in the application.

RECOMMENDATION:

To REFUSE the application on grounds of being contrary to policies LU14 of the LDP. The proposal will also have a detrimental impact on the open countryside character of the landscape, and is therefore in conflict with policies DM06 and DM17 of the LDP.

2.2. A210384



Rhif y Cais / Application Reference	A210384
Derbyniwyd / Received	15-04-2021
Y Bwriad / Proposal	Change of use and conversion of redundant agricultural building to a children's nursery.
Lleoliad Safle / Site Location	Redundant Outbuilding @ Crymant, Brongest, Newcastle Emlyn, SA38 9EX
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mrs A Jaques-Clarke & Miss L J Bennett, Crymant, Brongest, Newcastle Emlyn, Ceredigion, SA38 9EX
Asiant / Agent	Mr M Edwards (Castle Arch. Designs Ltd), Bank House, 9 Bridge Street, Newcastle Emlyn , Newcastle Emlyn , SA38 9DX

Y SAFLE A HANES PERTHNASOL

Lleolir safle'r cais wrth ochr ffordd dosbarth C sy'n uno Troedraur â Hawen, Rhydlewis, ac mae wedi'i leoli i'r de-ddwyrain o bentref Brongest. Mae'n cynnwys ffermdy deulawr gydag ystod o adeiladau allanol gwag a buarth cysylltiedig i'r gogledd o'r annedd. Yr adeilad allanol dan sylw yn y cais hwn yw'r adeilad allanol pellaf i'r gogledd.

Amgylchynir y safle gan gaeau amaethyddol, gydag afon Crynant yn union i'r gogledd. Yr eiddo cyfagos agosaf yw fferm Troedraur sydd wedi'i lleoli tua 300 metr i'r gogledd, ac eiddo Aelybryn sydd wedi'i leoli tua 260 metr i ffwrdd i'r de.

Rhoddwyd caniatâd cynllunio, yn amodol ar amodau ar 22-10-2001 ar gyfer trosi adeilad allanol arall ar y safle i fod yn annedd (A010799). Nid oes unrhyw waith wedi'i wneud ar yr adeilad allanol hwn.

MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio ar gyfer newid defnydd a throsi adeilad amaethyddol gwag i fod yn feithrinfa i blant. Mae'r cais yn rhannol ôl-weithredol gan i'r gwaith i'r adeilad allanol ddechrau ym mis Rhagfyr 2020.

Mae'r adeilad yn mesur tua 14 metr wrth 7 metr ac mae'n un llawr gydag uchder crib yn mesur tua 5.3 metr. Eir i mewn i'r adeilad trwy risiau yn y blaen. Yn fewnol bydd yr adeilad yn darparu ystafell synhwyrdd, ystafell storio, cegin, ardal meithrinfa/gweithgareddau/chwarae, swyddfa, cyntedd a thoiled.

Bydd mynediad i'r safle o'r fynedfa bresennol i'r de o'r adeilad a darperir parcio o fewn ardal y buarth i'r de o'r adeilad. Bydd ardal awyr agored yn cael ei darparu i'r gorllewin rhwng y ffordd a'r adeilad, a hefyd i'r gogledd o'r adeilad.

Mae Datganiad Cynllunio a Chynllun Busnes wedi'u cyflwyno gyda'r cais. Mae'r Cynllun Busnes yn nodi y bydd y busnes a enwir yn 'Mini Explorers Childcare' yn darparu lleoliad gofal plant dwyieithog, gyda'r bwriad o agor ym mis Medi 2021. Bydd y busnes ar agor bob dydd o'r wythnos rhwng 8:00am a 6:00pm am 50 wythnos o'r flwyddyn a'i nod yw darparu ar gyfer 8-16 o blant ar gyfartaledd yn y lleoliad. Ers lansio gwefan a thudalen Facebook y busnes ym mis Ionawr 2021, dywedir eu bod yn derbyn tua 5 ymholiad gan rieni ynghylch gofal plant. O fis Chwefror 2021, mae gan y busnes 5 plentyn wedi'u rhag-gofrestru. Bydd y busnes yn darparu gofal diwrnod llawn / hanner diwrnod, gofal cofleidiol a gofal gwyliau. O ran staffio, bydd y cwmni'n eiddo i'r ymgeiswyr (Laura-Jayne Bennett ac Abby Jacques-Clare) ac yn cael ei redeg ganddynt, a'r amcanion dros y 2 flynedd nesaf yw cyflogi 5 aelod o staff (1-2 prentis a 3 lleoliad profiad gwaith).

POLISIŌU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisi a chanllawiau cynllunio cenedlaethol perthnasol:

- Cymru'r Dyfodol: Y Cynllun Genedlaethol 2040
- Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)
- Nodyn Cyngor Technegol (TAN) 5: Cynllunio a Chadwraeth Natur
- Nodyn Cyngor Technegol (TAN) 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy
- Nodyn Cyngor Technegol (TAN) 12: Dylunio
- Nodyn Cyngor Technegol (TAN) 18: Trafnidiaeth
- Nodyn Cyngor Technegol (TAN) 23: Datblygu Economaidd

Polisi Cynllunio Lleol Perthnasol

Mae'r polisiâu canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn:

- S01 Twf Cynaliadwy
- S04 Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill
- LU22 Darpariaeth Gymunedol
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM09 Dylunio a Symud
- DM10 Dylunio a Thirweddu
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol

Canllawiau Cynllunio Atodol Perthnasol a fabwysiadwyd:

- Canllawiau Cynllunio Atodol Safonau Parcio CSC
- Canllawiau Cynllunio Atodol Cadwraeth Natur
- Canllawiau Cynllunio Atodol Amgylchedd Adeiledig a Dylunio

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol arfer y swyddogaethau hynny ar droseddau ac anhrefn yn ei ardal, a'r angen i wneud popeth y gall yn rhesymol i atal hynny. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai 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 oedran; anabled; aillbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw dyledus i hyrwyddo cydraddoldeb yn cynnwys:

- dileu neu leihau anfanteision a ddiroddfer gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig pan fo'r rhain yn wahanol i anghenion pobl eraill; ac
- annog pobl sydd mewn 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 nad oes gan y datblygiad arfaethedig unrhyw oblygiadau sylweddol ar gyfer personau sy'n rhannu nodwedd warchoddedig, nac ydyw'n cael effaith arnynt, yn fwy nag unrhyw berson arall.

DEDDF LLESANT 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 y Ddeddf. Paratowyd yr adroddiad hwn i ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y'i 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 YMGYNGHORI

- **Cyngor Cymuned Troedraur** - Dim gwrthwynebiad
- **Priffyrdd** – Dim gwrthwynebiad yn destun amodau
- **Draeniad Tir** - Dim gwrthwynebiad, cyngor safonol
- **Ecoleg** – Heb wneud sylw
- **Rheoli Adeiladu** - Dim gwrthwynebiad
- **Cyfoeth Naturiol Cymru** - Dim gwrthwynebiad

Derbyniwyd 21 llythyr o gefnogaeth gan drydydd partiön mewn perthynas â'r cais, gan nodi'r angen am y cyfleuster a'r buddion economaidd cysylltiedig.

CASGLIAD

Mae adran 38(6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn nodi os oes angen rhoi sylw i'r cynllun datblygu at ddiben unrhyw benderfyniad sydd i'w wneud o dan y Deddfau cynllunio rhaid i'r penderfyniad fod yn unol â'r cynllun oni bai bod ystyriaeth berthnasol yn nodi fel arall.

Egwyddor Datblygu

Mae'r safle ymgeisio y tu allan i anheddiad a nodwyd ac felly mae o fewn 'Lleoliadau Eraill' fel y'u nodir yn y Cynllun Datblygu Lleol (CDLI). Mae Polisi CDLI S01 yn cyfarwyddo'r rhan fwyaf o'r twf i'r Canolfannau Gwasanaethau gan mai dyma'r lleoliad mwyaf cynaliadwy ar gyfer datblygu, gyda darpariaeth ar gyfer rhywfaint o ddatblygu yn yr Aneddiadau Cyswllt a Lleoliadau Eraill er mwyn diwallu anghenion y cymunedau gwledig. Mae datblygiadau o fewn 'Lleoliadau Eraill' yn destun polisiâu cynllunio llym oherwydd eu lleoliad anghynaliadwy a'r angen i ddiogelu cefn gwlad. Mae Polisi S04 y CDLI yn nodi'r math o ddatblygiad a ganiateir o fewn 'Lleoliadau Eraill' gyda maen prawf 4 yn ei gwneud yn ofynnol i bob math o ddatblygiad, o ran ei leoliad ffisegol, gyd-fynd â gofynion TAN 6. Mae TAN 6 yn cyfeirio'n bennaf at fusnesau menter wledig ar y tir a datblygiad amaethyddol a choedwigaeth, y mae angen eu lleoli yng nghefn gwlad yn ôl eu natur.

Nid yw'r cynnig yn cyd-fynd â TAN 6, gan nad yw meithrinfa plant yn gymwys fel busnes menter wledig gan nad oes angen i'r busnes gael ei leoli yng nghefn gwlad. O ganlyniad nid yw'r cynnig yn cydymffurfio â pholisi S04 y CDLI.

Mae Polisi LU22 y CDLI sy'n cyfeirio at ddarpariaeth gymunedol hefyd yn berthnasol i'r cynnig hwn. Mae maen prawf 1 yn cefnogi datblygiad darpariaeth gymunedol gynaliadwy newydd, ar yr amod (o berthnasedd), eu bod wedi'u lleoli mewn anheddiad neu'n gyfagos iddo; ac nad oes cyfleuster addas yn bod gerllaw a allai ddarparu'n briodol ar gyfer y datblygiad arfaethedig. Nid yw safle'r cais mewn anheddiad nac yn gyfagos iddo, ac nid oes unrhyw wybodaeth wedi'i chyflwyno fel rhan o'r cais hwn i ddangos nad oes cyfleuster addas arall gerllaw mewn anheddiad neu'n gyfagos iddo, a allai ddarparu'n briodol ar gyfer y cynnig. O ganlyniad, nid yw'r cynnig yn cydymffurfio â pholisi LU22 y CDLI.

O ran polisi a chanllawiau cynllunio cenedlaethol, mae Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040 a Pholisi Cynllunio Cymru (PCC) yn cefnogi twf economaidd cynaliadwy a phriodol mewn ardaloedd gwledig. Maent yn diffinio aneddiadau gwledig cynaliadwy fel lleoedd hygyrch sydd â chysylltiadau da â'r ardaloedd ehangach y maent yn eu gwasanaethu, ac yn rhoi pwyslais cryf ar yr angen i leoli datblygiad newydd mewn ardaloedd lle gall pobl gerdded a beicio, ac sy'n llai dibynnol ar geir. Dywed PCC y dylid lleoli datblygiadau yng nghefn gwlad o fewn yr aneddiadau hynny yn gyfagos iddynt lle mae'r ddarpariaeth orau o ran seilwaith, mynediad, cadwraeth cynefinoedd a thirwedd, a bod yn rhaid parhau i reoli gwaith adeiladu newydd yng nghefn gwlad agored i ffwrdd o aneddiadau presennol neu ardaloedd sydd wedi'u clustnodi ar gyfer datblygu mewn cynlluniau datblygu. Mae'n nodi y gallai mewnlenni neu estyniadau bychain i aneddiadau presennol fod yn dderbyniol, os ydynt yn diwallu angen lleol am dai fforddiadwy neu os gellir dangos y bydd y cynnig yn cynyddu gweithgarwch economaidd lleol. Nid yw safle'r cais yn gyfystyr â mewnlenni na mân estyniad i anheddiad sy'n bodoli eisoes, ac mae mewn lleoliad cefn gwlad agored, i ffwrdd o aneddiadau a nodwyd.

Mae safle'r cais wedi'i leoli ar hen fuarth fferm ac mae'n defnyddio hen adeilad amaethyddol. Dywed PCC y dylai Awdurdodau Cynllunio fabwysiadu agwedd gadarnhaol tuag at drosi adeiladau gwledig i'w haildefnyddio gan fusnesau. Mae TAN 23 yn nodi bod gan aildefnyddio ac addasu adeiladau gwledig presennol rôl bwysig wrth ddiwallu anghenion ardaloedd gwledig ar gyfer datblygiad masnachol a diwydiannol, a thwristiaeth, chwaraeon a hamdden. Wrth gydnabod hyn, mae'n nodi bod disgwyl i'r Awdurdod Cynllunio Lleol fabwysiadu agwedd gadarnhaol at drawsnewid adeiladau gwledig i'w haildefnyddio ar gyfer busnes, ar yr amod:

- eu bod yn addas ar gyfer y defnydd penodol;
- nad yw'r trawsnewid yn arwain at wasgaru gweithgarwch ar raddfa sy'n amharu ar hyfywedd trefi a phentrefi;
- bod eu ffurf, eu maint a'u cynllun cyffredinol yn cyd-fynd â'u hamgylchedd;
- bod gosod amodau yn goresgyn unrhyw wrthwynebiad cynllunio, a allai fod yn fwy na'r fantais o aildefnyddio fel arall;
- bod adeiladau mewn cefn gwlad agored yn gallu cael eu trawsnewid heb waith ailadeiladu sylweddol neu ailadeiladu llwyr;
- nad yw'r trawsnewid yn arwain at effeithiau annerbyniol ar strwythur, ffurf, cymeriad lleoliad os yw'r adeilad o ddiddordeb hanesyddol a/neu bensaernïol.

Cyn i'r gwaith gael ei wneud i'r adeilad, roedd yr adeilad yn cynnwys waliau blociau concrit, llawr concrit a hytrawstiau fertigol dur ac roedd y to wedi'i dynnu. Mae'r gwaith a wnaed wedi cadw'r waliau blociau concrit, ond mae'r rhain wedi'u gorchuddio â chladin pren ac mae to newydd hefyd wedi'i godi. Cyflwynwyd adroddiad strwythurol gyda'r cais sy'n nodi ei bod yn ymddangos bod yr adeilad yn strwythurol gadarn, ac mae Swyddog Rheoli Adeiladu'r Cyngor hefyd wedi dweud bod yr adeilad yn addas ar gyfer ei ddefnydd arfaethedig. Fodd bynnag, mae'r rhain yn seiliedig ar y gwaith sydd eisoes wedi'i wneud i'r adeilad.

Nid oedd yr adeilad, cyn i'r gwaith gael ei wneud, yn adeilad amaethyddol traddodiadol, gyda thair wal bloc concrit heb do. Nid oedd o unrhyw ddiddordeb hanesyddol na phensaernïol ac o ganlyniad nid oedd yn cyfrannu fawr ddim at y dirwedd wledig i fod yn deilwng o gael ei warchod drwy ei aildefnyddio. Yn allanol, mae'r adeilad wedi'i orchuddio â chladin pren ac mae to newydd wedi'i osod, ac felly'n weledol nid yw'n debyg i'r adeilad gwreiddiol - nad oedd yn haeddu cael ei gadw beth

bynnag. Bernir nad oedd yr adeilad, cyn i'r gwaith gael ei wneud, yn gallu cael ei addasu heb ailadeiladu sylweddol, ac felly mae'n methu â bodloni'r meini prawf a nodir yn TAN 23 uchod a'r ethos cyffredinol o gefnogi aildefnyddio adeiladau gwledig, sef gwarchod yr adeiladau gwledig sydd o ddiddordeb hanesyddol a/neu bensaernïol, oherwydd eu cyfraniad cadarnhaol fel olion hanes y dirwedd ffermio wledig yn y gorffennol. Felly, at ddibenion polisi cynllunio, dylid trin y datblygiad fel datblygiad adeiladu newydd yng nghefn gwlad, ac nid fel trawsnewid adeilad gwledig.

Fodd bynnag, ni waeth a yw'r datblygiad yn cael ei ystyried yn adeilad newydd yng nghefn gwlad neu'n drawsnewid adeilad gwledig presennol, mae lleoliad y safle ar gyfer meithrinfa plant yn groes i bolisiâu cynllunio cenedlaethol a lleol.

Effaith weledol ar y dirwedd

Mae Polisi DM06 y CDLI yn ceisio sicrhau bod datblygiad o ansawdd uchel ac yn cyfrannu'n gadarnhaol at gyd-destun ei leoliad ac mae Polisi DM17 y CDLI yn ceisio diogelu'r dirwedd rhag effeithiau andwyol sylweddol a achosir gan ddatblygiadau newydd.

Mae'r datblygiad wedi'i leoli ar yr hen fuarth, ac mae wedi'i leoli ar dir uchel, yn ymyl ffordd sirol. Mae graddfa a ffurf gyffredinol yr adeilad yn debyg i'r adeilad gwreiddiol, ac ystyrir bod dyluniad a deunyddiau'r adeilad ei hun hefyd yn dderbyniol. Felly, nid oes unrhyw wrthwynebiad i ymddangosiad yr adeilad ei hun. Fodd bynnag, mae'r defnydd o'r safle fel meithrinfa i blant yn cynnwys datblygiadau cysylltiedig megis maes parcio, arwyddion, gofod amwynder awyr agored, sy'n cyflwyno datblygiad sy'n anghydnaws â chyd-destun y safle, fel hen fuarth fferm a'i leoliad yng nghefn gwlad. Felly, ni ystyrir bod y datblygiad yn cyfrannu'n gadarnhaol at gyd-destun ei leoliad a bydd yn cael effaith andwyol sylweddol ar y dirwedd, yn groes i bolisiâu DM06 a DM17 y CDLI.

Dylunio a Thirwedd

Mae Polisi DM09 y CDLI yn nodi y dylid cynllunio datblygiad i sicrhau amgylchedd croesawgar sy'n annog symud yn briodol drwyddo, ac sy'n cynnwys egwyddorion dylunio 'cynhwysol' i ddarparu mynediad i bob defnyddiwr. Mae'r cynnig yn cynnwys parcio wrth ymyl yr adeilad a darperir llwybr o'r maes parcio i'r adeilad lle mae mynediad i'r adeilad trwy ramp, neu risiau. Mae'r cynnig hefyd yn darparu toiled i'r anabl. O ganlyniad, ystyrir bod y cynnig yn darparu amgylchedd croesawgar ac yn cynnwys egwyddorion dylunio 'cynhwysol', i ddarparu mynediad i bawb, yn unol â pholisi DM09.

Mae Polisi DM10 y CDLI yn gofyn i bob datblygiad, ac eithrio ar gyfer datblygiadau deiliaid tai, a fydd yn cael effaith ar y dirwedd i gael ei gefnogi gan gynllun tirwedd. Nid oes cynllun tirwedd wedi'i gyflwyno fel rhan o'r cais, ond gellir gwneud hyn yn amod os rhoddir caniatâd cynllunio.

Amwynder Preswyl

Nid oes unrhyw eiddo cyfagos yn agos i safle'r cais a fyddai'n cael ei effeithio gan y datblygiad arfaethedig. At hynny, ni dderbyniwyd unrhyw sylwadau gan drydydd parti.

Priffyrdd

Mae Polisi DM03 yn cynghori y bydd datblygiad yn cael ei leoli er mwyn lleihau'r angen i deithio. Mae Polisi DM03 hefyd yn nodi y dylid darparu llefydd parcio fel rhan o gynigion datblygu yn unol â Chanllawiau Cynllunio Atodol Safonau Parcio Ceredigion.

Byddai mynediad i gerbydau i'r datblygiad arfaethedig drwy fynediad presennol wedi'i wella gan ddarparu 15 o lefydd parcio ar y safle. Byddai'r datblygiad arfaethedig hefyd yn gwneud darpariaeth ar gyfer troi cerbydau ar y safle fel eu bod yn mynd i mewn ac allan o'r safle heb orfod gyrru am yn ôl. Felly, ystyrir bod y cynnig yn cyd-fynd â'r safonau parcio mabwysiedig fel y'u nodir yn y Canllawiau Cynllunio Atodol.

Mae Polisi DM04 yn tynnu sylw ymgeiswyr at yr angen i wneud y mwyaf o'r cyfleoedd ar gyfer cerdded, beicio a defnyddio trafnidiaeth gyhoeddus. Dylid cyflawni hyn drwy ddarparu cysylltiadau â llwybrau presennol o ddatblygiadau newydd, adfer seilwaith nad yw'n cael ei ddefnyddio lle bydd hynny'n gwasanaethu datblygiad newydd mewn ffordd gynaliadwy a darparu gwell iechyd ac ansawdd bywyd trwy ymgorffori nodweddion mewn datblygiad sy'n manteisio ar gysylltiadau â dulliau teithio heblaw car ar gyfer symud pobl a nwyddau.

Nid yw safle'r cais yn hygyrch trwy gerdded neu feicio ac nid yw trafnidiaeth gyhoeddus yn ei wasanaethu'n dda chwaith. Mae'r cynllun busnes yn nodi y bydd y busnes yn darparu hyd at 20 o leoedd gofal plant, gan gynnwys 7 aelod o staff, er y nodir bod un aelod o staff yn byw ar y safle. Bydd ar agor 5 diwrnod yr wythnos, am 50 wythnos y flwyddyn a bydd yn darparu gofal plant diwrnod llawn, hanner diwrnod ynghyd â gofal coffeidiol. O ganlyniad, ystyrir y byddai'r busnes yn cynhyrchu nifer sylweddol o deithiau dyddiol i'r safle ac oddi yno, a byddai pob un ohonynt yn ddibynnol ar geir.

Ymgynghorwyd â'r Awdurdod Priffyrdd Lleol ar y cais ac nid yw'n cynnig gwrthwynebiad i'r datblygiad arfaethedig mewn perthynas â diogelwch priffyrdd. Fodd bynnag, ystyrir nad yw'r datblygiad arfaethedig mewn lleoliad cynaliadwy ac nad yw'n darparu cyfle ar gyfer teithio llesol.

Draenio Tir a Pherygl Llifogydd

Ystyrir bod y safle yn ardal llifogydd A fel y dangosir ar Fap Cyngor Datblygu CNC, a Pharth Llifogydd 1 fel y dangosir ar y

Map Llifogydd ar gyfer cynllunio sef yr wybodaeth ddiweddaraf a'r wybodaeth orau sydd ar gael mewn perthynas â llifogydd. O'r herwydd, ni ystyrir bod y datblygiad arfaethedig mewn perygl o lifogydd.

Mae'r cais yn nodi y bydd suddfan dŵr sydd yno eisoes yn ymdrin â dŵr wyneb. Mae Draenio Tir y Cyngor wedi cynghori bod yn rhaid i'r ymgeisydd sicrhau bod gan y suddfan dŵr y capasiti i ymdopi ag unrhyw swm ychwanegol o ddŵr wyneb. Mae'r cais hefyd yn dweud bod gan yr ardal barcio cerrig wedi'u malu a gorffeniad athraidd. Ystyrir y gellir ymdrin â dŵr wyneb yn ddigonol trwy amodau cynllunio.

Ecoleg

Mae polisïau DM14 a DM15 y Cynllun Datblygu Lleol yn ceisio cynnal a gwella bioamrywiaeth a diogelu safleoedd pwysig gwarchoddedig. Ni chaniateir safleoedd, cynefinoedd neu rywogaethau gwarchoddedig naill ai'n uniongyrchol, yn anuniongyrchol neu ar y cyd, oni ellir dangos bod y cynnig yn cyfrannu at amddiffyn, gwella neu reoli'r safle, y cynefin neu rywogaethau yn gadarnhaol, neu mewn amgylchiadau penodol eraill a nodir yn y polisi. Mae Canllawiau Cynllunio Atodol y Cyngor ar fioamrywiaeth yn darparu arweiniad ar asesu effaith datblygiad ar safleoedd dynodedig neu rywogaethau gwarchoddedig.

Mae adroddiad arolwg ystlumod yn cyd-fynd â'r cais sy'n nodi nad oedd ystlumod yn defnyddio safle'r cais. Nid yw CNC wedi codi unrhyw wrthwynebiad i'r arolwg ystlumod.

Mae lleoliad safle'r cais o fewn dalgylch Ardal Cadwraeth Arbennig (ACA) Afon Teifi. Mae CNC wedi dweud yn eu Datganiad Sefyllfa Cynllunio y gallai unrhyw ddatblygiad arfaethedig a allai gynyddu lefel y ffosffad o fewn dalgylch ACA afon arwain at effaith niweidiol i'r ACA. Felly, dylid sgrinio cynigion o'r fath drwy Asesiad Rheoliadau Cynefinoedd (HRA) i benderfynu a ydynt yn debygol o gael effaith sylweddol ar yr ACA.

Mae'r Awdurdod Cynllunio Lleol yn fodlon pe bai'r datblygiad yn cael ei gymeradwyo, y byddai'n gwasanaethu poblogaeth sydd eisoes yn byw yn nalgylch Teifi ac felly na fyddai'n arwain at gynnydd mewn ffosffad.

Ystyriaethau Perthnasol Eraill

Mae'r Cynllun Busnes yn dweud bod yna brinder gwasanaethau gofal plant yn yr ardal leol. Mae'r Cynllun hefyd yn dangos bod galw wedi bod am fannau gofal plant lle mae rhieni eisoes wedi bod mewn cysylltiad ac wedi cadw lle i'w plant yn barod. Mae adran Gwasanaeth Ysgolion y Cyngor hefyd wedi dweud bod diffyg darpariaeth gofal diwrnod llawn ar gael yn ne'r sir, a bod gofal ar ôl ysgol a gofal gwyliau hefyd yn broblem yn ne'r sir. Mae'n amlwg felly bod galw am y datblygiad arfaethedig.

Cydbwysedd Cynllunio

Mae galw clir am fwy o gyfleusterau gofal plant yn ne'r Sir ac felly bydd y datblygiad arfaethedig yn gwneud cyfraniad ystyrlon tuag at ateb y galw hwn. Bydd y cynnig hefyd yn darparu cyfleoedd gwaith. Mae'r rhain yn effeithiau cadarnhaol sy'n pwysu o blaid y datblygiad arfaethedig. Fodd bynnag, mae polisïau cynllunio cenedlaethol a lleol yn ei gwneud yn ofynnol i ddatblygiad gael ei leoli o fewn aneddiadau presennol neu'n gyfagos iddynt lle gellir eu cyrraedd ar droed, ar feic ac ar drafnidiaeth gyhoeddus, er mwyn lleihau dibyniaeth ar deithiau mewn ceir preifat. Bydd y datblygiad arfaethedig yn cynhyrchu nifer uchel o deithiau traffig yn ôl ac ymlaen i'r safle bob dydd a dim ond trwy deithiau preifat y gellir ei gyrraedd. Mae datblygu mewn 'Lleoliadau Eraill' yn cael ei reoli'n llym, ac nid yw'r cynnig yn cydymffurfio â gofynion TAN 6 gan nad yw'n fenter wledig gan nad oes angen na chyfiawnhad dros leoli meithrinfa plant yng nghefn gwlad. Nid yw'r cais ychwaith yn cael ei gefnogi gydag unrhyw dystiolaeth i ddangos pam na ellir darparu'r cynigion mewn man arall mewn anheddiad presennol neu'n gyfagos iddo. Ystyrir hefyd bod natur y datblygiad yn cyflwyno datblygiad sy'n anghydnaws ac yn anghyson o fewn ei leoliad gwledig. Felly, mae'r datblygiad arfaethedig yn groes i bolisïau a chanllawiau cynllunio cenedlaethol, a pholisïau cynllunio lleol, sef polisïau S01, S04, LU22, DM06, a DM17 y CDLI. O ganlyniad, at ei gilydd, nid yw effeithiau cadarnhaol y datblygiad yn gorbwysu caniatáu i'r datblygiad fynd yn groes i bolisïau cynllunio cenedlaethol a lleol.

Cynllun Dirprwyo

Mae'r Aelod Lleol wedi gofyn i'r cais gael ei gyfeirio at y pwyllgor rheoli datblygu am benderfyniad am y rhesymau canlynol:

- Mae angen cyfleuster gofal plant ac mae'r lleoliad yn gwasanaethu mwy nag un gymuned gan ei fod o fewn pellter cyfforddus i Landysul, Castellnewydd Emlyn a'r cyffiniau.
- Mae'r bwriad yn gwneud defnydd o adeilad presennol, y mae rheolaeth adeiladu wedi cadarnhau ei fod yn gadarn
- Mae cyngor cymuned Troedyr aur yn gefnogol

ARGYMHELLIAD:

Argymhellir gwrthod y cais.

Rhif y Cais / Application Reference	A210384
Derbyniwyd / Received	15-04-2021
Y Bwriad / Proposal	Change of use and conversion of redundant agricultural building to a children's nursery.
Lleoliad Safle / Site Location	Redundant Outbuilding @ Crymant, Brongest, Newcastle Emlyn, SA38 9EX
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mrs A Jaques-Clarke & Miss L J Bennett, Crymant, Brongest, Newcastle Emlyn, Ceredigion, SA38 9EX
Asiant / Agent	Mr M Edwards (Castle Arch. Designs Ltd), Bank House, 9 Bridge Street, Newcastle Emlyn , Newcastle Emlyn , SA38 9DX

THE SITE AND RELEVANT PLANNING HISTORY

The application site is located alongside the class C road which joins Troedyraur with Hawen, Rhydlewys, and is located to the south-east of the village of Brongest. It consists of a two-storey farmhouse with a range of associated redundant outbuildings and yard area which lie to the north of the dwelling. The outbuilding the subject of this application lies is the northern most outbuilding.

The site is surrounded by agricultural fields, with the river Crynant to the immediate north. The nearest neighbouring properties is Troedyraur farm which is located approximately 300 metres to the north, and the property of Aelybryn which is located approximately 260 metres away to the south.

Planning permission was granted, subject to conditions on 22-10-2001 for the conversion of another outbuilding on the site to a dwelling (A010799). No works have been undertaken on this outbuilding.

DETAILS OF DEVELOPMENT

The application seeks planning permission for the change of use and conversion of a redundant agricultural building to a Children's Nursery. The application is part-retrospective as works to the outbuilding commenced in December 2020.

The building measures approximately 14 metres by 7 metres and is single storey with a ridge height measuring approximately 5.3 metres. The building is accessed via steps to the front elevation. Internally the building will provide a sensory room, storage room, kitchen area, nursery/activity/play area, office, lobby and WC.

The site will be accessed from the existing entrance to the south of the building with parking provided within the yard area to the south of the building. An outdoor area will be provided to the west between the road and the building, and also to the north of the building.

The application is accompanied by a Planning Statement and a Business Plan. The Business Plan states that the business named 'Mini Explorers Childcare' will provide bilingual childcare setting, which plans to open in September 2021. The business will be open every weekday from 8:00am to 6:00pm for 50 weeks of the year and aims to accommodate an average of 8-16 children at the setting. It states that since launching the business' website and facebook page in January 2021, approximately 5 enquiries regarding childcare are being received from parents. As of February 2021, the business has 5 children pre-registered. The business will provide full day / half day care, wrap-around care and holiday care. In terms of staffing, the company will be owned and run by the applicants (Laura-Jayne Bennett and Abby Jacques-Clare), and the objectives over the next 2 years is to employ 5 staff (1-2 apprentices and 3 work experience placement).

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy and Guidance:

- Future Wales: The National Plan 2040
- Planning Policy Wales (edition 11, February 2021)
- Technical Advice Note (TAN) 5: Nature Conservation and Planning
- Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities
- Technical Advice Note (TAN) 12: Design
- Technical Advice Note (TAN) 18: Transport
- Technical Advice Note (TAN) 23: Economic Development

Relevant Local Planning Policy

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

- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- LU22 Community Provision DM03 Sustainable Travel
- DM04 Sustainable Travel Infrastructure as a Material Consideration
- DM06 High Quality Design and Placemaking
- DM09 Design and Movement
- DM10 Design and Landscaping
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape

Relevant adopted Supplementary Planning Guidances:

- CCC Parking Standards SPG
- Nature Conservation SPG
- Built Environment and Design SPG

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.

YMATEBION YMGYNGHORI / CONSULTATION RESPONSES

- **Cyngor Cymuned Troedraur Community Council** - No objections
- **Highways** – No Objection STC
- **Land Drainage** - No objection, standard advice
- **Ecology** – Did not comment
- **Building Control** - No objection
- **Natural Resources Wales** - No objection

21 Letters of support have been received from third parties in respect of the application, noting the need for the facility and the associated economic benefits.

CONCLUSION

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that: "If regard is to be had to the development

plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material consideration indicate otherwise”.

Principle of Development

The application site lies outside of an identified settlement and is therefore within 'Other Locations' as set out within the Local Development Plan (LDP). LDP Policy S01 directs the majority of growth to the Service Centres as these represent the most sustainable location for development, with provision for some development within the Linked Settlements and Other Locations in order to meet the needs of the rural communities. Development within 'Other Locations' are subject to strict planning policies due to their unsustainable location and the need to protect the countryside. LDP Policy S04 sets out the type of development that is permissible within 'Other Locations' with criterion 4 requiring all development types, in terms of its physical location, to accord with the requirements of TAN 6. TAN 6 primarily refers to land-based rural enterprise businesses and agricultural and forestry related development, which by their nature, need to be located within the countryside.

