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Cyngor Sir  
**CEREDIGION**  
County Council

Neuadd Cyngor Ceredigion, Penmorfa,  
Aberaeron, Ceredigion SA46 0PA  
[ceredigion.gov.uk](http://ceredigion.gov.uk)

2 November 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, 8 November 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 11 October 2023 (Pages 3 - 6)**
5. **To consider planning applications deferred at previous Meetings of the Committee (Pages 7 - 32)**
6. **Development, Advertisement, Local Authority and Statutory Applications (Pages 33 - 94)**
7. **Planning applications dealt with by way of delegated authority (Pages 95 - 104)**
8. **Appeals (Pages 105 - 112)**
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, 11 October 2023**

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

Also present:- Councillors Bryan Davies and Wyn Evans

**Also in attendance:** Mr Russell Hughes-Pickering, Corporate Lead Officer – Economy & Regeneration, Mrs Catrin Newbold – Service Manager (Development Management), Mrs Sian Holder- Development Management Team Leader – South Ms Nia Jones, Corporate Manager – Democratic Services, Mrs Ffion Lloyd, Solicitor, Mrs Dana Jones, Democratic and Standards Officer

(10:00am-11:20pm)

### **1 Procedure**

In the absence of the Chair, the Vice- Chair, Councillor Ifan Davies chaired the meeting.

### **2 Apologies**

Councillor Rhodri Davies and Sian Maehrlein apologised for their inability to attend the meeting.

### **3 Disclosure of Personal and/or Prejudicial Interest**

Mrs Dana Jones, Democratic and Standards Officer declared a personal and prejudicial interest in Application A220035 and the minutes of this item were taken by Ms Nia Jones, Corporate Manger – Democratic Services.

### **4 Minutes of a Meeting of the Committee held on the 13 September 2023**

It was RESOLVED to confirm as a true record the Minutes of the Meeting of 13 September 2023

### **Matters arising**

None.

### **5 Planning applications deferred at previous Meetings of the Committee**

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

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

To note that the application had been **WITHDRAWN** from the agenda as further information had been received that hadn't been included or considered in the report.

It was agreed that Officers would circulate an email to Councillors if they were aware that an application had been withdrawn prior to the meeting.

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A220035 Erection of a rural enterprise dwelling and workshop, Fferm Cwmcoedog, Mydroilyn, Lampeter

To **DEFER** with power to Officers to approve the application subject to the applicant and the officers reaching an agreement on a reduction in the size of the dwelling and a reduction in the size of the application site and subject to a section 106 Agreement tying the proposed dwelling to the entire land referred to within the application (including Cwmcoedog Farm)

A recorded vote was taken in accordance with Part 4, Document I of the Council's Constitution due to the Committee's decision being contrary to the Officer recommendation and a significant departure from policy.

For the recommendation:

Councillors Ifan Davies, Gethin Davies, Marc Davies, Meirion Davies, Raymond Evans, Hugh Hughes, Chris James, Ceris Jones, Maldwyn Lewis and Gareth Lloyd

Against the recommendation:

Councillor Mark Strong

Abstaining:

Councillor Rhodri Evans has temporarily left the meeting and did not submit a vote

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

- Considered that the building known as Bryn Aur was not owned by the applicant and therefore could not be considered as an alternative property. Even if it was, Members considered that the location of Bryn Aur was inappropriate as it was not located in close proximity to the existing farm buildings. Members were of the opinion that the location of the proposed dwelling was suitable.
- There was a labour requirement on the holding which justified the need for a rural enterprise dwelling.
- Noted that the applicant had agreed to tie the proposed dwelling to the entire land referred to in the application.
- Noted that the applicant had agreed to reduce the size of the property and the application site.
- Noted that the application supported young people and would promote the local economy.

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A220774 Proposed reinstatement of dwelling to be used as a holiday unit to include installation of package treatment plant and new vehicular access, Ty'n Bwlch, Lledrod

To **APPROVE** the application subject to a Section 106 tying the application site, with the applicant's main farm holding at Henbant and the whole land associated with Henbant and Ty'n Bwlch.

A recorded vote was taken in accordance with Part 4, Document I of the Council's Constitution due to the Committee's decision being contrary to the Officer recommendation and a significant departure from policy.

For the recommendation:

Councillors Ifan Davies, Gethin Davies, Marc Davies, Meirion Davies, Raymond Evans, Hugh Hughes, Chris James, Ceris Jones, Maldwyn Lewis, Gareth Lloyd and Mark Strong

Against the recommendation:

None.

Abstaining:

Councillor Carl Worrall

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

- The application was within policy for diversification of a dwelling.
- That the building retains its substantial appearance as a dwelling.
- That the proposal, in terms of its scale and design, would see the building being rebuilt as per its traditional appearance and character, meaning that, visually, it would appear as a conversion, and not a new build.
- The application was acceptable as the proposed building was on the footprint of the original dwelling. Members considered the scale to be acceptable as it follows the footprint of the former dwelling and outbuilding.
- The applicant had agreed to a Section 106 tying the building to the main farm and associated land which strengthened the case for farm diversification.
- This application would assist to promote the economy of the County.
- The original dwelling was part of history and within the tithe maps which was important to our county's heritage.

**6 Development, Advertisement, Local Authority and Statutory Applications**

None.

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

It was RESOLVED to note the schedule of planning applications dealt with the Report of the Corporate Lead Officer – Economy and Regeneration.

**8 Planning Appeals**

It was RESOLVED to note the schedule of planning applications dealt with the Report of the Corporate Lead Officer – Economy and Regeneration.

**Confirmed at the meeting of the Committee held on the 08 November 2023**

**Chairman:-** \_\_\_\_\_

**Date:** \_\_\_\_\_

## 1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210757	03-08-2021	Mr Peter Jones	Proposed horsebox fabrication building, to include installation of vehicular access and package treatment plant.	Land Adjacent B4338, from junction with C1279 and junction with C1060, Llanybydder, SA40 9UH	Refuse
2	A220638	17-08-2022	Mr D Evans (Cartrefi Dyfed Homes Ltd)	Phase 4 - Erection of 8 dwellings to include 2 affordable dwellings.	Cae John, Cross Inn, Llanon, SY23 5NT	Refuse

# 1.1. A210757





<b>Rhif y Cais / Application Reference</b>	A210757
<b>Derbyniwyd / Received</b>	03-08-2021
<b>Y Bwriad / Proposal</b>	Codi adeilad gwneud faniau ceffylau, gan gynnwys gosod mynedfa i gerbydau a safle trin pecynnau.
<b>Lleoliad Safle / Site Location</b>	Tir gerllaw'r B4338, rhwng y gyffordd â'r C1279 a'r gyffordd â'r C1060, Llanybydder, SA40 9UH
<b>Math o Gais / Application Type</b>	Cynllunio Llawn
<b>Ymgeisydd / Applicant</b>	Mr Peter Jones, Glan Yr Afon, Cwrtnewydd, Llanybydder, Ceredigion, SA40 9YS
<b>Asiant / Agent</b>	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen Llanrhystud, Aberystwyth, SY23 5ED

## Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn barseil o dir amaethyddol sydd wedi'i leoli ar hyd y B4338 600m i'r gorllewin o Llanybydder. Mae'r safle o natur wledig ac mae wedi'i amgylchynu â chaeau amaethyddol.

Does dim hanes datblygu perthnasol ar gyfer y safle.

## MANYLION Y DATBLYGIAD

Mae'r cynnig yn ymwneud â chodi adeilad gwneud faniau ceffylau, gan gynnwys gosod mynedfa i gerbydau a safle trin pecynnau. Bydd yr adeilad arfaethedig yn mesur 49.5m o hyd, 15.8m o ddyfnder a bydd yn 7.5m o uchder ar y mwyaf, a bydd yn darparu gweithdy ar gyfer gwneud faniau ceffylau. Mae yna gât i'r cae ar hyn o bryd, a fydd yn cael ei chau i greu mynedfa newydd.

## POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

### Polisiau Cynllunio Cenedlaethol Perthnasol:

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru

TAN 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy

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

S04: Datblygu Mewn Aneddiadau Cyswllt a Lleoliadau Eraill

DM06: Dylunio a Chreu Lle o Safon Uchel

DM14: Cadwraeth Natur a Chysylltedd Ecolegol

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; anabled; ailbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw

prïodol 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 argymhelliaid, 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**

Cyfoeth Naturiol Cymru – Mae'r safle o fewn dalgylch Ardal Cadwraeth Arbennig (ACA) Afon Teifi. Os nad yw'r datblygiad yn debygol o gael effaith sylweddol ar yr ACA, ni fyddai gennym unrhyw wrthwynebiad i'r cynnig.

Ecoleg – dim gwrthwynebiad yn unol ag amodau'n sicrhau darpariaeth o welliannau ecolegol, a datganiad dull trawsleoli, i sicrhau trawsleoliad y gwrych ar hyd ymyl y ffordd. Mae'r cynnig wedi'i sgrinio ac ni fyddai'n cael effaith sylweddol ar yr Afon Teifi o safbwynt cynyddu ffosffadau.

Awdurdod Priffyrdd – dim gwrthwynebiad yn unol ag amodau.

Draenio Tir – yn argymhell amodau mewn perthynas â rheoli dŵr wyneb, suddfannau dŵr ac arwynebau caled.

Derbyniwyd gwrthwynebiadau gan 9 trydydd parti hefyd, ar sail y ffaith na fydd yr adeilad yn cydweddu â'r ardal gyfagos, ac mi fyddai'n arwain at fwy o lifogydd. Effaith ar goed ac ecoleg, mwy o traffig, sŵn a diogelwch.

Derbyniwyd un llythyr o gefnogaeth yn nodi y byddai'n rhoi hwb i'r economi drwy ddarparu cyfleoedd cyflogaeth.

## **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”.***

### **Egwyddor Datblygu**

Mae safle'r cais yn gorwedd y tu allan i ffiniau unrhyw anheddiad ac felly mae o fewn 'lleoliadau eraill' fel y'u diffinnir o fewn y CDLI, lle mae datblygu'n cael ei reoli'n llym er mwyn sicrhau datblygu cynaliadwy ac i warchod ardaloedd cefn gwlad.

Mae Polisi S04 yn caniatáu datblygu o fewn 'lleoliadau eraill' a bwrw bod y cynnig yn cydymffurfio â gofynion TAN 6, yn nhermau menter wledig, ac yn nhermau ei leoliad ffisegol, ei fod yn union gerllaw'r ardal adeiledig bresennol.

Er bod y Cyngor yn cefnogi'r economi wledig er mwyn darparu cyfleoedd gwaith lleol, nid yw codi adeilad ar gyfer gwneud faniau ceffylau ar y lleoliad hwn, sydd wedi'i amgylchynu â chaeau amaethyddol, yn cwrdd â gofynion TAN 6. Nid yw Polisi S04 yn caniatáu codi adeilad ar y safle hwn felly ac mae'n mynd yn groes i brif amcan y polisi, sef gwarchod cefn gwlad a thirwedd ddiwylliannol yr ardal wledig hon.