The proposal does not accord with TAN 6, as a children's nursery does not qualify as a rural enterprise business as there is no need for the business to be located within the countryside. As a result the proposal does not comply with LDP policy S04.

LDP Policy LU22 which refers to Community Provision is also relevant to this proposal. Criterion 1 supports the development of new sustainable community provision, provided that (of relevance), they are located within or adjoining a settlement; and no suitable facility exists nearby which could appropriately accommodate the proposed development. The application site is not within or adjoining a settlement, and no information has been submitted as part of this application to demonstrate that there are no other suitable facility nearby within or adjoining a settlement, that could appropriately accommodate the proposal. As a result, the proposal does not comply with LDP policy LU22.

In terms of national planning policy and guidance, The Future Wales: National Plan 2040 and Planning Policy Wales supports sustainable and appropriate economic growth in rural areas. They define sustainable rural settlements as accessible places that are well connected to the wider areas they serve, and place strong emphasis on the need for locating new development in areas where people can walk and cycle, and are less reliant on cars. PPW states that 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, and 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. It states that infilling or minor extensions to existing settlements may be acceptable, where they meet a local need for affordable housing or it can be demonstrated that the proposal will increase local economic activity. The application site does not comprise infilling or minor extension to an existing settlements, and lies within an open countryside location, away from identified settlements.

The application site is located on a former farmyard and utilises a former agricultural building. PPW states that Planning Authorities should adopt a positive approach to the conversion of rural buildings for business re-use. TAN 23 states that the re-use and adaptation of existing rural buildings has an important role in meeting the needs of rural areas for commercial and industrial development, and tourism, sport and recreation. In recognising this, it states that LPA are expected to adopt a positive approach to the conversion of rural buildings for business re-use, provided that:

- they are suitable for the specific use;
- the conversion does not lead to dispersal of activity on such scale as to prejudice town and village vitality;
- their form, bulk and general design are in keeping with their surroundings;
- imposing conditions overcomes planning objections, which would otherwise outweigh the advantage of re-use;
- buildings in the open countryside are capable of conversion without major or complete reconstruction;
- the conversion does not result in unacceptable impacts upon the structure, form, character of setting where the building is of historic and / or architectural interest.

Prior to the works being undertaken to the building, the building comprised concrete block walls, concrete floor and steel vertical girders and the roof had been removed. The works undertaken have retained the concrete block walls, but these have been covered with timber cladding and a new roof has also been erected. A structural report has been submitted with the application which states that the building appears to be structurally sound, and the Council's Building Control Officer has also stated that the building is suitable for its intended use. However these are based on the works that have already been undertaken to the building.

The building, prior to the works being undertaken, did not represent a traditional agricultural building, made up of three concrete block walls with no roof. It was of no historic or architectural interest and as a result contributed little to the rural landscape to merit its protection through re-use. Externally, the building has been covered in timber cladding and a new roof has been installed, and therefore visually it bears no resemblance to the original building - which in any case did not merit its retention. It is considered that the building, prior to the works being undertaken, was not capable of conversion without major reconstruction, and therefore fails to meet with the criteria set out within TAN 23 above and the general ethos of supporting the re-use of rural buildings, which is to preserve the rural buildings that are of historic and / or architectural interest, due to

their positive contribution as a remainder of the past history of the rural farming landscape. Therefore, for the purpose of planning policy, the development should be treated as a new build development in the countryside, and not as a conversion of a rural building.

However, regardless of whether the development is considered to be a new building in the countryside or the conversion of an existing rural building, the location of the site for a children's nursery is contrary to national and location planning policies.

Visual Impact on the Landscape

LDP Policy DM06 seeks to ensure that development is of a high quality and contributes positively to the context of its location and LDP Policy DM17 seeks to protect the landscape from significant adverse effects caused by new development.

The development is located on the former yard, and lies on an elevated ground, adjacent to the county road. The general scale and form of the building is similar to the original building, and the design and materials of the building itself is also considered to be acceptable. Therefore, there is no objection to the appearance of the building itself. However the use of the site as a children's nursery includes associated development such as a car park, signage, outdoor amenity space, which introduces a development that is incompatible and out of keeping with the context of the site, as a former farmyard and its location within the countryside. The development is not therefore considered to contribute positively to the context of its location and will have a significant adverse effect the landscape, contrary to LDP policies DM06 and DM17.

Design and Landscaping

LDP Policy DM09 states that development should be designed to secure a welcoming environment which encourages appropriate through movement, and includes 'inclusive' design principles to provide access for all users. The proposal includes parking adjacent to the building and a path is provided from the parking area to the building where access to the building is via a ramp, or steps. The proposal also provides disabled WC. As a result, it is considered that the proposal provides a welcoming environment and includes 'inclusive' design principles, to provide access to all, in line with policy DM09.

LDP Policy DM10 requires all development, other than for householder developments, which will have an impact on the landscape to be supported by a landscaping scheme. A landscaping plan has not been submitted as part of the application, however this can be conditioned if planning permission is forthcoming.

Residential Amenity

There are no neighbouring properties within close proximity to the application site that would be affected by the proposed development. Furthermore, no representations have been received from third party.

Highways

Policy DM03 advises that development will be located so as to minimise the need to travel. Policy DM03 also sets out that parking provision should be provided as part of development proposals in accordance with the Ceredigion Parking Standards SPG.

Vehicular access to the proposed development would be via an improved existing access with 15 parking spaces provided on site. The proposed development would also make provision for the turning of vehicles on site as to enter and exit the site in the forward gear. The proposal is therefore considered to accord with the adopted parking standards as set out in the SPG.

Policy DM04 draws the attention of applicants to the need to make the most of opportunities for walking, cycling and the use of public transport. This should be achieved by providing connections to existing routes from new development, re-instating infrastructure that has fallen into disuse where that will serve new development in a sustainable way and providing improved health and quality of life by incorporating features in development that take advantage of links to non-car travel modes for human and freight movement.

The application site is not accessible by walking or cycling and is also not well served by public transport. The business plan states that the business will provide up to 20 childcare places, including 7 members of staff, although it is noted that one member of staff lives on site. It will be open 5 days a week, for 50 weeks of the year and will provide full day and half day childcare, along with wrap around care. As a result, it is considered that the business would generate a significant number of daily journeys to and from the site, all of which would be reliant on cars.

The Local Highway Authority have been consulted on the application and offer no objection to the proposed development in respect of highway safety, however it is considered that the proposed development is not sustainably located and fails to provide opportunity for active travel.

Land Drainage and Flood Risk

The site is considered to be in floodzone A as shown on NRW's Development Advice Map, and Flood zone 1 as shown of the Flood map for planning which is the most up to date and best available information in respect of flooding. As such the proposed development is not considered to be at risk of flooding.

The application states that surface water will be dealt with via an existing soakaway. The Council's Land Drainage has advised that the applicant must ensure that the soakaway has the capacity to cope with any additional volume of surface water. The application also states that the parking area has permeable crushed stone and finish. It is considered that surface water can be adequately dealt with via planning conditions.

Ecology

Policies DM14 and DM15 of the Local Development Plan seeks to maintain and enhance biodiversity and safeguard protected important sites. Protected sites, habitats or species either directly, indirectly or in combination will only be permitted where it can be demonstrated that the proposal contributes to the protection, enhancement or positive management of the site, habitat or species or in certain other circumstances set out in the policy. The Council's SPG on biodiversity provides guidance on assessing the impact of development on designated sites or protected species.

The application is accompanied by a bat survey report which identifies that bats were not using the application site. NRW has raised no objections to the bat survey.

The application site lies within the catchment area of the River Afon Teifi Special Area of Conservation (SAC). NRW has advised within their Planning Position Statement that any proposed development that might increase the amount of phosphate within a river SAC catchment could lead to damaging effect to the SAC. Therefore such proposals should be screened through a Habitats Regulations Assessment (HRA) to determine whether they are likely to have a significant effect on the SAC.

The Local Planning Authority are satisfied that should the development be approved, it would serve a population already resident within the Teifi Catchment and would not therefore give rise to an increase in phosphate.

Other Material Considerations

The Business Plan states that there are limited childcare services within the local area. The Plan also shows that there has been demand for childcare spaces where a parents have already been in contact and provisional bookings have already been received. The Council's Schools Service department has also advised that there is a lack of full day care provision available in the south of the county, and that after school care and holiday care is also an issue in the south of the county. It is clear therefore that there is a demand for the proposed development.

Planning Balance

There is a clear demand for more childcare facilities within the south of the County and therefore the proposed development will make a meaningful contribution towards meeting this demand. The proposal will also provide employment opportunities. These are positive impacts that weigh in favour of the proposed development. However, both national and local planning policies require development to be located within or adjacent to existing settlements where they can be accessed by walking, cycling and public transport, so to minimise reliant on private car journeys. The proposed development will generate a high number of daily traffic to and from the site each day and is only accessible by private journeys. Development within 'Other Locations' are strictly controlled, and the proposal does not comply with requirements of TAN 6 as it is not a rural enterprise as there is no need or justification for a children's nursery to be located within the countryside. The application is also not supported with any evidence to demonstrate why the proposals cannot be provided elsewhere within or adjacent to an existing settlement. The nature of the development is also considered to introduce a development which is incompatible and incongruous within its rural location. The proposed development is therefore contrary to national planning policies and guidance's, and local planning policies, namely LDP policies S01, S04, LU22, DM06, and DM17. As a result, on balance, the positive impacts of the development do not outweigh allowing the development contrary to national and local planning policies.

Scheme of Delegation

The Local Member has requested that the application be referred to the development management committee for determination for the following reasons:

- There is a need for a childcare facility and the location serves more than one community being within comfortable distance of Llandysul, Newcastle Emlyn and surrounds.
- The proposal makes use of an existing building, which building control have confirmed is sound
- Troedyraur community council is supportive

ARGYMHELLIAD / RECOMMENDATION:

The application is recommended for refusal.

2.3. A220035



Rhif y Cais / Application Reference	A220035
Derbyniwyd / Received	10-01-2022
Y Bwriad / Proposal	Codi annedd a gweithdy menter wledig.
Lleoliad Safle / Site Location	Fferm Cwmcoedog, Mydroilyn, Llanbedr Pont Steffan, SA48 7RL
Math o Gais / Application Type	Cynllunio Llawn
Ymgeisydd / Applicant	Mr a Mrs G a B Davies, Llanerch Y Felin, Heol Llyswen, Aberaeron, Ceredigion, SA46 0ED
Asiant / Agent	Mr Rhys ap Dylan (Morgan & Davies), Morgan & Davies, 4 Heol Farchnad, Aberaeron, SA46 0AS

DISGRIFIAD O'R SAFLE

Saif Fferm Cwmcoedog mewn lleoliad gwledig, ar dir uchel yn edrych dros y dyffryn cyfagos. Mae ffermdy Cwmcoedog yn annedd sengl 3 ystafell wely, mewn arddull traddodiadol, ar dir y fferm wreiddiol, wedi'i amgylchynu gan siediau amaethyddol modern a hŷn, sy'n rhannol wedi cael eu trawsnewid i ddau bwthyn gwyliau. Mae'r fferm yn gorwedd o fewn 'lleoliadau eraill' o dan y CDLI.

Saif y pump pod gwersylla a ganiatawyd o dan gais A120625 wrth ymyl buarth y fferm i'r gogledd ddwyrain.

Mae'r safle ar gyfer y cais mewn lleoliad gwledig i ffwrdd o'r ffermdy a'r ardal glampio, o fewn cae 1.29ha sy'n goleddu i lawr i gyfeiriad y gogledd i'r gogledd-ddwyrain o'r prif ffermdy.

Mae'r safle wedi'i amgylchynu ymhellach gan dir amaethyddol sy'n cael ei ffermio drwy gydol y flwyddyn ac sy'n eiddo i'r ymgeisydd. Cyflwynwyd asesiad menter wledig ochr yn ochr â'r cais hwn sy'n nodi bod safle'r cais yn cynnwys 64.36 hectar sy'n cael ei ffermio a bod 56.36 hectar yn eiddo iddynt lle mae yna amrywiaeth o stoc a chnydau gan gynnwys buchod sugno, mamogiaid bridio, hyrddod a silwair bêls mawr.

HANES PERTHNASOL

D1.413.86 – Caniatad cynllunio amlinellol ar gyfer codi annedd i weithiwr amaethyddol - Pt OS 180, Penlanfach Fields, Cribyn Road, Mydroilyn. Caniatawyd yn unol ag amodau 26/6/1986. (A elwir yn "Bryn Aur").

D1.913.86 – Cymeradwyo materion a gadwyd yn ôl – Codi annedd i weithiwr amaethyddol - Pt OS 180, Penlanfach Fields, Cribyn Road, Mydroilyn. Caniatawyd yn unol ag amodau – 31/10/1986. (A elwir yn "Bryn Aur").

A120625 - Lleoliad hyd at 5 Pod Gwersylla gydag 1 Pod Ymolchi - Cymeradwywyd gydag Amodau

A210593 – Meddiannu tŷ annedd gweithiwr amaethyddol heb cydymffurfio gyda'r amod perthnasol a osodwyd ar ganiatad cynllunio 860413. Tystysgrif wedi ei rhoi ar y 10/08/2021.

Sylwch fod yr annedd ar gyfer y gweithiwr amaethyddol y cyfeiriwyd ato uchod wedi ei leoli rhyw 1.8km i ffwrdd o'r fferm, i gyfeiriad de-ddwyreiniol.

DATBLYGIAD ARFAETHEDIG

Mae'r cynnig yn gofyn am ganiatâd cynllunio llawn ar gyfer codi annedd sengl a gweithdy. Mae'r wybodaeth a gyflwynwyd yn dangos bod yr ymgeisydd yn fab i'r tîrffeddiannwr ac yn berchennog y busnes fferm / llety twristiaeth yn y pen draw. Mae'r ymgeisydd yn berchen ar fusnes contractio amaethyddol ar wahân ac yn ceisio adeiladu annedd ar Gwmcoedog er mwyn aros yn agos at gartref y teulu a'r fferm wrth barhau i ddatblygu ei fusnes ei hun.

Byddai'r annedd arfaethedig yn cynnwys dyluniad to talcen gyda phortsh ar yr ochr flaen a strwythurau un llawr yn y cefn wedi'u gorffen gyda brics a chladin pren. Byddai'r annedd arfaethedig yn mesur 8.4m o ddyfnder x 16.85m o led x 8.7m o uchder, byddai'r portsh arfaethedig yn mesur 1.57m o ddyfnder x 3.5m o led x 5.8m o uchder a byddai'r strwythur un llawr yn y cefn yn mesur 6m o led x 7.9m o ddyfnder x 4.7m o uchder.

Byddai'r adeilad arfaethedig yn cynnwys cegin/ardal fwyta cynllun agored, ystafell fyw, parlwr bach, swyddfa, ystafell amlbwrpas, toiled a chawod a 4 ystafell wely, 2 gydag ystafell ymolchi en-suite ac ystafell ymolchi teuluol ar y llawr cyntaf.

Byddai'r gweithdy arfaethedig hefyd yn cynnwys ffurf to talcen, wedi'i orffen mewn deunyddiau tebyg i'r annedd arfaethedig a byddai'n mesur 29.5m o ddyfnder x 11.9m o led x 6.5m o uchder.

Deallir bod y gweithdy arfaethedig wedi'i ddylunio i ymateb i ofynion y busnes a dal offer amaethyddol gan gynnwys trelars a chloddiwr 1.5 tunnell.

CYD-DESTUN POLISI

POLISIAU A CHANLLAWIAU CYNLLUNIO CENEDLAETHOL:

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru (Rhifyn 11)

Nodyn Cyngor Technegol (TAN) 6: Cynllunio ar gyfer cymunedau gwledig cynaliadwy

Nodyn Cyngor Technegol (TAN) 12: Dylunio

POLISIAU CYNLLUNIO LLEOL:

Cynllun Datblygu Lleol Ceredigion (2007-2022)

S04 – Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill

LU02 – Gofynion sy'n ymwneud â phob datblygiad preswyl

DM06: Dylunio a Chreu Lle o safon uchel

DM09: Dylunio a Symud

DM10: Dylunio a Thirweddu

DM17: Y Dirwedd yn Gyffredinol

YMATEBION I'R YMGYNGHORIAD

Priffyrdd, Gwasanaethau technegol – Dim gwrthwynebiad yn destun amodau

Draenio Tir, Gwasanaethau technegol – Dim gwrthwynebiad yn destun amodau

Cyfoeth Naturiol Cymru – Nid oes gwrthwynebiad i'r datblygiad arfaethedig fel y'i cyflwynwyd, yn darparu cyfarwyddyd mewn perthynas â draenio dŵr budr ac atal llygredd pe bai caniatâd cynllunio yn cael ei roi.

Dŵr Cymru – Dim gwrthwynebiad

Cyngor Cymuned – Mae'r Cyngor yn dymuno cefnogi pâr ifanc sy'n dymuno aros yn eu cymuned a mynd ati eu hunain i adeiladu ar eu tir.

SYLWADAU TRYDYDD PARTI

Derbyniwyd 2 llythyr o gefnogaeth ac 1 llythyr o wrthwynebiad.

Mae un llythyr o gefnogaeth yn argymhell cymeradwyo yng ngoleuni elfen fusnes y cais a'i gyfraniad lleol posibl. Mae'r ail llythyr o gefnogaeth yn amlinellu nodiadau y dylid cefnogi'r cais gan fod y safle ehangach yn eiddo i deulu sydd wedi aros yno ers cenedlaethau.

Mae'r un llythyr o wrthwynebiad yn honni nad yw'r cynnig yn cael ei gefnogi gan bolisi cynllunio TAN6. Mae'r llythyr hefyd yn tynnu sylw'r ACLI at y ffaith bod y fenter ffermio eisioes wedi elwa o ganiatad cynllunio yn y gorffennol ar gyfer annedd gweithiwr amaethyddol ar y fferm.

YSTYRIAETHAU MATEROL

DEDDF TROSEDD AC ANHREFN 1998

Mae adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol arfer y swyddogaethau hynny ar droseddau ac anhrefn yn ei ardal a'r angen i wneud popeth y gall yn rhesymol i atal hynny. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai 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 oedran; anabledd; ailbennu rhywedd; beichiogrydd a mamolaeth; hil; crefydd neu gred; rhywedd; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil.

Mae rhoi sylw dyledus i hyrwyddo cydraddoldeb yn cynnwys:

- dileu neu leihau anfanteision a ddioddefir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig lle mae'r rhain yn wahanol i anghenion pobl eraill; ac
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

Rhodddwyd ystyriaeth ddyledus i'r ddyletswydd uchod wrth benderfynu ar y cais hwn. Ystyrir nad oes gan y datblygiad arfaethedig unrhyw oblygiadau sylweddol i bersonau sy'n rhannu nodwedd warchoddedig, nac ydyw'n cael unrhyw effaith arnynt, yn fwy nag unrhyw berson arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

CASGLIAD

Mae adran 38(6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn nodi, os oes angen rhoi sylw i'r cynllun datblygu at ddibenion unrhyw benderfyniad sydd i'w wneud o dan y Deddfau Cynllunio, rhaid i'r penderfyniad gael ei wneud yn unol â'r cynllun oni bai bod ystyriaethau perthnasol yn nodi fel arall.

Ceisir caniatâd cynllunio ar gyfer adeiladu annedd o dan bolisiâu TAN6. Cyflwynwyd y cais gydag Arfarniad Mentrau Gwledig yn unol â pharagraff 4.7 o TAN6.

Mae polisi CDLI S04 yn nodi bod 'lleoliadau eraill' yn amhriodol ar gyfer datblygu tai oni bai eu bod yn bodloni angen tai fforddiadwy sydd heb ei ddiwallu neu'n diwallu angen am annedd menter wledig yn unol â TAN6.

Mae polisiâu cenedlaethol yn ei gwneud yn ofynnol i dai newydd a datblygiadau newydd eraill yng nghefn gwlad agored, i ffwrdd o aneddiadau sefydledig, gael eu rheoli'n llym, a bod angen cyfiawnhad arbennig dros dai newydd ynysig yng nghefn gwlad agored yn erbyn y profion fel yr amlinellir yn TAN6.

Mae'r cynnig wedi cael ei ystyried yn erbyn profion TAN6 fel yr amlinellir isod.

Prawf Swyddogaethol

Mae'r prawf swyddogaethol yn mynd i'r afael â'r angen am weithiwr preswyl i'r fenter weithredu'n briodol.

Bydd yr angen swyddogaethol presennol yn hanfodol er mwyn i'r fenter weithredu'n briodol, i un neu ragor o weithwyr fod wrth law y rhan fwyaf o'r amser. Mae'r prawf yn ymwneud â'r hyn sy'n angenrheidiol yn hytrach nag yn ddymunol, gan adlewyrchu'r egwyddor polisi y dylid osgoi datblygiad diangen yng nghefn gwlad agored.

Mae p'un ai yw'r cynnig yn bodloni'r prawf swyddogaethol ychydig yn fwy cymhleth na chais arferol ar gyfer ail annedd ar fferm sefydledig, oherwydd yn yr achos hwn, bydd yr annedd arfaethedig 0.2 milltir o brif safle'r fferm. Byddai graddfa'r fenter yn ei chyfanrwydd, yn cynnwys y fferm, podiau glampio a busnes yr ymgeisydd yn awgrymu y gallai fod angen swyddogaethol i rywun fyw ar y safle yn agos at ble mae'r rhan fwyaf o'r gweithgarwch ffermio yn digwydd. Fodd bynnag, mae'r fferm eisioes yn elwa o annedd gweithiwr amaethyddol nad yw'n cael ei feddiannu gan weithiwr amaethyddol ar hyn o bryd. O ganlyniad, barn yr Adran Gynllunio yw nad yw ychwanegu tŷ annedd arall yn angenrheidiol, er gwaethaf y ffaith fod CLEUD wedi cael ei ganiataw mewn perthynas â thorri'r amod preswyliaeth amaethyddol a osodwyd.

Amlinellir yn yr arfarniad ariannol a gyflwynwyd y bydd un o bartneriaid y fenter a'i deulu yn byw yn yr annedd menter wledig arfaethedig er mwyn parhau i weithio gyda'i dad ar y fferm deuluol yn ogystal â chael ei fusnes ei hun yn datblygu a chynnal adeiladau amaethyddol. Mae'r arfarniad yn mynd ymlaen i ddatgan bod rhieni'r ymgeisydd yn byw ar y fferm ond ar hyn o bryd mae'r ymgeisydd a'i deulu yn byw 20 munud i ffwrdd yn Aberaeron ac felly byddai'r annedd menter wledig arfaethedig yn golygu y gallai'r ymgeisydd ysgwyddo agweddau mwy sylfaenol a llafurddwys ar y busnes yn ogystal â darparu presenoldeb ar y safle ar gyfer y mentrau cyfunol. Mae'n werth nodi fel yr amlinellwyd uchod bod tŷ annedd presennol ar y

safle y gellir eu defnyddio at ddibenion byw ar y fferm.

Roedd yr arfarniad ariannol yn cynnwys asesiad Gofynion Llafur sy'n nodi bod y fenter yn gofyn am o leiaf 2.79 o weithwyr llawn amser i redeg y fenter yn effeithiol.

Ystyrir bod cyfiawnhad digonol wedi'i gyflwyno ynghylch pam y gallai fod angen gweithwyr ychwanegol ar y safle i gynorthwyo gyda menter y fferm a busnes newydd, fodd bynnag mae yna safleoedd presennol y gellir eu defnyddio. Felly, ystyrir bod y cyfiawnhad dros godi annedd newydd yn annerbyniol yn hyn o beth.

Prawf Amser

Fel y trafodwyd uchod, nid yw'r angen swyddogaethol am annedd newydd wedi'i sefydlu o ystyried bod llety presennol ar gael ar y fferm. Rhoddwyd ystyriaeth i nifer y gweithwyr sydd eu hangen i ddiwallu anghenion y fenter wledig, ac mae graddfa a natur y fenter yn berthnasol yn hyn o beth. Prif elfen y fenter fyddai ffermio, gyda 45 o Fuchod Sugno, 650 o Famogiaid Bridio (Texel), 150 o Anifeiliaid Cadw – 150, 8 o Hyrddod ochr yn ochr â 25 hectar yr un o silwair claddfa a silwair bêls mawr. Byddai'r fenter hefyd yn cynnwys y glampio presennol a busnes newydd yr ymgeisydd ac felly byddai'n parhau i fod yn ddaliad o faint sylweddol.

Mae'r gofyniad llafur ar gyfer daliad o'r fath, fel y'i cyfrifir yn y cyflwyniad yn dod i gyfanswm o 6,146.40 o oriau gwaith safonol, sy'n cyfateb i 2.79 o weithwyr llawn amser. Priodolir y mwyafrif helaeth o'r oriau gwaith safonol i elfen ffermio'r busnes yn hytrach na busnes contractio amaethyddol yr ymgeisydd ei hun.

Prawf Ariannol

Mae'r polisi'n gofyn am dystiolaeth o incwm gwirioneddol gan y busnes i asesu cynaliadwyedd economaidd y busnes wrth ddarparu elw marchnad i'r holl weithredwyr a faint o waith rheoli a llafur sy'n ofynnol, gan gynnwys unrhyw gostau sy'n codi ar gyfer y datblygiad arfaethedig.

Cyflwynwyd cyfrifon ar gyfer y busnes, gan ddangos elw net bob blwyddyn rhwng 2018 a 2021. Mae'n amlwg bod y fenter yn broffidiol, ac mae'r dystiolaeth a gyflwynwyd yn dangos y byddai'r busnes yn parhau i fod yn broffidiol. Mae'r ffaith bod y busnes wedi'i sefydlu ers cyfnod hir wedi'i bwysleisio hefyd, ac mae ymrwymiad clir gan y partneriaid busnes i ddilyn ac ymgymryd â mentrau ffermio a thwristiaeth proffidiol.

Mae polisi TAN6 yn nodi'n glir bod yn rhaid i'r fenter sydd ar y safle gynhyrchu elw ariannol a fyddai'n cael ei ystyried yn rhesymol i fyw arno a chaniatáu buddsoddiad yn yr annedd ei hun, a gellid buddsoddi'r elw hwn yn yr anheddau presennol sydd ar yr eiddo. Mae'r arfarniad ariannol a gyflwynwyd yn dangos incwm rhesymol i ganiatáu i'r ymgeisydd adeiladu annedd.

Fodd bynnag, er bod y busnes yn cael ei ystyried yn gynaliadwy yn ariannol, ac y byddai trosiannau presennol yn caniatáu buddsoddiad mewn annedd ychwanegol, nid yw hyn ynddo'i hun yn cyfiawnhau'r angen am annedd ychwanegol.

Prawf Anheddau Eraill

Mae'r ymgeiswyr wedi amlinellu yn eu cyflwyniad bod angen lleoli'r annedd ar y safle i fodloni gofynion y fenter.

Mae'r arfarniad ariannol a gyflwynwyd yn dangos bod bythynnod gwyliau ar y fferm yn llawn am lawer o'r amser. Mae'r wybodaeth a gyflwynwyd yn nodi nad yw'r bythynnod yn addas ar gyfer dai preswyl llawn amser oherwydd bod y maint yn rhy fach i deulu fyw ynddo'n llawn amser a byddai meddiannaeth barhaol yn ei dynnu o incwm y fferm gan ei fod yn gwneud cyfraniad sylweddol at fywoliaeth y teulu.

Mae'r wybodaeth a gyflwynwyd yn honni hefyd nad yw byw mewn pentref cyfagos yn opsiwn ymarferol i'w ystyried oherwydd mae bod yn agos at y busnes fferm a thwristiaeth yn hanfodol.

Yn ystod y cais, cododd yr Awdurdod Cynllunio Lleol fater Bryn Aur gyda'r ymgeiswyr a holodd pam na allai'r tŷ hwn ddarparu ar gyfer anghenion yr ymgeiswyr a pham nad oedd wedi'i ddatgelu fel rhan o'r cais cynllunio. Mewn ymateb, mae'r ymgeiswyr wedi ymateb i egluro bod y byngalo wedi ei etifeddu gan dad a modryb yr ymgeisydd pan fu farw'r famgu. Yna prynwyd y byngalo gan rieni'r ymgeiswyr oddi wrth y fodryb. Mae'r ymgeiswyr wedi egluro ymhellach bod y byngalo'n cael ei etifeddu gan chwaer yr ymgeisydd nad yw'n ymwneud â'r fferm na'r business, a dyna pam y cyflwynwyd CLEUD yn barod ar gyfer ei phreswyl. Mae'r ymgeiswyr hefyd yn dadlau na allai'r eiddo a elwir Bryn Aur gynnwys yr adeilad allanol newydd sy'n ofynnol gan fusnes yr ymgeisydd.

Mewn ymateb fodd bynnag, ac yn unol â'r canllawiau a geir yn Nodyn Cyngor Technegol 6, ni ddangoswyd pam na ellir defnyddio'r annedd gweithiwr amaethyddol presennol hwn i ddiwallu anghenion y fenter na pham na ellir ad-drefnu trefniadau preswyl i sicrhau bod y llety presennol yn cael ei gadw i ddiwallu anghenion y fenter heb fod angen annedd arall. Ymellach, mae'n ymddangos bod y gofrestr tir yn dangos tir sy'n gysylltiedig â'r eiddo a adnabyddir fel Bryn Aur, sy'n dangos posibilrwydd y gellid ei ddefnyddio ar gyfer adeilad allanol yr ymgeisydd, yn ddarostyngedig ar gael y caniatadau

angenrheidiol wrth gwrs.

I grynhoi, nid yw'r cynnig yn bodloni'r gofynion a'r profion o dan TAN6 ac ni ystyrir bod yr egwyddor o annedd newydd yn dderbyniol, yn bennaf oherwydd bod y fferm eisioes yn elwa o annedd gweithiwr amaethyddol y gellid ei ddefnyddio i ddiwallu anghenion y fenter.

Mae TAN6 yn glir yn yr ystyr bod yn rhaid darparu tystiolaeth i ddangos nad oes annedd(au) nac adeiladau eraill ar gael i ddiwallu'r angen ac yn anfodus nid yw hyn wedi'i ddangos yn ddigonol yn yr achos hwn.

Ystyriaethau cynllunio perthnasol eraill

Lleoliad:

Mae TAN6 yn nodi y dylai lleoliad yr annedd arfaethedig berthyn yn agos i'r gweithgareddau y mae angen amdanynt. Yn y rhan fwyaf o achosion, bydd hyn yn golygu y dylid lleoli'r annedd newydd yn agos at adeiladau presennol ac yn achos anheddau ar gyfer mentrau amaethyddol, ni ddylai gael ei ynysu oddi wrth y fferm neu mewn lleoliadau a allai annog darnio fferm.

Yn ystod y cais, gofynnodd yr Awdurdod Cynllunio Lleol (ACLI) felly ai dyma'r lleoliad mwyaf addas ar gyfer yr annedd menter wledig, o ystyried ei lleoliad bant wrth clos y fferm. Gofynnodd yr ACLI a oedd safleoedd eraill mwy addas a oedd yn agosach at y fferm a allai gael eu hystyried yn welliant o ran lleoliad ac effaith ar y dirwedd.

Mewn ymateb, amlygodd yr ymgeisydd y cyfyngiadau topograffig a brofwyd ar y fferm a hefyd bod y safle wedi ei ddewis er mwyn darparu preifatrwydd rhwng eiddo'r rhieni a'r ymgeiswyr.

Maint y Plot:

Mae'r Awdurdod Cynllunio Lleol yn bryderus bod safle'r cais sydd ag ymyl coch yn gorchuddio'r holl gae y mae safle'r cais ynddo, sy'n cael ei ystyried yn ormodol.

Fodd bynnag, mae'r ymgeiswyr wedi nodi eu parodrwydd i leihau maint y safle yn sylweddol, er nad oes unrhyw gynlliau diwygiedig wedi'u derbyn yn ffurfiol gan yr Awdurdod Cynllunio Lleol hyd yma.

Maint yr annedd:

Mae pryderon hefyd wedi eu mynegi gan yr Awdurdod Cynllunio Lleol ynglyn â maint y tŷ arfaethedig, ac yn arbennig yr effaith y byddai hyn yn ei gael ar ei werth, yn enwedig gan fod yr amod ar gyfer annedd gweithwyr menter wledig yn rhaeadru i lawr i eiddo fforddiadwy.

Mae'r ymgeiswyr unwaith eto wedi nodi eu parodrwydd i leihau maint yr annedd, er bod angen trafodeth bellach yn hyn o beth, ynghyd â chyflwyno cynlluniau diwygiedig ffurfiol.

Priffyrdd

Byddai'r cynnig yn defnyddio'r mynediad presennol. Nid oes gan yr adran briffyrdd unrhyw wrthwynebiad i'r datblygiad arfaethedig yn destun amodau. Cynigir y caniateir darpariaeth parcio a throi y tu blaen i'r annedd arfaethedig. Mae pob lle parcio yn 2.4m o led ac yn 4.8m o hyd.

Casgliad

Mae'r datblygiad arfaethedig yn gofyn am ganiatâd cynllunio ar gyfer annedd newydd ar fenter wledig sefydledig.

Wrth ystyried y cynnig yn ei gyfanrwydd, ystyrir nad yw'r datblygiad arfaethedig yn bodloni gofynion polisïau TAN6 ac felly argymhellir ei wrthod, yn bennaf oherwydd bod y fferm eisioes yn elwa o annedd gweithiwr amaethyddol presennol. Felly nid oes angen tŷ pellach ar y fenter a dylid defnyddio'r eiddo presennol i gartrefu'r gweithiwr menter wledig.

Y RHESYMAU A RHODDWDYD GAN YR AELOD LLEOL DROS OFYN I'R CAIS CAEL EI GLYWED GAN Y PWYLLGOR RHEOLI DATBLYGU:

Fel cynghorydd lleol Ward Llanarth, wnaeth ymgeisydd cais A220035 gysylltu gyda fi cyn rhoi'r cais fewn er mwyn cadw fi yn y darlun. Ar ol trafod y cais, roedd gen i bryderon am faint y ty ond ar ol trafodaeth gyda'r adran rheoli datblygu, gan gynnwys trafodaeth am maint y plot, cytunwyd i leihau maint y ddau.

Cyfeirwyd hefyd at y ffaith fod yna annedd arall ynghlwm gyda fferm rhieni'r ymgeisydd. Dyw'r annedd yma ddim yn dod o dan berchnogaeth yr ymgeisydd o gwbl.

Wrth ystyried yr elfennau yma i gyd, rydw i, fel yr Aelod Lleol yn gwbl gefnogol i'r cais yma, sef y rheswm mae o ger eich bron chi fel Pwyllgor.

Mi fyddai'n bresenol i siarad yn y Pwyllgor rheoli datblygu, felly wna'i ymestyn fwy ar y pwyntiau uchod ac ychwanegol bryd hynny

ARGYMHELLIAD:

Gwrthod caniatad cynllunio am y rheswm canlynol:

Oherwydd ei leoliad mewn "Lleoliad Arall" a'r ffaith bod llety preswyl ar gael ar y fferm bresennol, nid yw'r annedd newydd arfaethedig yn bodloni'r meini prawf ar gyfer annedd Menter Wledig newydd ac fe'i hystyrir yn ddatblygiad amhriodol o dan Bolisi CDLI S04 a TAN6.

Rhif y Cais / Application Reference	A220035
Derbyniwyd / Received	10-01-2022
Y Bwriad / Proposal	Codi annedd a gweithdy menter wledig.
Lleoliad Safle / Site Location	Fferm Cwmcoedog, Mydroilyn, Llanbedr Pont Steffan, SA48 7RL
Math o Gais / Application Type	Cynllunio Llawn
Ymgeisydd / Applicant	Mr a Mrs G a B Davies, Llanerch Y Felin, Heol Llyswen, Aberaeron, Ceredigion, SA46 0ED
Asiant / Agent	Mr Rhys ap Dylan (Morgan & Davies), Morgan & Davies, 4 Heol Farchnad, Aberaeron, SA46 0AS

SITE DESCRIPTION

Fferm Cwmcoedog is set in a rural location, in an elevated position over the adjoining valley. Cwmcoedog farmhouse is a traditional, detached 3 bed dwelling positioned within the original homestead, surrounded by modern and older agricultural outbuildings, part of which have been converted into two holiday lets. The farm lies within an 'other location' for the purpose of the LDP.

The five camping pods permitted under application A120625, lie next to the farmyard to the north east.

The application site is set in a rural location and is located away from the homestead and glamping area, within a 1.29 ha field which slopes downwards in a northerly direction to the north-east of the main farmstead.

The site is further surrounded by agricultural land which is farmed throughout the year and owned by the applicant. A rural enterprise assessment has been submitted alongside this application that stipulates that 64.36ha is farmed and 56.36 hectares is owned with a variety of stocks and crops including suckler cows, breeding ewes, rams and big bale silage.

RELEVANT HISTORY

D1.413.86 – Outline planning permission for the erection of an agricultural workers dwelling - Pt OS 180, Penlanfach Fields, Cribyn Road, Mydroilyn. Approved, subject to conditions – 26th June, 1986. (Known as "Bryn Aur").

D1.913.86 – Approval of reserved matters – Erection of an agricultural workers dwelling – Pt OS 180, Penlanfach, Cribyn Road, Mydroilyn. Approved, subject to conditions – 31st October, 1986. (Known as "Bryn Aur").

A120625 - Siting of up to 5 Camping Pods with 1 Wash Pod - Approved Subject to Conditions

A210593 – CLEUD – Occupation of dwelling house in breach of an agricultural condition imposed on planning permission 860413. Certificate granted – 10/08/2021.

Note that the agricultural workers dwelling referred to above is located some 1.8km away from the farmstead, in a south-easterly direction.

PROPOSED DEVELOPMENT

The proposal seeks full planning permission for the erection of a detached dwelling and workshop. The submitted information indicates that the applicant is the son of the landowner and ultimate farm / tourist accommodation business owner. The applicant owns a separate agricultural contracting business and seeks to construct a dwelling on Cwmcoedog to remain close to the family homestead and farm while continuing to develop his own business.

The proposed dwelling would feature gable pitch design with front porch and single storey rear projections finished with brick and timber cladding. The proposed dwelling would measure 8.4m deep x 16.85m wide x 8.7m high, the proposed porch would measure 1.57m deep x 3.5m wide x 5.8m high and the single storey rear projection would measure 6m wide x 7.9m deep x 4.7m high.

The proposed dwelling would include open plan kitchen/dining area, living room, snug, office, utility room, w/c & shower and 4 bedrooms, 2 with en-suite and family bathroom at first floor level.

The proposed workshop would also feature a gable roof form, finished in similar materials to the proposed dwelling and would measure 29.5m deep x 11.9m wide x 6.5m high.

It is understood the proposed workshop has been designed to accommodate business requirements and agricultural equipment including trailers and a 1.5 tonne digger.

POLICY CONTEXT

NATIONAL PLANNING POLICIES AND GUIDANCE:

- Future Wales: The National Plan 2040
- Planning Policy Wales (Edition 11)
- Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)
- Technical Advice Note 12: Design (2009)

LOCAL PLANNING POLICIES AND GUIDANCE:

Ceredigion Local Development Plan (2007-2022)

S04 – Development in Linked Settlements and Other Locations

LU02 – Requirements regarding all residential development

DM06: High Quality Design and place making

DM09: Design and Movement

DM10: Design and Landscaping

DM17: General Landscape

CONSULTATION RESPONSES

Highways, Technical services – No objection subject to conditions

Land Drainage, Technical services – No objection subject to conditions

NRW – Has no objection to the proposed development as submitted. Provided guidance in relation to foul drainage and pollution prevention should planning permission be granted.

Dwr Cymru – No objection

Community Council – The Council wishes to support a young couple who wish to stay in their community and build on their land themselves.

THIRD PARTY REPRESENTATIONS

2 letters of support and 1 letter of objection has been received.

One letter of support, recommends approval in light of the business component of the application and its potential local contribution. The second letter of support outlines notes that the application should be supported as the wider site is owned by a family who have stayed there for generations.

The one letter of objection claims the proposal is not supported by TAN 6 planning policy. The letter also draws the LPA's attention to the fact that the farming enterprise has already benefitted from a grant of planning permission in the past for an agricultural workers dwelling on the farm.

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.

CONCLUSION

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

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

Planning permission is sought for the construction of a dwelling under TAN6 policies. The application has been submitted with a Rural Enterprise Appraisal in line with para 4.7 of TAN 6.

LDP policy S04 states that 'other locations' are inappropriate for housing development unless it satisfies an unmet affordable housing need or meets a need for a rural enterprise dwelling in line with TAN6.

National policies require that new housing and other new development in the open countryside, away from established settlements, should be strictly controlled, isolated new houses in the open countryside require special justification against the tests as outlined in TAN6.

The proposal has been considered against the TAN 6 tests as outlined below.

Functional Test

The functional test addresses the need for a resident worker for the proper functioning of the enterprise.

The existing functional need shall be essential for the proper function of the enterprise, for one or more workers to be readily available at most times. The test is one of necessity rather than desirability, reflecting the policy principle that unnecessary development in the open countryside should be avoided.

Whether or not the proposal meets the functional test is somewhat more complex than a typical application for a second dwelling on an established farm, as in this case, the proposed dwelling is positioned 0.2 miles away from the main farm complex. The scale of the enterprise as a collective including the farm, glamping pods and the applicant's business would indicate that there may be a functional need for someone to live on site close to where the majority of the farming activity takes place. However, the farm already benefits from an agricultural worker's dwelling which is not currently occupied by an agricultural worker. The addition of another dwellinghouse is therefore not deemed necessary, despite the fact that a CLEUD has been granted in relation to the breach of the agricultural occupancy condition imposed.

It is outlined within the submitted financial appraisal that one of the partners of the enterprise and his family will reside at the proposed rural enterprise dwelling to continue to work with his father on the family farm as well as having his own business of developing and maintaining agricultural buildings. The appraisal continues to state that the applicants' parents live on the farm but currently the applicant and his family live 20 minutes away in Aberaeron and therefore the proposed rural enterprise dwelling would allow the applicant to take over the more fundamental and labour-intensive aspects of the business as well as providing an on-site presence for the collective enterprises. It is noteworthy as outlined above that there is an existing dwellinghouse associated with the farm that can be utilised for the function of living on the farm.

The financial appraisal included a Labour Requirements assessment that stipulates that the enterprise requires a minimum of 2.79 full time workers to effectively run the enterprise.

It is regarded that sufficient justification has been submitted as to why additional workers may be required on site to assist with the farm enterprise and new business, however there are existing premises that can be utilised. Therefore, the justification for the erection of a new dwelling is considered unacceptable in this regard.

Time Test

As discussed above, a functional need for a new dwelling has not been established given the availability of existing accommodation at the farm. Consideration has been given to the number of workers to meet the needs of the rural enterprise, for which the scale and nature of the enterprise is relevant. The main element of the enterprise would be farming, with 45 Suckler Cows, 650 Breeding Ewes (Texel), 150 Flock Replacements – 150, 8 Rams alongside 25 hectares each of clamp and big bale silage. The enterprise would also include the existing glamping and the applicant's new business and therefore would remain a substantially sized holding.

The labour requirement for such a holding, as calculated within the submission comes to 6,146.40 total standard man-hours, which equates to 2.79 full time workers. The vast majority of the standard man hours are attributed to the farming element of the business as opposed to the applicant's own agricultural contracting business.

Financial Test

The policy requires evidence of actual income from the business to assess the economic sustainability of the business in providing a market return for all operators and the amount of management and manual labour required, including any cost incurred for the proposed development.

Accounts have been submitted for the business, showing a net profit each year from 2018 to 2021. It is evident that the enterprise is profitable, and the evidence submitted would indicate that the business would remain profitable. Weight has also been given to the fact the business is long standing and there is a clear commitment by the business partners to undertaking and pursuing profitable farming and tourism enterprises.

TAN6 policy clearly states that the enterprise on site must yield a financial return which would be deemed reasonable to live off and allow the investment in the dwelling itself, this could be invested into the existing dwellings on the property. The submitted financial appraisal demonstrates a reasonable income to allow the applicant to build a dwelling.

However even though the business is considered financially sustainable, and current turnovers would allow investment in an additional dwelling, this in itself does not warrant the necessity for an additional dwelling.

Other Dwellings Test

The applicants have outlined within their submission that the dwelling needs to be located on site to meet the requirements of the enterprise.

The submitted financial appraisal indicates that there are holiday cottages on the farm that have high levels of occupancy. The information submitted states that the full time occupation of the holiday cottages is not viable due to the size being too small for a family to reside in full time and permanent occupation would remove these from the farm income as they contribute significantly to the livelihood of the family.

The submitted information also claims that living in a nearby village is not a viable option for consideration, as having to be in close proximity to the farm and tourism business is essential.

During the course of the application, the Local Planning Authority raised the issue of Bryn Aur with the applicants and enquired as to why this dwelling could not accommodate the needs of the applicants and why it hadn't been disclosed as part of the planning application. In response, the applicants have responded to explain that the bungalow was inherited by the applicant's father and aunt when the grandmother passed away. The bungalow was then purchased by the applicants parents from the aunt. The applicants have further explained that the bungalow is being inherited by the applicants sister who is not involved in the farm or business, which is why the CLEUD was submitted in readiness for her occupation. The applicants also argue that the property known as Bryn Aur could not accommodate the new outbuilding which is required by the applicant's own business.

In response however, and as per the guidance found in Technical Advice Note 6, it has not been demonstrated why this existing agricultural workers dwelling cannot be used to meet the needs of the enterprise or why residential arrangements cannot be re-organised to ensure that the existing accommodation is kept available to meet the needs of the enterprise without the need for a further dwelling. Furthermore, the land registry appears to show land associated with the property known as Bryn Aur, which suggests a possibility that it could be used as a base for the applicant's outbuilding, subject to obtaining the necessary consents.

In summary, the proposal fails to meet the requirements and tests under TAN 6 and the principle of a new dwelling is not

considered acceptable, primarily due to the fact that the farm already benefits from an agricultural workers dwelling which could be used to meet the needs of the enterprise.

TAN 6 is clear in that evidence must be provided to demonstrate that there are no other dwelling(s) or buildings that are available to meet the need and unfortunately this has not been adequately demonstrated in this instance.

Other relevant planning considerations:

Siting:

TAN6 states that the siting of any proposed dwelling should relate closely to the activities for which there is a need. In most cases, this will mean that the new dwelling should be sited in close proximity to existing buildings and in the case of dwellings for agricultural enterprises, should not be isolated from the farmstead or in locations that could encourage farm fragmentation.

During the course of the application, the Local Planning Authority posed the question therefore as to whether or not this is the most suitable location for the rural enterprise dwelling, given its slightly divorced location away from the main farmstead. The LPA asked whether or not there were other more suitable sites which were closer to the farmstead that could be considered instead, as an improvement in terms of siting and landscape impact.

In response, the applicant highlighted the topographical constraints experienced at the farm and also that the site had been chosen in order to provide privacy between the parents and applicants properties.

Large Plot Size:

The Local Planning Authority are concerned that the application site edged in red covers the entire field in which the application site is situated, which is considered to be excessive.

The applicants have however indicated their willingness to significantly reduce the size of the application site, although no revised plans have been formally received by the Local Planning Authority to date.

Size of dwelling:

Concerns have also been expressed by the Local Planning Authority in respect of the size of the proposed dwelling, and in particular the effect this would have on its value, especially as the occupancy condition for a rural enterprise workers dwelling cascades down to an affordable property.

The applicants have again indicated their willingness to reduce the size of the dwelling, although further negotiation is required in this regard, along with the submission of formal revised plans.

Highway consideration

The proposal would utilise the existing access. Highways have no objection to the proposed development subject to conditions. It is proposed that parking and turning provision will be allowed for to the front of the proposed dwelling. Each parking space is 2.4m wide and 4.8m in length.

Conclusion

The proposed development seeks planning permission for a new dwelling on an established rural enterprise.

On considering the proposal in its entirety, on balance it is considered the proposed development does not meet the requirements of TAN6 policies and as such is recommended for refusal, primarily due to the fact that the farm already benefits and has access to an existing agricultural workers dwelling. There is therefore no need for a further dwelling at the enterprise and use should be made of the existing property to house the rural enterprise worker.

REASONS GIVEN BY THE LOCAL WARD MEMBER FOR REQUESTING THAT THE APPLICATION BE HEARD BY THE DEVELOPMENT MANAGEMENT COMMITTEE:

As a local councillor for Llanarth Ward, the applicant of application A220035 contacted me before submitting the application in order to keep me in the picture. After discussing the application, I had concerns about the size of the house but after discussion with the development management department, including discussion about the size of the plot, it was agreed to reduce the size of both.

Reference was also made to the fact that there is another dwelling attached to the applicant's parents' farm. This dwelling does not come under the applicant's ownership at all.

When considering all these elements, I, as the local member am fully supportive of this application, which is the reason it is

before you as a Committee.

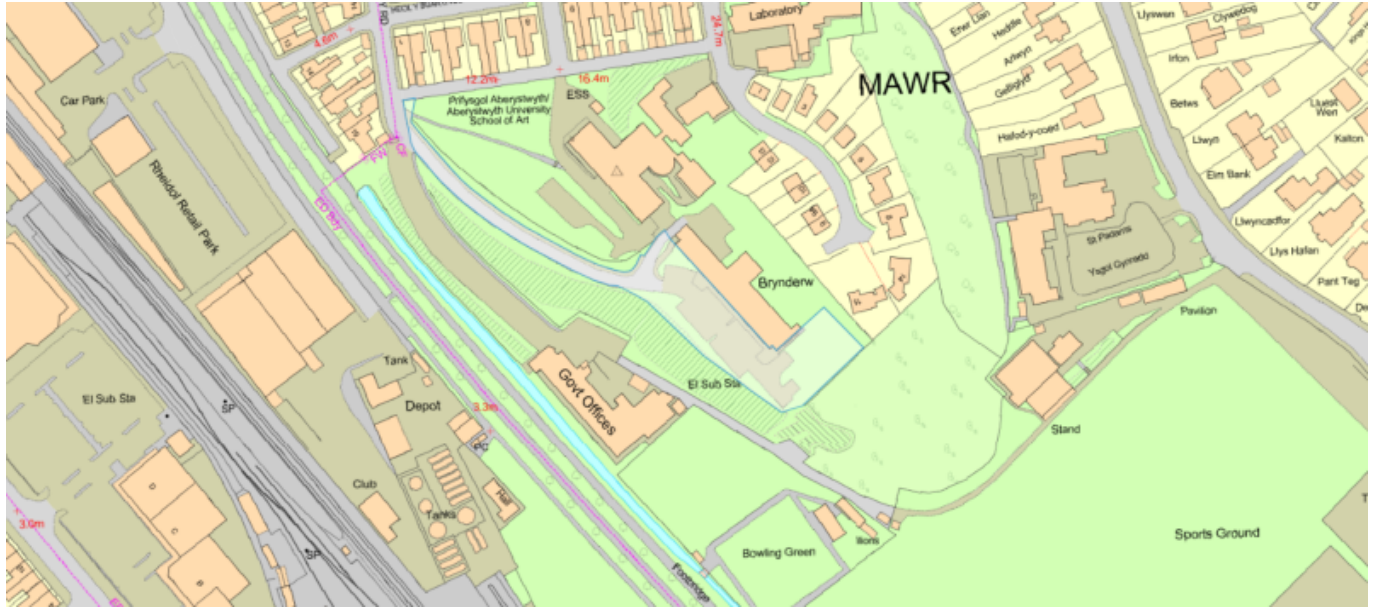
I will be present to speak at the Development Management Committee, so I will extend more on the above and make additional points then.

RECOMMENDATION:

That planning permission be **refused** for the following reason:

1. By reason of its siting in an Other Location and the availability of alternate residential accommodation within the existing farmstead, the proposed new dwelling fails to meet the criteria for a new Rural Enterprise dwelling and is considered inappropriate development under LDP Policy S04 and TAN6.

2.4. A220250



Rhif y Cais / Application Reference	A220250
Derbyniwyd / Received	27-03-2022
Y Bwriad / Proposal	Erection of a detached block of flats, six storeys in height (sixth storey within roof space), containing 24 units with associated car parking and communal amenity spaces.
Lleoliad Safle / Site Location	Area of land adjacent to the Brynderw Building, Stanley Road, Aberystwyth. SY23 1LB
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY
Asiant / Agent	Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

Y SAFLE A HANES PERTHNASOL

Mae Bryn Derw yn adeilad gweddol fodern pum llawr yn ardal Buarth yn Aberystwyth. Mae'r safle wedi'i amgylchynu gan anheddau preswyl i'r gogledd, ardal goediog i'r dwyrain, bloc uchel o swyddfeydd i'r de ac adeiladau Prifysgol Aberystwyth i'r gorllewin. Defnyddiwyd yr adeilad yn flaenorol gan y Brifysgol fel llety ac roedd yn cynnwys 146 o ystafelloedd gwely. Roedd yr adeilad wedi bod yn wag am nifer o flynyddoedd ond ers hynny mae wedi cael ei drawsnewid i 30 o fflatiau. Mae'r safle o fewn ardal gadwraeth y dref.

Hanes Cynllunio

A900351	Newid defnydd i swyddfeydd	Cymeradwywyd gydag Amodau 30/04/1990
A951196	Newid defnydd o swyddfeydd i ddarparu llety gyda 121 fflat un ystafell a fflat warden	Tynnwyd yn ôl 14/02/1996
A960835	Newid defnydd, addasu ac ymestyn i 30 o fflatiau.	Cymeradwywyd 27/11/1996
A210388	Amrywio amod 2 y caniatâd cynllunio 960835 (cynlluniau diwygiedig).	Cymeradwywyd gydag Amodau 07/07/2021

MANYLION Y DATBLYGIAD

Mae'r cais sy'n cael ei ystyried yma yn gofyn am ganiatâd cynllunio llawn ar gyfer adeiladu datblygiad preswyl o fewn y parcel o dir sy'n gysylltiedig â Brynderw, Ffordd Stanley, Aberystwyth. Mae hyn yn ychwanegol at y 30 o anheddau preswyl sydd eisoes wedi'u cymeradwyo.

Wrth benderfynu ar y cais, mae maint yr adeilad wedi'i ostwng o un llawr. Mae hyn wedi arwain at ddiddymu dwy uned o'r cynllun.

Mae cyfanswm o 24 o fflatiau bellach yn cael eu cynnig dros chwe llawr (y chweched llawr yng ngofod y to) gyda'r disgrifiad o'r datblygiad wedi'i ddiweddarau'n unol â hynny (drwy gydsyniad y ddwy ochr) ac ar y sail hon y penderfynwyd ar y cais.

Mae'r gymysgedd tai yn cynnwys 4 fflat symudedd 2 ystafell wely ar y llawr gwaelod gyda gweddill y fflatiau'n unedau 2 ystafell wely. Mae gan bob uned gegin/lolfa/ystafell fwyta cynllun agored.

Byddai gan y fflatiau ar yr ochr dde-orllewinol falconi.

Yn allanol, byddai'r adeilad yn cael ei orffen gyda rendrad llyfn gydag ardaloedd cyferbyniol o gladin. Byddai'r manylion gwaith saer yn cael eu gorffen mewn llwyd tywyll (anthracite), a byddai balwstrad y balconïau yn cael ei orffen mewn gwyrdd. Byddai'r to ar oledf yn cael ei orffen mewn llechen naturiol.

Ni chynigir unrhyw welliannau i'r mynediad presennol i'r safle sydd oddi ar Ffordd Stanley.

Yn allanol, mae'r cynllun tirlunio a gyflwynwyd yn dangos sut bydd coed a gwrychoedd newydd brodorol yn cael eu plannu o flaen yr adeilad a'r tu ôl iddo. Bydd man amwynder ar gael hefyd yng nghefn yr adeilad i breswylwyr presennol a rhai'r dyfodol a bydd meinciau picnic yn cael eu darparu.

Mae ardaloedd dan orchudd ar gyfer storio sbwriel yn cael eu cynnig hefyd.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

- DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Iaith Gymraeg
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM05 Datblygu Cynaliadwy a Lles Cynllunio
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM07 Ardaloedd Cadwraeth
- DM08 Arwyddion Dwyieithog ac Enwau Llefydd
- DM09 Dylunio a Symud
- DM10 Dylunio a Thirweddu
- DM11 Dylunio ar gyfer y Newid yn yr Hinsawdd
- DM12 Seilwaith Cyfleustodau
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol

- DM19 Tirweddau Hanesyddol a Diwylliannol
- DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd
- DM22 Gwarchod a Gwella'r Amgylchedd yn Gyffredinol
- LU02 Gofynion sy'n ymwneud â phob Datblygiad Preswyl
- LU04 Diwallu Amrywiaeth o Anghenion Tai
- LU05 Sicrhau Cyflenwi Datblygiadau Tai
- LU06 Dwysedd Tai
- LU24 Darparu Mannau Agored Newydd
- S01 Twf Cynaliadwy
- S02 Datblygu mewn Canolfannau Gwasanaethau Trefol
- S05 Tai Fforddiadwy
- Canllawiau Cynllunio Atodol Cymuned a'r Gymraeg 2015
- Canllawiau Cynllunio Atodol Mannau Agored Ebrill 2014
- Taflen Gymorth Canllawiau Cynllunio Atodol Cymuned a'r Gymraeg 2015
- Canllawiau Cynllunio Atodol Safonau Parcio Cyngor Sir Ceredigion 2015
- Canllawiau Cynllunio Atodol Asesiad Trafnidiaeth 2015
- Canllawiau Cynllunio Atodol Ynni Adnewyddadwy 2015
- Canllawiau Cynllunio Atodol Amgylchedd Adeiledig a Dylunio 2015

- Canllawiau Cynllunio Atodol Cadwraeth Natur 2015
- Canllawiau Cynllunio Atodol Tai Fforddiadwy 2014
- Taflenni Cymorth Canllawiau Cynllunio Atodol Tai Fforddiadwy 2014
- Cymru'r Dyfodol: Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)
- TAN10 Gorchmynion Cadw Coed (1997)
- TAN12 Dylunio (2016)
- TAN16 Chwaraeon, Hamdden a Mannau Agored (2009)
- TAN18 Trafnidiaeth (2007)
- TAN2 Cynllunio a Thai Fforddiadwy(2006)
- TAN20 Cynllunio a'r Gymraeg (2017)
- TAN5 Cynllunio a Chadwraeth Natur(2009)

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol arfer y swyddogaethau hynny ar droseddau ac anrhefn yn ei ardal a'r angen i wneud popeth y gall yn rhesymol i atal hynny. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai 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 oedran; anabled; aillbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhywedd; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw dyledus i hyrwyddo cydraddoldeb yn cynnwys:

- dileu neu leihau anfanteision a ddioddefir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig lle mae'r rhain yn wahanol i anghenion pobl eraill; ac
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

Rhodddwyd ystyriaeth ddyledus i'r ddyletswydd uchod wrth benderfynu ar y cais hwn. Ystyrir nad oes gan y datblygiad arfaethedig unrhyw oblygiadau sylweddol i bersonau sy'n rhannu nodwedd warchoddedig, nac ydyw'n cael effaith arnynt, yn fwy nag unrhyw berson arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION I'R YMGYNGHORIAD

Cyngor Tref Aberystwyth – Gwrthwynebu'n Gryf

Priffyrdd – Dim Gwrthwynebiad yn Destun Amodau

Draenio Tir – Angen cymeradwyaeth System Ddraenio Gynaliadwy

Ecoleg – Dim Gwrthwynebiad yn Destun Amodau

Cyfoeth Naturiol Cymru – Dim Gwrthwynebiad yn Destun Amodau

Dŵr Cymru – Dim Gwrthwynebiad yn Destun Amodau

Tân ac Achub Canolbarth Cymru – Dim Gwrthwynebiad yn Destun Amodau

Mae Cyngor Tref Aberystwyth yn Gwrthwynebu ar sail y traffig a gynhyrchir, gorddatblygu'r safle, colli mannau gwyrdd a choed, diffyg lle i storio sbwriel, diffyg llefydd parcio, dim darpariaeth trafndiaeth gynaliadwy, dim tai fforddiadwy a diystyru ymgynghoriad cyn ymgeisio. Mae Cyngor Tref Aberystwyth yn gofyn hefyd, petai caniatâd yn cael ei roi, bod amod yn cael ei atodi yn sicrhau bod yr unedau'n cael eu defnyddio fel tai annedd, yn cael eu defnyddio fel unig neu brif breswylfeydd ac nid fel llety gwyliau.

Derbyniwyd cyfanswm o 23 o wrthwynebiadau gan 17 trydydd parti, gyda sylwadau'n adleisio'r pryderon a godwyd gan Gyngor Tref Aberystwyth ond yn cynnwys pryderon ynghylch effaith weledol, effaith ecolegol, sefydlogrwydd tir, cyd-gloi, sŵn, effaith ar ardal gadwraeth, ac ymddygiad gwrthgymdeithasol.

Mynegwyd pryderon hefyd ynghylch y posibilrwydd o ddatblygiadau pellach ar y safle yn ychwanegol at yr hyn sydd eisoes wedi'i gynnig yma.

Materion sy'n ymwneud ag effaith y datblygiad arfaethedig ar gadernid strwythurol adeiladau cyfagos yw materion yr ymdrinnir â hwy o dan y Rheoliadau Adeiladu ac fel materion preifat rhwng y partiön sy'n ymwneud yn uniongyrchol, ac nid ydynt yn effeithio ar rinweddau cynllunio'r cynigion sy'n cael eu hystyried.

CASGLIAD

Mae adran 38(6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn nodi os oes angen rhoi sylw i'r cynllun datblygu at ddiben unrhyw benderfyniad sydd i'w wneud o dan y Deddfau cynllunio, rhaid i'r penderfyniad gael ei wneud yn unol â'r cynllun oni bai bod ystyriaeth berthnasol yn nodi fel arall.

Egwyddor Datblygu

Mae'r polisi cynllunio cenedlaethol yn cydnabod rôl Aberystwyth fel ardal twf rhanbarthol ar gyfer rhanbarth y canolbarth.

Mae Polisi S01 y CDLI yn ymwneud â Thwf Cynaliadwy ac mae hyn yn nodi ei bod yn ofynnol i tua 6,544 o anheddau gael eu datblygu erbyn diwedd cyfnod y cynllun yn 2022. Strategaeth y CDLI yw y bydd 51% o ddatblygiadau tai newydd ar draws y Sir yn digwydd yn y Canolfannau Gwasanaethau Trefol, dros gyfnod y cynllun, bydd 24% yn y Canolfannau Gwasanaethau Gwledig a bydd 25% mewn aneddiadau a lleoliadau eraill (gan gynnwys aneddiadau cyswllt).

Mae safle'r cais o fewn ffin aneddiad diffiniedig Aberystwyth, sy'n cael ei dynodi'n Ganolfan Gwasanaethau Trefol yn y Cynllun Datblygu Lleol (CDLI).

Mae Polisi S02 y CDLI yn ymwneud â 'Datblygu mewn Canolfannau Gwasanaethau Trefol' ac mae hyn yn ei gwneud yn ofynnol bod pob datblygiad o fewn terfynau diffiniedig y Canolfannau Gwasanaethau Trefol. Yn Aberystwyth, mae'n ofynnol i ddatblygiad gyfrannu hefyd at gynnal ei statws fel anheddiad o bwys cenedlaethol ac fel canolfan strategol i'r Canolbarth ac mae'n cefnogi amcanion a chynlluniau gweithredu cyfredol sy'n ymwneud â'i statws o ran Adfywio Strategol.

Cyfanswm y gofyniad ar gyfer darparu tai yn Aberystwyth fel y nodir yn y CDLI yw 1877. Mae ffigurau diweddaraf (Ionawr 2023) CDLI ar gyfer monitro tai yn dangos mai dim ond 583 o anheddau sydd wedi'u cwblhau yn y Ganolfan Gwasanaethau Trefol gyda chaniatâd ar gyfer 294 yn rhagor o anheddau. Felly, gan gyfrif dymchweliadau ac addasiadau (-71) mae lle i 1071 yn rhagor o anheddau eraill yn Aberystwyth. O'r herwydd, ystyrir y byddai'r cynigion yn cydymffurfio â Pholisïau S01 a S02 y CDLI a derbynir yr egwyddor o ddatblygu.

Y Gymraeg

Ar gyfer polisi DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Iaith Gymraeg, mae angen darparu Asesiad o'r Effaith ar Gymuned a'r Effaith Ieithyddol mewn perthynas â datblygiadau tai mewn canolfannau gwasanaethau lle byddai'r datblygu'n digwydd yn gyflymach na'r hyn y cyfeirir ato yn natganiad y Grŵp Aneddiadau.

Ni fyddai'r datblygiadau tai arfaethedig yn digwydd yn gyflymach na'r hyn y cyfeirir ato yn Natganiad y Grŵp Aneddiadau, ac o'r herwydd ystyrir y gellir cyflawni'r datblygiad heb effeithio'n negyddol ar broffil Cymunedol ac Ieithyddol Aberystwyth.

Tai Fforddiadwy

Mae Polisi S05 – 'Tai Fforddiadwy' yn ei gwneud yn ofynnol i bob datblygiad preswyl ddarparu tai fforddiadwy ar y safle neu gyfraniad tuag at ddarpariaeth tai fforddiadwy. Yn yr achos hwn, er mwyn bodloni polisi S05, mae'n ofynnol i nifer sy'n cyfateb i 4.8 annedd fforddiadwy gael ei ddarparu naill ai ar y safle neu drwy swm gohiriedig.

Cyflwynir gwybodaeth ariannol i gefnogi'r cais, sy'n dangos nad yw'r cynllun yn hyfyw wrth sicrhau datblygiad 4.8 uned.