Hefyd, ni ystyrir bod yna angen y gellir ei gyfiawnhau'n rhesymol am adeilad ar y lleoliad hwn. Mae'r egwyddor datblygu'n annerbyniol felly.

### **Tirwedd**

Mae amddiffyn cefn gwlad rhag datblygu amhriodol wedi bod, ac mae'n parhau i fod yn amcan cynllunio pwysig. Nod Polisi DM17 yw atal effaith andwyol ar rinweddau a nodweddion arbennig y dirwedd weledol. Byddai'r datblygiad arfaethedig yn amharu ar ardal cefn gwlad agored, ac yn sgil ei faint a'i fâs, ystyrir y byddai'n ansensitif ac yn anghydnaws â'r lleoliad, ac yn

mynd yn gwbl groes i amcanion y Polisi hwn.

## Dyluniad a Chymeriad

Mae DM06 y CDLI yn gofyn bod pob datblygiad newydd yn rhoi ystyriaeth lawn, ac yn cyfrannu mewn ffordd bositif at gyd-destun ei leoliad a'r cyffiniau. Hefyd, mae'r polisi'n gofyn bod y datblygiad yn adlewyrchu dealltwriaeth glir o egwyddorion dylunio, a'r cyd-destun ffisegol, cymdeithasol, economaidd ac amgylcheddol lleol. Mae'r polisi'n cynnwys rhestr o feini prawf y dylai pob datblygiad geisio'u bodloni. Yn arbennig o berthnasol i'r cais hwn y mae meini prawf 2 a 7 o'r polisi, sy'n gofyn bod datblygiad newydd yn cydweddu â'r safle a'i gyffiniau.

Mae Maen Prawf 2 o Bolisi DM06 yn pwysleisio bod yn rhaid i ddatblygiad gydweddu â'r safle a'i gyffiniau yn nhermau cynllun, parchu golygfeydd i mewn ac allan o'r safle, cynhyrchu ffurf gydynol yn nhermau maint, uchder a chyfrannedd yr adeiladau presennol. Ymddengys na fyddai maint ac uchder yr adeilad arfaethedig yn cydweddu â chymeriad a golwg yr ardal leol.

Byddai'r datblygiad arfaethedig yn amharu ar ardal cefn gwlad agored, ac yn sgil ei faint a'i fâs, ystyrir y byddai'n ansensitif ac yn anghydnaws â'r lleoliad, ac yn mynd yn gwbl groes i ofynion Polisi DM17.

## Priffyrdd

Bwriedir adleoli'r fynedfa bresennol i'r cae a chreu mynedfa newydd tua phen deheuol y safle, gan gau'r fynedfa bresennol. Cyflwynwyd datganiad trafniadaeth, a adolygwyd gan yr Awdurdod Priffyrdd, sydd heb fynegi unrhyw wrthwynebiad i'r fynedfa arfaethedig.

## Ecoleg

Mae'r safle'n gorwedd o fewn dalgylch Ardal Cadwraeth Arbennig (ACA) Afon Teifi. Mi allai unrhyw ddatblygiad a allai gynyddu maint y ffosffad (neu ffosfforws) o fewn dalgylch ACA yr afon gael effaith niweidiol ar yr ACA, a byddai angen sgrinio'r datblygiad i bennu ei effaith ar yr ACA. Dywedodd Cyfoeth Naturiol Cymru, os na fyddai'r datblygiad yn cael effaith sylweddol ar yr ACA, na fyddai ganddynt unrhyw wrthwynebiad.

Yn yr achos hwn, mae'r sgrinio'n dangos nad yw'r cynnig yn debygol o gael unrhyw effaith sylweddol ar yr Afon Teifi o ran cynyddu'r lefelau ffosffad, yn unol â Chyngor Cynllunio Cyfoeth Naturiol Cymru, ac nid oes angen unrhyw arolwg na gwelliannau pellach.

Cynhaliwyd Asesiad Ecolegol Cychwynnol gan Wyndrush Wild. Mae'r safle'n cynnwys un cae o laswelltir wedi'i wella gydag ardal fach o laswelltir corsiog a gwrychoedd cyffiniol. Cafodd y safle ei asesu fel un heb unrhyw gynefinoedd addas ar gyfer pathewod, moch daear, ymlusgiaid nac amffibiaid, ac fel un o ychydig werth yn unig ar gyfer adar nythu a manau clwydo ar gyfer ystlumod. Ni nodwyd unrhyw rywogaethau ymledol anffodorol ar y safle.

Mi fydd y datblygiad arfaethedig yn gofyn bod darn o'r gwrych yn cael ei dynnu i ddarparu'r llain gweledd gofynnol. Mae Ecolegydd y Cyngor yn awgrymu gosod amod i sicrhau na fydd unrhyw waith i drawsleoli'r gwrych ar hyd ymyl y ffordd yn digwydd nes bod datganiad dull trawsleoli wedi'i gyflwyno.

## Cyflogaeth

Mae angen yr adeilad arfaethedig ar yr asiant i ddarparu gwasanaeth mwy proffesiynol a chyfleusterau modern i gwrdd â'r galw cynyddol. Ar hyn o bryd mae iard ar gael ym Moelfre a bydd y gwaith yn symud i'r safle arfaethedig.

Yn ôl y ffurflen gais, ni fydd unrhyw swyddi ychwanegol yn cael eu creu, ond yn hytrach mae 7 aelod staff presennol a'r bwriad yw cyflogi 7. Ar sail yr hyn a gyflwynwyd, ni ellir dweud y bydd y cynnig yn creu cyflogaeth uwchlaw'r lefelau presennol, ond mae'n bosib y bydd cyfleoedd gwaith yn cael eu creu yn y dyfodol ar gyfer trigolion Llanybydder, sydd cwta 600m i ffwrdd, yn sgil y galw cynyddol a ddisgrifir gan yr asiant. Mi fyddai hynny'n cydymffurfio â TAN 6.

## ARGYMHELLIAD:

Gwrthod am y rhesymau canlynol:

1. Mae safle'r cais yn gorwedd y tu allan i ffiniau'r anheddiad ac felly mae o fewn 'lleoliadau eraill' fel y'u diffinnir o fewn y CDLI, lle mae datblygu'n cael ei reoli'n llym i sicrhau datblygu cynaliadwy ac i warchod ardaloedd cefn gwlad. Nid yw Polisi S04 felly yn caniatáu codi adeilad i wneud faniau ceffylau yn y lleoliad hwn. Mae'r egwyddor datblygu'n annerbyniol felly.
2. Byddai'r datblygiad arfaethedig yn amharu ar ardal cefn gwlad agored ac yn sgil ei faint a'i fâs, ystyrir ei fod yn ansensitif ac yn anghydnaws â'r lleoliad hwn, a'i fod yn mynd yn gwbl groes i ofynion Polisi DM17.

## RHESYMAU DROS OHIRIO:

Penderfynodd y Pwyllgor Rheoli Datblygu ar yr 8fed o Fawrth 2023 gyfeirio'r cais i'r Panel Ymweld Safleoedd (SIP) yn unol â pharagraff 5 o feini prawf mabwysiedig y cyngor, a hefyd i'r Grŵp Oeri / Ailfeddwl i'w ystyried ymhellach, cyn gwneud penderfyniad terfynol ar y cais.

Cyfarfu'r Panel Ymweld Safleoedd ar y 21ain o Fawrth 2023. Yn ystod yr ymweliad, sylwodd yr aelodau nad oedd y pellter i Lanybydder yn ormodol, nad oedd unrhyw faterion gorlifo ar safle'r cais (yn wahanol i rannau o Lanybydder), roedd y tir ar lefel is na'r briffordd gyhoeddus ac yn elwa o lefel da o sgrinio naturiol, a hefyd nad oedd yna dai preswyl yn yr ardal a allai gael eu effeithio gan y bwriad.

Ymwelodd y panel hefyd a safle busnes presennol yr ymgeisydd ar fferm Moelfre, lle nodwyd ei bod yn ymddangos bod y busnes wedi tyfu'n rhy fawr i'r safle presennol. Fferm weithiol ydoedd ac roedd y gosodiad a'r agosrwydd at y fferm yn amhriodol, roedd diffyg cyfleusterau ym Moelfre yn creu problem lles i weithwyr a byddai'r mynediad / allanfa ar gyfer y traffig a achosir gan y datblygiad yn anodd ar hyd lôn serth y fferm. Nodwyd hefyd mai prin oedd y cyfle i ehangu'r busnes yn y lleoliad hwn oherwydd yr adeiladau fferm presennol a thopograffi'r tir. Roedd yr ymgeisydd hefyd yn gallu cadarnhau nad oedd yr adeiladau fferm presennol yn eiddo iddo. Nodwyd ymhellach nad oedd cymeriad gweledol fferm weithiol yn rhoi argraff da i ddarpar gwsmeriaid oedd yn ymweld â'r busnes.

Roedd yr aelodau'n cydnabod nad oedd y safle presennol yn addas ar gyfer ehangu ac y byddai angen lleoliad newydd ar gyfer y busnes er mwyn ei gadw o fewn y sir.

Fodd bynnag, roedd yr Aelodau o'r farn bod angen gofyn am wybodaeth ychwanegol oddi wrth yr ymgeisydd ynghylch y dull dilyniannol a ddefnyddiwyd wrth ddewis y safle sy'n destun y cais hwn.

Dilynodd cyfarfod o'r Grŵp Oeri / Ailfeddwl ar y 23ain o Fawrth 2023. Cytunodd y Grŵp Oeri / Ailfeddwl yn unfrydol i ofyn am y wybodaeth ychwanegol ganlynol i gefnogi'r cais:

1. **Prawf dilyniannol mwy trylwyr i gymharu'r safle arfaethedig â safleoedd eraill sydd ar gael.** Fel rhan o'r ymarfer hwn, gofynnwyd i'r ymgeisydd roi rhesymau pam nad yw safle presennol fferm Moelfre yn addas ar gyfer y bwriad. Roedd hyn i'w ddilyn gan asesiad o unrhyw adeiladau eraill o fewn perchnogaeth / rheolaeth yr ymgeisydd, unrhyw adeiladau neu eiddo sydd ar gael o fewn neu gerllaw aneddiadau cyfagos neu o fewn stadau diwydiannol presennol yn yr ardal, ynghyd ag ystyriaeth o unrhyw adeiladau gwag presennol yn yr ardaloedd mwy gwledig. Yn y bôn, er bod yr aelodau am gadw'r busnes yng Ngheredigion er mwyn cefnogi'r economi leol, serch hynny roeddent am fod yn sicr nad oedd safleoedd eraill ar gael cyn gwneud penderfyniad terfynol ar y cais.