Felly, mae'r cais sy'n cael ei ystyried yma yn ceisio darparu 4 uned tai fforddiadwy ar y safle, heb unrhyw

swm gohiriedig yn daladwy. Bydd pob un o'r pedair uned fforddiadwy ar y llawr gwaelod a byddant yn hygyrch i gadeiriau olwyn. Yn gyntaf, bydd yr unedau fforddiadwy yn cael eu dyrannu fel Rhenti Canolradd gyda'r opsiwn o fewn cytundeb A106 i newid i Ar Werth am Bris Gostyngol. Ymgynghorwyd â'r gofrestr anghenion tai fel rhan o ystyriaeth o'r cais ac ystyrir bod y cymysgedd hwn o dai fforddiadwy yn dderbyniol i'r Awdurdod Cynllunio Lleol.

Effaith ar Amwynder Preswyl

Mae Maen Prawf 7 Polisi DM06 yn ceisio diogelu amwynder deiliaid eiddo cyfagos rhag niwed sylweddol mewn perthynas â phreifatrwydd, sŵn a golygon. Mae eiddo preswyl yn agos iawn at y safle.

Mae'r cynlluniau gweddlyn a gyflwynwyd fel rhan o'r cais yn dangos na fydd yr eiddo yn fwy na chrib y bloc o fflatiau presennol ac oherwydd topograffi'r tir bydd y safle islaw eiddo cyfagos ar Goed y Buarth.

Mae cynllun safle yn dangos sut y gellid gosod y bloc o fflatiau arfaethedig er mwyn sicrhau na fyddai'r datblygiad arfaethedig yn arwain at unrhyw niwed andwyol i amwynder preswyl preswylwyr presennol.

Ystyrir hefyd y gallai'r datblygiad arfaethedig gael ei gyflawni er mwyn sicrhau pellter gwahanu digonol rhwng ystafelloedd cyfanheddol yr anheddau unigol fel y nodir gyda Chanllawiau Cynllunio Atodol Amgylchedd Adeiledig a Dylunio Ceredigion.

Nid oes unrhyw reswm i gredu y byddai lleoliad, dyluniad neu adeiladu'r datblygiad arfaethedig yn debygol o arwain at effeithiau sŵn afresymol ar eiddo cyfagos. Pe bai gweithrediadau adeiladu yn mynd yn afresymol, byddai trigolion lleol yn gallu troi at ddeddfwriaeth iechyd yr amgylchedd.

Dylunio ac Effaith Weledol

DM06 yw polisi creu lle y CDLI ac mae'n nodi y dylai Datblygiad roi ystyriaeth lawn i gyd-destun ei leoliad a'i amgylchedd a chyfrannu'n gadarnhaol ato. Dylai datblygiad adlewyrchu dealltwriaeth glir o egwyddorion dylunio, y gyd-destun ffisegol, cymdeithasol, economaidd ac amgylcheddol lleol a dylai hyrwyddo dylunio arloesol gan roi sylw dyledus yr un pryd i nodweddion unigryw lleol a threftadaeth ddiwylliannol o ran ffurf, dyluniad a deunydd. Dylai cynigion datblygu ategu'r safle a'i amgylchedd hefyd o ran cynllun, parchu golygfeydd o'r safle ac i'r safle, gan gynhyrchu ffurf gydlynus mewn perthynas â graddfa, uchder a chyfran y ffurf adeiledig bresennol.

Mae Canllawiau Cynllunio Atodol Dylunio ac Amgylchedd Adeiledig y mae'r cyngor wedi'i fabwysiadu yn rhoi DM06 ar waith ac mae'n rhoi arweiniad ar y materion y mae angen eu hystyried wrth ddatblygu adeiladau amrywiol. Mae Adran 2 y Canllawiau yn ystyried sut dylai cynigion ymateb i Gymeriad Ceredigion. Mae Ceredigion yn ffodus o gael hanes cyfoethog, sy'n aml yn cael ei adlewyrchu yn nifer o'i adeiladau a'i lefydd. Er mwyn gwella ansawdd amgylchedd adeiledig Ceredigion, mae'n hanfodol bod datblygiad newydd yn seiliedig ar asesiad trylwyr o gymeriad lleol.

Mae'r Canllawiau Cynllunio Atodol yn rhoi arweiniad ar yr elfennau perthnasol i'w hystyried wrth ddylunio cynnig sy'n ymateb i Gymeriad lleol Ceredigion, a phobl a chysylltedd yw dwy o'r pedair prif elfen bresennol i'w hystyried.

Ystyrir bod maint a dyluniad y datblygiad arfaethedig yn adlewyrchu maint a dyluniad adeilad presennol Brynderw. Ystyrir lleoliad y datblygiad arfaethedig i ategu'r safle a'r ardal gyfagos drwy ddarparu canolbwynt wrth i bobl groesi'r safle.

Ystyrir y byddai dyluniad ac ymddangosiad gweledol y datblygiad arfaethedig yn cael ei wella ymhellach gan gynllun tirweddu a fyddai'n cael ei sicrhau drwy amod.

Effeithiau Treftadaeth

Mae'r safle yn ardal gadwraeth Canol Tref Aberystwyth ac mae Adeilad Edward Davies, sy'n adeilad rhestredig Gradd II*, union wrth ymyl y safle. Mae'r Adeilad wedi'i restru am ei fod ymhlith y labordai cemegol cynharaf pwrpasol i gael eu hadeiladu unrhyw le yn y byd a'r cyntaf yng Nghymru. Caiff nifer fawr o adeiladau rhestredig ychwanegol eu nodi hefyd fel rhai sydd o fewn cyffiniau'r safle gan gynnwys Llyfrgell Genedlaethol Cymru, adeilad rhestredig Gradd II*.

Mae'r asedau treftadaeth hyn yn benodol mewn lleoliadau amlwg ar ochr y bryn ac maent i'w gweld yn hawdd o Goedlan y Parc, un o'r prif lwybrau i mewn i ganol tref Aberystwyth.

Ystyrir bod y datblygiad arfaethedig wedi'i ddylunio'n sensitif fel nad yw'n cystadlu â'r ased o ran amlygrwydd ar ochr y bryn, yn hytrach mae wedi'i ddylunio fel pe bai'n israddol i'r Adeilad Brynderw presennol. O'r herwydd, ni ystyrir bod y datblygiad arfaethedig yn achosi niwed andwyol i leoliad yr adeiladau rhestredig hyn na'r ardal gadwraeth ehangach.

Dwysedd

Mae'r ffin llinell goch a ddarperir yn mesur tua 0.360 hectar. Yn seiliedig ar ddatblygu 24 uned, mae hyn yn cyfateb i ddwysedd o tua 66 annedd yr hectar. Ystyrir bod hyn yn briodol yn unol â pholisi LU06 y CDLI, lle argymhellir dwysedd o 30-80 uned yr hectar yn y craidd trefol, fodd bynnag dylid nodi hefyd o dan Bolisi LU24:

Mannau Agored Cyhoeddus

mae darparu Mannau Agored Newydd yn ei gwneud yn ofynnol i ddatblygiad ar safleoedd heb eu dyrannu i ddarparu man agored os yw'r datblygiad yn arwain at ddarparu cyfanswm o fwy na 10 ystafell wely.

Dylid darparu man agored yn unol â meincnodau a nodwyd ym Mhecyn Cymorth Gofod Gwyrdd Cyngor Cefn Gwlad Cymru (CCGC) (Cyfoeth Naturiol Cymru erbyn hyn) a Safonau Meysydd Chwarae Cymru (FIT). Mae Canllawiau Cynllunio Atodol Mannau Agored Ceredigion yn rhoi eglurder pellach ar y ddarpariaeth ofynnol ar gyfer manau agored a nodir fel 2.8ha fesul 1000 o bobl. Mae'r fformiwla ar gyfer cyfrifo cyfanswm y man agored sydd ei angen fel a ganlyn:

2.8ha fesul 1000 o'r boblogaeth 2.8/1000 * nifer yr ystafelloedd gwely = gofod cyffredinol.

Mae'r datblygiad arfaethedig yn darparu ar gyfer 48 ystafell wely. O ddefnyddio'r fformiwla uchod mae angen 0.13 hectar o Fannau Agored Cyhoeddus fel rhan o'r cynnig datblygu.

Ystyrir y gellir darparu ar gyfer y lefel hon o fannau agored cyhoeddus o fewn y tir y tu ôl i adeilad presennol Brynderw.

Priffyrdd

Mae Polisi DM03 yn cynghori y bydd datblygiad yn cael ei leoli er mwyn lleihau'r angen i deithio. Mae Polisi DM03 hefyd yn nodi y dylid darparu manau parcio fel rhan o gynigion datblygu yn unol â'r Canllawiau Cynllunio Atodol Safonau Parcio Ceredigion.

Byddai mynediad i gerbydau i'r datblygiad arfaethedig ar hyd Ffordd Stanley a bydd cyfanswm o 54 o lefydd parcio ceir yn cael eu darparu i wasanaethu'r cyfanswm arfaethedig o 54 o fflatiau (y 30 presennol a'r 24 sydd mewn golwg yn y cais hwn).

Byddai'r datblygiad arfaethedig yn gwneud darpariaeth hefyd i gerbydau droi ar y safle gan allu mynd i mewn ac allan o'r safle heb orfod gyrru am yn ôl. Mae'r cynnig yn cael ei ystyried felly i gyd-fynd â'r safonau parcio a fabwysiadwyd fel y'u nodir yn y Canllawiau Cynllunio Atodol o ddarparu rhwng 0.5 ac 1 lle parcio ceir fesul fflat.

Mae Polisi DM04 yn tynnu sylw ymgeiswyr at yr angen i wneud y mwyaf o'r cyfleoedd ar gyfer cerdded, beicio a defnyddio trafnidiaeth gyhoeddus. Dylid cyflawni hyn drwy ddarparu cysylltiadau â llwybrau presennol o ddatblygiadau newydd, ail-sefydlu seilwaith sydd bellach yn segur lle bydd yn gwasanaethu datblygiad newydd mewn ffordd gynaliadwy a darparu gwell iechyd ac ansawdd bywyd drwy ymgorffori nodweddion mewn datblygiad sy'n manteisio ar gysylltiadau â dulliau teithio nad ydynt yn geir i gludo pobl a nwyddau.

Mae'r safle'n agos at ardal ganolog Aberystwyth ac mae'r Stryd Fawr yn cynnig arlwy cynhwysfawr yng nghanol y dref gan gynnwys siopau dillad, caffis i gael paned a brechdanau, siopau elusen a fferyllfa ochr yn ochr â sawl banc a chymdeithas adeiladu a swyddfa bost. Hefyd, mae Parc Manwerthu Ystwyth a pharc manwerthu Rheidol o fewn pellter cerdded hawdd i'r safle ac yn darparu nifer o amwynderau gan gynnwys archfarchnadoedd, siop anifeiliaid anwes a sawl siop ddillad a

nwyddau cartref.

Mae cyfleoedd da iawn i gerdded yn yr ardal leol gyda'r rhwydwaith ehangach o briffyrdd yn darparu llwybrau troed gyda goleuadau stryd.

Mae Gorsafoedd Bysiau a Rheilffordd Aberystwyth o fewn 6 munud ar droed o'r datblygiad arfaethedig ac yn cynnig gwasanaethau rheolaidd i gyrchfannau yn lleol ac mewn mannau eraill yn y rhanbarth.

Ymgynghorwyd â'r Awdurdod Priffyrdd Lleol ar y cais ac mae'n derbyn data a dadansoddiad yr arolwg traffig sydd wedi'i gynnwys yn yr Asesiad Trafnidiaeth a gyflwynwyd (gan Acstro Ltd, dyddiedig Hydref 2022), ac nid yw'n cynnig gwrthwynebiad i'r datblygiad arfaethedig yn destun amodau.

Mae Gwasanaeth Tân ac Achub Canolbarth Cymru wedi ystyried y cais ac nid oes ganddynt unrhyw sylwadau i'w gwneud mewn perthynas â Mynediad i Gerbydau Argyfwng, na mynediad at gyflenwadau dŵr.

Ar y cyfan, ystyrir na fydd y datblygiad arfaethedig yn cael effaith andwyol annerbyniol ar ddiogelwch a symudiadau priffyrdd, ac mae digon o gapasiti o fewn y rhwydwaith priffyrdd presennol i amsugno'r traffig sy'n cael ei greu o ganlyniad i'r datblygiad hwn, ac felly mae'n cydymffurfio ag egwyddorion creu lleoedd Polisi Cynllunio Cymru, Cymru'r Dyfodol, TAN18, a pholisïau DM03 a DM04 Cynllun Datblygu Lleol Ceredigion.

Ecoleg

Mae DM14 a DM15 y Cynllun Datblygu Lleol yn ceisio cynnal a gwella bioamrywiaeth a diogelu safleoedd pwysig gwarchoddedig. Caniateir safleoedd, cynefinoedd neu rywogaethau a warchodir naill ai'n uniongyrchol, yn anuniongyrchol neu ar y cyd, dim ond os gellir dangos bod y cynnig yn cyfrannu at amddiffyn, wella neu reoli'n gadarnhaol y safle, y cynefin neu'r rhywogaethau, neu mewn amgylchiadau penodol eraill a nodir yn y polisi. Mae Canllawiau Cynllunio Atodol y Cyngor ar fioamrywiaeth yn darparu canllawiau ar asesu effaith datblygiad ar safleoedd dynodedig neu rywogaethau a warchodir.

Cynhaliwyd Arfarniad Ecolegol Rhagarweiniol gan gynnwys arolwg cynefin estynedig ym mis Rhagfyr 2021. Y cynefinoedd a fydd yn cael eu heffeithio'n syth gan y datblygiadau arfaethedig yw coetir a phrysgwydd cymysg a blannwyd, glaswelltir sydd wedi'i wella a wal. Roedd y cynefin yn addas ar gyfer poblogaethau o adar bridio, moch daear a draenogod. Roedd y cynefin ehangach yn addas hefyd ar gyfer ymlusgiaid.

Mae'r cynefinoedd sydd wedi'u nodi o werth ecolegol isel. Fodd bynnag, mae'r cysylltedd â choetir cyfagos yn cyfrannu at ei werth ecolegol.

Y coed sydd i'w tynnu oddi yno er mwyn hwyluso'r datblygiad yw pinwydd Corsica ac nid ydynt yn gynhenid i'r Deyrnas Unedig. Ni ystyrir bod gan y coed sydd i'w tynnu oddi yno nodweddion o werth ecolegol.

Mae DM22 y CDLI yn caniatáu i goed gael eu colli pan fo manteision cynnig yn gorbwysu'r niwed, a phan fo cynigion yn gallu darparu cynllun digolledu drwy rywogaethau brodorol a fyddai'n helpu i sicrhau enillion priodol o ran bioamrywiaeth.

Ymgynghorwyd â'r Ecolegydd Cynllunio Sirol wrth ystyried y cais cynllunio ac nid yw'n codi unrhyw wrthwynebiad i'r datblygiad arfaethedig yn destun amodau.

Draenio Tir a pherygl Llifogydd

Ystyrir bod y safle ym mharth llifogydd A fel y dangosir ar Fap Cyngor Datblygu CNC, a Pharth Llifogydd 1 fel y dangosir ar y Map Llifogydd ar gyfer cynllunio sef yr wybodaeth ddiweddaraf a'r wybodaeth orau sydd ar gael mewn perthynas â llifogydd. O'r herwydd, ni ystyrir bod y datblygiad arfaethedig mewn perygl o lifogydd.

Mae adran gwasanaethau technegol y cyngor ei hun wedi cynghori bod angen cymeradwyaeth System Ddraenio Gynaliadwy ac yn rhoi manylion am sut i leihau'r risg o lifogydd dŵr wyneb. Felly, ystyrir y gellid rheoli'n briodol y broses o waredu dŵr wyneb drwy broses gymeradwyo Systemau Draenio Cynaliadwy, ac felly ni ystyrir bod y datblygiad arfaethedig yn cynyddu'r risg o lifogydd.

ARGYMHELLIAD:

Cymeradwyo gydag Amodau ac A106

Rhif y Cais / Application Reference	A220250
Derbyniwyd / Received	27-03-2022
Y Bwriad / Proposal	Erection of a detached block of flats, six storeys in height (sixth storey within roof space), containing 24 units with associated car parking and communal amenity spaces.
Lleoliad Safle / Site Location	Area of land adjacent to the Brynderw Building, Stanley Road, Aberystwyth. SY23 1LB
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY
Asiant / Agent	Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

THE SITE AND RELEVANT PLANNING HISTORY

Bryn Derw is a five storey fairly modern building located in the Buarth area of Aberystwyth. The site is surrounded by residential dwellings to its north, a wooded area to its east, a high block of offices to its south and Aberystwyth University buildings to its west. The building was formerly used by the University as accommodation and housed 146 bedrooms. The building had been vacant for a number of years but has since been converted to 30 flats. The site is located within the town's conservation area.

Planning History

A900351	Change of use to offices	Approved STC 30/04/1990
A951196	Change of use of offices to provide 121 bedsit accommodation & wardens flat	Withdrawn 14/02/1996
A960835	Change of use, conversion and extension into 30 flats.	Approved 27/11/1996
A210388	Variation of condition 2 of planning permission 960835 (amended plans).	Approved STC 07/07/2021

DETAILS OF DEVELOPMENT

The application under consideration here seeks full planning permission for the construction of a residential development within the parcel of land associated with Brynderw, Stanley Road, Aberystwyth. This is in addition to the 30 residential dwellings already approved.

During the course of determination of the application, the scale of the building has been reduced by a storey. This has resulted in the removal of two units from the scheme.

In total 24 flats are now proposed over six storeys (sixth storey within the roof space) with the description of development having been updated accordingly (by way of mutual consent) it is on this basis the application has been determined.

The housing mix includes 4no 2-bedroom mobility flats on the ground floor with the remainder of the flats being 2 bedroom units. Each unit benefits from an open plan kitchen/lounge/dining room.

Flats to the southwestern elevation would benefit from a balcony.

Externally the building would be finished in smooth render with contrasting areas of cladding. Joinery details would be finished in anthracite grey, with balcony balustrades finished in glass. The pitched roof would be finished in natural slate.

No amendments are proposed to the existing site access which is off Stanley Road.

Externally the submitted landscaping scheme shows how new native tree and hedge planting will be provided to the front and rear of the proposed building. An amenity space will also be made available to existing and future residence to the rear of the building with provision of picnic benches.

Covered refuse storage areas are also proposed.

RELEVANT PLANNING POLICIES AND GUIDANCE

- DM01 Managing the Impacts of Development on Communities and the Welsh Language
- DM03 Sustainable Travel
- DM04 Sustainable Travel Infrastructure as a Material Consideration
- DM05 Sustainable Development and Planning Gain
- DM06 High Quality Design and Placemaking
- DM07 Conservation Areas
- DM08 Bilingual Signs and Place Names
- DM09 Design and Movement
- DM10 Design and Landscaping
- DM11 Designing for Climate Change
- DM12 Utility Infrastructure
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape

- DM19 Historic and Cultural Landscape
- DM20 Protection of Trees| Hedgerows and Woodlands
- DM22 General Environmental Protection and Enhancement
- LU02 Requirements Regarding All Residential Developments
- LU04 Meeting a Range of Housing Needs
- LU05 Securing the Delivery of Housing Development
- LU06 Housing Density
- LU24 Provision of New Open Space
- S01 Sustainable Growth
- S02 Development in Urban Service Centres (USCs)
- S05 Affordable Housing
- Community and the Welsh Language SPG 2015
- Open Space SPG April 2014
- Community and the Welsh Language SPG Help Sheet 2015
- CCC Parking Standards SPG 2015
- Transport Assessment SPG 2015
- Renewable Energy SPG 2015
- Built Environment and Design SPG 2015

- Nature Conservation SPG 2015
- Affordable Housing SPG 2014
- Affordable Housing SPG Help Sheets 2014
- Future Wales: The National Plan 2040
- Planning Policy Wales (edition 11, February 2021)
- TAN10 Tree Preservation Orders (1997)
- TAN12 Design (2016)
- TAN16 Sport, Recreation and Open Space (2009)
- TAN18 Transport (2007)
- TAN2 Planning and Affordable Housing (2006)
- TAN20 Planning and the Welsh Language (2017)
- TAN5 Nature Conservation and Planning (2009)

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

Cyngor Tref Aberystwyth Town Council – Strongly Objects

Highways – No Objection STC

Land Drainage – SUDs approval required

Ecology – No Objection STC

Natural Resources Wales – No Objection STC

Dwr Cymru Welsh Water – No Objection STC

Mid Wales Fire and Rescue – No Objection STC

Aberystwyth Town Council object on the basis of traffic generation, over development of the site, loss of greenspace and trees, lack of refuse storage, lack of parking, no sustainable transport provision, no affordable housing and disregard to pre application consultation. Aberystwyth Town council also request that should permission be granted a condition be attached ensuring the units are used as a dwelling house, used as sole or main residences and not as holiday lets.

A total of 23 objections have been received from 17 third parties, representations echo the concerns raised by Aberystwyth Town Council but include concerns regarding visual impact, ecological impact, land stability, interlocking, noise, impact on conservation area, and anti-social behaviour.

Concerns were also raised regarding potential for further development at the site above what is already proposed here.

Matters relating to the impact of the proposed development on the structural integrity of neighbouring buildings are matters dealt with under the Building Regulations and as private matters between the parties directly involved, and do not affect the planning merits of the proposals being considered.

CONCLUSION

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

Principle of Development

National planning policy recognises the role of Aberystwyth as a regional growth area for the mid wales region.

Policy S01 of the LDP relates to Sustainable Growth and this identifies that approximately 6,544 dwellings are required to be developed by the end of the plan period in 2022 The Strategy of the LDP is that over the plan period 51% of new housing development across the County will occur in the Urban Service Centres, 24% in the Rural Service Centres and 25% in other settlements and locations (including linked settlements).

The application site lies within the defined settlement boundary of Aberystwyth, which is identified as an Urban Service Centre (USC) within the Local Development Plan (LDP).

Policy S02 of the LDP relates to 'Development in Urban Service Centres' and this requires that all development is within the defined limits of the Urban Service Centres. In Aberystwyth, development is also required to contribute to its national significance and its role as the strategic centre for Mid Wales and Supports current objectives and action plans relating to its Strategic Regeneration Status.

The total requirement for housing delivery within the Aberystwyth as set out in the LDP is 1877. The latest LDP housing

monitoring figures (January 2023) shows that only 583 dwellings have been completed in the Urban Service Centre with extant permission for a further 294 dwellings. Therefore, accounting for demolitions and conversions (-71) there is capacity for a further 1071 dwellings in Aberystwyth. As such, it is considered that the proposals would comply with Policies S01 and S02 of the LDP and the principle of development is accepted.

Welsh Language

Policy DM01 managing the impacts of Development on Communities and the Welsh Language Requires a Community and Linguistic Impact Assessment (CLIA) to be provided in respect of housing developments within service centres where delivery would come forward at a rate faster than that referenced in the Settlement Group Statement.

The proposed housing delivery would not come forward at a rate faster than that referenced in the Settlement Group Statement, and as such it is considered that the development can be delivered without negatively impacting the Community and Linguistic profile of Aberystwyth.

Affordable Housing

Policy S05 – ‘Affordable Housing’ requires all residential development to provide onsite affordable housing or a contribution towards affordable housing provision. In this instance, in order to satisfy policy S05, there is a requirement for the equivalent value of 4.8 affordable dwellings to be provided either on site or by a commuted sum.

Submitted in support of the application is financial information which demonstrates that the scheme is not viable in securing the delivery of 4.8 units.

The application under consideration here therefore seeks the provision of 4 affordable housing units on site, with no commuted sum payable. The four affordable units will all be located on the ground floor and will be wheelchair accessible. The affordable units will firstly be allocated as Intermediate Rents with the option within the S106 agreement to flip to Discounted for Sale. The housing need register has been consulted as part of consideration of the application and this affordable housing mix is considered acceptable to the LPA.

Impact on Residential Amenity

Criterion 7 of Policy DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook. There are residential properties to the immediate vicinity of the site.

The elevation plans submitted as part of the application show that the property will be no more than the ridge of the existing apartment block and owing to the topography of the land will sit below neighbouring properties on Coed Y Buarth.

A site plan demonstrates how the proposed apartment block could be positioned as to ensure that the proposed development would not give rise to any detrimental harm to residential amenity of current residents.

It is also considered that the proposed development could be delivered as to ensure adequate separation distances between habitable rooms of individual dwellings as specified with the Ceredigion Built Environment and Design SPG.

There is no reason to believe that the location, design or the construction of the proposed development would be likely to result in unreasonable noise impacts upon neighbouring properties. If construction operations did become unreasonable local residents would have recourse through environmental health legislation.

Design and Visual Impact

DM06 is the place making policy of the LDP and states that Development should have full regard, and positively contribute to the context of its location and surroundings. Development should reflect a clear understanding of design principles, the local physical, social, economic and environmental context and should promote innovative design whilst having regard to local distinctiveness and cultural heritage in terms of form, design and material. Development proposals should also complement the site and its surroundings in terms of layout, respecting views into and out of the site, producing a cohesive form in relation to the scale, height and proportion of existing built form.

The councils adopted Design and Built Environment SPG gives effect to DM06 and provides guidance on the issues that need to be considered when developing various buildings. Section 2 of the SPG considers how proposals should respond to Ceredigion's Character. Ceredigion is fortunate to have a rich history, which is often reflected in many of its buildings and spaces. In order to improve the quality of Ceredigion's built environment it is essential that new development is based on a thorough assessment of local character.

The SPG provides guidance on the elements of relevance to consider when designing a proposal which responds to Ceredigion's local Character with people and connectivity with the existing two of the four main elements to consider.

The scale and design of the proposed development is considered to reflect that of the existing Brynderw building. The siting of the proposed development is considered to complement the site and its surrounding by providing a focal point as people transverse the site.

It is considered that the design and visual appearance of the proposed development would be further enhanced by a landscaping scheme which would be secured by way of condition.

Heritage Impacts

The site is situated within the Aberystwyth Town Centre conservation area and the grade II* listed Edward Davies Building is located immediately adjacent to the site. The Building is listed for being amongst the earliest purpose built chemical laboratories anywhere in the world and the first in Wales. A large number of additional listed buildings are also identified as being within the wider vicinity of the site including the grade II* listed National Library of Wales.

These heritage assets in particular occupy prominent locations on the hillside and are easily viewable from Park Avenue which forms one of the main approaches into Aberystwyth Town Centre.

The proposed development is considered to be sensitively designed as not to compete with the asset in terms of prominence on the hillside, rather it has been designed as to appear subservient to the existing Brynderw Building. As such the proposed development is not considered to give rise to detrimental harm to the setting of these listed buildings or the wider conservation area.

Density

The red line boundary provided measures approximately 0.360 ha. Based on the delivery of 24 units this equates to a density of circa 66 dwellings per hectare. This is considered appropriate in line with policy LU06 of the LDP where densities of 30-80 units per hectare are advocated within the urban core however it should also be noted that Policy LU24:

Public Open Space

Provision of New Open Space requires development on non-allocated sites to provide open space if the development results in the provision in total of more than 10 bedrooms.

Open space should be provided in line with benchmarks set out by Countryside Council for Wales (CCW) 'Greenspace Toolkit' (now Natural Resources Wales) and the Fields in Trust (FIT) Standards. Ceredigion Open Space SPG provides further clarity on the provision of open space required which is set out as 2.8ha per 1000 people. The formula for calculating the total amount of open space required is as follows:

$$\mathbf{2.8ha \text{ per } 1000 \text{ population } 2.8/1000 * \text{ number of bedrooms } = \text{ overall space.}}$$

The proposed development make makes provision for 48 bedrooms. Applying the above formula 0.13 ha of POS is required as part of the development proposal.

It is considered that this level of public open space can be accommodated within the land to the rear of the existing Brynderw Building.

Highways

Policy DM03 advises that development will be located so as to minimise the need to travel. Policy DM03 also sets out that parking provision should be provided as part of development proposals in accordance with the Ceredigion Parking Standards SPG.

Vehicular access to the proposed development would be via Stanley Road with a total of 54 car parking spaces will be provided to serve the proposed total of 54 flats (existing 30 and proposed 24 subject to this application).

The proposed development would also make provision for the turning of vehicles on site as to enter and exit the site in the forward gear. The proposal is therefor considered to accord with the adopted parking standards as set out in the SPG of providing between 0.5 and 1 car parking space per apartment.

Policy DM04 draws the attention of applicants to the need to make the most of opportunities for walking, cycling and the use of public transport. This should be achieved by providing connections to existing routes from new development, re-instating infrastructure that has fallen into disuse where that will serve new development in a sustainable way and providing improved health and quality of life by incorporating features in development that take advantage of links to non-car travel modes for human and freight movement.

The site is located within close proximity to the central area of Aberystwyth with Great Darkgate street providing a comprehensive town centre offering including fashion shops, coffee and sandwich cafes, charity shops and a pharmacy alongside several banks and building societies and a post office. Also, Ystwyth Retail Park and Rheidol retail park are both located within easy walking distance of the site and provides a number of amenities including a supermarkets, pet shop and several fashion and homeware shops.

There are very good opportunities for walking in the local area with the wider highway network providing footways with street lighting.

Aberystwyth Bus and Railway Stations are within a 6-minute walk from the proposed development and offer frequent services to destinations locally and elsewhere within the region.

The Local Highway Authority have been consulted on the application and accepts the traffic survey data and analysis contained within the submitted Transport Assessment (by Acstro Ltd, dated October 2022), and offer no objection to the proposed development subject to conditions.

Mid Wales Fire and Rescue has considered the application and have no comments to make in respect of Emergency Vehicle Access, or access to water supplies.

Overall, it is considered that the proposed development will not have an unacceptable adverse impact on highway safety and movement, and there is sufficient capacity within the existing highway network to absorb the traffic created as a result of this development and is therefore compliant with the place making principles of PPW, Future Wales, TAN18, and policies DM03 and DM04 of the Ceredigion Local Development Plan.

Ecology

Policies DM14 and DM15 of the Local Development Plan seeks to maintain and enhance biodiversity and safeguard protected important sites. Protected sites, habitats or species either directly, indirectly or in combination will only be permitted where it can be demonstrated that the proposal contributes to the protection, enhancement or positive management of the site, habitat or species or in certain other circumstances set out in the policy. The Council's SPG on biodiversity provides guidance on assessing the impact of development on designated sites or protected species.

A Preliminary Ecological Appraisal including extended habitat survey was carried out in December 2021. The habitats that will be immediately impacted by the proposed developments are mixed planted woodland and scrub, improved grassland and a wall. The habitat was suitable for populations of breeding birds, badger and hedgehog. The wider habitat was also suitable for reptiles.

The habitats which have been identified are of low ecological value. However, the connectivity to adjacent woodland does contribute to its ecological value.

The trees to be removed to facilitate the development are Corsican pines and are not native to the United Kingdom. The trees to be removed are not considered to hold features of ecological value.

DM22 of the LDP allows for the loss of trees where the benefits of a proposal outweigh the harm, and proposals are able to provide compensatory measures by way of native species which would help to ensure appropriate biodiversity gain.

The County Planning Ecologist has been consulted during the consideration of the planning application and raises no objection subject to a condition.

Land Drainage and Flood risk

The site is considered to be in floodzone A as shown on NRW's Development Advice Map, and Flood zone 1 as shown on the Flood map for planning which is the most up to date and best available information in respect of flooding. As such the proposed development is not considered to be at risk of flooding.

The council's own technical services department have advised SUDs approval is required and provide details of how to minimize the risk of surface water flooding. It is therefore considered that surface water disposal could be appropriately managed by way of the SUDs approval process, as such the proposed development is not considered to increase the risk of flooding.

ARGYMHELLIAD / RECOMMENDATION:

Approve STC and S106

2.5. A220454



Rhif y Cais / Application Reference	A220454
Derbyniwyd / Received	21-06-2022
Y Bwriad / Proposal	Datblygiad Preswyl ar gyfer hyd at 3 annedd
Lleoliad Safle / Site Location	Tir ym mhentref Plwmp, Llandysul
Math o Gais / Application Type	Caniatâd cynllunio amlinellol - Cedwir Pob Mater / Rhai Materion
Ymgeisydd / Applicant	Mrs Mair Jenkins, Cwm Hedd, Y Barri, CF62 3BB
Asiant / Agent	Mrs Gwennan Jenkins (JMS Planning and Development), Hafan y Coed, Maeshyfryd, Llanbedr Pont Steffan, SA48 8AN

Y SAFLE A HANES PERTHNASOL

Mae'r safle ar gyrion anheddiad Plwmp, ar hyd Heol Tandisgwylfa. Ymyl yr anheddiad yw'r eiddo cyfagos i'r gorllewin, a thŷ annedd ar ochr arall y ffordd i'r gogledd. Mae'r safle yn gae gyda glaswelltir wedi'i wella'n amaethyddol a chaiff ei ystyried yn rhan o gefn gwlad. Mae'r safle ar oledf ysgafn o'r gogledd i'r de.

Nid oes unrhyw hanes cynllunio perthnasol ar gyfer y safle hwn.

MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio amlinellol, gyda rhai materion wedi'u cadw, ar gyfer datblygiad preswyl ar y safle. Bydd ceisiadau Materion a Gedwir yn Ôl dilynol yn mynd i'r afael ag ymddangosiad, tirweddu, cynllun a graddfa. Cynigir hyd at 3 tŷ annedd yn cael eu cynnig, gan gynnwys 2 uned tai fforddiadwy.

Er nad yw cynlluniau adeiladu wedi'u cyflwyno fel rhan o'r cais hwn, mae'r asiant wedi darparu'r paramedrau graddfa dangosol canlynol:

Uchder: 7m i 9.5m.

Lled ar hyd y prif weddlun: 8m i 12m

Dyfnnder: 8m i 10m.

Bydd mynediad, sy'n rhan o'r cais hwn, ar hyd y ffordd gyfagos, Heol Tandisgwylfa.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Mae adran 38(6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn ei gwneud yn ofynnol i gais am ganiatâd cynllunio gael ei benderfynu yn unol â'r cynllun datblygu oni bai bod ystyriaethau perthnasol yn nodi fel arall.

Mae'r cynllun datblygu ar gyfer Ceredigion yn cynnwys Cymru'r Dyfodol: Cynllun Cenedlaethol 2040 (Cymru'r Dyfodol) a Chynllun Datblygu Lleol (CDLI) Ceredigion, nid oes Cynllun Datblygu Strategol (CDS) wedi'i fabwysiadu ar gyfer y Canolbarth.

Er mai dyddiad gorffen y CDLI oedd 31 Mawrth 2022, hwn fydd y Cynllun Datblygu ar gyfer Ceredigion o hyd nes y bydd Cynllun Newydd yn cael ei fabwysiadu. Cymru'r Dyfodol yw'r ddogfen ddiweddaraf i fod yn rhan o hierarchaeth y cynlluniau datblygu a rhaid i'r holl ddatblygiadau fod yn unol â Cymru'r Dyfodol yn ogystal â pholisïau perthnasol y CDLI*. Dylid nodi mai dim ond hanner y twf cyffredinol a ragwelwyd yn y CDLI sydd wedi'i wireddu yng nghyfnod y cynllun hyd yma ac felly mae cyfle i ddiwallu anghenion tai lle mae gofyniad yn parhau fel y nodwyd yn y ffigurau tai diweddaraf sydd ar gael ar gyfer y CDLI.

*Yn unol â Ddeddf Cynllunio a Phrynu Gorfodol 2004, pe bai polisi yng nghynllun Cymru'r Dyfodol yn gwrthdaro â pholisi yn CDLI Ceredigion, yna dylid datrys y gwrthdaro o blaid y polisi sydd wedi'i gynnwys yng nghynllun Cymru'r Dyfodol.

Polisïau perthnasol Cymru'r Dyfodol:

Polisi 1 – Ble bydd Cymru yn tyfu

Polisi 2 – Llywio Twf ac Adfywio Trefol – Creu Lleoedd Strategol

Polisi 4 – Cefnogi Cymunedau Gwledig

Polisi 7 – Darparu Cartrefi Fforddiadwy

Polisi 9 – Rhwydweithiau Ecolegol Cadarn a Seilwaith Gwyrdd

Polisi 13 – Cefnogi Cyfathrebu Digidol

Polisi 25 – Ardaloedd Twf Rhanbarthol – y Canolbarth

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

- S01 Twf Cynaliadwy
- S04 Datblygu mewn Aneddiadau Cyswllt
- S05 Tai Fforddiadwy
- DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Iaith Gymraeg
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM05 Datblygu Cynaliadwy a Lles Cynllunio
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM09 Dylunio a Symud
- DM10 Dylunio a Thirweddu
- DM12 Seilwaith Cyfleustodau
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol
- DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd
- LU02 Gofynion sy'n ymwneud â phob Datblygiad Preswyl
- LU04 Diwallu Amrywiaeth o Anghenion Tai
- LU05 Sicrhau Cyflenwi Datblygiadau Tai
- LU06 Dwysedd Tai

Arall

- Canllawiau Cynllunio Atodol Cymuned a'r Gymraeg 2015
- Taflen Gymorth Canllawiau Cynllunio Atodol Cymuned a'r Gymraeg 2015
- Canllawiau Cynllunio Atodol Safonau Parcio CCC 2015
- Canllawiau Cynllunio Atodol Amgylchedd Adeiledig a Dylunio 2015
- Canllawiau Cynllunio Atodol Cadwraeth Natur 2015
- Canllawiau Cynllunio Atodol Tai Fforddiadwy 2014
- Tafenni Cymorth Tai Fforddiadwy 2014

Polisi Cenedlaethol

- Cymru'r Dyfodol: Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)

- TAN12 Dylunio (2016)
- TAN18 Trafnidiaeth (2007)
- TAN2 Cynllunio a Thai Fforddiadwy (2006)
- TAN20 Cynllunio a'r Gymraeg (2017)
- TAN5 Cynllunio a Chadwraeth Natur (2009)

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol arfer y swyddogaethau hynny ar droseddau ac anhrefn yn ei ardal a'r angen i wneud popeth y gall yn rhesymol i atal hynny. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai 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 oedran; anabled; ailbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhywedd; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw dyledus i hyrwyddo cydraddoldeb yn cynnwys:

- dileu neu leihau anfanteision a ddiodefir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig lle mae'r rhain yn wahanol i anghenion pobl eraill; ac
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

Rhodddwyd ystyriaeth ddyledus i'r ddyletswydd uchod wrth benderfynu ar y cais hwn. Ystyrir nad oes gan y datblygiad arfaethedig unrhyw oblygiadau sylweddol i bersonau sy'n rhannu nodwedd warchoddedig, nac ydyw'n cael effaith arnynt, yn fwy nag unrhyw berson arall.

Y DDYLETSWYDD ECONOMAIDD-GYMDEITHASOL 2021

Mae'r ddyletswydd economaidd-gymdeithasol yn ei gwneud yn ofynnol i Awdurdodau Lleol ystyried sut gall eu penderfyniadau wella anghydraddoldeb o ran canlyniadau i bobl sy'n dioddef anfantais economaidd-gymdeithasol. Rhodddwyd ystyriaeth briodol i'r ddyletswydd uchod wrth benderfynu ar y cais hwn gan roi sylw penodol i'r elfen o dai fforddiadwy dan sylw.

DEDDF LLESANT 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 saith nod llesiant y Ddeddf. Paratowyd yr adroddiad hwn i ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y'i 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 YMGYNGHORIAD

Cyngor Cymuned Llandysiliogogo

Dim gwrthwynebiad i'r datblygiad ond un sylw cyffredinol; lledu'r ffordd sy'n wynebu'r safle hwn i ddarparu ar gyfer traffig dwy ffordd a darparu llwybrau troed.

Ymddiriedolaeth Archaeolegol Dyfed

Dim gwrthwynebiad yn amodol ar osod amod sy'n sicrhau Cynllun Ysgrifenedig o Waith Ymchwil (WSI) yn unol â Pholisi Cynllunio Cymru a TAN 24.

Draenio

Dim gwrthwynebiad yn amodol ar amodau sy'n ymwneud â gorchudd hydraidd a draenio dŵr wyneb y bydd angen cymeradwyaeth SAB.

Priffyrdd

Dim gwrthwynebiad yn amodol ar amodau priffyrdd safonol yn ymwneud â gwelededd mynediad X ac Y, parcio a throï, dŵr wyneb ffo, goleuadau a safonau dylunio.

Cyfoeth Naturiol Cymru

Nid oes gennym wrthwynebiad i'r datblygiad arfaethedig fel y'i cyflwynwyd; fodd bynnag, bydd angen i'r ymgeisydd sicrhau eithriad neu drwydded amgylcheddol ar gyfer y cyfleuster parod i drin carthion arfaethedig.

Ecoleg

Dim gwrthwynebiad yn destun amodau, sy'n ymwneud â gwrychoedd yn unol â pholisi DM20 o'r CDLI a gwelliannau bioamrywiaeth yn unol â Rhan 1 o Adran 6 o Ddeddf yr Amgylchedd (Cymru) 2016.

CASGLIAD

Mae adran 38(6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn nodi, os oes angen rhoi sylw i'r cynllun datblygu at ddiben unrhyw benderfyniad sydd i'w wneud o dan y Deddfau cynllunio, rhaid i'r penderfyniad fod yn unol â'r cynllun oni bai bod ystyriaeth berthnasol yn nodi fel arall.

Egwyddor y datblygiad

Gan droi yn gyntaf at y CDLI, nodir bod maint a natur y datblygiad yn estyniad bach i bentref Plwmp sydd wedi'i ddynodi'n anheddiad cyswllt yn y CDLI, sy'n golygu bod gofyn i ddatblygiadau gael eu cyfyngu i ddarparu ar gyfer rhywfaint o'r newid disgwylidig i ddemograffeg y boblogaeth bresennol. Wrth ystyried hyn, mae'n bwysig nodi bod yr amcanestyniadau mwyaf diweddar o boblogaeth ac aelwydydd sy'n seiliedig ar 2018 yn awgrymu y bydd poblogaeth Ceredigion yn gostwng tua 4,250 o bobl rhwng 2018 a 2043, o 72,992 i 68,745 gyda gostyngiad cyfatebol yn nifer yr aelwydydd o tua 4,500, mae datganiad cyntaf canlyniadau cyfrifiad 2021 yn cadarnhau'r duedd hon. Felly, prin yw unrhyw angen sy'n weddill mewn llawer o aneddiadau lle mae datblygiadau wedi digwydd dros gyfnod y cynllun.

Felly mae polisi S01 yn ceisio cyfeirio datblygiadau i 'Ganolfannau Gwasanaethau' gan mai dyma'r lleoliadau mwyaf cynaliadwy. Ac mae Polisi S04 yn mynd i'r afael â datblygu mewn 'Aneddiadau Cyswllt' a 'Lleoliadau Eraill'.

O ran Plwmp, mae yn rhan o grŵp aneddiadau Ceinewydd ac mae'r ffigurau tai canlynol yn berthnasol:

Rhoddwyd ffigur twf tai cynaliadwy o 12% ar gyfer Plwmp yn y CDLI sy'n cyfateb i 5 uned a hyd yn hyn:

mae 5 wedi'u cwblhau

mae 1 uned wedi cael caniatâd ac yn disgwyl cael ei gwblhau

Mae hyn yn dangos nad oes unrhyw ofyniad yn weddill yn yr anheddiad.

Ar draws y grŵp aneddiadau, mae 110 o unedau wedi'u cwblhau ac mae gan 43 uned ganiatâd ond nid ydynt wedi'u cwblhau, ac ar draws Aneddiadau Cyswllt grŵp Aneddiadau Ceinewydd mae 60 wedi'u cwblhau ac mae caniatâd ar gyfer 11 sydd heb eu cwblhau felly mae aneddiadau cyswllt Ceinewydd wedi mynd y tu hwnt i'w lwfans sef 34 uned.

Felly, mae'r datblygiad hwn yn methu yn unol â pholisi S04 y CDLI a dim ond angen am dai fforddiadwy sydd heb ei ddiwallu yn yr ardal yn unol â pholisi S05 neu angen cyfiawn am uned TAN6 a ganiateir.

Gan droi nawr at ddogfen Cymru'r Dyfodol, Cynllun Cenedlaethol 2040 (Cymru'r Dyfodol) sy'n ceisio cyfeirio twf i'r canolfannau mwyaf cynaliadwy yn unol â'r egwyddorion strategol ar gyfer creu lleoedd. Gallai'r cynnig hwn gyfrannu at rai o'r Egwyddorion Strategol ar gyfer Creu Lleoedd a nodir yn y cynllun Cymru'r Dyfodol a'r Canlyniadau Creu Lleoedd Cynaliadwy fel y'u nodir yn PCC yn y ffyrdd canlynol:

- Adeiladu lleoedd ar raddfa y gellir eu cerdded, gyda chartrefi, cyfleusterau lleol a thrafnidiaeth gyhoeddus o fewn pellter cerdded i'w gilydd
 - Er bod siop bentref fach/swyddfa bost a Ffestri Capel sydd o fewn pellter cerdded i bob pwrpas ym mhentref Plwmp, nid oes palmant o safle'r datblygiad na man croesi diogel ar gefnffordd yr A487 i gael mynediad i'r gwasanaethau ac felly mae'n methu â chyflawni'r egwyddorion creu lleoedd. Ac er ei fod ar brif lwybr bws gyda gwasanaeth bws bob 2 awr (dim bws ar ddydd Sul), mae'n dal i fod yn lleoliad sy'n dibynnu ar geir ar gyfer gwaith a chyfleusterau a gwasanaethau o ystyried mai prin yw'r gwasanaethau/cyfleoedd gwaith yn yr anheddiad.
- Darparu amrywiaeth o fathau o dai a deiliadaethau
 - Mae tai marchnad agored a thai fforddiadwy arfaethedig yn cyfrannu at y canlyniad hwn o greu lleoedd - fodd bynnag, o ystyried bod yr anheddiad wedi mynd y tu hwnt i'w lwfans twf cynaliadwy, dylid cyfeirio unrhyw angen

sy'n parhau yn y sir at yr aneddiadau mwyaf cynaliadwy. Mae'r canlyniad hwn ar gyfer creu lleoedd hefyd wedi'i fethu.

O ran cydymffurfio â chynllun Cymru'r Dyfodol, mae'r cynnig yn methu â chydymffurfio â gofynion twf cynaliadwy ac nid yw'n cydymffurfio'n ddigonol â'r canlyniadau creu lleoedd i orbwysu'r gwrthwynebiad polisi a nodwyd o dan y CDLI.

Mae'r cynnig yn gwrthdaro â'r strategaeth ddatblygu a hyrwyddir drwy'r CDLI a fabwysiadwyd. O'r herwydd, dim ond angen heb ei ddiwallu am dai fforddiadwy yn yr ardal yn unol â pholisi S05 neu angen am TAN6 y gellir ei ganiatáu. Fel y nodwyd uchod, mae gofyniad cyfyngedig o ran angen demograffig cyffredinol am dai marchnad agored a dylid cyfeirio unrhyw alw cyfyngedig sy'n bodoli at aneddiadau cynaliadwy. Er y byddai'r cynnig yn gwneud cyfraniad at Dai Fforddiadwy, mae gan anheddiad Plwmp eisoes 2 uned tai fforddiadwy sydd ar gael i ddiwallu anghenion lleol dybryd. Mae'n werth nodi bod un uned fforddiadwy yn yr anheddiad wedi cael ei farchnata am dros 12 mis heb unrhyw gynigion. Nid yw presenoldeb llwybr bws yn yr anheddiad yn gorbwysu'r gwrthdaro â pholisi lleol a chenedlaethol y mae'r cais hwn yn ei gynrychioli.

Ystyriaethau dylunio

O ystyried posibilïadau datblygu cyffredinol y safle, nid oes unrhyw resymau hysbys pam na fyddai'r safle'n cael ei ddatblygu. Gan fod y cais yn un amlinellol yn amodol ar Bolisi DM06 sy'n ei gwneud yn ofynnol i ddatblygiad fod yn ddyluniad o safon uchel a chyfrannu'n gadarnhaol at ei gyd-destun; ac mae Polisi DM17 yn ceisio diogelu rhinweddau arbennig y dirwedd. Cyflwynir y cynnig yn amlinellol ac felly ymdrinnir yn fanwl â materion yn ymwneud â graddfa ac ymddangosiad yr anheddau fel rhan o gais Materion a Gedwir yn Ôl dilynol.

Mae dwy rodfa yn cael eu cynnig. Mae rhodfeydd preifat yn cyd-fynd â chymeriad yr ardal ac mae parcio oddi ar y ffordd yn briodol yn y cyd-destun hwn. Felly nid yw'r cynnig sy'n gysylltiedig â mynediad yn anghyson â Pholisi DM06.

Mae Polisi LU02 yn nodi gofynion ar gyfer pob datblygiad preswyl. Mae'r cynnig yn darparu cymysgedd o opsiynau tai marchnad a thai fforddiadwy. Bydd egwyddorion Polisi LU02 yn cael sylw yn y cam Materion a Gedwir yn Ôl.

Amwynder preswyl

Gellid ymdrin ymhellach â materion manwl yn ymwneud ag effaith ar amwynder y meddianwyr cyfagos fel rhan o gais Materion a Gedwir yn Ôl, fodd bynnag, ystyrir y gellir cyflawni math derbynol o ddatblygiad ar y safle heb gael effaith andwyol sylweddol ar amwynder y meddianwyr cyfagos. Er bod ffenestri ar yr annedd i'r gorllewin yn wynebu'r safle, gan fod cynllun, graddfa ac ymddangosiad yn faterion a gedwir yn ôl yn y cynlluniau a gyflwynwyd, ni ellir asesu'n fanwl yr effaith ar ymyrraeth weledol. Felly, mae'r cynnig yn cyd-fynd â Maen Prawf 7 Polisi DM06.

Priffyrdd

Nid ydynt wedi gwrthwynebu'r cais ac maent wedi gofyn am amodau. Felly, gellir derbyn y cais fel un sy'n cydymffurfio â Pholisïau DM03 a DM04.

Ecoleg

Cyflwynwyd Asesiad Ecolegol Rhagarweiniol sy'n cofnodi rhinweddau'r cae gwag a'i leoliad. Nid yw'r safle wedi'i leoli mewn ardal warchoddedig. Y safle gwarchoddedig agosaf yw Rhos Pîl-bach sydd fwy na 400m i'r gogledd.

Yn ôl yr asesiad, mae'r gwrych o amgylch y safle yn brin ei rywogaethau ac mae wedi gweld dyddiau gwell ac nid yw'n cael ei ddsbarthu fel gwrych arwyddocaol fel y'i diffinnir gan Reoliadau Perthi. Roedd yr asesiad yn nodi y gallai madfallod cyffredin fod yn byw yn y gwrych, fodd bynnag, ni ddylai fod angen cynnal arolygon pellach. Byddai cael gwared ar rannau ohono i wneud lle ar gyfer y mynediad felly yn cyd-fynd â Pholisïau DM14, DM15 neu DM20.

Roedd yr asesiad yn pennu bod y glaswelltir yn brin ei rywogaethau ac nad oedd ganddo arwyddocâd ecolegol. Byddai datblygiadau ar y safle felly yn cydymffurfio â Pholisïau DM14 a DM15.

Yn ôl yr asesiad, ni ddaethpwyd o hyd i frochfeydd na charthfeydd moch daear nac unrhyw arwyddion o dwrio am fwyd ar yr eiddo, sy'n golygu na fydd y cynnig yn effeithio ar foch daear. Yn ogystal, barnwyd bod y cae yn anaddas ar gyfer ymlusgiaid ac amffibiaid gan nad oes unrhyw nodweddion dŵr. Felly, bydd y datblygiad yn cyd-fynd â Pholisïau DM14 a DM15.

Draenio

Nid yw dyluniadau'r anheddau wedi'u cynnig, fodd bynnag, yn ôl yr asiant, byddant o raddfa a dyluniad tebyg i'r anheddau i'r gorllewin a bydd dŵr wyneb yn cael ei gasglu drwy gasgenni dŵr a bydd suddfannau dŵr yn cael eu defnyddio hefyd. Bydd y cynnig yn amodol ar gymeradwyaeth SAB. Mae hyn er mwyn cydymffurfio â Pholisi DM13.

Niwtraliaeth maethynnau

Mae Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017 (fel y'u diwygiwyd) (Rheoliadau Cynefinoedd) yn ei gwneud yn ofynnol i Awdurdodau Cynllunio Lleol sicrhau nad yw datblygiadau newydd yn achosi effeithiau niweidiol i gyfanrwydd cynefinoedd gwarchoddedig fel afon Teifi cyn rhoi caniatâd cynllunio. Mae'r safle hwn y tu allan i ddalgylch y safle a nodwyd uchod. Gall y cais, o ran niwtraliaeth maethynnau, gael ei benderfynu'n ddiogel o ran Rheoliadau Cadwraeth Cynefinoedd Rhywogaethau 2017 (fel y'u diwygiwyd) mewn perthynas ag ACA Afon Teifi.

Casgliad

I gloi, er y gellid datblygu'r safle, o ystyried y gwrthdaro â pholisïau lleol a chenedlaethol - y CDLI a Cymru'r Dyfodol, ni nodwyd unrhyw ystyriaethau perthnasol sy'n drech na'r angen i benderfynu ar y cais hwn yn unol â'r cynllun datblygu a fabwysiadwyd. Mae unrhyw wrthdaro â pholisïau yn canolbwyntio'n benodol ar y ffaith bod yr anheddiad a'r grŵp aneddiadau wedi mynd y tu hwnt i lefelau twf cynaliadwy a osodwyd yn erbyn cefndir o boblogaeth gyffredinol sy'n lleihau. Ac mae'r datblygiad ei hun yn methu â chyflawni gofynion creu lleoedd fel y'u hamlinellir ym Mholisi Cynllunio Cymru a Cymru'r Dyfodol 2040. At hynny, ni welwyd tystiolaeth bod angen brys am dai fforddiadwy, yn wir mae'r Awdurdod Cynllunio Lleol yn ymwybodol o uned fforddiadwy bresennol sy'n gallu darparu ar hyn o bryd ar gyfer unrhyw angen brys yn yr anheddiad.

ARGYMHELLIAD:

Gwrthod am y rhesymau canlynol:

1. Aethpwyd y tu hwnt i'r targed tai ar gyfer yr ardal eisoes. Felly, mae'r datblygiad arfaethedig yn annerbyniol mewn egwyddor ac ni fyddai'n gyfystyr â datblygiad cynaliadwy yn groes i Bolisi S04.
2. Bydd lefel y datblygu yn yr anheddiad cyswllt a lleoliadau eraill yn mynd y tu hwnt i'r gofyn gan 4 anedd os cymeradwyir y cynnig, bu twf anghymesur yn yr anheddiad cyswllt a lleoliadau eraill o gymharu â Chanolfan Gwasanaethau Ceinewydd, ac nid oes rhagor o ddarpariaeth ar gyfer mwy o anheddau yn Anheddiad Cyswllt Plwmp. Mae'r polisi felly yn groes i Bolisi S04.
3. Nid yw'r cynllun arfaethedig yn cynnig datblygiad sy'n bodloni gofynion egwyddorion strategol creu lleoedd ac felly nid yw'n cydymffurfio â Pholisi 2 Cymru'r Dyfodol Y Cynllun Cenedlaethol 2040.
4. Mae'r ymgeisydd yn cynnig gwaredu dŵr wyneb i System Ddraenio Gynaliadwy ond nid yw wedi darparu manylion y safle a dyluniad y system arfaethedig i alluogi'r cais.

Rhif y Cais / Application Reference	A220454
Derbyniwyd / Received	21-06-2022
Y Bwriad / Proposal	Residential Development for up to 3 dwellings
Lleoliad Safle / Site Location	Land At Plwmp Plwmp, Llandysul
Math o Gais / Application Type	Outline Planning Permission - All/Some Matters Reserved
Ymgeisydd / Applicant	Mrs Mair Jenkins, Cwm Hedd, Y Barri, CF62 3BB
Asiant / Agent	Mrs Gwennan Jenkins (JMS Planning and Development), Hafan Y Coed, Maeshyfyd, Lampeter, SA48 8AN

THE SITE AND RELEVANT PLANNING HISTORY

The site is located on the edge of the settlement of Plwmp, along Tandisgwylfa Road. The settlement edge is the neighbouring property to the west, and a dwelling house on the opposite side of the road to the north. The site is a field with agriculturally-improved grassland and is regarded as part of the countryside. The site gently slopes from north to south.

There is no relevant planning history for this site.

DETAILS OF DEVELOPMENT

The application seeks outline planning permission, with some matters reserved, for the residential development of the site. Subsequent Reserved Matters applications will address appearance, landscaping, layout and scale. Up to 3 dwelling houses are proposed, including 2 affordable housing units.

While building plans have not been submitted as part of this application, the agent has provided the following indicative scale parameters:

Height: 7m to 9.5m.

Width along main elevation: 8m to 12m

Depth: 8m to 10m.

Access, which forms part of this application, will be taken via the adjacent road, Tandisgwylfa Road.

RELEVANT PLANNING POLICIES AND GUIDANCE

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires an application for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Ceredigion consists of Future Wales: The National Plan 2040 (Future Wales) and the Ceredigion Local Development Plan (LDP), no Strategic Development Plan (SDP) has been adopted for Mid Wales.

Whilst the end date of the LDP was 31st March 2022, it will continue to be the Development Plan for Ceredigion until a Replacement Plan is adopted. Future Wales is the latest document to be part of the development plans hierarchy and all development must be in accordance with Future Wales as well as the relevant policies of the LDP*. It should be noted that only half of the overall growth envisaged in the LDP has been realised in the plan period to date and there is therefore opportunity to meet housing needs where there is a remaining requirement as noted in the latest available LDP housing figures.

*In line with the Planning and Compulsory Purchase Act 2004, should a policy in Future Wales conflict with a policy in the Ceredigion LDP, then the conflict should be resolved in favour of the policy contained within Future Wales.

Relevant Future Wales Policies:

Policy 1 – Where Wales will grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 4 – Supporting Rural Communities

Policy 7 – Delivering Affordable Homes

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 13 – Supporting Digital Communications

Policy 25 – Regional Growth Areas – Mid Wales

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

- S01 Sustainable Growth
- S04 Development in Linked Settlements
- S05 Affordable Housing
- DM01 Managing the Impacts of Development on Communities and the Welsh Language
- DM03 Sustainable Travel
- DM04 Sustainable Travel Infrastructure as a Material Consideration
- DM05 Sustainable Development and Planning Gain
- DM06 High Quality Design and Placemaking
- DM09 Design and Movement
- DM10 Design and Landscaping
- DM12 Utility Infrastructure
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape
- DM20 Protection of Trees, Hedgerows and Woodlands
- LU02 Requirements Regarding All Residential Developments
- LU04 Meeting a Range of Housing Needs
- LU05 Securing the Delivery of Housing Development
- LU06 Housing Density

Other

- Community and the Welsh Language SPG 2015
- Community and the Welsh Language SPG Help Sheet 2015
- CCC Parking Standards SPG 2015
- Built Environment and Design SPG 2015
- Nature Conservation SPG 2015
- Affordable Housing SPG 2014
- Affordable Housing help sheets 2014

National Policy

- Future Wales: The National Plan 2040

- Planning Policy Wales (edition 11, February 2021)
- TAN12 Design (2016)
- TAN18 Transport (2007)
- TAN2 Planning and Affordable Housing (2006)
- TAN20 Planning and the Welsh Language (2017)
- TAN5 Nature Conservation and Planning (2009)

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.

SOCIO ECONOMIC DUTY 2021

The socio-economic duty requires Local Authorities to consider how their decisions can improve inequality of outcome for people who suffer socio-economic disadvantage. The above duty has been given due consideration in determination of this application with specific regard to the element of affordable housing involved.

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

Llandysiliogogo Community Council

No objection to the development but one general comment; widen the road facing this site to accommodate 2-way traffic and provide footpaths.

Dyfed Archeological Trust

No objection subject to the imposition of a condition securing a Written Scheme of Investigation (WSI) in line with PPW and TAN 24.

Drainage

No objection subject to conditions relating to permeable surfacing and surface water drainage which will need SAB approval.

Highways

No objection subject to standard highways conditions relating to X and Y access visibility, parking and turning, surface water runoff, lighting and design standards.

Natural Resources Wales

We have no objection to the proposed development as submitted; however, the applicant will need to secure an exemption or environmental permit for the proposed PTP.

Ecology

No objection subject to conditions, relating to hedgerows in accordance with policy DM20 of the LDP and biodiversity enhancements in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016.

CONCLUSION

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

Principle of the development

Turning first to the LDP the scale and nature of the development is noted as a minor extension to Plwmp which in the LDP is designated as a linked settlement where it is required that development will be limited to providing for some of the expected demographic change within the existing population. In considering this it is important to note that the most recent 2018-based population and household projections suggests that Ceredigion's population will decline by approximately 4,250 people between 2018 and 2043, from 72,992 to 68,745 with a corresponding reduction in the number of households by roughly 4,500, the first release of the 2021 census results confirm this trend. Thus, there is limited remaining need in many settlements where development has occurred over the plan period.

Therefore policy S01 seeks to direct development to 'Service Centres' as these present the most sustainable locations. And Policy S04 addresses development in 'Linked Settlements' and 'Other Locations'.

In terms of Plwmp it is located within the New Quay settlement group and the following housing figures apply:

Plwmp was provided a sustainable housing growth figure of 12% in the LDP which equates to 5 units and to date:

5 have been completed

1 permitted unit awaiting completion

This demonstrates there is no remaining requirement in the settlement.

Across the settlement group 110 units have been completed and 43 units are outstanding consents, across the Linked Settlements of the New Quay Settlement group there have been 60 completions and there remains 11 outstanding consents so the linked settlements of New Quay have in total exceeded their allowance by 34 units.

This development therefore fails in accordance with policy S04 of the LDP and only unmet affordable housing need in the locality in line with policy S05 or a justified need for a TAN 6 unit is permitted.

Turning now to Future Wales The National Plan 2040 (Future Wales) which seeks to direct growth to the most sustainable centres in accordance with the strategic placemaking principles. This proposal may contribute to some of the Strategic Placemaking Principles as set out in Future Wales and the Sustainable Placemaking Outcomes as set out in PWW in the following ways:

- Building places at a walkable scale, with homes, local facilities and public transport within walking distance of each other
 - Whilst Plwmp has a small village shop/ post office and Capel Vestry which although could technically be walkable, there is no pavement from the development site or safe crossing location on the A487 trunk road to access the service and therefore fails to meet the placemaking principles. And whilst it is located on a main bus route with a bus service every 2 hrs (no bus on a Sunday). It is still a car dependent location for employment and facilities and services given there are limited services/ employment opportunities in the settlement.
- Providing a variety of housing types and tenures
 - Proposed open market and affordable housing contributes to this placemaking outcome- however given the settlement has exceeded its sustainable growth allowance and what remaining countywide need there it should be directed to the most sustainable settlements. This placemaking outcome is also failed.

In terms of compliance with Future Wales the proposal fails to comply with the requirements of sustainable growth and does not adequately comply with the placemaking outcomes to outweigh the policy objection identified under the LDP.

The proposal is in conflict with the development strategy promoted through the adopted LDP. As such only unmet affordable housing need in the locality in line with policy S05 or need for TAN 6 maybe permitted. As noted above there is limited requirement in terms of general demographic need for open market housing and what limited demand there it should be directed to sustainable settlements. Whilst the proposal would make a contribution to Affordable Housing, the settlement of Plwmp already has 2 affordable housing units which are available to meet immediate local needs. It is of note that one affordable unit in the settlement has been marketed for over 12 months with no offers. The presence of a bus route in the settlement does not outweigh the conflict with local and national policy this application represents.

Design considerations

Considering now the general developability of the site, there are no known reasons why the site would not be developable. As the application is in outline subject to Policy DM06 requiring development to be of a high-quality design and contribute positively to its context; and Policy DM17 seeks to protect the special qualities of the landscape. The proposal is submitted in outline and therefore matters relating to the dwellings' scale and appearance would be dealt with in detail as part of a subsequent Reserved Matters application.

2 driveways are proposed. Private driveways are within the character of the area and off-road parking is appropriate in this context. The proposal related to access is thus not inconsistent with Policy DM06.

Policy LU02 sets out requirements for all residential developments. The proposal provides a mixture of market and affordable housing options. Policy LU02 principles will be addressed in the Reserved Matters stage.

Residential amenity

Detailed matters relating to impact on the amenity of the nearby occupiers could be dealt with further as part of a Reserved Matters application, however it is considered that an acceptable form of development can be achieved on the site without having a significant adverse impact on the amenity of nearby occupiers. While there are windows on the dwelling to the west facing the site, as layout, scale and appearance are reserved matters the plans submitted the impact on visual intrusion cannot be assessed in detail. The proposal is thus consistent with Criterion 7 of Policy DM06.

Highways

Have not objected to the application and have requested conditions. The application can therefore be accepted as being compliant with Policies DM03 and DM04.

Ecology

A Preliminary Ecological Assessment has been submitted which documents the qualities of the vacant field and its location. The site is not located in a protected area. The nearest protected site is Rhos Pil-bach which is located over 400m to the north.

According to the assessment, the hedge surrounding the site to the north is species-poor and defunct and does not class as a significant hedge as defined by the Hedgerow Regulations. The assessment did state that there may be common lizards living in the hedge, however, no further surveys should be required. Removing portions of it to make way for the access would therefore be consistent with Policies DM14, DM15 or DM20.

The assessment deemed that the grassland is species-poor and of no ecological significance. Development on the site would therefore comply with Policies DM14 and DM15.

According to the assessment, no badger setts, latrines or any signs of foraging were found on the property, meaning badgers will not be affected by the proposal. In addition, the field was deemed to be unsuitable for reptiles and amphibians as there are no water features. The development will therefore be consistent with Policies DM14 and DM15.