Ac;

2. **Cadarnhad o lefelau daer a llawr presennol ac arfaethedig.**

O ganlyniad, ar y 27ain o Ebrill 2023, derbyniwyd Arfarniad Prawf Dilyniannol, cadarnhad nad yw safle presennol fferm Moelfre ym mherchnogaeth na rheolaeth yr ymgeisydd, ynghyd â llythyr cymhelliant pellach.

### 1. Y Prawf Dilyniannol:

Mae'r prawf dilyniannol yn defnyddio TAN4 (Canolfannau Manwerthu a Masnachol) fel arweiniad.

Mae gofynion allweddol yr ymgeisydd yn cynnwys adeilad gweithredol sydd o leiaf yn 7500 troedfedd sgwâr, iard gylchredeg fawr, mynediad da i flaen y ffordd, digon o le parcio, tir ar gyfer yr anifeiliaid wrth ddelio â bocys ceffylau sydd wedi torri i lawr, uchder da ar gyfer offer codi, a lleoliad o fewn 10 milltir i'r gweithrediad presennol.

Dadleuwyd nad oedd yr adeilad presennol ym Moelfre yn addas gan nad yw'r tir o fewn perchnogaeth nac o dan reolaeth yr ymgeisydd, ac felly nid yw'n cyflwyno unrhyw opsiwn i ehangu, gwella neu ailddatblygu. Hyn, yn ôl y prawf dilyniannol, oedd y brif ystyriaeth ar gyfer adleoli'r gweithrediad.

Nodwyd 4 safle o fewn radiws 10 milltir o'r safle presennol fel rhan o'r prawf dilyniannol. Mae'r rhain yn cynnwys Safle 1: Parc Busnes Llambod (Dyraniad CDLI E0501), Safle 2: Hen Safle Mart (Dyraniad CDLI E0502), Safle 3: Tir oddi ar Station Terrace, Llanybydder, Sir Gaerfyrddin, Safle 4: Unedau 1-4, Ystâd Ddiwydiannol Pentood, Aberteifi. Penderfynwyd bod pob safle yn anhyfyw ac nad oedd ar gael i'w ddefnyddio gan y busnes.

Aseswyd safleoedd amrywiol eraill hefyd trwy ehangu'r meini prawf chwilio i fod o fewn 40 milltir i'r safle presennol heb unrhyw gyfyngiad ar ddefnydd y tir na chyllideb. Aseswyd y safleoedd sydd ar gael ar Rightmove Commercial hefyd. Arweiniodd hyn at ystyried ardal drefol Abertawe, lle y canfuwyd eu bod yn anhyfyw am wahanol resymau gan gynnwys pris, pellter oddi wrth y busnes presennol, defnyddiau cyfyngedig, cyfyngiadau gweithredol a chostiau datblygu.

Cafodd safleoedd yn Aberteifi eu hystyried hefyd, fodd bynnag, nid oedd rhain o fewn dalgyloch y busnes, byddent yn creu problemau adleoli staff, costau uchel o sicrhau eiddo, problemau parcio a diffyg lle i letya anifeiliaid. Ystyriwyd bod y safleoedd hyn yn anaddas.

I gloi, mae'r Prawf Dilyniannol yn nodi nad oes unrhyw safleoedd amgen sy'n addas ar gyfer gweithrediad y busnes.

## 2. Cais am gadarnhad o lefelau daear a llawr presennol ac arfaethedig.

Mewn e-bost oddi wrth yr asiant sy'n dyddiedig 27ain o Ebrill, 2023, darparwyd cadarnhad ysgrifenedig na fydd unrhyw newidiadau rhwng y lefelau cae presennol ac arfaethedig.

### **ASESIAD YR ACLI O'R PRAWF DILYNIANNOL CYNTAF:**

Ar ôl ystyried y wybodaeth a gyflwynwyd, mae'r Awdurdod Cynllunio Lleol yn pryderu bod nifer y safleoedd yr edrychwyd arnynt fel rhan o'r prawf dilyniannol yn rhy gyfyngedig, ac ychydig o dystiolaeth sydd wedi cael ei ddarparu bod yr ymgeisydd wedi gwneud ymdrech ar y cyd i gaffael safle mwy addas a chynaliadwy.

I gloi, mae'r Awdurdod Cynllunio Lleol o'r farn nad oes digon o dystiolaeth wedi'i chyflwyno i gyfiawnhau gwyro oddi wrth bolisi cynllunio cenedlaethol a lleol yn yr achos hwn.

O ganlyniad, mae'r argymhelliad i wrthod yn parhau.

### **RHESWM PELLACH DROS OHIRIO:**

Cafodd y cais ei ystyried yn y Pwyllgor Rheoli Datblygu ar 13 Medi 2023. Penderfynodd y Pwyllgor ohirio penderfyniad ar y cais am fis er mwyn i'r ymgeisydd gyflwyno prawf dilyniannol mwy trylwyr i gefnogi'r cais. Yn dilyn hynny, cyflwynwyd prawf dilyniannol atodol gan yr asiant ar 27 Medi 2023.

### **ASESIAD YR ACLI O'R PRAWF DILYNIANNOL YCHWANEGOL:**

Ymgynghorodd yr asiant ag Arwyn Davies, y Rheolwr Corfforaethol ar gyfer Twf a Menter a darparodd restr o bedwar safle a gafodd eu hasesu a'u graddio allan o 5. Mae'r safleoedd yn adlewyrchu'r trafodaethau a gafodd yr asiant gyda'r Cyngor, gan ystyried pellteroedd teithio staff, gan fod y rhan fwyaf o'r staff yn byw yn lleol.

Cafodd y safle yn Welsh Heritage Construction Ltd yn Llanwnnen, Llanbedr Pont Steffan sgôr o 3 allan o 5. Dadleuwyd bod y safle hwn yn anaddas gan nad yw ar y farchnad ar hyn o bryd, ni all yr ymgeisydd fforddio'r safle a byddai addasu'r safle yn rhy ddrud.

Yr ail safle, sydd hefyd yn sgorio 3 allan o 5, yw'r safle gerllaw Gwili Jones, Llanbedr Pont Steffan. Ystyriwyd ei bod yn annerbyniol gan nad yw'r safle ar y farchnad ar hyn o bryd ac nid oes caniatâd cynllunio ar waith. Yn ogystal, mae eiddo preswyl yng nghefn y safle ac ni all yr ymgeisydd fforddio prynu safle masnachol ac adeilad newydd.

Y trydydd safle, sy'n sgorio 2 allan o 5, yw'r plotiau yng Ngwasg Gomer yn Llandysul. Ni all yr ymgeisydd fforddio'r safle.

Mae'r pedwerydd safle a aseswyd ym Maes Awyr Gorllewin Cymru yn Aberporth, gan sgorio 0 allan o 5. Ystyriwyd bod y safle hwn yn amhriodol gan ei fod yn rhy bell o'r lleoliad busnes presennol, mae potensial marchnata lleol yn gyfyngedig oherwydd bod yr arfordir ar un ochr i'r safle, ac ni all yr ymgeisydd fforddio prynu'r safle.

Cafodd dau safle posibl arall yn Heol yr Orsaf, Tregaron eu diystyru hefyd, ar y sail bod yr unedau'n rhy fach ac yn seiliedig ar ddfyf compownd diogel ar gyfer anifeiliaid byw.

Pwysleisiodd yr asiant ei bod yn bwysig bod y busnes wedi'i leoli'n ganolog ac i ffwrdd o'r arfordir, gyda mynediad da i rwydwaith ffyrdd yr M4 a marchnad geffylau boblogaidd de a dwyrain Cymru ger ardaloedd Llanybydder a Llanbedr Pont Steffan.

Yn Aberystwyth, byddai'r cyfleoedd yn gyfyngedig i Ystâd Ddiwydiannol Glanyrafon, lle, yn ôl yr asiant, nad oes llawer o argaeledd ac mae'r safleoedd yn rhy fach.

Dywed yr asiant fod 30-40 o ffermwyr o fewn ardal weithredu'r cleient wedi cael eu cysylltu ond nad oeddent yn fodlon cynorthwyo.

Mae'r wybodaeth atodol hefyd yn datgan na all yr ymgeisydd ddibynnu ymhellach ar rentu / prydlesu adeilad, gan fod ansicrwydd preswyliaeth yn atal sgôp a'r gallu i ehangu'r busnes, ac yn hollbwysig, yn rhwystro'r gallu i fenthycu os oes angen.

Mae'r asiant wedi darparu prawf dilyniannol mwy manwl, fodd bynnag, mae'r cais yn parhau i fod yn groes i bolisiau S04 a DM17.

O ganlyniad, mae argymhelliad yr Awdurdod Cynllunio Lleol i wrthod y cais yn parhau.

## **RHESWM PELLACH DROS OHIRIO:**

Cyflwynwyd gwybodaeth ychwanegol ar gyfer y prawf cymalog ar 10 Hydref 2023, y diwrnod cyn cyfarfod y Pwyllgor ar 11 Hydref 2023. Felly tynnwyd y cais yn ôl o'r agenda i ganiatáu i'r wybodaeth ychwanegol gael ei hystyried.

## **ASESIAD AWDURDOD CYNLLUNIO LLEOL O WYBODAETH ATODOL AR GYFER Y PRAWF CYMALOG**

Ymgynghorodd yr asiant â Chronfa Ddata Eiddo Busnes Cymru ar gyfer tir masnachol a gwefan eiddo ar gyfer adeiladau masnach sy'n cwmpasu Canolbarth Cymru, Gorllewin Cymru a De Orllewin Cymru.

Nodwyd Station Yard yn Llandysul, ond roedd yr asiant yn dadlau bod y safle'n rhy fach ac nid oes unrhyw sgôp i ehangu a byddai angen buddsoddiad sylweddol er mwyn ei addasu ar gyfer pwrpas ei ddefnydd.

Nodwyd Uned Gweithgynhyrchu Frank's yn Ystad Ddiwydiannol Capel Hendre, Rhydaman, ond cafodd ei ddiystyru gan ei fod wedi'i leoli yn Rhydaman ac wedi'i wneud er mwyn gweithgynhyrchu bwyd yn hytrach na defnydd masnachol ac nid yw o fewn cyllideb yr ymgeisydd

Nodwyd Clos y Prior / Heol y Ffwrnais, Caerfyrddin, Sir Gâr ond cafodd ei ddiystyru oherwydd ei fod wedi'i leoli yng Nghaerfyrddin a bod angen buddsoddiad sylweddol er mwyn addasu'r adeilad at ddefnydd masnachol.

Nodwyd hefyd datblygiad yn Heol Parc y Ffair, Crymymch, Sir Benfro. Er bod yr ymgeisydd yn cydnabod fod gan y safle amrywiaeth o adeiladau o faint da, diystyryd gan ei fod yn rhy bell ar gyfer teithio ac adleoli staff.

Yn ôl yr ymgeisydd, maen nhw wedi bod mewn cysylltiad â pherchnogion safle Treftadaeth Cymru yn Llanwnnen. Er nad yw'r safle ar y farchnad, byddent yn fodlon derbyn cynnig o tua £600,000 ar gyfer y safle 3 erw. Byddai costau ailddatblygu o £280,000 er mwyn codi gweithdy/ ailfodelu sied bresennol sy'n dod â chyfanswm y costau i £880,000 gan ei gwneud yn anhyfyw yn ariannol.

Mae'r asiant yn datgan eu bod hefyd wedi bod mewn cyswllt â thirfeddiannwr ger Llanybydder sy'n berchen ar safle 6 erw sydd ag adeilad masnachol 75' x 60' ac yn ystyried cynigion o tua £850,000 gyda chost ychwanegol o £180,000 gan ymestyn cyfanswm y gost i £1,000,000 gan ei wneud yn anhyfyw yn ariannol.

Mae'r ymgeisydd yn nodi eu bod hefyd wedi ystyried plot o dir tua 7 erw ym Mhentrebach ger Llanwnnen. Penderfynwyd ar ymweliad i'r safle na fyddai'r safle'n dderbyniol gan na fyddai llain ddigonol yn medru cael ei ddarparu i fodloni Gwasanaethau Prifffyrdd.

Er bod yr asiant wedi darparu prawf cymalog manylach, mae'r cais yn parhau i fod yn groes i Bolisiâu S04 A DM17.

O ganlyniad, mae argymhelliad yr Awdurdod Cynllunio Lleol i wrthod y cais yn parhau

## **DEDDF CYNLLUNIO GWLAD A THREF 1990 – CAIS I ALW I MEWN O DAN ADLAN 77**

Ar 20fed o Ebrill, 2023, rhoddodd Llywodraeth Cymru wybod i Gyngor Sir Ceredigion bod Gweinidogion Cymru wedi cael eu gofyn i alw'r cais i mewn am benderfyniad.

Mae'r hysbysiad gan Lywodraeth Cymru hefyd yn cyfarwyddo Gyngor Sir Ceredigion i beidio â rhoi caniatâd cynllunio mewn perthynas â'r cais, nac i unrhyw ddatblygiad arall o'r un math sy'n destun y cais ar unrhyw safle sy'n cynnwys neu'n ffurfio rhan o'r tir y mae'r cais yn berthnasol iddo.

Mae'r cais galw i mewn yn dal i gael ei ystyried gan Lywodraeth Cymru, a chyn gwneud penderfyniad, mae angen rhoi gwybod iddynt a yw'r pwyllgor wedi penderfynu caniatáu neu wrthod y cais. Unwaith y bydd Llywodraeth Cymru wedi cael gwybod am benderfyniad y pwyllgor, byddant wedyn yn ystyried y cais galw i mewn ymhellach.

Yn y cyfamser, mae'r cyfeiriad yn parhau yn ei le.

<b>Rhif y Cais / Application Reference</b>	A210757
<b>Derbyniwyd / Received</b>	03-08-2021
<b>Y Bwriad / Proposal</b>	Proposed horsebox fabrication building, to include installation of vehicular access and package treatment plant.
<b>Lleoliad Safle / Site Location</b>	Land Adjacent B4338, from junction with C1279 and junction with C1060, Llanybydder, SA40 9UH
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr Peter Jones, Glan Yr Afon, Cwrtnewydd, Llanybydder, Ceredigion, SA40 9YS
<b>Asiant / Agent</b>	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 a parcel of agricultural land which is located along the B4338 600m to the west of Llanybydder. The site is rural in nature and bound by agricultural fields.

There is no relevant planning history for the site.

## DETAILS OF DEVELOPMENT

The proposal relates to the construction of a horsebox fabrication building, to include installation of vehicular access and package treatment plant. The proposed building will measure 49.5m in length, 15.8m deep with a maximum height of 7.5m and will provide for a workshop to fabricate horseboxes. There is an existing field gate which will be closed up to accommodate a new access point.

## RELEVANT PLANNING POLICIES AND GUIDANCE

### Relevant National Planning Policies

Future Wales: The National Plan 2040

Planning Policy Wales

TAN 6: Planning for Sustainable Rural Communities

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

S04: Development in Linked Settlements and Other Locations

DM06: High Quality Design and Placemaking

DM14: Nature Conservation and Ecological Connectivity

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**

NRW – The site is within the catchment of the River Teifi Special Area of Conservation (SAC). If the development is not likely to have a significant effect on the SAC, we would have no objection to the proposal.

Ecology – no objection subject to conditions securing the provision of ecological enhancements and a translocation method statement to secure the translocation of the roadside hedge. The proposal has been screened out and would not have a significant effect on the Afon Teifi from increase phosphates.

Highway Authority – no objection subject to conditions.

Land Drainage – recommend conditions relating to surface water management, soakaways and hard surfacing.

9 third party objections have also been received on the grounds that the building will not appear in keeping with the surrounding area and would give rise to increased flooding. Impact on trees and ecology, increased traffic, noise and security.

1 letter of support has been received commenting that it would boost the economy by providing employment opportunities.

## **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 any settlement boundary and is therefore within 'other locations' as identified within the LDP where development is strictly controlled in the interest of achieving sustainable development and to protect the open countryside.

Policy S04 only permits development within 'other locations' where the proposal accords with the requirements of TAN 6 in terms of a rural enterprise and in terms of its physical location, it is immediately adjacent to the substantial built form.

Whilst the Council supports the rural economy to provide local employment opportunities, the construction of a building for the fabrication of horseboxes in this location, surrounded by agricultural fields, does not meet the requirements of TAN 6. The erection of a building in this location is therefore not permitted by Policy S04 and represents a conflict with the overarching policy objective of protecting the countryside and cultural landscape of this rural area.

Furthermore, it is not considered that there is a reasonably justified need for the building in this location. The principle of development is therefore unacceptable.

### **Landscape**

The protection of the countryside from inappropriate development has been and continues to be, an important planning objective. Policy DM17 seeks to prevent adverse effect on the qualities and special characters of the visual landscape. The proposed development would represent an intrusion into the open countryside and by virtue of its scale and massing, is considered insensitive and unsympathetic within this location and in direct conflict with the aims of this Policy.



## Design and Character

Policy DM06 of the LDP requires all new development to have full regard, and positively contribute to the context of its location and surroundings. Furthermore, the policy requires development to reflect a clear understanding of design principles, and the local physical, social, economic and environmental context. The policy includes a list of criteria in which all development should seek to meet. Of particular relevance to this application are criteria 2 and 7 of the policy, which requires new development to complement the site and its surroundings (criterion 2).

Criterion 2 of the Policy DM06 highlights that the development must complement the site and its surrounding 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 scale and height of the proposed building would appear incongruous with the character and appearance of the local area.

The proposed development would represent an intrusion into the open countryside and by virtue of its scale and massing, is considered insensitive and unsympathetic within this location and in direct conflict with the requirements of DM17.

## Highways

It is proposed to relocate an existing field access to accommodate a new access towards the southern end of the site and close off the existing access. A transport statement was submitted which has been reviewed by the Highway Authority who raise no objections to the proposed access.

## Ecology

The site lies within the catchment of the Afon Teifi Special Area of Conservation (SAC). Any development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC and the development would need to be screened to determine whether the development is likely to have a significant effect on the SAC. NRW advised that if the development would not result in a significant effect on the SAC, then no objections would be raised.

In this case, the proposal has been screened out as not likely to have a significant effect on the Afon Teifi from increased phosphates in accordance with NRW Planning Advice and no further survey work nor enhancements are necessary.

A Preliminary Ecological Assessment was carried out by Wyndrush Wild. The site comprises a single field of improved grassland with a small area of marshy grassland and adjoining hedges. The site was assessed as having no habitats suitable for dormice, badgers, reptiles and amphibians and of minor value for nesting birds and roosting bats. No invasive non-native species were identified on site.

The proposed development will require a section of hedge to be removed to provide the required visibility splay. The Council's Ecologist recommends a condition to ensure that no works to translocate the roadside hedge should take place until a translocation method statement has been submitted.

## Employment

The proposed building is required by the agent to provide a more professional service and modern facilities to meet increased demand. Currently, there is an existing yard at Moelfre and the operations will move to the proposed site.

According to the application form, no additional jobs will be created, rather 7 staff members are existing and 7 are proposed. Based on what has been submitted, it cannot be said that the proposal will create employment above existing levels, however, it may be possible for future employment opportunities to be created for the residents of Llanybydder, which is only 600m away, due to the increased demand described by the agent. This would be in accordance with TAN6.

## RECOMMENDATION:

Refuse for the following reasons:

1. The application site lies outside of the settlement boundary and is therefore within 'other locations' as identified within the LDP where development is strictly controlled in the interest of achieving sustainable development and to protect the open countryside. The erection of a horsebox fabrication building in this location is therefore not permitted by Policy S04. The principle of development is therefore unacceptable.
2. The proposed development would represent an intrusion into the open countryside and by virtue of its scale and massing, is considered insensitive and unsympathetic within this location and in direct conflict with the requirements of Policy DM17.

## REASONS FOR DEFERRAL:

The Development Management Committee on the 8th March 2023 resolved to refer the application to both the Site Inspection Panel (SIP) in accordance with paragraph 5 of Council's adopted criteria, and also to the Cooling Off Group for further consideration, before a final decision was taken on the application.

The Site Inspection Panel subsequently met on the 21st March 2023. During the SIP Members observed that the distance to Llanybydder from the application site was not excessive, that there were no flooding issues at the application site, (unlike parts of Llanybydder), that the land where the proposed building was to be situated was at a lower level than the public highway and benefited from a good level of natural screening and that there was limited residential units in the locality which may be affected by the proposal.

The panel also visited the applicant's current business premises at Moelfre Farm, during which it was noted that the business had appeared to have outgrown the existing premises. It was a working farm and the layout and the close proximity to the farm was inappropriate, the lack of facilities at Moelfre was creating a welfare issue for employees and the access/egress for the traffic induced by the development would be difficult along the steep and narrow farm track. It was also noted that there was limited opportunity to expand the premises in this location owing to the existing farm buildings and the topography of the land. The applicant was also able to confirm that the existing farm buildings were not in his ownership. It was further noted that the visual character of a working farm did not give a good impression to potential customers visiting the premises.

Members recognised that the existing site was not suitable for expansion and a new location for the business would be necessary in order to retain the business within the County.

Members did however consider it necessary to request additional information from the applicant in regard the sequential approach that had been undertaken in choosing the site subject to this application.