Drainage

The designs of the dwellings have not been proposed, however, according to the agent, they will be of similar scale and design to the dwellings to the west and surface water collection via water butts as well as soakaways will be used. The proposal will be subject to SAB approval. This is to comply with Policy DM13.

Nutrient neutrality

The Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations) require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as

the river Teifi prior to granting planning permission. This site is located outside of the catchment area of the site identified above. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended) in relation to the Afon Teifi SAC.

Conclusion

In conclusion whilst the site is capable of development, given the conflict with local and national policy - the LDP and Future Wales, no material considerations have been identified that outweigh the need to determine this application in accordance with the adopted development plan. Conflicts with policy specifically focus on the fact that the settlement and the settlement group have exceeded sustainable growth levels set against the backdrop of an overall declining population. And the development itself fails to achieve the requirements of placemaking as outlined in PPW and FW 2040. Furthermore, the immediate need for affordable housing has not been evidenced, indeed the LPA are aware of an existing affordable unit that is currently capable of accommodating any immediate need in the settlement.

RECOMMENDATION:

Refuse for the following reasons:

1. The housing target for the area has been exceeded. The proposed development is therefore unacceptable in principle and would not constitute sustainable development contrary to Policy S04.
2. The level of development within the linked settlement and other locations will be exceeded by 4 dwellings if the proposal is approved, there has been a disproportionate amount of growth within the linked settlement and other locations compared to the New Quay Service Centre, and there is no further provision for more dwellings within the Plwmp Linked Settlement. The policy is therefore contrary to Policy S04.
3. The proposal does not propose development that meets the requirements of strategic placemaking principles and therefore does not comply with Policy 2 of Future Wales The National Plan 2040.
4. The applicant proposes to dispose of surface water into a Sustainable Drainage System (SuDS) but has not provided details of the site and design of the proposed system to enable the application.

2.6. A220714



Rhif y Cais / Application Reference	A220714
Derbyniwyd / Received	26-09-2022
Y Bwriad / Proposal	Dymchwel y siop gynnyrch bresennol ac adeiladu siop newydd a fflat llawr cyntaf yn ei lle.
Lleoliad Safle / Site Location	Siop Gynnyrch Parc y Pant, Cross Inn, Ceinewydd. SA44 6NG
Math o Gais / Application Type	Cynllunio llawn
Ymgeisydd / Applicant	Mr Matthew Vaux, Siop Gynnyrch Parc Y Pant, Cross Inn, Ceinewydd, SA44 6NG
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen Llanrhystud, Aberystwyth, SY23 5ED

Y SAFLE A'R HANES CYNLLUNIO PERTHNASOL

Mae safle'r cais yn cyfeirio at Siop Gynnyrch Parc y Pant sydd wedi'i lleoli yn Cross Inn - anheddiad sy'n gysylltiedig â Chanolfan Gwasanaethau Gwledig Ceinewydd, fel y'i diffinnir gan y CDLI.

Does dim hanes cynllunio diweddar ar y safle.

MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio llawn ar gyfer dymchwel y siop gynnyrch bresennol a chodi adeilad deulawr newydd yn ei lle ar yr ôl troed presennol gan ychwanegu estyniad dau lawr yn y cefn, gyda'r siop ar y llawr gwaelod a fflat marchnad agored 2 ystafell wely ar y llawr cyntaf.

Mae'r adeilad presennol wedi'i adeiladu o ddalennau metel gyda tho metel rhychog a dwy ffenestr yn y to ar bob goleddf. Er bod yr adeilad ar uchder deulawr nodweddiadol o'r tu allan, nid oes lefel llawr cyntaf wedi'i darparu oddi mewn iddi gyda'r siop wedi'i lleoli ar lefel y ddaear gyda gwagle uwchben. Mae'r adeilad yn dioddef o rwd a thraul gyffredinol.

Bydd yr adeilad newydd arfaethedig yn cyfateb i raddau helaeth i'r adeilad presennol o ran maint ar ei brif wedd, gydag ychwanegiad cymedrol i'w led (1m) a chynnydd cymedrol i uchder y grib er mwyn gwneud lle i'r llawr cyntaf (0.025m). Bydd yr adeilad arfaethedig yn cael ei orffen mewn rendr llyfn wedi'i baentio gyda drysau a ffenestri uPVC gwyn, ei do wedi'i orffen â llechen naturiol Iberaidd o Sbaen, a chynigir gosod paneli solar ar oleddf cefn yr adeilad a fydd yn wynebu tua'r gorllewin. Ym mhrif ardal y llawr gwaelod lleolir y siop gyda chegin, toiled a storfa yn y cefn.

Bydd yr estyniad cefn arfaethedig yn ymestyn ~ 6.2m o'r wedd gefn ac yn darparu mynediad trwy risiau i'r fflat ar y llawr cyntaf - sydd i gynnwys cegin ac ystafell fyw, un ystafell wely en-suite, 2il ystafell wely ac ystafell ymolchi ar draws ~ 80 metr sgwâr o ofod llawr y gellir ei ddefnyddio. Mae'r wybodaeth a ddarparwyd wrth gyflwyno'r cais yn nodi bod bwriad cynnig y fflat i'w rentu ar y farchnad agored i gyfiawnhau ailddatblygu'r adeilad a chefnogi'r busnes manwerthu yn ariannol yn y dyfodol.

Bydd pedwar lle parcio ar gael yng nghefn yr adeilad.

Mae carthffosydd budr i'w cysylltu â'r brif garthffos.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Mae adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn ei gwneud yn ofynnol i gais am ganiatâd cynllunio gael ei benderfynu yn unol â'r cynllun datblygu oni bai bod ystyriaethau perthnasol yn nodi fel arall.

Mae'r cynllun datblygu ar gyfer Ceredigion yn cynnwys Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040 (Cymru'r Dyfodol) a Chynllun Datblygu Lleol Ceredigion (CDLI), nid oes Cynllun Datblygu Strategol (CDD) wedi'i fabwysiadu ar gyfer Canolbarth Cymru.

Er mai dyddiad gorffen y CDLI oedd 31 Mawrth 2022, bydd yn parhau i fod y Cynllun Datblygu ar gyfer Ceredigion nes y bydd Cynllun Newydd yn cael ei fabwysiadu. Cymru'r Dyfodol yw'r ddogfen ddiweddaraf i fod yn rhan o hierarchaeth y cynlluniau datblygu a rhaid i'r holl ddatblygiadau fod yn unol â Chymru'r Dyfodol yn ogystal â pholisïau perthnasol y CDLI*.

Dylid nodi mai dim ond hanner y twf cyffredinol a ragwelwyd yn y CDLI sydd wedi'i wireddu yng nghyfnod y cynllun hyd yma ac felly mae cyfle i ddiwallu anghenion tai lle mae gofyniad sy'n weddill fel y nodwyd yn y ffigurau tai CDLI diweddaraf sydd ar gael.

*Yn unol â Deddf Cynllunio a Phrynu Gorfodol 2004, pe bai polisi yng nghynllun Cymru'r Dyfodol yn gwrthdaro â pholisi yn CDLI Ceredigion, yna dylid datrys y gwrthdaro o blaid y polisi sydd wedi'i gynnwys yng nghynllun Cymru'r Dyfodol.

Polisiâu perthnasol Cymru'r Dyfodol:

- Polisi 1 – Ble bydd Cymru yn tyfu
- Polisi 2 – Llywio Twf ac Adfywio Trefol – Creu Lleoedd Strategol
- Polisi 4 – Cefnogi Cymunedau Gwledig
- Polisi 5 – Cefnogi'r Economi Wledig
- Polisi 7 – Darparu Cartrefi Fforddiadwy
- Polisi 9 – Rhwydweithiau Ecolegol Cadarn a Seilwaith Gwyrdd
- Polisi 13 – Cefnogi Cyfathrebu Digidol
- Polisi 25 – Ardaloedd Twf Rhanbarthol – y Canolbarth

Polisi Cenedlaethol Perthnasol:

- Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)
- TAN2 Cynllunio a Thai Fforddiadwy
- TAN5 Cynllunio a Chadwraeth Natur
- TAN12 Dylunio (2016)
- TAN20 Cynllunio a'r Gymraeg

Mae'r polisiâu Cynllun Datblygu Lleol hyn yn berthnasol wrth benderfynu ar y cais hwn:

- S01 Twf Cynaliadwy
- S04 Datblygu mewn Aneddiadau Cyswllt a Lleoedd Eraill
- S05 Tai Fforddiadwy
- LU02 Gofynion sy'n ymwneud â phob Datblygiad Preswyl
- LU18 Cynigion Manwerthu Ledled y Sir
- LU22 Darpariaeth Gymunedol
- DM01 Y Gymraeg
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM05 Datblygu Cynaliadwy a Lles Cynllunio
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirwedd
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol
- Canllawiau Cynllunio Atodol Safonau Parcio CSC 2015
- Canllawiau Cynllunio Atodol Amgylchedd Adeiledig a Dylunio 2015
- Canllawiau Cynllunio Atodol Cadwraeth Natur 2015
- Canllawiau Cynllunio Atodol Tai Fforddiadwy 2014

YSTYRIAETHAU ERAILL PERTHNASOL

DEDDF TROSEDD AC ANHREFN 1998

Mae adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol arfer y swyddogaethau hynny ar droseddau ac anhrefn yn ei ardal, a'r angen i wneud popeth y gall yn rhesymol i atal hynny. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai 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 oedran; anabledd; aillbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw dyledus i hyrwyddo cydraddoldeb yn cynnwys:

- dileu neu leihau anfanteision a ddioddefir gan bobl oherwydd eu nodweddion gwarchoddedig;

- cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig pan fo'r rhain yn wahanol i anghenion pobl eraill; ac
- annog pobl sydd mewn 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 nad oes gan y datblygiad arfaethedig unrhyw oblygiadau sylweddol i bersonau sy'n rhannu nodwedd warchoddedig, nac ydyw'n cael effaith arnynt, yn fwy nag unrhyw berson arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar y Cyngor i gymryd camau rhesymol wrth arfer ei swyddogaethau i gyflawni'r saith nod llesiant o fewn y Ddeddf. Paratowyd yr adroddiad hwn i ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y'i 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.

DYLETWSYDD ECONOMAIDD-GYMDEITHASOL 2021

Mae'r ddyletswydd economaidd-gymdeithasol yn ei gwneud yn ofynnol i Awdurdodau Lleol ystyried sut y gall eu penderfyniadau wella anghydraddoldeb canlyniadau i bobl sy'n dioddef anfantais economaidd-gymdeithasol. Rhodddwyd ystyriaeth briodol i'r ddyletswydd uchod wrth benderfynu ar y cais hwn gan roi sylw penodol i'r elfen o dai fforddiadwy dan sylw.

YMATEBION YMGYNGHORI

Cyngor Cymuned Llanllwchaearn: Dim gwrthwynebiad

Priffyrdd: Dim gwrthwynebiad yn destun amodau

Draeniad Tir: Priffordd gyfagos sydd â risg isel o lifogydd dŵr wyneb. Argymhellir amodau. Mae angen cymeradwyaeth Systemau Draenio Cynaliadwy.

Ecoleg: Dim gwrthwynebiad yn destun amodau

Cyfoeth Naturiol Cymru: Dim gwrthwynebiad

Dŵr Cymru: Dim gwrthwynebiad yn destun amodau + Nodiadau Cynghori wedi'u darparu.

Ni dderbyniwyd unrhyw gynrychiolaeth gan drydydd parti.

CASGLIAD

Egwyddor Datblygu

Codi uned manwerthu newydd yn lle'r un bresennol

Mae'r adeilad presennol yn darparu cyfleusterau cyfyngedig ac yn cael effaith negyddol ar gymeriad gweledol yr ardal leol.

Mae Polisi LU18 y CDLI yn ceisio sicrhau bod newid defnydd, datblygu neu ailddatblygu defnydd manwerthu neu fasnachol yn briodol yn eu cyd-destun - gan ei gwneud yn ofynnol yn unol ag S02-S04 i ystyried effaith debygol y cynnig ar ddarpariaeth bresennol yn y Ganolfan Wasanaethau agosaf, ac na fyddai'n achosi gorgyflenwad materol o ddarpariaeth yn y Ganolfan Wasanaethau berthnasol neu'r Anheddiad Cyswllt perthnasol. Nid yw meini prawf 4 a 5 y polisi yn berthnasol yn yr achos hwn.

Mae Polisi LU22 y CDLI yn ceisio amddiffyn a gwella'r ddarpariaeth gymunedol drwy gefnogi darpariaeth gynaliadwy newydd neu wrthsefyll colli darpariaeth bresennol.

Ystyrir bod codi adeilad modern sy'n darparu cyfleusterau modern yn lle'r adeilad presennol yn gwella'r ddarpariaeth bresennol ac mae'n gyfle i ehangu'r gwasanaethau yn gymedrol oherwydd arwynebedd llawr manwerthu mwy - a fydd yn cynyddu o 46 metr sgwâr i 80 metr sgwâr. Nodir hefyd y bydd y datblygiad yn cynyddu cyfleoedd gwaith, gan ychwanegu 1 swydd lawn amser at y swydd ran-amser bresennol.

Gwelir bod y datblygiad yn cyd-fynd â meini prawf perthnasol S04 am ei fod ar raddfa fach ac wedi'i leoli'n briodol yn yr anheddiad. Ystyrir hefyd ei fod yn annhebygol iawn o gael unrhyw effaith niweidiol ar swyddogaeth fanwerthu'r Ganolfan Wasanaethau agosaf (Ceinewydd) gan mai megis gwella'r ddarpariaeth bresennol y mae'r cynnig, ac felly nid yw chwaith yn achosi pryder am unrhyw orgyflenwad yn Cross Inn.

Gwelir felly bod y datblygiad yn hwyluso gwella'r ddarpariaeth fanwerthu bresennol yn Cross Inn, yn unol â pholisïau S04, LU18 ac LU22.

Uned Breswyl Arfaethedig

Nodir maint a natur y datblygiad fel mewnlenni yn Cross Inn (Ceinewydd) sydd wedi'i ddynodi'n Anheddiad Cyswllt gan y CDLI, lle bydd datblygu yn gyfyngedig i ddarparu ar gyfer rhywfaint o'r newid demograffig disgwyledig yn y boblogaeth bresennol*.

*Mae'r amcanestyniadau poblogaeth ac aelwydydd mwyaf diweddar yn 2018 yn awgrymu y bydd poblogaeth Ceredigion yn gostwng o ryw 4,250 o bobl rhwng 2018 a 2043, o 72,992 i 68,745 gyda gostyngiad cyfatebol o oddeutu 4,50 yn nifer yr aelwydydd - mae datganiad cyntaf canlyniadau cyfrifiad 2021 yn cadarnhau'r duedd hon.

Mae Polisi S01 yn ceisio cyfeirio datblygu i 'Ganolfannau Gwasanaethau' gan mai'r rhain sy'n cyflwyno'r lleoliadau mwyaf cynaliadwy tra bod Polisi S04 yn mynd i'r afael â datblygu mewn 'Aneddiadau Cyswllt' a 'Lleoliadau Eraill'.

O ran Cross Inn (Ceinewydd) mae wedi'i leoli yng ngrŵp anheddiad Ceinewydd ac mae'r ffigurau tai canlynol yn berthnasol:

Mae Atodiad 2 CDLI Ceredigion yn nodi'r twf tai a ragwelir dros gyfnod y cynllun (2007-2022). Neilltuodd y CDLI 233 o unedau i Grŵp Aneddiadau Ceinewydd gan ddisgwyl 151 o unedau yn y Ganolfan Gwasanaethau Gwledig (CGG) ac 82 uned i gael eu datblygu mewn 'Aneddiadau Cyswllt' a 'Lleoliadau Eraill' ar yr amod nad yw stoc dai'r Anheddiad o Ebrill 2007 yn cynyddu mwy na 12% - mae'r dyraniad hwn yn 13 uned ychwanegol yn Cross Inn.

Yn ôl Ffigurau Tai diweddaraf y CDLI (Chwefror 2023):

- Caniatwyd 65 uned yn y Ganolfan Gwasanaethau Gwledig (CGG), gyda 2 uned yn cael eu dymchwel neu eu trawsnewid, gan arwain at ddiffyg o 88 uned yn CGG Ceinewydd.
- Caniatwyd 87 uned yn Aneddiadau Cyswllt a Lleoliadau Eraill, gydag 1 uned yn cael ei dymchwel neu ei thrawsnewid, gan arwain at -4 yn ormod o unedau y tu allan i CGG Cei Newydd.
 - O'r rhain, caniatwyd 43 uned yn Cross Inn - sy'n fwy na'i lwfans o 12% o 13 uned ychwanegol.

Felly, dim ond yr angen am dai fforddiadwy sydd heb ei ddiwallu yn yr ardal yn unol â pholisi S05 neu angen cyfiawn am uned TAN 6 a ganiateir.

Fodd bynnag, gall y cynnig gyfrannu at un o'r Egwyddorion Creu Lleoedd Strategol fel y'u nodir yng nghynllun Cymru'r Dyfodol a'r Canlyniadau Creu Lleoedd Cynaliadwy fel y'u nodir yn PCC yn y ffyrdd canlynol:

- **Adeiladu lleoedd ar raddfa y gellir ei cherdded, gyda chartrefi, cyfleusterau lleol a thrafnidiaeth gyhoeddus o fewn pellter cerdded i'w gilydd:**
 - Mae gan Cross Inn (Ceinewydd) ddwy siop bentref, swyddfa bost, tafarn, siopau amaethyddol, Caffi, a dau Barc Gwyliau
 - Mae wedi ei leoli ar brif lwybr bws (TrawsCymru T5: Hwlfordd i/o Aberystwyth) gyda gwasanaeth bob awr Llun-Gwener a phob 2 awr ar ddydd Sadwrn.

Mae Cymru'r Dyfodol yn nodi bod aneddiadau gwledig ffyniannus, cydnerth a chynaliadwy yn cael eu nodweddu gan gymysgedd gyfoethog o dai, cyflogaeth, gwasanaethau a seilwaith sydd wedi'u lleoli yn y manau iawn i ddiwallu anghenion a dyheadau'r boblogaeth yn y dyfodol. Ar ben hynny, mae PCC yn nodi y dylid hyrwyddo cydbwysedd eang rhwng tai, cyfleusterau cymunedol, gwasanaethau a chyfleoedd cyflogaeth mewn ardaloedd trefol a gwledig i leihau'r angen i gymudo pellter hir. Yn unol â Pholisi 4 Cymru'r Dyfodol, dylid lleoli gwahanol ddefnyddiau yn agos at ei gilydd, gan adlewyrchu'r egwyddorion creu lleoedd strategol, er mwyn helpu i greu lleoedd bywiog lle gall pobl gerdded a beicio a bod yn llai dibynol ar geir.

Er gwaethaf gwrthdaro ag S04 fel y nodwyd yn erbyn y ffigurau tai uchod, cefnogir uned breswyl ychwanegol yn yr achos hwn ar y farchnad agored oherwydd ei rôl yn hwyluso gwella ac ailddatblygu'r ddarpariaeth fanwerthu bresennol ac wrth gynnal y ddarpariaeth hon dros y tymor hwy.

Ystyrir bod Cross Inn yn anheddiad rhesymol cynaliadwy mewn cyd-destun gwledig, a nodweddir gan ystod deg o wasanaethau, cyfleusterau a chyfleoedd cyflogaeth y gellir eu cyrraedd o fewn pellter cerdded i'w gilydd, ac fe'i gwasanaethir gan wasanaeth trafndiaeth gyhoeddus eithaf aml. Bernir bod cynaliadwyedd Cross Inn i'w wella gan y cynnig, sy'n cyfiawnhau datblygu un uned breswyl marchnad agored ychwanegol er gwaethaf y gwrthdaro a nodwyd â'r CDLI.

Yn unol â Deddf Cynllunio a Phrynu Gorfodol 2004, mae'r gwrthdaro yn y polisi yn cael ei ddatrys o blaid y ddogfen cynllun datblygu diweddaraf, yn yr achos hwn Cymru'r Dyfodol, ac felly mae'r datblygiad arfaethedig yn dderbyniol mewn egwyddor.

Nodir ymhellach ei fod yn cyd-fynd â pholisïau LU02, DM03 a DM04 y CDLI.

Tai Fforddiadwy

Yn unol â Pholisi S05 a DM05, mae'r ymgeisydd wedi cytuno i ymrwymo i Gytundeb A106 i ddarparu cyfraniad o 10% o werth yr uned breswyl arfaethedig ar y farchnad agored wrth ei gwerthu tuag at ddarparu tai fforddiadwy.

Effaith ar y Gymraeg

Yn ôl y ffigurau tai diweddaraf, byddai rhoi caniatâd yn arwain at dai newydd yn anheddiad cyswllt Cross Inn yn cael eu datblygu ar gyfradd uwch na 4% o gyfrif yr anheddau ar 1 Ebrill 2007 yn y cyfnod treigl 5 mlynedd perthnasol.

Yn unol â Maen Prawf 1.a o DM01, mae'n ofynnol i Asesiad Effaith Cymunedol ac Ieithyddol (CLIA) alluogi'r ACLI i wneud penderfyniad gwybodus ynghylch a fyddai'r datblygiad arfaethedig yn debygol o gael effaith negyddol ar gydlyniant cymdeithasol, ieithyddol neu ddiwylliannol y gymuned.

Cyflwynwyd Asesiad Effaith Cymunedol ac Ieithyddol i gefnogi'r cais er boddhad yr ACLI, yn unol â DM01.

Effaith Dylunio, Gweledol ac Amwynder

Mae Polisi DM06 yn ei gwneud yn ofynnol i ddatblygiad roi sylw llawn a chyfrannu'n gadarnhaol at gyd-destun ei leoliad a'i amgylchoedd. Mae'n hyrwyddo dylunio arloesol wrth ystyried arbenigrwydd lleol o ran ffurf, dyluniad a deunydd ac mae angen ystyried cydnawsedd y ffurf adeiledig o ran graddfa, uchder a chyfran mewn perthynas â phatrymau cynllun presennol. Mae Maen Prawf 7 yn DM06 yn ceisio diogelu amwynder preswylwyr eiddo cyfagos rhag niwed sylweddol mewn perthynas â phreifatrwydd, sŵn a golygon.

Mae Polisi DM17 yn nodi na ddylai datblygiad gael effaith andwyol sylweddol ar ansawdd a chymeriad tirwedd, boed trwy amhariad gweledol, lleoliad anystyriol, defnyddiau anghydnaws, methiant i fod yn gydnaws â ffurf y tir neu ei wella, neu golli nodweddion a phatrymau traddodiadol pwysig.

Fel yr uchod, mae gan yr adeilad presennol rinweddau pensaernïol cyfyngedig ynddo'i hun ac mae'n dioddef o rwd a thraul. Ystyrir y bydd yr adeilad newydd â'i safonau a deunyddiau modern sy'n parchu prif ffurf yr adeilad blaenorol yn briodol o ran cyd-destun ac yn gwella cymeriad gweledol yr ardal, ac felly fe'i cefnogir yn unol â DM06, DM17, a TAN 12.

Ni ddisgwylir unrhyw effaith andwyol ar amwynder cyfagos - mae'r cynlluniau a gyflwynwyd wedi dangos bod yr estyniad cefn yn cydymffurfio â'r rheol 45 gradd o ffenestr gefn yr annedd gyfagos.

Materion Eraill

Priffyrdd:

Yn unol â gofynion yr Awdurdod Priffyrdd Lleol, bydd y cyfleusterau parcio arfaethedig yn cael eu cwblhau yn unol â'r cynlluniau cymeradwy cyn i'r datblygiad ddechrau cael ei ddefnyddio - wedi'i sicrhau trwy amod cynllunio.

Draeniad tir:

Mae tîm Draenio Tir y Sir wedi nodi bod angen Cymeradwyaeth SuDS - bydd gwybodaeth yn cael ei chynnwys i hysbysu'r ymgeisydd bod angen cymeradwyaeth o'r fath cyn dechrau'r datblygiad. O'r herwydd, nid oes angen gosod amodau cynllunio sy'n ymwneud â thrin dŵr wyneb.

Ecoleg:

Ni chanfu'r Adroddiad Ystlumod a gyflwynwyd unrhyw dystiolaeth o ddefnydd gan ystlumod.

Bydd gwelliant ecolegol yn cael ei sicrhau trwy amod cynllunio, yn unol â DM14, DM15, a TAN5.

Dŵr Cymru:

Bydd gwybodaeth yn cael ei chynnwys i roi gwybod y gallai fod angen caniatâd ymlaen llaw ar gyfer unrhyw gysylltiad newydd â'r brif garthffos.

ARGYMHELLIAD:

Cymeradwyo yn destun Amodau a Chytundeb A106

RHESYMAU DROS GYFEIRIO'R MATER AT SYLW'R PWYLLGOR RHEOLI DATBLYGU:

Mae'r cais yn cael ei adrodd i'r Pwyllgor Rheoli Datblygu, gan mae'r ymgeisydd yw'r Aelod Lleol.

Rhif y Cais / Application Reference	A220714
Derbyniwyd / Received	26-09-2022
Y Bwriad / Proposal	Demolition of existing produce shop to be replaced with new shop and first floor flat
Lleoliad Safle / Site Location	Parc y Pant Produce Shop, Cross Inn, New Quay. SA44 6NG
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr Matthew Vaux, Parc Y Pant Produce Shop, Cross Inn, New Quay, SA44 6NG
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen Llanrhystud, Aberystwyth, SY23 5ED

THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to Parc y Pant Produce Shop located within Cross Inn - a linked settlement to the Rural Service Centre of New Quay, as defined by the LDP.

There is no recent planning history at the site.

DETAILS OF DEVELOPMENT

The application seeks full planning permission for the demolition of the existing produce shop and its replacement with a new 2-storey building replacing the existing footprint with the addition of a two-storey rear extension, housing the shop at its ground floor and a 2-bed open-market flat at first-floor.

The existing building is constructed of metal sheeting with a corrugated metal roof and two skylights to each pitch. Although the building stands at a typical 2-storey height from the outside, there is no first-floor level provided indoors where the shop occupies the ground level with a void above. The building is suffering from rust and general wear.

The proposed replacement building will largely match the existing building in scale at its principal elevation, with a modest addition to its width (1m) and modest increase to ridge height to accommodate the first-floor (0.025m). The proposed building will be finished in smooth cast painted render, feature white uPVC doors and windows, its roof finished in Spanish iberian natural slate, and solar panels are proposed to its rear west-facing pitch. The principal area of the ground floor will accommodate the shop with a kitchen, W/C, and store room to its rear.

The proposed rear extension will extend ~6.2m from the rear elevation and provide stepped access from the to the first-floor flat - featuring a kitchen and living room area, 1 en-suite bedroom, a 2nd bedroom, and bathroom across ~80sq.m of usable floorspace. Information provided during the course of the application states that the flat is proposed for rental on the open market to justify the re-development of the building and financially support the retail function going forward.

Four parking spaces are to be provided to the rear of the building.

Foul sewage is to be connected to the main sewer.

RELEVANT PLANNING POLICIES AND GUIDANCE

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires an application for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Ceredigion consists of Future Wales: The National Plan 2040 (Future Wales) and the Ceredigion Local Development Plan (LDP), no Strategic Development Plan (SDP) has been adopted for Mid Wales.

Whilst the end date of the LDP was 31st March 2022, it will continue to be the Development Plan for Ceredigion until a Replacement Plan is adopted. Future Wales is the latest document to be part of the development plans hierarchy and all development must be in accordance with Future Wales as well as the relevant policies of the LDP*. It should be noted that only half of the overall growth envisaged in the LDP has been realised in the plan period to date and there is therefore opportunity to meet housing needs where there is a remaining requirement as noted in the latest available LDP housing figures.

*In line with the Planning and Compulsory Purchase Act 2004, should a policy in Future Wales conflict with a policy in the Ceredigion LDP, then the conflict should be resolved in favour of the policy contained within Future Wales.

Relevant Future Wales Policies:

- Policy 1 – Where Wales will grow
- Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 4 – Supporting Rural Communities
- Policy 5 – Supporting The Rural Economy
- Policy 7 – Delivering Affordable Homes
- Policy 9 – Resilient Ecological Networks and Green Infrastructure
- Policy 13 – Supporting Digital Communications
- Policy 25 – Regional Growth Areas – Mid Wales

Relevant National Policy:

- Planning Policy Wales (Edition 11, February 2021)
- TAN2 Planning and Affordable Housing
- TAN5 Nature Conservation and Planning
- TAN12 Design (2016)
- TAN20 Planning and the Welsh Language

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

- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- S05 Affordable Housing
- LU02 Requirements Regarding All Residential Development
- LU18 Retail Proposals Countrywide
- LU22 Community Provision
- DM01 Welsh Language
- DM03 Sustainable Travel
- DM04 Sustainable Travel Infrastructure as a Material Consideration
- DM05 Sustainable Development and Planning Gain
- DM06 High Quality Design and Placemaking
- DM10 Design and Landscaping
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape
- CCC Parking Standards SPG 2015
- Built Environment and Design SPG 2015
- Nature Conservation SPG 2015
- Affordable Housing SPG 2014

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.

SOCIO-ECONOMIC DUTY 2021

The socio-economic duty requires Local Authorities to consider how their decisions can improve inequality of outcome for people who suffer socio-economic disadvantage. The above duty has been given due consideration in determination of this application with specific regard to the element of affordable housing involved.

CONSULTATION RESPONSES

Cyngor Cymuned Llanllwchaearn Community Council: No objection

Highways: No objection STC

Land Drainage: Adjacent highway at low risk of surface water flooding. Conditions recommended. SuDS Approval required.

Ecology: No objection STC

Natural Resources Wales: No objection

Dwr Cymru Welsh Water: No objection STC + Advisory notes provided.

No third party representation was received.

CONCLUSION

Principle of Development

Replacement of Existing Retail Unit

Policy LU18 of the LDP seeks to ensure that the change of use, development, or redevelopment of retail or commercial uses are appropriate in their context - requiring accordance with S02-S04, that consideration be given to the likely impact of the proposal on existing provision within the nearest Service Centre, and that it would not cause a material oversupply of provision within the relevant Service Centre or Linked Settlement. Criteria 4 and 5 of the policy are not relevant in this case.

Policy LU22 of the LDP seeks to protect and enhance community provision by supporting new sustainable provision or resisting the loss of existing provision.

The replacement of the existing with a modern building providing modern facilities is deemed an enhancement of the existing provision and presents opportunity for a modest expansion of services due to an enlarged retail floor area - increasing from 46sq.m to 80sq.m. The development is also stated to increase employment opportunity, adding 1No full-time role to the existing 1No part-time role.

The development is seen to accord with relevant criteria of S04 being of a small scale and appropriately located within the settlement. It is also deemed highly unlikely to have any detrimental impact on the retail function of the nearest Service Centre (New Quay) as the proposal simply enhances an existing provision, and thus also not raising concern of any oversupply to Cross Inn.

The development is therefore seen to facilitate the enhancement of existing retail provision within Cross Inn, according with policies S04, LU18 and LU22.

Proposed Residential Unit

The scale and nature of the development is noted as an infill to Cross Inn (New Quay) which is designated as a Linked Settlement by the LDP, where development will be limited to providing for some of the expected demographic change within the existing population*.

*The most recent 2018-based population and household projections suggests that Ceredigion's population will decline by approximately 4,250 people between 2018 and 2043, from 72,992 to 68,745 with a corresponding reduction in the number of

households by roughly 4,50 - the first release of the 2021 census results confirm this trend.

Policy S01 seeks to direct development to 'Service Centres' as these present the most sustainable locations while Policy S04 addresses development in 'Linked Settlements' and 'Other Locations'.

In terms of Cross Inn (New Quay) it is located within the New Quay settlement group and the following housing figures apply:

Appendix 2 of the Ceredigion LDP sets out the anticipated housing growth over the plan period (2007-2022). The LDP assigned 233 units to the New Quay Settlement Group with 151 units expected within the Rural Service Centre (RSC) and 82 units expected to come forward within 'Linked Settlements' (LS) and 'Other Locations' (OL) provided that the Settlement's housing stock as of April 2007 is not exceeded by 12% - this allocation being 13 additional units within Cross Inn.

According to the latest LDP Housing Figures (February 2023):

- 65 units have been permitted within the RSC, with 2 demolitions or conversions, resulting in a shortfall of 88 units within the RSC of New Quay.
- 87 units have been permitted within LS and OL, with 1 demolition or conversion, resulting in an exceedance of -4 units outside of the RSC of New Quay.
 - Of which, 43 units have been permitted within Cross Inn - exceeding its 12% allowance of 13 additional units.

Therefore, only unmet affordable housing need in the locality in line with policy S05 or justified need for a TAN 6 unit is permitted.

However, the proposal may contribute to one of the Strategic Placemaking Principles as set out in Future Wales and the Sustainable Placemaking Outcomes as set out in PPW in the following ways:

- **Building places at a walkable scale, with homes, local facilities and public transport within walking distance of each other:**
 - Cross Inn (New Quay) has two village shops, a post office, pub, agricultural stores, Cafe, and two Holiday Parks
 - Is located on a main bus route (TrawsCymru T5: Haverfordwest to/from Aberystwyth) serviced hourly Mon-Fri and every 2 hours on Saturdays.