A meeting of the Cooling Off Group followed on the 23rd March 2023. The Cooling off Group unanimously agreed to request the following additional information in support of the application:

1. **A more thorough sequential test to compare the proposed site with other available sites.** As part of this exercise, the applicant was asked to provide reasons why the existing site at Moelfre Farm is not suitable for the proposal. This was to be followed by an assessment of any other buildings within the applicant's ownership / control, any available buildings or premises within or adjacent to nearby settlements or within existing industrial estates in the area, and the consideration of any existing vacant buildings in the more rural areas. Essentially, whilst Members wanted to retain the business in Ceredigion in order to support the local economy, they nevertheless wanted to be satisfied that there were no other alternative sites available before taking a final decision on the application.

**And;**

2. **Confirmation of the existing and proposed ground and floor levels at the application site.**

Subsequently, a Sequential Test Appraisal, proof that the existing site at Moelfre Farm is not in the applicant's ownership or control, and a further letter of motivation was submitted on the 27th April 2023.

### 1. The sequential test:

The sequential test uses TAN4 (Retail and Commercial Centres) for guidance.

Key requirements for the applicant include as a minimum a 7500sqft operational building, a large circulation yard, good road frontage access, ample parking, land for animals to be secured when dealing with horsebox breakdowns, good height for lifting equipment and a location within a 10 mile radius of the existing operation.

It was argued that the existing building at Moelfre was not suitable as the land is not within the ownership nor under the control of the applicant and therefore does not present any option to expand, improve or redevelop. This, according to the sequential test, was the major consideration for the operation's relocation.

4 no. sites were identified within the 10 mile radius of the existing site and assessed as part of the sequential test. These include Site 1: Llambed Business Park (LDP Allocation E0501), Site 2: Old Mart Site (LDP allocation E0502), Site 3: Land off Station Terrace, Llanybydder, Carmarthenshire, Site 4: Units 1-4, Pentood Industrial Estate, Cardigan. All sites were determined to be non-viable and not available to be used by the business.

Various other premises were also assessed by expanding the search criteria to be within 40 miles of the existing site with no restricted land uses or budget. The sites available on Rightmove Commercial were also assessed. This resulted in the

consideration of the urban area of Swansea, which were found to be unviable for various reasons including price, distance from the existing business, restricted uses, operational constraints and cost to develop.

Sites in Cardigan were also considered however, these were not within the business' catchment area, would create staffing relocation issues, high costs of securing a premises, parking issues and lack of space of accommodating animals. These sites were deemed to be unsuitable.

In conclusion, the Sequential Test states that there are no alternative sites suitable for the business operation.

## **2. Request for confirmation of the existing and proposed ground and floor levels at the application site**

In an e-mail from the agent dated 27<sup>th</sup> April, 2023, written confirmation was provided that there will be no changes in levels between the existing and proposed field levels.

### **LPA'S ASSESSMENT OF THE FIRST SEQUENTIAL TEST:**

After considering the submitted information, the Local Planning Authority is concerned that the number of alternative sites looked at as part of the sequential test is too limited and there appears to be little evidence of the applicant having made a concerted effort to acquire an alternative and more sustainable site.

In conclusion, the Local Planning Authority considers that insufficient evidence has been submitted to justify a departure from national and local planning policy in this instance.

Consequently, the recommendation to refuse remains.

### **FURTHER REASON FOR DEFERRAL:**

The application was considered at the Development Management Committee on the 13th September 2023. The Committee resolved to defer the determination of the application for one month for the applicant to submit a more thorough sequential test in support of the application. Subsequently, a supplementary sequential test was submitted by the agent on 27<sup>th</sup> September 2023.

### **LPA'S ASSESSMENT OF SUPPLEMENTARY SEQUENTIAL TEST:**

The agent consulted Arwyn Davies, the Corporate Manager for Growth and Enterprise and provided a list of four sites which were assessed and rated out of 5. The sites reflect the discussions the agent had with the Council, taking into consideration staff travelling distances, as most of the staff live locally.

The site at Welsh Heritage Construction Ltd at Llanwnnen, Lampeter was allotted a rating of 3 out of 5. It was argued that this site is unsuitable as it is not currently on the market, the applicant cannot afford the site and converting the site would be too expensive.

The second alternative site, also scoring 3 out of 5, is the site adjacent to Gwili Jones, Lampeter. This site was deemed unacceptable as the site is not currently on the market and there is no planning permission in place. In addition, there are residential properties to the rear of the site and the applicant cannot afford the purchase of a commercial site and a new build.

The third alternative site, scoring 2 out of 5, are the plots at Gwasg Gomer in Llandysul. The applicant cannot afford the site.

The fourth site assessed is at West Wales Airport at Aberporth, scoring 0 out of 5. This site has been deemed inappropriate as it is too far from the existing business location, local marketing potential is limited due to the coast being on one side of the site, and the applicant cannot afford to purchase the site.

Two other possible sites at Station Road, Tregaron were also discounted, on the grounds that the units were too small and based on the lack of availability of a secure compound to accommodate livestock.

The agent emphasised that it is important that the business be located centrally and away from the coast, with good access to the M4 road network and the popular equestrian marketplace of south and east Wales near the Llanybydder and Lampeter areas.

In Aberystwyth, opportunities would be limited to Glanyrafon Industrial Estate, where, according to the agent, there is limited availability and the sites are too small.

The agent states that 30-40 farmers within the client's operating area were approached but were unwilling to assist.

The supplementary information also states that the applicant cannot rely any further on renting / leasing a building, as the uncertainty of occupation gives limited scope and ability to expand the business, and crucially a secured premises for

lending purposes if required.

The agent has provided a more in-depth sequential test, however, the application remains in contravention of policies S04 and DM17.

As a result, the LPA's recommendation to refuse the application remains.

#### **FURTHER REASON FOR DEFERRAL:**

Additional information for the sequential test was submitted on 10 October 2023, the day before the Committee meeting on 11 October 2023. The application was therefore withdrawn from the agenda to allow for the additional information to be considered.

#### **LPA'S ASSESSMENT OF SUPPLEMENTARY INFORMATION FOR THE SEQUENTIAL TEST:**

The agent consulted the Business Wales Property Database for commercial land and property website for commercial buildings covering Mid-Wales, West Wales and South West Wales.

Station Yard in Llandysul was identified but the agent argued that the site was too small with no further scope to expand and considerable investment would be needed to adapt it for the proposed use.

Frank's Manufacturing Unit in Capel Hendre Industrial Estate, Ammanford, was identified but ruled out as it is located in Ammanford and has been set up for food manufacturing rather than commercial use and it is not within the applicant's budget.

Priory Close / Furnace Bank, Carmarthen, Carmarthenshire was identified but ruled out due to its location being in Carmarthen and the site would require significant investment to adapt the building for commercial use.

A development in Newport Road, Crymch, Pembrokeshire was also identified. While the applicant acknowledged that the premises has a range of good-sized buildings, it was ruled out as it is too far for travelling and relocating staff.

According to the applicant, they have been in contact with the owners of the Welsh Heritage site in Llanwnnen. Although the site is not on the market, they would be willing to accept an offer of circa £600 000 for the 3 acre site. There would need to be redevelopment costs of £280 000 to erect a workshop/re model existing shed bringing total costs to £880,000 making it financially unviable.

The agent states that they have also been in contact with a landowner near Llanydder who owns a 6 acre site with a 75' x 60' commercial building and would consider offers of circa £850 000 with the extra cost of £180 000 to extend total cost excess of £1 000 000 making it financially unviable.

The applicant states that he also considered a plot of land approximately 7 acres in Pentrebach near Llanwnnen. They determined on a site visit that the site would not be acceptable as a sufficient splay could not be provided to satisfy Highways.

Whilst the agent has provided a more in-depth sequential test, the application remains in contravention of Policies S04 and DM17.

As a result, the LPA's recommendation to refuse the application remains.

#### **TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 CALL-IN REQUEST**

On the 20<sup>th</sup> April, 2023, Welsh Government notified Ceredigion County Council that the Welsh Ministers had been asked to call in the application for their own determination.

The notification from Welsh Government also directs Ceredigion County Council not to grant planning permission in respect of the application, or to any other development of the same kind which is the subject of the application on any site which includes or forms part of the land to which the application relates.

The call-in request is still under consideration by Welsh Government, and prior to making a decision, they need to be informed as to whether the committee has resolved to grant or refuse the application. Once Welsh Government have been informed of the committee's resolution, they will then consider the call-in request further.

In the meantime, the direction remains in place.



# 1.2. A220638



<b>Rhif y Cais / Application Reference</b>	A220638
<b>Derbyniwyd / Received</b>	17-08-2022
<b>Y Bwriad / Proposal</b>	Phase 4 - Erection of 8 dwellings to include 2 affordable dwellings.
<b>Lleoliad Safle / Site Location</b>	Cae John, Cross Inn, Llanon, SY23 5NT
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr D Evans (Cartrefi Dyfed Homes Ltd), Morawel, Nebo, Llanon, Ceredigion, SY23 5LE
<b>Asiant / Agent</b>	Mrs Gwennan Jenkins (JMS Planning and Development), Hafan Y Coed, Maeshyfryd, Lampeter, SA48 8AN

## Y SAFLE A HANES PERTHNASOL

Mae'r cais yn ymwneud â thir sydd wedi'i leoli i'r dwyrain o ystad Cae John yn anheddiad Cross Inn (Llanon). Ceir mynediad i'r safle ar hyd ffordd bresennol yr ystad sy'n cysylltu â ffordd yr B4337 sy'n mynd drwy'r pentref. Ar hyn o bryd mae'r safle'n wag, yn wastad ac yn ffinio â ffurf adeiledig sydd i'r gorllewin yn union ohono. Mae gan y safle yr hanes cynllunio perthnasol canlynol:

- 790177 Caniatâd Cynllunio Amlinellol. Codi 4 byngalo. Cymeradwywyd yn unol ag amodau 26/04/1979.
- 801412 Caniatâd Cynllunio Amlinellol. Gwrthodwyd 22/01/1981.
- 870078 Caniatâd Cynllunio Amlinellol. Datblygiad Preswyl. Gwrthodwyd 5/08/1987.
- 880170 Caniatâd Cynllunio Amlinellol. 16 annedd i'w hadeiladu mewn dau gam. Gwrthodwyd 08/03/1989.
- A071038 Cynllunio Llawn. Datblygiad preswyl - 5 annedd (2 fforddiadwy). Cymeradwywyd yn unol ag amodau 18/06/2012.
- A160213 Addasu Ymrwymadau Cynllunio. Amrywiad ar yr ymrwymiad cynllunio i leihau'r ddarpariaeth o dai fforddiadwy ar y safle o 2 i 1 a chaniatáu meddiant o 1 annedd marchnad agored cyn cymryd meddiant o'r annedd fforddiadwy. Addaswyd 29/03/2017.
- A160354 Diwygiad Ansylweddol. Cynlluniau diwygiedig ar gyfer lleiniau 3 a 4 o ganiatâd cynllunio A071038. Cymeradwywyd 22/06/2016.
- A201064 – Cynllunio Llawn Cam 3 – Codi 7 annedd. Cymeradwywyd 06/07/2022.

## MANYLION Y DATBLYGIAD

Mae'r cais am ganiatâd cynllunio llawn i godi wyth annedd, gyda dwy o'r rheiny'n unedau fforddiadwy. Mae'r cynlluniau'n dangos bloc o ddwy uned un talcen ar ran ogleddol y safle a dwy res o dair annedd ar ran ogleddol a rhan ddeheuol y safle. Mae'r datblygiad wedi'i rannu i'r naill ochr a'r llall o'r ffordd ystâd arfaethedig. Mae pob uned yn darparu tair ystafell wely.

Y deunyddiau a fwriedir yw waliau wedi'u rendro, to llechi, a ffenestri a drysau uPVC. Darperir man parcio o flaen pob eiddo a bydd gan bob uned ardal amwynder breifat ddigonol yn y cefn.

## 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 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
- DM10 Dylunio a Thirlunio

DM17 Y Dirwedd yn Gyffredinol

LU02 Gofynion sy'n Ymwneud â Phob Datblygiad Preswyl

LU06 Dwysedd Tai

LU24 Darparu Mannau Agored Newydd

LU30 Diogelu

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; 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**

Ecoleg Ceredigion – Dim gwrthwynebiad yn unol ag amodau

Cyngor Cymuned Dyffryn Arth - Dim gwrthwynebiad

Cyfoeth Naturiol Cymru – dim gwrthwynebiad

Priffyrdd Ceredigion – Dim gwrthwynebiad yn unol ag amodau

Draenio Tir Ceredigion - Sylwadau

## **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'r cais hwn am gael caniatâd cynllunio llawn ar gyfer pedwerydd cam y datblygiad ar ystad Cae John yn anheddiad Cross Inn. Ar hyn o bryd mae'r ystad yn cynnwys 18 annedd a byddai'r cais arfaethedig, os caiff ei gymeradwyo, yn golygu bod cyfanswm yr unedau ar y safle yn 26.

Mae safle'r cais wedi'i leoli o fewn ffiniau anheddiad Cross Inn sydd wedi'i nodi'n anheddiad cyswllt yn y Cynllun Datblygu Lleol (CDLI). Felly, rhaid i'r cynnig gydymffurfio â gofynion Polisi S04 y CDLI, sef Datblygu Mewn Aneddiadau Cyswllt a Lleoliadau Eraill. Mae Cross Inn yn anheddiad cyswllt ar gyfer Grŵp Gwasanaethau Llanon. Mae wedi'i ddynodi at y diben hwnnw yn sgil y ffaith bod yr anheddiad wedi'i leoli i ffwrdd o drafnidiaeth gyhoeddus, bod yna wasanaethau cyfyngedig yno, a byddai gofyn defnyddio car i fyw yno a mynychu gwaith / ysgolion. Mae'n llai cynaliadwy o ran ei natur gynhenid felly na Llanon (neu Llanrhystud), sy'n elwa o drafnidiaeth gyhoeddus ac sydd o fewn pellter cerdded i wasanaethau cymunedol sylfaenol.

Mae Strategaeth y CDLI yn nodi nad yw twf y tu allan i Ganolfannau Gwasanaethau yn gynaliadwy oni bai ei fod yn caniatáu i'r gymuned bresennol fodloni rhai o'i hanghenion ei hun, a dylai gael ei ddatblygu'n raddol trwy gydol cyfnod y cynllun. Mae'r 'Aneddiadau Cyswllt a Lleoliadau Eraill' ar gyfer Grŵp Llanon â lwfans o hyd at 39 o unedau ar gyfer cyfnod y cynllun (2007-2022) ac ar ddiwedd Mawrth 2023, roedd yna 81 o ymrwymadau (52 wedi'u cwblhau a 29 caniatâd ar y gweill) sy'n golygu bod yna 41 o unedau dros ben y nifer arfaethedig.

Hefyd, mae angen i'r cydbwysedd rhwng y Ganolfan Wasanaethau ac 'Aneddiadau Cyswllt a Lleoliadau Eraill' erbyn 2022 ar gyfer y Grŵp Aneddiadau hwn fod yn 26.5%. Ar hyn o bryd, mae'r ymrwymadau o fewn yr Aneddiadau Cyswllt a Lleoliadau Eraill yn gorbwyso'r rhai o fewn y Ganolfan Wasanaethau, gyda 55% o'r datblygu'n cael ei ganiatáu yn y lleoliadau hynny. Mae hyn serch bod dau safle mawr wedi cael caniatâd yn Llanon yn ddiweddar, sef ystad Craig Ddu a thir gerllaw datblygiad Cylch Peris. Mae hyn yn dangos bod Canolfan Wasanaethau Llanon yn cyflawni, ond nad yw'r cydbwysedd yn iawn, serch hynny, oherwydd y nifer uchel o ymrwymadau o fewn yr Aneddiadau Cyswllt a Lleoliadau Eraill.

Does dim cyfiawnhad felly dros ganiatáu unedau pellach o fewn y categori Aneddiadau Cyswllt a Lleoliadau Eraill ar gyfer y Grŵp Aneddiadau hwn ar yr adeg hon, yn enwedig o ystyried y gall y 29 caniatâd sydd ar y gweill eisoes fodloni anghenion uniongyrchol, tymor byr a thymor canolig y Grŵp.

Yn bwysicach, mae Cross Inn wedi tyfu'n sylweddol ers dechrau cyfnod y cynllun yn 2007 – mae wedi gweld ymrwymadau o dros 91% o'i faint gwreiddiol. Mi fyddai'r cais hwn yn arwain at dwf o tua 114%, a hynny pan mae'r twf ledled y sir wedi'i gapio ar 12%. Pennwyd y ffigur o 12% i sicrhau na fydd yn rhaid i unrhyw anheddiad ymdopi â mwy o dwf nag y gall ei reoli'n gynaliadwy, heb gael effaith negyddol ar gapasiti a diwylliant y pentref. Os bydd yr holl ymrwymadau'n dod i'r fei, mi fydd Cross Inn wedi treblu ei nifer blaenorol o anheddau o leiaf, heb unrhyw gynnydd yn y gwasanaethau, sydd eisoes yn gyfyngedig. Ar hyn o bryd, nodir bod yna eisoes 31 o ymrwymadau (gan gynnwys 4 caniatâd sydd dal ar y gweill), gan olygu bod yna or-ddarpariaeth o 27 o unedau. O blith cyfanswm o 90 o aneddiadau cyswllt yng Ngheredigion, Cross Inn sydd â'r ail or-ddarpariaeth fwyaf yn y Sir, ar -27 o unedau.

Mae'r cynnig yn cynnwys dwy uned fforddiadwy yn unol â pholisi S05 y CDLI. Serch hynny, mae'r Awdurdod Cynllunio Lleol o'r farn bod anghenion yr anheddiad eisoes wedi'u bodloni gan y datblygiad presennol, a byddai'r datblygiad hwn yn debygol o ddenu gormod o bobl i anheddiad cyswllt lle mae'r datblygu i'w weld yn ysgafnach o lawer nag o fewn y Ganolfan Wasanaethau.

Mae'r cynnig yn cynrychioli ffurf datblygu anghynaliadwy ac mae'n mynd yn groes i strategaeth dai y CDLI.

Mae'r cynnig yn mynd yn groes i bolisiâu S01 ac S04 a felly nid yw'r egwyddor yn dderbyniol.

Yn ogystal, mae polisi LU06 yn gosod y canllawiau dwysedd ar gyfer datblygiad preswyl newydd. Mae'r safle arfaethedig wedi'i leoli ar ymyl anheddiad bach gwledig. Mae'r CDLI yn gosod canllawiau dwysedd o 15 i 25 o unedau yr hectar ar gyfer lleoliadau o'r fath. Byddai'r datblygiad arfaethedig felly yn mynd tu hwnt i'r canllawiau dwysedd a osodwyd dan Bolisi LU06. Mae'r polisi'n caniatáu mynd tu hwnt i'r canllawiau dwysedd os darperir manau amwynder digonol. Fodd bynnag, mae yna bryderon ynghylch hyn, a drafodir yng nghyd-destun Polisi LU24.

Mae Polisi LU24 yn gofyn am ddarparu manau agored pan fydd datblygiad yn cynnwys mwy na 10 ystafell wely. Mi fydd y cynnig yn arwain at 24 ystafell wely ac felly bydd gofyn cael manau agored. Nid yw'r cais yn cynnig unrhyw gyfraniad o ran manau agored i wasanaethu'r datblygiad. Yn unol â Pholisi LU24 a dogfen Canllaw Cynllunio Atodol Manau Agored y Cyngor, dylid darparu 0.0672ha o ardal amwynder tir glas naturiol ar y safle ar gyfer y datblygiad arfaethedig (y cais hwn). Does dim o'r camau blaenorol wedi darparu manau agored ac felly byddai'r gofyniad ar gyfer y safle cyfan yn fwy. O ystyried y 54 o ystafelloedd gwely presennol, ochr yn ochr â'r 24 arfaethedig, dylid darparu 0.156ha o ardal tir glas naturiol cymunedol hygyrch, a 0.0624ha o ardal chwarae naturiol gyda chyfarpar i wasanaethu'r safle cyfan.

Fel y cyfryw, ystyrir bod y cynnig hefyd yn mynd yn groes i bolisiâu LU06 ac LU24 CDLI Ceredigion.

Er nad oes unrhyw wrthwynebiad o ran y seilwaith neu o bersbectif ecolegol, yr argymhelliad yw gwrthod, ar sail y ffaith bod

y cynnig yn cynrychioli ffurf datblygu anghynaliadwy, a'i fod yn mynd yn groes felly i'r strategaeth dai. Yn ogystal, mi fyddai'r cynnig yn mynd yn groes i'r dwysedd arfaethedig ar gyfer y safle, ac nid yw'n cwrdd â'r gofynion o ran manau agored.

## AWDURDOD DIRPRWYEDIG

Mae'r Cynghorydd, K Henson, yr Aelod Lleol, wedi gofyn bod y cais yn cael ei adrodd gerbron y Pwyllgor Rheoli Datblygu am y rhesymau canlynol:

- Mwy o dai ar gyfer pobl leol, gan gynnwys dwy uned fforddiadwy
- Ystyriaeth o TAN2 a'r amod bod y datblygwr yn ymwybodol o'r farchnad dai leol a'r angen am dai ar gyfer trigolion lleol
- Mewnlenwi/ymestyn safle presennol sydd â gwasanaethau eisoes yn eu lle
- TAN2 – Tai Gwledig 10.12 – Mae'n bwysig bod yna ddarpariaeth ddigonol o dai mewn ardaloedd gwledig i fodloni anghenion pobl leol ac i sicrhau cymunedau cynaliadwy
- Mae gan Cross Inn, sy'n ffurfio rhan o ward Llanbadarn Trefeglwys o fewn Cyngor Cymuned Dyffryn Arth, nifer o wasanaethau sy'n darparu'n dda ar gyfer y pentref, gan gynnwys Tafarn, Siop, Safle Aros Bws, Ysgol Feithrin leol (a ddefnyddir gan nifer o drigolion lleol ac sy'n cyflogi nifer o bobl leol) a sawl garej.
- Mae'r pentref mewn lleoliad delfrydol, gyda nifer o aneddiadau allweddol gerllaw (Aberaeron, Llanon, Llanrhystud) – a nifer o aneddiadau llai gerllaw (Bethania, Pennant a Nebo).