Future Wales notes that thriving, resilient and sustainable rural settlements are characterised by a rich mix of housing, employment, services and infrastructure located in the right places to meet the needs and future aspirations of the population. Moreover, PPW sets out that a broad balance between housing, community facilities, services and employment opportunities in both urban and rural areas should be promoted to minimise the need for long distance commuting. In accordance with Policy 4 of Future Wales, different uses should be situated in close proximity to each other, reflecting the strategic placemaking principles, to help create vibrant active places where people can walk and cycle and are less reliant on cars.

Despite conflict with S04 as identified against the above housing figures, an additional residential unit is supported in this case on the open market due to its role in facilitating the enhancement and redevelopment of the existing retail provision and in sustaining this provision over the longer-term.

Cross Inn is deemed to be a reasonably sustainable settlement in a rural context, characterised by a fair range of services, facilities, and employment opportunities accessible within walking distance of each other, and served by a fairly frequent public transport service. It is adjudged that the sustainability of Cross Inn is to be enhanced by the proposal, which justifies the development of a single additional open-market residential unit despite the identified conflict with the LDP.

In line with the Planning and Compulsory Purchase Act 2004, the policy conflict is resolved in favour of the latest development plan document, in this case Future Wales, and the proposed development is therefore acceptable in principle.

Accordance is further identified with LDP policies LU02, DM03 and DM04.

Affordable Housing

In line with Policy S05 and DM05, the applicant has agreed to enter into a S106 Agreement to provide a contribution of 10% open market value at first disposal of the proposed residential unit toward the provision of affordable housing.

Impact on Welsh Language

According to the latest housing figures, the grant of permission would result in new housing within the linked settlement of Cross Inn coming forward at a rate greater than 4% of the dwelling count as of 1st April 2007 in the relevant rolling 5 year period.

In line with Criterion 1.a of DM01, a Community and Linguistic Impact Assessment (CLIA) is required to enable the LPA to make an informed decision as to whether the proposed development would be likely to have a negative impact on the social, linguistic or cultural cohesion of the community.

A CLIA was submitted in support of the application to the satisfaction of the LPA, in accordance with DM01.

Design, Visual and Amenity Impact

Policy DM06 requires development to have full regard and positively contribute to the context of its location and surroundings. It promotes innovative design whilst having regard for local distinctiveness in terms of form, design and material and requires consideration of the cohesiveness of the built form in terms of scale, height and proportion in reference to existing layout patterns. Criterion 7 of DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook.

Policy DM17 states that development should not have a significant adverse effect on the quality and character of a landscape, whether through visual intrusion, an insensitive siting, incompatible uses, failure to harmonise or enhance landform, or the loss of important traditional features and patterns.

As above, the existing building holds limited architectural merit in itself and is suffering from rust and wear. Its replacement to modern standards and materials respecting the principal form of the previous building is deemed appropriate in context and a betterment of the visual character of the locality, thus supported in line with DM06, DM17, and TAN 12.

No adverse impact to neighbouring amenity is anticipated - submitted plans have shown the rear extension to comply with the 45 degree rule from the neighbouring dwelling's rear window.

Other Matters

Highways:

In line with LHA requirements, the proposed parking facilities shall be completed in accordance with the approved plans before the development is brought into use - secured via planning condition.

Land Drainage:

The County's Land Drainage team have indicated that SuDS Approval is required - an informative shall be included to advise the applicant that such approval is required prior to the commencement of development. As such, it is not necessary to impose planning conditions relating to the treatment of surface water.

Ecology:

The submitted Bat Report found no evidence of bat use.

Ecological enhancement shall be secured via planning condition, in line with DM14, DM15, and TAN 5.

Dwr Cymru:

An informative shall be included to advise that prior consent may be required for any new connection to the mains sewer.

RECOMMENDATION:

Approve Subject to Conditions and S106 Agreement

REASONS FOR REFERRAL TO THE DEVELOPMENT MANAGEMENT COMMITTEE:

The application is being reported to the Development Management Committee, as the applicant is the Local Member.

2.7. A220763



Rhif y Cais / Application Reference	A220763
Derbyniwyd / Received	10-10-2022
Y Bwriad / Proposal	Annedd newydd arfaethedig (gan ddymchwel yr annedd presennol wrth ei gwblhau), estyniad i ardal yr ardd a gwaith cysylltiedig.
Lleoliad Safle / Site Location	Allt y Bryn, Beulah, Castellnewydd Emlyn, SA38 9QH
Math o Gais / Application Type	Cynllunio llawn
Ymgeisydd / Applicant	Mr M Evans, Allt y Bryn, Beulah, Castell Newydd Emlyn, Ceredigion, SA38 9QH
Asiant / Agent	Mr Robert Thomas (Thomas Login Architecture), Plas y Berllan, Ffostrasol, Llandysul, Ceredigion, SA44 4TE

Y SAFLE A HANES PERTHNASOL

Saif Allt y Bryn, byngalo sengl, ar ochr ogleddol ffordd wledig wedi'i leoli 4.1 cilometr o Beulah, Castellnewydd Emlyn i'r de a 4.5 cilometr o Dan-y-groes i'r gorllewin. Mae'r byngalo sengl presennol yn wynebu'r de-orllewin ac mae ganddo bedair ystafell wely ac mae wedi'i adeiladu o waliau bloc sydd wedi'u rendro a'u paentio a chanddo do teils ar oleddf. Mae gan y byngalo ddrysau a ffenestri â fframiau uPVC.

Mae'r safle ehangach yn gweithredu menter gweithgynhyrchu ceir o'r enw Wales Motorsport. Mae siediau, rhandir ac ardal goetir sy'n rhan o'r safle.

Hanes cynllunio :

800128 - Estyniad i greu fflat hunangynhwysol i'r henoed - Cymeradwywyd gydag amodau 18/3/1980

A040011 - Amrywio amodau parthed: deiliadaeth (D2472 amod 10 a D2799 amod 2) - Cymeradwywyd gydag amodau 16/5/2004

A040012 - Codi gweithdy diwydiannol at ddefnydd busnes - Cymeradwywyd gydag amodau 4/7/2004

A150261 - Codi estyniad i'r gweithdy presennol - Cymeradwywyd gydag amodau 19/11/2015

A150338 - Dileu amod 2 o ganiatâd cynllunio A040011 – Cymeradwywyd 13/9/2015

A210137 – Sied storio arfaethedig – Cymeradwywyd gydag amodau 6/4/2021

MANYLION Y DATBLYGIAD

Ceisir caniatâd cynllunio llawn i ddymchwel yr annedd bresennol ac adeiladu annedd newydd gyda'r holl waith cysylltiedig arall.

Mae gan yr annedd bresennol ôl troed o 170 metr sgwâr ac mae cyfanswm ei lled tua 19m, cyfanswm ei dyfnder tua 15m a chyfanswm ei uchder tua 5.7m.

Yn fewnol, mae'r annedd bresennol yn cynnwys 4 ystafell wely, heulfan, ystafell esgidiau, en-suite, lolfa, ystafell fwyta a chegin gydag ystafell amlbwrpas a storfa.

Byddai'r annedd arfaethedig yn cynnwys ôl troed o 253 metr sgwâr ac yn mesur 22m o led x dyfnder uchaf o 15.6m gydag uchder crib uchaf o 8.7m gyda dau uchder crib o 7.8m i ochr ddwyreiniol y brif wedd flaen a 6.2m i'r ochr orllewinol. Nid yw'r annedd arfaethedig wedi'i lleoli ar ôl troed yr annedd bresennol; mae'r cynnig yn gofyn i'r annedd bresennol gael ei chadw fel preswylfa nes bod yr annedd newydd wedi'i chwblhau.

Yn fewnol, byddai'r annedd arfaethedig yn cynnwys ystafell gyda'r nos, lolfa, pantri 2 doiled, cyntedd, ystafell gotiau, ystafell gawod, ystafell amlbwrpas, cegin ac ardal fwyta, ystafell gypyrddau a swyddfa ar gyfer Wales Motorsports ar lefel y llawr

gwaelod, tra ar lefel y llawr cyntaf byddai'r annedd arfaethedig yn cynnwys 4 ystafell wely, 2 en-suite, ardal wisgo, balconi a 2 fod ar gyfer en-suites / ystafelloedd gwisgo dewisol.

Byddai'r annedd newydd yn cynnwys rendr wedi'i baentio, gan gynnwys gwaith cerrig a nodwedd â chladin pren ar waliau allanol, teils to llechi naturiol a ffenestri a drysau UPVC ac alwminiwm cyfansawdd.

Bydd carthion budr yn cael eu gwaredu trwy gyfleuster parod i drin carthion newydd a bydd dŵr wyneb yn cael ei waredu trwy suddfannau dŵr.

POLISIĀU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

DM06 Dylunio a Chreu Lle o Safon Uchel

DM13 Systemau Draenio Cynaliadwy

DM14 Cadwraeth Natur a Chysylltedd Ecolegol

DM15 Cadw Bioamrywiaeth Leol

DM17 Y Dirwedd yn Gyffredinol

LU02 Gofynion sy'n ymwneud â phob Datblygiad Preswyl

LU08 Anheddau Newydd yn Lle'r Rhai Presennol

Polisi S01 Twf Cynaliadwy

Polisi S04: Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill

Mae'r dogfennau Canllaw Cynllunio Atodol canlynol yn berthnasol:

Amgylchedd Adeiledig a Dylunio

Canllawiau Cynllunio Atodol Cadwraeth Natur

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol arfer y swyddogaethau hynny ar droseddau ac anhrefn yn ei ardal, a'r angen i wneud popeth y gall yn rhesymol i atal hynny. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai 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 oedran; anabled; ailbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw dyledus i hyrwyddo cydraddoldeb yn cynnwys:

- dileu neu leihau anfanteision a ddioddefir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig pan fo'r rhain yn wahanol i anghenion pobl eraill; ac
- annog pobl sydd mewn grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle mae niferoedd anghymesur o isel o'u plith yn cymryd rhan.

Rhodddwyd ystyriaeth ddyledus i'r ddyletswydd uchod wrth benderfynu ar y cais hwn. Ystyrir nad oes gan y datblygiad arfaethedig unrhyw oblygiadau sylweddol ar gyfer personau sy'n rhannu nodwedd warchoddedig, nac ydyw'n cael effaith arnynt, yn fwy nag unrhyw berson arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar y Cyngor i gymryd camau rhesymol wrth arfer ei swyddogaethau i gyflawni saith nod llesiant y Ddeddf. Paratowyd yr adroddiad hwn i ystyried dyletswydd y Cyngor

a'r 'egwyddor datblygu cynaliadwy', fel y'i 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 YMGYNGHORI

Cyngor Cymuned Beulah - yn cefnogi'r cais hwn, ar y sail bod y byngalo presennol yn fach iawn a bod safon y tŷ yn wael. Mae angen mwy o le ar y teulu, a bydd hefyd yn codi safon y tŷ presennol. Mae'r safle'n ddelfrydol gan fod y gweithle teuluol ar yr un safle.

Priffyrdd - Bydd unrhyw ganiatâd y gall yr Awdurdod Cynllunio ei roi yn cynnwys Amod sy'n ymwneud â dŵr wyneb..

Draenio Tir – Argymell gosod arwyneb newydd, gan gynyddu suddfannau dŵr wyneb ffo ac mae angen cymeradwyaeth Systemau Draenio Cynaliadwy.

Cyfoeth Naturiol Cymru – does dim gwrthwynebiad i'r datblygiad arfaethedig ac maent yn cynnig cyngor mewn perthynas â safleoedd gwarchoddedig a rhywogaethau a warchodir yn Ewrop.

Ecoleg – Dim gwrthwynebiadau

CASGLIAD

Mae adran 38(6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn nodi os oes angen rhoi sylw i'r cynllun datblygu at ddiben unrhyw benderfyniad sydd i'w wneud o dan y Ddeddfau cynllunio rhaid i'r penderfyniad fod yn unol â'r cynllun oni bai bod ystyriaeth berthnasol yn nodi fel arall.

Egwyddor datblygu

Mae'r cynnig wedi'i gyflwyno'n llawn gyda'r dymuniad i ddymchwel yr adeilad un llawr a chodi annedd ddeulawr newydd wedi'i lleoli ger yr annedd bresennol o dan bolisi LU08 y CDLI. Mae Polisi LU08 yn cefnogi cynigion ar gyfer anheddau newydd ar yr amod bod yr annedd newydd wedi'i lleoli o fewn neu gerllaw ôl troed yr annedd wreiddiol ac yn adlewyrchu ffurf, swmp, maint a graddfa'r annedd wreiddiol ac yn parhau neu'n gwella dyluniad yr annedd wreiddiol, eiddo cyfagos a'r gymdogaeth.

Mae'r annedd arfaethedig wedi'i lleoli wrth ymyl y tŷ annedd gwreiddiol gydag ôl troed mwy. Ni fydd y tŷ presennol yn cael ei ddymchwel tan i'r annedd newydd gael ei chwblhau; yn unol â'r meini prawf asesu mae hyn yn dderbyniol gan y bydd y gwaith dymchwel yn cael ei wneud o fewn cyfnod amser derbyniol. Wrth edrych ar olygfa'r stryd, nodir bod yr ardal gyfagos yn darlunio cefn gwlad gyda chaeau agored, adeiladau amaethyddol ac anheddau ysbeidiol. Mae'r annedd agosaf wedi'i lleoli 128m i'r gorllewin o'r safle ac mae'n adlewyrchu annedd ddeulawr gyda tho talcen. Deuir i'r casgliad, o ystyried cyd-destun yr olygfa stryd bresennol, fod dyluniad, maint a graddfa'r annedd arfaethedig yn cael ei ystyried yn amhriodol ar gyfer y cyd-destun gwledig iawn.

Mae'r annedd newydd arfaethedig yn cynyddu gofod byw safle'r cais ac mae'r màs a'r swmp yn cynyddu i dŷ annedd deulawr. Byddai'r adeilad arfaethedig ag uchder o 8.4m sydd 3.5m yn uwch na'r annedd bresennol a lled o 22.8m sydd 4.3m yn lletach na'r annedd bresennol, dau do ar oleddf ar y wedd flaen gyda mwy o ffenestri o'i gymharu â'r tŷ presennol.

Mae'r safle wedi'i lleoli mewn "Lleoliad Arall" at ddibenion y Cynllun Datblygu Lleol ac o'r herwydd, rhaid rheoli'r datblygiad yn llym. Mae Polisi LU08: Anheddau Newydd yn Lle'r Rhai Presennol yn berthnasol a rhaid i'r annedd newydd fodloni nifer o feini prawf, a drafodir isod:

Yn ôl y datganiad cynllunio, mae yna bobl yn byw yn yr annedd bresennol ar hyn o bryd ac mae'n adnabyddadwy fel annedd Dosbarth C3 barhaol. Felly, mae Maen Prawf 1 wedi'i fodloni.

O ran Maen Prawf 2i: dylai'r annedd newydd gael ei lleoli o fewn neu wrth ymyl ôl troed yr annedd wreiddiol ac adlewyrchu ffurf, swmp, maint a graddfa'r annedd wreiddiol onid oes manteision cynllunio amlwg o newid cyfeiriadedd, safle neu faint yr un wreiddiol.

Byddai'r annedd newydd wedi'i lleoli wrth ymyl ôl troed yr annedd wreiddiol; fodd bynnag, bydd y ffurf, swmp, maint a graddfa yn fwy ac felly ni fyddai'n adlewyrchu'r annedd wreiddiol. Felly nid yw Maen Prawf 2i wedi'i fodloni'n llawn.

Mae Maen Prawf 2ii yn nodi y dylai'r annedd newydd barchu neu wella dyluniad yr annedd wreiddiol, eiddo cyfagos a'r gymdogaeth.

Mae ymddangosiad yr annedd newydd yn sylweddol wahanol ac yn cyflwyno ffenestri mawr ar y wedd flaen, llawr ychwanegol, a tho sy'n disodli tŷ annedd un llawr syml. Er bod yr eiddo yn gymharol ynysig ac wedi'i rwystron rhannol o olwg y cyhoedd, serch hynny nid yw'n parhau arddull bensaernïol yr annedd bresennol ac felly nid yw Maen Prawf 2ii wedi'i

fodloni.

Mae Maen Prawf 3 yn nodi y bydd y datblygiad arfaethedig yn amodol ar ddymchwel yr annedd wreiddiol ar yr adeg briodol. Bydd yr annedd bresennol yn cael ei dymchwel cyn i'r annedd newydd gael ei meddiannu gyntaf. Yn hyn o beth, mae'n cwrdd â Maen Prawf 3.

I grynhoi, er bod yr annedd newydd yn cyd-fynd â Meini Prawf 1 a 3 Polisi LU08, nid yw'r cynnig yn bodloni Maen Prawf 2i a 2ii. Felly, ni dderbynnir yr egwyddor o annedd newydd yn lle'r un presennol yn y lleoliad hwn neu gyda'r dyluniad hwn.

Amwynder

Mae Maen Prawf 7 Polisi DM06 yn ceisio diogelu amwynderau deiliaid eiddo cyfagos rhag niwed sylweddol o safbwynt preifatrwydd, sŵn a golygon. Mae'r tŷ presennol i'w weld o'r brif ffordd a byddai'r annedd newydd hefyd gan nad oes tirwedd wedi'i gynnig ar hyd blaen yr eiddo. Bydd lleoliad yr annedd newydd wedi'i leoli 128m o unrhyw gymydog cyfagos i'r gorllewin o'r safle, a thrwy hynny mae ei ymyrraeth swyddogaethol a gweledol yn gyfyngedig. Er mwyn cuddio rhagor ar yr annedd arfaethedig o'r brif ffordd, mae amod yn ymwneud â thirwedd yn angenrheidiol; bydd cynllun tirwedd yn cael ei wneud yn unol â'r manylion cymeradwy (Drwg Rhif 2214-PS a dderbyniwyd 26/10/2022) a bydd yr holl blannu'n cael ei gyflawni o fewn 12 mis calendr o ddechrau'r datblygiad, er mwyn diogelu cymeriad ac amwynderau'r ardal a sicrhau bod y plannu y cytunwyd arno'n cael ei wneud o fewn cyfnod rhesymol. Yn hyn o beth, mae'r cynnig yn bodloni Polisi DM06.

Dylunio

Mae Polisi DM06 yn ei gwneud yn ofynnol i ddatblygiad roi sylw llawn a chyfrannu'n gadarnhaol at gyd-destun ei leoliad a'i amgylchedd. Mae'n hyrwyddo dylunio arloesol ac yn rhoi sylw i hynodrwydd lleol o ran ffurf, dyluniad a defnyddiau ac mae angen ystyried cydnawsedd y ffurf adeiledig o ran graddfa, uchder a chyfran mewn perthynas â phatrymau'r cynllun presennol. Yn ogystal, mae Polisi DM17 yn nodi na ddylai datblygiad gael effaith andwyol sylweddol ar ansawdd a chymeriad tirwedd, boed trwy ymyrraeth weledol, lleoliad anystyriol, defnyddiau anghydnaws, methiant i gysoni neu wella tirffurf, neu golli nodweddion a phatrymau traddodiadol pwysig.

Mae'r arddull bensaernïol yn amlwg yn wahanol iawn i un yr annedd bresennol, ac felly nid yw'n bodloni Maen Prawf 2ii Polisi LU08. Mae'r uchder a'r swmp yn ormodol ac felly'n anystyriol i leoliad fferm wledig y safle. Byddai'r annedd newydd i'w weld yn amlwg ar y brif ffordd heb unrhyw dirwedd arfaethedig i liniaru ei heffaith. Ar ben hynny, mae'r steil anghyson o ran dyluniad a phatrwm y ffenestri yn yr annedd drwyddi draw yn ei gwneud yn anghyson â Pholisïau DM06 a DM17.

Ecoleg

Cyflwynwyd Arolwg Ystlumod i'w ystyried sy'n cadarnhau bod yr annedd mewn cynefin sy'n ffatriol i ystlumod. Fodd bynnag, canfu'r arolwg nad oedd unrhyw arwyddion o ystlumod yn defnyddio'r annedd ac ystyrir nad oes gan yr eiddo lawer o botensial i gynnal ystlumod. Cadarnhaodd yr arolwg gweithgarwch ganlyniad dim ystlumod yr arolwg cwmpasu, gan ganfod nad oedd unrhyw ystlumod yn defnyddio'r adeilad.

Nid oedd unrhyw adar yn nythu na gweithgarwch tylluanod. Mae'r adran ecoleg wedi gwneud sawl argymhelliad. Mae'r rhain yn cynnwys, cyn i'r gwaith ddechrau, gosod 2 x bocs ystlumod Harlech Woodstone (neu debyg) ar goed aeddfed o fewn cwrtill yr eiddo. 1 x bocs ystlumod Beaumaris Woodstone (neu debyg) i'w osod i wedd dde-ddwyrain yr annedd newydd. 1 x cwpan nyth Gwennol y Bondo i'w osod i wedd ogledd-orllewin yr annedd newydd ac yn olaf gellid sicrhau budd ecolegol ehangach trwy sicrhau (lle bo modd) bod pob ffin yn cael ei phlannu â rhywogaethau brodorol i gadw cysylltedd â'r cynefin cyfagos yn ogystal â chadw (lle bo hynny'n bosibl a pherthnasol) unrhyw goed aeddfed ar y safle. Ni ddylai fod unrhyw golled net o wrychoedd.

Nid oes unrhyw oleuadau allanol wedi'u manylu ar y cynlluniau, ond pe bai goleuadau allanol yn cael eu gosod, yna bydd angen ystyried yn ofalus unrhyw oleuadau allanol ar y datblygiad arfaethedig, bydd angen nodi mesurau i leihau'r effeithiau ar gymudo a chwilota gan fywyd gwylt y nos yn yr ardal leol, yn enwedig nodweddion sy'n debygol o fod o arwyddocâd i weithgareddau chwilota a chymudo yn y nos h.y. gwrychoedd a glannau afonydd.

Mae'r cynnig wedi cael ei sgrinio fel un nad yw'n debygol o gael effaith sylweddol ar Afon Teifi drwy gynydd mewn ffosffadau yn unol â "Chyngor" Cyfoeth Naturiol Cymru (Fersiwn 3 Gorffennaf 2022).

ARGYMHELLIAD:

GWRTHOD

Mae'r rhesymau fel a ganlyn:

1. Yn rhinwedd ei ffurf, swmp, maint a graddfa, ni fyddai'r annedd newydd yn adlewyrchu nodweddion yr annedd wreiddiol. Nid oes unrhyw fanteision cynllunio amlwg wedi'u dangos ac felly nid yw'r cynnig yn cydymffurfio â Maen Prawf 2i o bolisi LU08.

2. Oherwydd ei uchder, ei swmp a'i dyluniad cyffredinol, ystyrir bod yr annedd newydd arfaethedig yn ormod ac yn methu â pharchu lleoliad fferm wledig y safle. Mae'r ffenestri arfaethedig yn anghyson o ran dyluniad a phatrwm ac yn gyffredinol nid yw'r cynnig yn cyd-fynd â Pholisïau DM06 a DM17.

RHESYMAU DROS GYFEIRIO'R MATER AT SYLW'R PWYLLGOR RHEOLI DATBLYGU:

Nid yw'r Aelod Lleol yn cytuno gyda'r farn nad yw'r dyluniad yn cydweddu gyda'r stoc tai lleol. Mae'n dymuno i'r pwyllgor cynllunio cael y cyfle i'w weld yn fanwl a gwneud penderfyniad gwybodus.

Rhif y Cais / Application Reference	A220763
Derbyniwyd / Received	10-10-2022
Y Bwriad / Proposal	Proposed replacement dwelling (Demolition at completion), extension to the garden area and associated works.
Lleoliad Safle / Site Location	Allt y Bryn, Beulah, Newcastle Emlyn, SA38 9QH
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr M Evans, Allt Y Bryn, Beulah, Newcastle Emlyn, Ceredigion, SA38 9QH
Asiant / Agent	Mr Robert Thomas (Thomas Login Architecture), Plas Y Berllan, Ffostrasol, Llandysul, Ceredigion, SA44 4TE

THE SITE AND RELEVANT PLANNING HISTORY

Allt y Bryn comprises a detached bungalow situated to the northern side of a country road located 4.1km from Beulah, Newcastle Emlyn to the south and 4.5km from Tan-y-groes to the west. The existing detached bungalow is south west facing and has four bedrooms and is constructed of block walls that have been rendered and painted with a pitched tiled roof. The bungalow has uPVC framed windows and doors.

The wider site operates car manufacturing enterprise known as Wales Motorsport, there are sheds, an allotment and a woodland area that form part of the site.

Planning history:

800128 - Extension to form self-contained flat for the elderly - Approved STC 18/3/1980

A040011 - Variation of conditions re: occupancy (D2472 condition 10 & D2799 condition 2) - Approved STC 16/5/2004

A040012 - Erection of an industrial workshop for business use - Approved STC 4/7/2004

A150261 - Erection of extension to existing workshop - Approved STC 19/11/2015

A150338 - Removal of condition 2 of planning permission A040011 – Approved 13/9/2015

A210137 – Proposed storage shed – Approved STC 6/4/2021

DETAILS OF DEVELOPMENT

Full planning permission is sought to demolish the existing dwelling and construct a replacement dwelling with all other associated works.

The existing dwelling has a footprint of 170sqm and includes a total width of approximately 19m, total depth of approximately 15m and total height of approximately 5.7m.

Internally, the existing dwelling includes 4no bedrooms, conservatory, boot room, en-suite, lounge, dining and kitchen room with utility room and storage.

The proposed dwelling would feature a footprint of 253sqm and measure 22m wide x maximum depth of 15.6m with maximum ridge height of 8.7m with two set down ridge heights of 7.8m high to the eastern side of the principal front elevation and 6.2m to the western side. The proposed dwelling is not sited on the footprint of the existing dwelling, the proposal requests that the existing dwelling be kept for occupation until the new dwelling is built.

Internally, the proposed dwelling would include an evening room, lounge, larder, 2no W/C, porch, cloakroom, shower room, utility, kitchen and dining area, cupboard room and office for Wales Motorsports at ground floor level, while at first floor level the proposed dwelling would include 4no bedrooms, 2no en-suite, dressing area, balcony and 2no spaces for optional en-suites/ dressing rooms.

The replacement dwelling would feature painted render, including stonework and timber-clad feature to external walls, natural slate roof tiles and UPVC & aluminium composite windows and doors.

Foul sewage will be disposed of via a new package treatment plant and surface water will be disposed of via soakaways.

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

LU02 Requirements Regarding All Residential Developments

LU08 Replacement of Existing Dwellings

Policy S01 Sustainable Growth

Policy S04: Development within Linked Settlements and Other Locations

The following Supplementary Planning Guidance documents are applicable:

Built Environment and Design

Nature Conservation SPG

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

Beulah Community Council - supports this application, on the basis that the current bungalow is very small and that the standard of the house is poor. The family needs more space, and it will also rise the standard of the current house. The site

is ideal as the family workplace is on the same site.

Highways - Any permission which the Planning Authority may give shall include a Condition relating to surface water..

Land Drainage – Make recommendations new surfacing, increasing surface water run off, soakaways and SUDS approval is required.

Natural Resources Wales – have no objection to the proposed development and offer the advice in relation to protected sites and European protected species.

Ecology – No objections

CONCLUSION

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

Principle of development

The proposal has been submitted in full and seeks to demolish the single storey building and erect a new two storey dwelling located adjacent to the existing dwelling under policy LU08 of the LDP. Policy LU08 supports proposals for replacement dwellings provided that the new dwelling be located within or adjacent to the footprint of the original dwelling and reflect the form, bulk, size and scale of the original dwelling and respect or enhance the design of the original dwelling, that of surrounding properties and the locality.

The proposed dwelling is located adjacent to the original dwellinghouse with a larger footprint. The existing house will not be demolished until the completion of the new dwelling, as per the assessment criteria this is acceptable as the demolition will be done within an acceptable time period. Looking to the street scene, it is noted that the surrounding area depicts the countryside with open fields, agricultural buildings and sporadic dwellings. The nearest dwelling is located 128m to the west of the site and reflects a two-storey dwelling with a gabled roof form. It would be concluded that given the context of the existing street scene that the design, size and scale of the proposed dwelling is considered inappropriate for the very rural context.

The proposed replacement dwelling increases the living space of the application site and the mass and bulk increases to a two storey dwellinghouse. The proposed dwelling would feature an increased height of 8.4m which is 3.5m higher than the existing dwelling and width of 22.8m which is 4.3m wider than the existing dwelling, mirrored pitched roof on the front elevation with an increased fenestration when compared to the existing house.

The site is located within an “Other Location” for the purposes of the Local Development Plan and as such, development must be strictly controlled. Policy LU08: Replacement of Existing Dwellings is relevant and the replacement dwelling must meet various criteria, which are discussed below:

According to the planning statement, the existing dwelling is currently occupied and is recognisable as a permanent Class C3 dwelling. Criterion 1 is therefore satisfied.

In respect of Criterion 2i: the replacement dwelling should be located within or adjacent to the footprint of the original dwelling and reflect the form, bulk, size and scale of the original dwelling unless there are demonstrable planning advantages to be gained from deviating from the original orientation, position or size.

The replacement dwelling would be located adjacent to the footprint of the original dwelling, however the form, bulk, size and scale will be larger and therefore would not reflect the original dwelling. Criterion 2i has therefore not been fully met.

Criterion 2ii states that the replacement dwelling should respect or enhance the design of the original dwelling, that of surrounding property and the locality.

The appearance of the replacement dwelling is significantly different and introduces large fenestration on the front elevation, an increased storey, and a roof which replaces a simple single storey dwellinghouse. Although the property is relatively isolated and somewhat obstructed from public view, it nevertheless does not respect the architectural style of the existing dwelling and therefore Criterion 2ii has not been met.

Criterion 3 states that the proposed development will be subject to the demolition of the original dwelling at the appropriate time. The existing dwelling will be demolished prior to the first occupation of the new dwelling. In this regard, it meets Criterion 3.

In summary, while the replacement dwelling accords with Criterion 1 and 3 of Policy LU08, the proposal does not meet

Criterion 2i and 2ii. The principle of a replacement dwelling in this location or design is therefore not accepted.

Amenity

Criterion 7 of Policy DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook. The existing house is visible from the main road and the replacement dwelling would be as well as there is no landscaping proposed along the front of the property. The location of the replacement dwelling will be located 128m from any adjacent neighbour to the west of the site, thereby limiting its functional and visual intrusion. To further shield the proposed dwelling from the main road, a condition relating to landscaping is necessary, a landscaping scheme shall be carried out in accordance with the approved details (Drwg No. 2214-PS received 26/10/2022) and all plantings shall be carried out within 12 calendar months of the commencement of the development, the reason is in order to safeguard the character and amenities of the area and to ensure that the agreed planting is carried out within a reasonable period. In this regard, the proposal satisfies Policy DM06.

Design

Policy DM06 requires development to have full regard and positively contribute to the context of its location and surroundings. It promotes innovative design whilst having regard for local distinctiveness in terms of form, design and material and requires consideration of the cohesiveness of the built form in terms of scale, height and proportion in reference to existing layout patterns. Additionally, Policy DM17 states that development should not have a significant adverse effect on the quality and character of a landscape, whether through visual intrusion, an insensitive siting, incompatible uses, failure to harmonise or enhance landform, or the loss of important traditional features and patterns.

The architectural style very clearly departs from that of the existing dwelling, and therefore does not satisfy Criterion 2ii of Policy LU08. The height and bulk is excessive and therefore insensitive to the site's rural farmstead setting. The new dwelling would appear visually prominent on the main road with no landscaping proposed to mitigate its impact.

Furthermore, the inconsistent stylization in terms of window design and pattern throughout the dwelling renders it inconsistent with Policies DM06 and DM17.

Ecology

A Bat Survey was submitted for consideration which confirms that the dwelling is in a favourable bat habitat. However, the survey found that there were no signs of bat use by the dwelling and the property is considered to have negligible potential to support bats. The activity survey confirmed the nil result of the scoping survey, with no bats found to be using the building.

There were no nesting birds or owl activity. The ecology department has made several recommendations. These include, prior to works commencing 2 x Harlech Woodstone (or similar) bat boxes to be affixed to mature trees within the curtilage of the property. 1 x Beaumaris Woodstone (or similar) bat box to be affixed to the south east elevation of the new dwelling. 1 x House martin nest cup to be affixed to the north west elevation of the new dwelling and lastly wider ecological benefit could be achieved by ensuring (where possible) all boundaries are planted with native species to retain connectivity to the surrounding habitat as well as retaining (where possible and relevant) any mature trees on site. There should be no net loss of hedgerow.