## RHESWM DROS OHIRIO:

Yng nghyfarfod y Pwyllgor Rheolaeth Datblygu ar 17eg Gorffennaf, 2023 penderfynodd yr Aelodau ohirio gwneud penderfyniad ar y cais, er mwyn caniatáu rhagor o amser neu gyfnod o ailfeddwl i ystyried polisïau pellach LU06 ac LU24 gan y byddai'r cais hwn yn mynd y tu hwnt i'r dyraniad arfaethedig. a dwysedd ymhellach yn anheddiad cysylltiedig Cross Inn.

Cyfarfu'r Panel Oeri ar 2 Awst, 2023 lle rhoddodd yr Aelodau ystyriaeth lawn i'r pwyntiau a godwyd uchod ynghyd â'r sefyllfa ddiweddaraf mewn perthynas â'r dyraniad tai ar gyfer Cross Inn ei hun a Grŵp Aneddiadau Llanon y dynodwyd yr anheddiad ynddo. Derbyniwyd ymddiheuriad wrth y Cyng Rhodri Evans am na allai fod yn bresennol yn y cyfarfod.

Nodwyd bod cais newydd ar gyfer darparu man agored cyhoeddus i wasanaethu'r stad a thrwy hynny gydymffurfio â pholisi LU24 wedi'i gyflwyno yn dilyn cyfarfod o'r Pwyllgor Rheolaeth Datblygu ar 17eg Gorffennaf, 2023.

Dywedwyd mai'r prif reswm dros argymhell gwrthod y cais oedd bod y dyraniad preswyl ar gyfer Cross Inn, sef 4 uned newydd i'w darparu yn ystod cyfnod y CDLI, wedi'i gor-gynyddu'n sylweddol ac yn -27 ar hyn o bryd, sef yr ail or-ddarpariaeth fwyaf yn y Sir. Dywedodd swyddogion fod caniatáu unedau ychwanegol mewn lleoliad anghynaliadwy a oedd yn brin o gyfleusterau yn groes i'r CDLI a Chymru'r Dyfodol ac y gallai fod mewn perygl o gael eu galw i mewn gan Lywodraeth Cymru. Roedd swyddogion yn cydnabod bod yr embargo ffosffadau yn Nyffryn Teifi a'r pandemig Covid wedi chwarae rhan yn yr Awdurdod yn methu â chyrraedd targed tai ei CDLI ond nid i raddau i gyfiawnhau rhagori ar y dyraniad ar gyfer Cross Inn ei hun.

Roedd yr aelodau o'r farn bod y bwriad yn dderbyniol mewn egwyddor ac yn darparu tai fforddiadwy o ansawdd da i bobl leol. Cyfeiriwyd hefyd fod Cross Inn yn anheddiad oedd yn tyfu a bod cyfleusterau yn y pentref wedi cynyddu'n sylweddol a'i fod ar y llwybr bws ac yn agos i Aberaeron. Roedd y preswylwyr a oedd yn byw ar y stad yn siaradwyr Cymraeg yn bennaf a bod y datblygiad yn darparu ar gyfer anghenion y gymuned.

Fodd bynnag, mynegodd yr aelodau bryder ynghylch y posibilrwydd y gellid galw'r cais i fewn ac roeddent o'r farn y byddai'r datblygiad yn fwy derbyniol ac yn cydymffurfio'n well â pholisi pe bai tai fforddiadwy ychwanegol yn cael eu darparu fel rhan o'r cynllun yn ogystal â'r ddarpariaeth arfaethedig o 2 uned. Gofynnodd y Panel i swyddogion ofyn am gadarnhad wrth yr ymgeisydd ynghylch a fyddent yn barod i gynyddu nifer y tai fforddiadwy fel rhan o'r cais hwn yn ogystal â chymeradwyo'r cais cysylltiedig ar gyfer y man agored. Pe na bai'r ymgeisydd yn cytuno i'r cynnydd mewn niferoedd fforddiadwy, yna awgrymwyd caniatáu'r cais fel ag yr oedd hyd nes y ceir penderfyniad boddhaol i'r cais man agored ond yn amodol ar i'r ddau gais gael eu clymu gyda'i gilydd trwy gytundeb A106.

Yn dilyn cyfarfod o'r Panel Ailfeddwl, cysylltodd swyddogion â'r ymgeisydd i weld a fyddent yn fodlon cynyddu nifer yr unedau fforddiadwy fel rhan o'r bwriad. Ymatebodd yr ymgeisydd ac mae wedi gwrthod y cais ar sail rhesymau hyfywedd mewn perthynas â'r costau sy'n gysylltiedig ag adeiladu ffordd y stad; y cais am ddarpariaeth manau agored; bod y safle eisoes yn gorddarparu unedau fforddiadwy; a bod pris yr unedau fforddiadwy a'r unedau marchnad agored ar y stad yn ddibwys.

Adroddwyd y cais yn ôl i'r Pwyllgor Rheolaeth Datblygu ar 13eg Medi, 2023. Cafwyd trafodaeth ynglŷn â'r sefyllfa mewn perthynas â'r dyraniad tai sydd eisoes wedi'i fodloni ac a oedd yn bosibl i'r datblygwr ddarparu hanner yr unedau arfaethedig fel tai fforddiadwy. Gohiriwyd y cais gan y Pwyllgor er mwyn galluogi swyddogion i drafod gyda'r ymgeisydd/asiant y posibilrwydd o gynyddu'r tai fforddiadwy yn y datblygiad i 50% o gyfanswm yr unedau arfaethedig (4 uned).

Mewn ymateb cadarnhaodd yr ymgeisydd nad oedd yn bosibl yn ariannol i ddarparu rhagor o unedau fforddiadwy fel rhan o'r datblygiad arfaethedig. Y rhesymeg a roddwyd oedd hyd yn oed drwy ddarparu 2 dŷ fforddiadwy a 6 tŷ marchnad agored bod y datblygwr yn gwneud colled gweddilliol/net ar y datblygiad yn wyneb costau i wneud y ffordd stad i safonau mabwysiadwy; darparu gwasanaethau (dŵr, trydan; cysylltiadau ffibr, carthffosydd ac ati); costau prynu tir; cyllid datblygu a chostau adeiladu a gofynion manau agored. Mae'r ymgeisydd yn honni na fyddai darparu unedau fforddiadwy ychwanegol yn bosib yn ariannol.

Serch hynny ac er gwaethaf y ffaith bod yr ymgeisydd wedi dod i'r casgliad na allant ddarparu unedau fforddiadwy ychwanegol, nid yw argymhelliad yr ACLI yn newid yn yr ystyr bod y cynllun yn anghynaliadwy ac yn groes i strategaeth dai y CDLI a dylid gwrthod y cais.

**ARGYMHELLIAD:**

GWRTHOD y cais am ei fod yn mynd yn groes i bolisiâu S01 ac S04 y CDLI am ei fod yn cynrychioli ffurf datblygu anghynaliadwy, ac yn mynd yn groes i'r strategaeth dai. Mae hefyd yn mynd yn groes i bolisi LU06 am ei fod yn mynd uwchlaw'r dwysedd a osodwyd yn y CDLI.

<b>Rhif y Cais / Application Reference</b>	A220638
<b>Derbyniwyd / Received</b>	17-08-2022
<b>Y Bwriad / Proposal</b>	Phase 4 - Erection of 8 dwellings to include 2 affordable dwellings.
<b>Lleoliad Safle / Site Location</b>	Cae John, Cross Inn, Llanon, SY23 5NT
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr D Evans (Cartrefi Dyfed Homes Ltd), Morawel, Nebo, Llanon, Ceredigion, SY23 5LE
<b>Asiant / Agent</b>	Mrs Gwennan Jenkins (JMS Planning and Development), Hafan Y Coed, Maeshyfyrd, Lampeter, SA48 8AN

## THE SITE AND RELEVANT PLANNING HISTORY

The application site relates to land located to the east of the Cae John estate in the settlement of Cross Inn (Llanon). Access to the site is derived via the existing estate road which joins up with the B4337 road which runs through the village. At present the site is vacant, is level and bordered by built form directly to the west. The application site has the following relevant planning history:

- 790177 Outline Planning Permission. Erection of 4 bungalows. Approved Subject to Conditions 26/04/1979.
- 801412 Outline Planning Permission. 10 bungalows. Refused 22/01/1981.
- 870078 Outline Planning Permission. Residential Development. Refused 25/08/1987.
- 880170 Outline Planning Permission. 16 dwellings in two phases. Refused 08/03/1989.
- A071038 Full Planning. Residential development - 5 dwellings (2 affordable). Approved Subject to Conditions 18/06/2012.
- A160213 Modification of Planning Obligations. Variation of the planning obligation to reduce the provision of on site affordable houses from 2 to 1 and to allow the occupation of 1 open market dwelling before the affordable dwelling is occupied. Modified 29/03/2017.
- A160354 Non-Material Amendment. Amended plans for plots 3 & 4 on planning permission A071038. Approved 22/06/2016.
- A201064 - Full planning. Phase 3 - Erection of 7 dwellings. Approved 06/07/2022.

## DETAILS OF DEVELOPMENT

Full planning permission is sought for the erection of eight dwellings, two of which are to be affordable units. The plans show a block of two semi detached units on the northern part of the site and two rows of three dwellings on both the northern and southern part of the site. The development is split either side of the proposed estate road. All units provide three bedrooms.

The materials proposed are rendered walls, slate tiled roof and uPVC windows and doors. Parking is to be provided to the front of the properties and each unit have adequate private amenity space to their rear.

## 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

DM04 Sustainable Travel Infrastructure as a Material Consideration

DM05 Sustainable Development and Planning Gain

DM06 High Quality Design and Placemaking

DM10 Design and Landscaping

DM17 General Landscape

LU02 Requirements Regarding All Residential Developments

LU06 Housing Density

LU24 Provision of New Open Space

LU30 Safeguarding

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

Cyngor Cymuned Dyffryn Arth Community Council - No objection

NRW - No objection

Ceredigion Highways - No objection STC

Ceredigion Land Drainage - Comments

## **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”.

This application seeks full planning permission for the fourth phase of development on the Cae John estate in the settlement of Cross Inn. At present the estate comprises 18 dwellings and the proposed application, if approved, would take the total number of units on this site to 26.