No external lighting has been detailed on the plans, but should external lighting be installed, then careful consideration will need to be given to any external lighting of the proposed development, measures will need to be identified to minimise impacts to nocturnal wildlife commuting and foraging in the local area, particularly features likely to be of importance to nocturnal foraging and commuting activities i.e. hedgerow and riverbanks.

The proposal has been screened out as not likely to have a significant effect on the Afon Teifi from increased phosphates in accordance with Natural Resources Wales "Advice (Version 3 July 2022).

RECOMMENDATION:

REFUSAL

Reasons are as follows:

1. By virtue of its form, bulk, size and scale the replacement dwelling would fail to reflect the characteristics of the original dwelling. No demonstrable planning advantages have been demonstrated and therefore the proposal fails to accord with Criterion 2i of policy LU08.

2. By reason of its height, bulk and overall design, the proposed replacement dwelling is considered excessive and fails to respect the site's rural farmstead setting. The proposed fenestration is inconsistent in regard to design and pattern and overall the proposal fails to accord with Policies DM06 and DM17.

REASONS FOR REFERRAL TO THE DEVELOPMENT MANAGEMENT COMMITTEE:

The Local Member does not agree with the opinion that the design is not in keeping with local housing stock. He wishes that the planning committee has the opportunity to view it in detail and make an informed decision.

3. Diprwydedig/Delegated

04-05-2023 - 07-06-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
1	A200855	Mr S Garner	Retention of electric motorcycle off-road and trials training business and the change of use of an agricultural building including small timber office building to business use for storage, maintenance, customer changing, showers and WC in connection with this business.	Coed Y cwm Isaf, Cenarth, Newcastle Emllyn, SA38 9JT	Caniatawyd gydag Amodau / Approved Subject to Conditions	07-06-2023
2	A210397	Mr and Mrs D Thomas	Replacement dwelling and extension	Berllan Fach, Cenarth, SA43 2PJ	Gwrthodwyd / Refused	19-05-2023
3	A210520	Mr and Mrs Davies (Y H Davies & Co)	Retention of existing change of use of two former agricultural buildings to equestrian use for the purpose of offering horse livery and the change of use of parcel of land and formation of equestrian manege (60m X 20m) thereon.	Glynnyrodyn, Coed Y Bryn, Llandysul, SA44 5JP	Caniatawyd gydag Amodau / Approved Subject to Conditions	25-05-2023
4	A210534	Mrs C Ralph	Retention of section of existing access track serving 2 no. dwellings which has been re-located slightly North of original track in order to move this away from the existing steep drop-off which included cutting in to existing rock bank.	Fronceri, Cwm Cou, Newcastle Emllyn, SA38 9PB	Caniatawyd gydag Amodau / Approved Subject to Conditions	02-06-2023
5	A210992	Lucy Ivimy-Critchlow	Remove conditions 3 Occupancy condition and 4 Statutory declaration condition - planning permission A110440.	Fullbrook Mill, Tregaron. SY23 6LQ	Tynnwyd yn ôl / Withdrawn	25-05-2023
6	A211063	Mr and Mrs J Burt	Conversion and change of use to Holiday Cottage (Tourism) and associated works	Allt Dolanog, Beulah, Newcastle Emllyn, Ceredigion, SA38 9QH	Caniatawyd gydag Amodau / Approved Subject to Conditions	26-05-2023
7	A211084	Mr and Mrs G & D Owen & Keefe	Erection of a dwelling and garage.	1 Bwlch y Graig, Pontrhydfendigaid, SY25 6BU	Tynnwyd yn ôl / Withdrawn	19-05-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
8	A211104	Mrs Edith Eneanya-Benito	Retention of 1 no. part constructed log/timber cabin for staff accommodation and the proposed erection of a modest office/reception cabin.	Nantsidyll Farm, Mydroilyn, Lampeter. SA48 7RJ	Gwrthodwyd / Refused	22-05-2023
9	A211167	Mrs Jayne Fisher	Change of use of upper floors of hotel bedroom accommodation into 5 self contained residential units, retention of existing Managers unit, demolition of certain chimneys, removal of fire escape, installation of Bi-Fold door arrangement to restaurant. and all associated works	The Cambrian Hotel Alexandra Road, Aberystwyth, SY23 1LG	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-05-2023
10	A211178	Mr and Mrs J Leybourne	Proposed Replacement Dwelling.	Talywern, Gilfachreda, New Quay, SA45 9SN	Caniatawyd gydag Amodau / Approved Subject to Conditions	02-06-2023
11	A220090	Mr Steve Gale	To install a self contained 1 bedroom (prefabricated architect designed) cabin into an existing walled garden for the purposes of holiday rental	Fronfelen, Silian, Lampeter. SA48 8AS	Gwrthodwyd / Refused	25-05-2023
12	A220091	Mr Steve Gale	Install a self contained 1 bedroom (prefabricated architect designed) cabin into an existing walled garden for the purposes of holiday rental	Fronfelen, Silian, Lampeter, SA48 8AS	Not determined	25-05-2023
13	A220140	Mr Peter A Rees	Change of use from retail to dwelling, front of property remove the two existing shop windows and door, re-instate new door and re-instate two sash windows, remove existing rear window at ground floor and replace with a glass paned door, remove fire escape and replace door with a glass paned panel.	Zidon House Penparcau Road, Trefechan, Aberystwyth, Ceredigion, SY23 1BE	Gwrthodwyd / Refused	25-05-2023
14	A220204	Mr King	Extension of a Shepherds hut to form a single holiday let accommodation.	Ty Nant, Ponterwyd, Aberystwyth. SY23 3JS	Gwrthodwyd / Refused	25-05-2023
15	A220215	Mr J O'Rourke (Prifysgol Aberystwyth University)	Discharge of Condition 3 of Planning Permission A190141 (Atrium Elevation features).	Old College, King St, Aberystwyth & 1 & 2 New Promenade, Aberystwyth	Tynnwyd yn ôl / Withdrawn	12-05-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
16	A220249	Mr and Mrs K Davies	Change of use - shop to 2 x residential flats.	Llysawel Stores, Felinfach, Lampeter, SA48 8AE	Caniatawyd gydag Amodau / Approved Subject to Conditions	26-05-2023
17	A220337	J. Fiona Livermore	Erect a wooden field shelter on a concrete base, change of use to equestrian.	Doylan, Gorsgoch, Llanybydder. SA40 9TD	Caniatawyd gydag Amodau / Approved Subject to Conditions	05-06-2023
18	A220369	Ms M Jones	Construction of a replacement dwelling.	Charlesby, Coronation Drive, Gwbert, Cardigan, SA43 1PP	Caniatawyd gydag Amodau / Approved Subject to Conditions	15-05-2023
19	A220416	Mrs Claire Snow	Change of use of barn to self-contained two storey unit of holiday accommodation incorporating extension to southern elevation, drainage and associated works.	Swallow Barn, Rhydlewis, Llandysul. SA44 5SD	Caniatawyd gydag Amodau / Approved Subject to Conditions	02-06-2023
20	A220440	Mr Arwel Davies	Housing Development	Land adj. Maes yr Awel, Prengwyn, Llandysul, SA44 4EJ	Gwrthodwyd / Refused	07-06-2023
21	A220445	Mr Gwion Jones	Proposed domestic garage including change of use of agricultural land to be included in domestic curtilage.	Perllan, Ystrad Meurig, SY25 6AA	Caniatawyd gydag Amodau / Approved Subject to Conditions	06-06-2023
22	A220479	Ms D Sansum	Demolition of existing single storey side extension and construction of a new two storey side extension & rear first floor extension built in to the rear bank. Planning permission for the rear extension had been granted back in the 1970's but never built.	Pen Y Banc, Cwmystwyth, Aberystwyth, Ceredigion, SY23 4AF	Caniatawyd gydag Amodau / Approved Subject to Conditions	22-05-2023
23	A220529	Ms K Webster	Demolition of existing dwelling and new replacement dwelling.	Brynawelon, Sarnau, Llandysul, SA44 6RE	Gwrthodwyd / Refused	26-05-2023
24	A220605	Mr S Spooner	Conversion of barn to holiday accommodation, log store, and associated works	Ffynnon Grog, Mwnt, Y Ferwig, Cardigan. SA43 1QH	Caniatawyd gydag Amodau / Approved Subject to Conditions	24-05-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
25	A220632	Mr M Stevens (National Library of Wales)	The siting of the Air Source Heat Pumps on the roof of the Third Library Building (TLB) Plant Room including the incorporation of a steel deck on the Plant Room roof, on which the new Heat Pumps will sit, new guard railing to the perimeter of the roof and also a ladder to provide access to the plant deck for maintenance purposes.	National Library of Wales, Penglais, Aberystwyth, SY23 3BU	Caniatawyd gydag Amodau / Approved Subject to Conditions	06-06-2023
26	A220646	(Helyg Fach Caravan Site Ltd)	Change of use of agricultural yard and building to include a waste sorting and storage area, as an ancillary facility for the adjoining caravan site.	Helyg Fach Caravan Park, Aberporth, SA43 2EB	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-05-2023
27	A220775	Mr P Hoare	Repair to ground floor windows.	4 High Street, Cardigan, SA43 1NW	Caniatâd wedi ei roi / Consent Granted	26-05-2023
28	A220784	Ms Sarah Clay	Renovation of old stone barn into 2 holiday lets, one of which will initially be lived in by my elderly parents.	Llechwedd Hen, Brynteg, Llanybydder. SA40 9UX	Caniatawyd gydag Amodau / Approved Subject to Conditions	02-06-2023
29	A220788	Mr J Evans	Removal of condition 5 of planning permission D1/587/79 - agricultural occupancy condition.	Maesperthi, Llanrhystud, SY23 5EH	Gwrthodwyd / Refused	18-05-2023
30	A220798	JG, MC and TD Davies	Construction of a slurry store, erection of agricultural building and associated works.	Fron, Pontshaen, Llandysul, SA44 4UR	Caniatawyd gydag Amodau / Approved Subject to Conditions	15-05-2023
31	A220799	Mr JG Sansom	Residential development of 2 plots (1 affordable dwelling and 1 open market dwelling). Approval of ALL remaining reserved matters - appearance, landscaping, layout & scale (Access approved at Outline Stage).	Land adjoining Crown Inn, Llwyndafydd, Llandysul, SA44 6BU	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	01-06-2023
32	A220853	Mr Ian Jones (Rheidol Properties)	Residential Development.	Brynteg (site adjacent to) Primrose Hill Llanbadarn Fawr Aberystwyth, SY23 1PT	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-05-2023
33	A220884	Mr and Mrs S Williams	Erection of one dwelling.	Land adj to Gerallt, Bro Allt-y-Graig, Aberaeron, SA46 0DU	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	19-05-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
34	A220922	Mr P Richards	Proposed Demolition of Existing Garage, Proposed Erection of Garage with Utility room and Boot Room, and all associated works	Glenwood, Gwbert Road, Cardigan, SA43 1PH	Caniatawyd gydag Amodau / Approved Subject to Conditions	02-06-2023
35	A220943	Mr and Mrs Alan Griffiths	Alterations to include extension to roof, balcony and stairs to rear elevation, alteration to fenestration and internal alterations	Avalon Cottage, Hill Street, New Quay, SA45 9QD	Caniatawyd gydag Amodau / Approved Subject to Conditions	30-05-2023
36	A230003	Mr and Mrs Owen Humphry	Works to dwelling to include raising the roof, side extensions and associated works	Gelli-aur, Tanygroes, Cardigan, Ceredigion, SA43 2JA	Caniatawyd gydag Amodau / Approved Subject to Conditions	30-05-2023
37	A230007	Mrs Anne Howells	The fitting of secondary glazing to the inside of all windows in the North Road and Oxford Street elevations.	7 North Road, Aberaeron, SA46 0JF	Caniatâd wedi ei roi / Consent Granted	04-05-2023
38	A230016	Ms Z James	Retention of change of use from A1 to a unique use (Beauty Salon).	Unit 8, Canolfan Teifi, Pendre, Cardigan, SA43 1JL	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-05-2023
39	A230026	Mrs Anne Howells	The removal of the existing hardwood windows and doors in the main part of the rear elevation and replacement with aluminium windows and doors with more slender frame sections.	7 North Road, Aberaeron, SA46 0JF	Caniatâd wedi ei roi / Consent Granted	30-05-2023
40	A230030	Ms Ruth Wakelam	Variation of condition 1 of planning permission A100654 - Change of design	Site adjacent to Bronmor, Tresaith, Cardigan. SA43 2JH	Caniatawyd gydag Amodau / Approved Subject to Conditions	15-05-2023
41	A230053	Mr K Thomas (Moelfre Developments Ltd)	Non material minor amendment to planning permission A090598 - amended plans.	Plot 1-6 Llwynpiod, Ferwig Road, Cardigan, SA43 1PJ	Caniatawyd / Approved	05-05-2023
42	A230066	Mr Paul Skyme	Retrospective application for the installation of a temporary Portakabin building to be used as a laundry storage unit for a period of 104 weeks.	Volac International Ltd, Felinfach, Lampeter. SA48 8AG	Caniatâd dros dro / Temporary permission	02-06-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
43	A230072	The Home Office (The Home Office)	5m tower extension to the existing installation and relocation of 3 no. antennas and 2 no. dishes to the top of the extension. Installation of 6 no. new antennas and 4 no. ground-based equipment cabinets. Installation of remote radio units, mast head amplifiers, GPS node and associated ancillary works.	Winllan, Talybont, SY24 5AQ	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-05-2023
44	A230075	Mr J O'Rourke (Prifysgol Aberystwyth University)	Temporary change of use of the first floor of the Cambria building from B1 office/ business space to C3 temporary accommodation with a new shower room.	The Cambria, Marine Terrace, Aberystwyth, SY23 2AZ	Caniatâd dros dro / Temporary permission	05-05-2023
45	A230080	(A . J . Jones + Son)	Proposed yard cover.	Derigoch, Silian, Lampeter, SA48 8AB	Caniatawyd gydag Amodau / Approved Subject to Conditions	26-05-2023
46	A230106	Mr Stephen Magee	Demolition of existing workshop building and replacement with a modern specification workshop on the same footprint	Trewyddil Forge, Synod Inn, SA44 6JJ	Gwrthodwyd / Refused	19-05-2023
47	A230129	Mr Eirian Jones	Proposed external cladding repairs and associated works (permitted development)	Aberaeron Comprehensive School, South Road, Aberaeron, SA46 0DT	Caniatawyd / Approved	10-05-2023
48	A230137	Darwood Bhunnoo	Variation of condition 1 of planning permission A200993 - existing temporary permission for siting of a static caravan to be extended for another 30 month period.	Maesyrawel, Beulah, Newcastle Emlyn, Ceredigion, SA38 9QB	Caniatâd dros dro / Temporary permission	15-05-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
49	A230144	The Home Office (The Home Office)	Installation of a 5m tower extension to the existing installation and relocation of 3 no. antennas and 2 no. dishes to the top of the extension (approved under application A171084). Installation of 6 no. new antennas and 5 no. new ground-based equipment cabinets. Installation of remote radio units, mast head amplifiers, GPS nodes and associated apparatus and ancillary works.	Brynceiro, Ponterwyd, SY23 3LB	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-05-2023
50	A230153	Mr and Mrs P & M Van-Velzen	Erection of solar array panels for domestic use.	Navy Hall, Bronant, Aberystwyth, SY23 4TF	Caniatawyd gydag Amodau / Approved Subject to Conditions	15-05-2023
51	A230160	Mr and Mrs S Davies	Remove S106 Agreement relating to land tied to the bungalow of Gwelfryn, Talgarreg.	Gwelfryn, Talgarreg, Llandysul, Ceredigion, SA44 4XE	Caniatawyd / Approved	11-05-2023
52	A230178	Gweneira Raw-Rees (Aberystwyth Town Council)	Change of Use from Presbytery to Council offices, the installation of PV panels and changing the windows to double glazed sash windows.	The Presbytery Queen's Road, Aberystwyth, Ceredigion, SY23 2HS	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-05-2023
53	A230180	Mr Bruce Freeman	Construction of 2 no. dormer windows	Penbrompen Ffordd Yr Odyn, Aberporth, Cardigan, SA43 2EP	Caniatawyd gydag Amodau / Approved Subject to Conditions	05-05-2023
54	A230186	Mr Chris Harris	Change of use of holiday cottage to an annex/extension to existing property.	Henysgubor, Cambrian Street, Ffair Rhos, Ystrad Meurig, SY25 6BP	Caniatawyd gydag Amodau / Approved Subject to Conditions	26-05-2023
55	A230188	(Cornerstone)	The installation of an 18.0m lattice tower supporting 3 no. antennas on a proposed headframe. The installation of 1 no. equipment cabinet, 1 no. meter cabinet and the installation of 2 no. 600mm dishes. Ancillary development thereto including the installation ERS Modules, 1 no. GPS module and 2.1m high palisade fence.	Land at Penlan Uchaf, Cribyn, Lampeter, SA48 7PB	Rhoi caniatâd ymlaen llaw / Prior Approval Granted	23-05-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
56	A230189	Ms Beverley Moss	Certificate of Lawful Development to continue to use indicated site as a garden associated with Llwynpïod.	Llwynpïod, Llanfair Road, Lampeter, Ceredigion, SA48 8JZ	Caniatawyd y Tystysgrif / Certificate Granted	31-05-2023
57	A230192	(Cornerstone)	The proposal relates to the installation of a 17.5m lattice tower supporting 3 no. antennas, 1 no. equipment cabinets, 1 no. meter cabinet and ancillary development thereto.	Land South East of Llethr Villa, Ystrad Meurig, SY25 6DE	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	12-05-2023
58	A230195	Mr Mossman (Mossman Farming Ltd)	Siting and construction of solar panel array, storage container and associated works for off grid farm electricity generation.	Nantbach, Llangrannog, Llandysul. SA44 6RN	Caniatawyd gydag Amodau / Approved Subject to Conditions	23-05-2023
59	A230200	Mr Mark Williams	Retrospective addition of balcony to rear of existing dwelling.	Miglenfa, Llangoedmor, Cardigan, Ceredigion, SA43 2LP	Caniatawyd gydag Amodau / Approved Subject to Conditions	23-05-2023
60	A230203	Mr A Horwood	Retrospective application to install 1x42" LCD Media Screen, 3x 1250mm x 700mm Flag Pole Signs with overall height 2450mm	Tesco, Park Avenue, Aberystwyth, SY23 1PB	Caniatâd wedi ei roi / Consent Granted	11-05-2023
61	A230206	Mr A Horwood	Retrospective application to install 1xMedia EV Charger with Screen, 1X Fast EV Charger, 1X Rapid EV Charger, 3X Steel Flag poles.	Tesco, Park Avenue, Aberystwyth. SY23 1PB	Caniatawyd gydag Amodau / Approved Subject to Conditions	11-05-2023
62	A230211	(Aquila ATMS on behalf of the MOD)	Discharge of condition 10 (Lighting Specification) from planning permission A220773	Land off Erwlas, adjacent to existing military radar site, MoD Aberporth, Cardigan	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	17-05-2023
63	A230225	Mr R Bates	Change of use of storage shed into brewery production area.	Penygraig Farm, Rhydyfelin, Aberystwyth, SY23 4QA	Caniatawyd gydag Amodau / Approved Subject to Conditions	24-05-2023
64	A230239	Mr G Bellis	Erection of an agricultural barn for storage of hay and farm machinery.	Y Goedwig, Ponterwyd, Aberystwyth, SY23 3JS	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	11-05-2023
65	A230243	Mr A Ballard	Discharge condition 5 of planning permission A210749 - photographic Survey	Conrah Country Hotel, Llanfarian, Aberystwyth, Ceredigion, SY23 4DF	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	12-05-2023
66	A230246	Mr A Ballard	Discharge condition 9 of planning permission A210749 - Bird breeding season survey, vegetation clearance	Conrah Country Hotel, Llanfarian, Aberystwyth, Ceredigion, SY23 4DF	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	12-05-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
67	A230247	Patricia Duncker	Provision of a woodland store cabin	Cwmere, Talybont, SY24 5DW	Gwrthodwyd / Refused	06-06-2023
68	A230248	Mr A Ballard	Discharge condition 5 of planning permission A210751 - Photographic Survey	Conrah Country Hotel, Llanfarian, Aberystwyth, Ceredigion, SY23 4DF	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	12-05-2023
69	A230252	Mr Paul Skyme	Installation of a temporary Portakabin building to be used as a PPE storage unit for a period of 104 weeks.	Volac International Ltd, Felinfach, SA48 8AG	Caniatâd dros dro / Temporary permission	22-05-2023
70	A230253	Mr A Ballard	Discharge condition 6 of planning permission A210746 - Photographic Survey	Conrah Country Hotel, Llanfarian, Aberystwyth, Ceredigion, SY23 4DF	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	12-05-2023
71	A230267	Chris Lawson	Non material amendment of planning permission - A200536 - Amended plans	Plot Opposite Brongwyn Court Penparc, Cardigan, Ceredigion, SA43 1RL	Caniatawyd / Approved	02-06-2023
72	A230275	Mr Andrew Thomas (Aberystwyth Univeristy)	Demolish Existing Delapidated Buildings and Structures, Prepare Site and Replace with New Steel Framed Building	Pwllpeiran Farm, Cwmystwyth, Aberystwyth. SY23 4AB	Dychwelwyd yn annilys / Returned Invalid	22-05-2023
73	A230278	Mr Lee Evans	demolition of existing kennels, erection of new building to form new kennels, stables, hay store and garage extension to dwelling curtilage.	Tawelfan, Goginan, Aberystwyth. SY23 3NW	Dychwelwyd yn annilys / Returned Invalid	16-05-2023
74	A230290	(TID Holdings Ltd)	Development of 18 flexible use commercial units in the form of two buildings.	Plot C2, Parc Teifi, Cardigan, SA43 1EW	Dychwelwyd yn annilys / Returned Invalid	17-05-2023
75	A230296	Professor Richard Lanyon-Hogg	An agricultural style shed	Hafan Heddychlon, Woodland sited to the North or Hafod-y-Gors, to the South of Hafodhir and to the East of Gwarffynnon	Caniatâd ei angen / Permission required	23-05-2023
76	A230299	Ms Catherine Penman (Executor of the estate of Mr E Rees)	Discharge of condition 4 of planning permission A220316 - Photographic Survey	Garden View Water St., Aberarth, Ceredigion, SA46 0LN	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	16-05-2023
77	A230300	Ms Catherine Penman (Executor of the estate of Mr E Rees)	Discharge of condition 6 of planning permission - A220314 - Construction Traffic Management Plan	Garden View Water St., Aberarth, Ceredigion, SA46 0LN	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	12-05-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
78	A230314	Mr David Frith	Discharge of condition 4 of planning permission A230122 - hard/soft landscaping works.	Cae Ffynnon, Lon Llewelyn, Waunfawr, Aberystwyth, SY23 3TP	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	30-05-2023
79	A230319	Mr V Hesden	Non material amendment to planning permission - A220628 - Revised garage drawings	Awel Haf Dole, Llandre, SY24 5AE	Caniatawyd / Approved	23-05-2023
80	A230320	Mr Alex Dawson (Barcud)	Non material amendment of condition 2 of planning permission - A220562 - Amended plans	Garages At Tregerddan, Tregerddan, Bow Street, Aberystwyth, SY24 5AU	Caniatawyd / Approved	22-05-2023
81	A230322	Mr Rob Berner (Ceredigion Sustainable Development)	Discharge of condition 16 (Reptile Mitigation Method Statement) from planning permission A200789	Land at Gwastod Lane, Borth	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	24-05-2023
82	A230324	Mr Rob Berner (Ceredigion Sustainable Development)	Discharge of condition 19 (Ecological Mitigation and Enhancements Statement) from planning permission A200789	Land at Gwastod Lane, Borth	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	24-05-2023
83	A230326	Mr and Mrs B & P Jones	Discharge of condition 10 of planning permission A200982 - woodland buffer zone planting scheme.	Erwbarfe Caravan Park, Devils Bridge, Aberystwyth, SY23 3JR	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	05-06-2023
84	A230327	Mr and Mrs B & P Jones	Discharge of condition 11 of planning permission A200982 - Biosecurity Risk Assessment.	Erwbarfe Caravan Park, Devils Bridge, Aberystwyth, SY23 3JR	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	05-06-2023
85	A230328	Mr and Mrs B & P Jones	Discharge of condition 12 of planning permission A200982 - landscaping.	Erwbarfe Caravan Park, Devils Bridge, Aberystwyth, SY23 3JR	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	05-06-2023
86	A230330	Mr and Mrs B & P Jones	Discharge of condition 14 of planning permission A200982 - External lighting.	Erwbarfe Caravan Park, Devils Bridge, Aberystwyth, SY23 3JR	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	05-06-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
87	A230334	Mr D J Evans	We wish to change the planning use class of the existing Gosen Church main building and detached Vestry, from D1 Non-residential institution to the proposed envisaged use of B8 Storage. We also wish to change the use class (to an extension to the detached vestry - comprising of a kitchen area) from D1 Non-residential institution to the proposed envisaged use of A1 Shops and B8 Storage	Gosen Chapel, Rhydyfelin, Aberystwyth. SY23 4PY	Dychwelwyd yn annilys / Returned Invalid	26-05-2023
88	A230339	Mr Morgan (Morgan Construction Wales Ltd)	Non material amendment to planning permission - A190018 - drainage & amended road plans	1 Cylch Peris, Llanon, Ceredigion, SY23 5HN	Caniatawyd / Approved	07-06-2023
89	A230343	(Welsh Water)	Discharge of condition 8 of planning permission - A220779 - Construction method statement	To The North Of Llyn Egnant Reservoir, At The Junction Of The Minor Teifi Pools Road, Centred At Grid Reference Sn 794680,	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	12-05-2023
90	A230351	Mr Andrew Jones	Change of use from holiday accommodation to a dwelling (C3)	Y Stabl, to the rear of 10 Picton Terrace, New Quay, SA45 9QA	Tynnwyd yn ôl / Withdrawn	24-05-2023

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4. Penderfyniadau Apeliadau/Appeal Decisions

04-05-2023 - 07-06-2023

#	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-02122-V5K0N8	A210271	Mr Wynford Williams (Wynford Williams Car Sales)	Refusal of Certificate Lawfulness	Land Adjacent To Brynteg Primrose Hill, Llanbadarn Fawr, Aberystwyth, SY23 3AT	Dismissed	12-05-2023

5. Apeliadau a Dderbyniwyd/Appeals Received

04-05-2023 - 07-06-2023

#	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-02396-K1Z5R3	A211183	Mr Gary Fryar	Refuse planning permission for the proposed development	The Island Site, Beach Parade, Aberaeron. SA46 0BE		



Costs Decision

by A L McCooley BA (Hons) MSc

an Inspector appointed by the Welsh Ministers

Decision date: 12/05/2023

Costs application in relation to Appeal Ref: CAS-02122-V5K0N8

Site address: Land adjacent to Brynteg, Primrose Hill, Llanbadarn, Aberystwyth. SY23 3AT

- The application is made under the Town and Country Planning Act 1990, sections 78, 322C and Schedule 6.
 - The application is made by Mr Wynford Lloyd-Williams for a full award of costs against Ceredigion County Council.
 - The appeal was against the refusal of an application for a certificate of lawful use or development for a C3 Dwelling house - Building plot works in connection with planning permissions A100209 and A130735 have started on site prior to expiry date thus making permissions extant.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. The Section 12 Annex 'Award of Costs' of the Development Management Manual ('the Annex') advises that, irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably, thereby causing the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The appellant points out that the application took over 11 months to determine. This was considered unreasonable for an application of this type, that requires no consultations. The Council explained that this delay was due to manpower issues and heavy workloads. Whilst this is regrettable and not to be condoned, I accept that there are valid reasons for the delay. It is to be hoped that arrangements will be put in place to rectify this unfortunate situation. Apart from an unsubstantiated reference to prospective purchasers losing interest, the appellant did not explain how the delay in determining the application has led to unnecessary or wasted expense. I note that the original planning permission (Ref. A100209) is dated from 2010 and the material operation that forms the basis of the claim that development had commenced took place in 2011. Whilst I understand the appellant's reasons for not doing so, the fact remains that there is a right of appeal against non-determination, which was available to the appellant after the statutory determination period (8 weeks) had elapsed.
4. The appellant provided considerable evidence to prove a commencement of development had occurred. A material operation (as defined in Section 56 of the Town and Country Planning Act 1990) was undertaken within the time period specified in condition 1 of the above planning permissions. I concluded that this is correct.

5. However, the Council has pointed out that condition 2 required that details of 5 reserved matters be submitted for approval before development is begun. For the reasons set out in the main decision, I have concluded that condition 2 is a condition precedent, and that the material operation was undertaken in breach of the condition precedent. My overall conclusion is that the development did not lawfully commence within the timescales set out in condition 1.
6. The appellant's contention that the Local Planning Authority has erred in its consideration of the application and caused the appellant to incur unnecessary or wasted expense in the appeal process is therefore incorrect. The fact that the Local Planning Authority did not seek legal advice is not of any relevance in these circumstances.

Conclusion

7. I find that unreasonable behaviour resulting in unnecessary expense, as described in the Annex, has not been demonstrated. The application for an award of costs is refused.

A L McCooey

Inspector

Appeal Decision

by **A L McCooey BA MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Decision date: 12/05/2023

Appeal reference: CAS-02122-V5K0N8

Site address: Land adjacent to Brynteg, Primrose Hill, Llanbadarn, Aberystwyth. SY23 3AT

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1999) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Wynford Lloyd-Williams against the decision of Ceredigion County Council.
 - The application Ref A210271, dated 17 March 2022, was refused by notice dated 7 March 2022.
 - The application was made under section 192(1) (b) of the Town and Country Planning Act 1990 as amended.
 - The development for which a certificate of lawful use or development is sought is a C3 Dwelling house - Building plot works in connection with planning permissions A100209 and A130735 have started on site prior to expiry date thus making permissions extant.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of the use or operation for which the Lawful Development Certificate is sought from the Council's Notice of Decision as it represents a more accurate description than the Application Form. Given that the appeal is against the Council's decision not to issue a certificate and bearing in mind the fact that the description used on the Notice of Decision is broadly consistent with that outlined on the Appeal Form, I am satisfied that there is no prejudice in this respect.
3. As the case related to legal matters and did not involve the need for any site-specific matters to be investigated, no site visit was undertaken.

Application for Costs

4. An application for an award of costs was made by the appellant against the Council. This application is subject to a separate Decision.

Main Issue

5. The main issue is whether the Local Planning Authority's decision not to issue an LDC was well-founded.

Reasons

6. Outline planning permission A100209 for a dwelling on the site was granted on 19 November 2010 subject to 19 conditions. Conditions 1 and 3 provide that the development must commence within 5 years or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, and that the reserved matters must be submitted within 3 years.
7. Condition 2 states:

The development hereby permitted shall be carried out only in accordance with detailed drawings (hereinafter called "the reserved matters") the approval of which shall be gained from the Local Planning Authority before development is begun. Such detailed drawings shall show:

 - a) *the design and external appearance of the proposed buildings;*
 - b) *their siting and layout;*
 - c) *the materials of which they are to be constructed;*
 - d) *the means of access from public highways and areas for vehicle parking;*
 - e) *the arrangements for landscaping the site, inclusive of surface treatments, providing details of all planted areas and the number and species to be provided.*
8. Application A130735 for the variation of conditions 1 & 3 of planning permission A100209 (Erection of a dwelling) to extend time for commencement of development by a further 5 years was approved on 10 December 2013. This planning permission did not alter the other 17 conditions on planning permission A100209, which remained in force.
9. The LDC seeks confirmation that the development approved under the above applications has lawfully commenced. The appellant's justification for this is that there was a building on the site which was to be demolished when the site was cleared for development. Condition 5 of planning permission A100209 stated that work to demolish the building and clear the site should not be carried out in the bird nesting season. It is common ground that the building on the site was demolished in 2011. The appellant argues that demolition of the building constitutes a commencement of development by virtue of being a material operation as defined in Section 56 of the Town and Country Planning Act 1990. This appears to be correct, and I am satisfied that condition 5 was not a pre-commencement condition.
10. However, that is not the end of the matter. Condition 2 clearly is a pre-commencement condition (or condition precedent), in that it requires the approval of the specified reserved matters to be gained from the Local Planning Authority before development is begun. The condition as worded is prohibitive in substance and effect. The need for approval of all the reserved matters clearly also goes to the heart of the planning permission.
11. The next question to consider is whether the works were carried out in breach of that condition. No reserved matters have been submitted for approval and so the requirement to obtain the approval of the reserved matters from the Local Planning Authority before development is begun was not met. As the material operation was undertaken in breach of the condition precedent, I conclude that the development did not lawfully commence within the timescales set out in condition 1.

Conclusion

12. I find that the development subject of planning permissions Ref: A100209 and Ref: A130735 did not lawfully commence within the prescribed timescales set out in condition 1. The planning permission is not therefore extant, meaning that the site cannot be lawfully developed under the terms of those applications. For this reason, and having considered all matters raised, I conclude that the Council's decision not to issue an LDC was well-founded. The appeal is therefore dismissed

A L McCooey

INSPECTOR

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