The application site lies within the settlement boundary of Cross Inn which is identified as a linked settlement within the Local Development Plan (LDP). Therefore, the proposal must comply with the requirements of Policy S04 Development in Linked Settlements and Other Locations, of the LDP. Cross Inn is a linked settlement for the Llanon Service Group. It has been designated for that purpose in view of the fact that the settlement is located away from public transport, has limited services and would require a car user to live there and attend work / schools. It is therefore inherently less sustainable than Llanon (or Llanrhystud) which have the benefit of public transport and the ability to walk to access basic community services.

The LDP Strategy states that growth outside the Service Centres is only sustainable where it serves to allow the existing community to meet some of its own needs and should come forward gradually throughout the plan period. The 'Linked Settlements and Other Locations' for the Llanon Group have an allowance of up to 39 units for the plan period (2007-2022) and at the end of March 2023, there were 81 commitments (52 completions and 29 outstanding consents) meaning that the number of proposed units had been exceed by 41 units.

Furthermore, the balance between the Service Centre and 'Linked Settlements and Other Locations' by 2022 for this Settlement Group needs to be 26.5%. Currently, the commitments in the Linked Settlements and Other Locations outweigh those in the Service Centre with 55% of development being permitted in those locations. This is despite two large sites being granted permission in Llanon recently, namely the Stad Craig Ddu and land adj Cylch Peris development. This shows that the Service Centre of Llanon is delivering however, the balance remains out due to a high number of commitments in the Linked Settlements and Other Locations.

No justification therefore exists for permitting further units in the Linked Settlements and Other Locations category for this Settlement Group at this point in time, particularly given that 29 outstanding consents can already meet the immediate, short and medium term needs of the Group.

More importantly, Cross Inn has seen significant growth since the start of the plan period in 2007 – it has had commitments of more than 91% of its original scale. This application would take it to approximately 114% growth when the county wide growth cap is 12%. The figure of 12% was taken to ensure that no settlement would have to take more growth than it could sustainably manage and not negatively affect the capacity and culture of the village. If all the commitments come forward Cross Inn will have more than trebled its previous number of dwellings with no increase in the already limited services. At present it is noted that there already are 31 commitments (including 4 outstanding consent) leaving an overprovision of 27 units. From a total of 90 linked settlements within Ceredigion, Cross Inn has the second largest overprovision in the County at -27 units.

The proposal includes 2 affordable units in accordance with policy S05 of the LDP. Notwithstanding, it is the opinion of the Local Planning Authority that the needs of the settlement has already been met by the existing development and that this development would likely encourage too large an influx of people to a linked settlement where development was seen to occur much lighter than in the Service Centre.

This proposal represents an unsustainable form of development and is contrary to the housing strategy of the LDP.

The proposal is contrary to policies S01 and S04 and therefore, the principle is not acceptable.

Furthermore, policy LU06 sets out density guidelines for new residential development. The location character of the proposed site is that of a small rural settlement edge. The LDP sets a guide density of 15 to 25 units per hectare for such locations. The proposed development would therefore exceed the guide density set out under Policy LU06. The policy does allow for the guide density to be exceeded providing adequate amenity space is provided. However, there are concerns with regards to this which are discussed in the context of Policy LU24.

Policy LU24 requires the provision of open space where a development results in more than 10 bedrooms. The proposal will result in 24 bedrooms and therefore, open space will be required. The application does not propose any open space contribution to serve the development. In accordance with Policy LU24 and the Council's Open Space Supplementary Planning Guidance document, 0.0672ha of natural amenity green space should be provided on site for the proposed development (this application). None of the previous phases have provided open space and thus the requirement for the entire site would be greater. When considering the existing 54 bedrooms alongside the proposed 24, 0.156ha of communal accessible natural green space and 0.0624ha of equipped natural play space should be provided to serve the entire site.

As such it is considered that the proposal is also contrary to policies LU06 and LU24 of the Ceredigion LDP.

Whilst there are no objections from an infrastructure or ecological perspective, the recommendation is one of rejection on grounds that the proposal represents an unsustainable form of development and is contrary of the housing strategy. Additionally the proposal would be in conflict with the proposed density for the site and also is lacking open space requirements.

## **DELEGATED AUTHORITY**

Cllr K Henson, the Local Member has requested that the application be reported to the Development Management Committee for the following reasons:

- Increased availability of housing for local people, including two affordable units
- Consideration of TAN2 and proviso that developer is aware of local housing market and the need for housing for local residents
- Infill/extend on existing site with services already in place
- TAN2 – Rural Housing 10.12 - It is important that there is adequate housing provision in rural areas to meet the needs of local people and to contribute to the delivery of sustainable communities
- Cross Inn, forming part of the Llanbadarn Trefeglwys ward within Dyffryn Arth Community Council has a number of services which serves the village well, which includes a Public House, Shop, Bus Service, Local Nursery School (which is used by a number of local residents and employs a number of local people) and various garages.
- The Village is ideally situated with a number of key settlements nearby (Aberaeron, Llanon, Llanrhytud – with a number of smaller settlement nearby – Bethania, Pennant and Nebo).

## **REASON FOR DEFERRAL**

At the Development Management Committee meeting on the 17th July, 2023 Members resolved to defer the determination of the application, in order to allow further time or a 'cooling off' period to consider further policies LU06 and LU24 as this application would exceed the proposed allocation and density further in the linked settlement of Cross Inn.

The Cooling Off Panel met on the 2nd August, 2023 whereby Members gave full consideration to the points raised above together with the latest position in relation to the housing allocation for Cross Inn itself and the Llanon Settlement Group in which the settlement was designated in. Apologies were received from Cllr Rhodri Evans who could not attend the meeting.

It was noted that a new application for the provision of a public open space to serve the estate and thereby comply with policy LU24 had been submitted following the meeting of the Development Management Committee on 17th July, 2023.

It was reported that the main reason for recommending refusal of the application was in view that the residential allocation for Cross Inn, which stood at 4 new units to be provided during the LDP period, had been significantly exceeded and currently stood at -27 which was the second largest over provision in the County. Officers commented that allowing additional units in an unsustainable location which was lacking in facilities was contrary to the LDP and Future Wales and was potentially at risk of a call-in from Welsh Government. Officers acknowledged that the phosphates embargo in the Teifi Valley and the Covid pandemic had played a part in the Authority failing to meet its LDP housing target but not to an extent to justify exceeding the allocation for Cross Inn itself.

Members were of the opinion that the proposal was acceptable in principle and provided good quality affordable housing to local people. Reference was also made that Cross Inn was a growing settlement and that facilities in the village had increased significantly and that it was on the bus route and close to Aberaeron. Occupants who resided at the estate were primarily Welsh speakers and that the development was catering for the needs of the community.

Members however, expressed concern at a potential call in and were of the opinion that the development would be more acceptable and more in compliant with policy if additional affordable housing was provided as part of the scheme in addition to the proposed provision of 2 units. The Panel requested that officers seek clarification from the applicant as to whether they would be prepared to increase the number of affordables as part of this application in addition to the approval of the associated application for the open space area. Should the applicant not agree to the increase in affordable numbers then it was suggested that the application be approved as it stood pending satisfactory resolution of the open space application but subject to that both applications be tied together via a S106 agreement.

Following the meeting of the Cooling Off Panel, officers contacted the applicant to ascertain as to whether they would be prepared to increase the number of affordable units as part of the proposal. The applicant responded and has declined the request on grounds of viability reasons in relation to the costs associated with the construction of the estate road; the application for the open space provision; that the site is already overproviding affordable units; and that the price of the affordable units and the open market units on the estate is negligible.

The application was reported back to the Development Management Committee on 13th September, 2023. A discussion ensued regarding the position in relation to the housing allocation having already being met and whether it was possible for the developer to allocate half of the proposed units as affordable dwellings. The application was deferred by the Committee to enable officers to discuss with the applicant/agent the possibility of increasing the affordable dwellings in the development to 50% of the total number of units proposed (4 units).

In response the applicant confirmed that it was not financially possible to provide further affordable units as part of the proposed development. The reasoning given was that even by providing 2 affordable houses and 6 open market dwellings the developer was making a residual/net loss on the development in view of costs to make up the estate road to adoptable standards; providing services (water, electricity; fibre connections, sewers etc); land purchase costs; development finance and build costs and open space requirement. The applicant claims that providing additional affordable units would not be financially possible.

Notwithstanding and irrespective that the applicant has concluded that they cannot provide additional affordable units, the recommendation of the LPA does not change in that the scheme is unsustainable and contrary to the housing strategy of the LDP and the application should be rejected.

**RECOMMENDATION:**

To REFUSE the application as being contrary to policies S01 and S04 of the LDP as it represents an unsustainable form of development and is contrary of the housing strategy. It is also contrary to policy LU06 in that it exceeds the proposed density as set out in the LDP.



## 2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A230210	20-03-2023	Mr D J Evans	Erection of a new build detached block of flats, four storeys in height, containing 8 no flats with associated car parking and communal amenity spaces.	Bryn Derw Stanley Road, Aberystwyth, Ceredigion, SY23 1LB	Approve Subject to Conditions
2	A230304	20-04-2023	Mr D J Evans	Proposed development consists of a new build detached block of flats, three storeys in height, containing 6 no flats with associated car parking and communal amenity spaces. (Block 1B).	Block 1B, Bryn Derw, Stanley Road, Aberystwyth, SY23 1LB	Approve Subject to Conditions
3	A230306	20-04-2023	Mr D J Evans	The proposed development consists of a new build detached block of flats, three storeys in height, containing 6 no flats with associated car parking and communal amenity spaces. (Block 1C)	Block 1C, Bryn Derw Stanley Road, Aberystwyth, Ceredigion, SY23 1LB	Approve Subject to Conditions
4	A230308	21-04-2023	Mr D J Evans	Proposed development consists of a new build detached block of flats, two storeys in height with roof accommodation, containing 4 no flats with associated car parking and communal amenity spaces. (Block 1D).	Brynderw, Stanley Road, Aberystwyth, SY23 1LB	Approve Subject to Conditions
5	A230612	21-08-2023	Mr and Miss A and B James and Jones	Erection of dwelling	Land On Bron Y Glyn Glynarthen, Llandysul, SA44 6PS	Refuse



**Rhif y Cais** A230210

**Derbyniwyd** 20-03-2023

Codi bloc newydd o fflatiau ar wahân, pedwar llawr o uchder, sy'n cynnwys 8 fflat, gyda meysydd parcio cysylltiedig a manau amwynder cymunedol.

**Y Bwriad**

**Lleoliad Safle**

Bryn Derw, Ffordd Stanley, Aberystwyth, Ceredigion, SY23 1LB

**Math o Gais**

Cynllun llawn

**Ymgeisydd** Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY

**Asiant**

Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

## Y SAFLE A'I HANES PERTHNASOL O RAN CYNLLUNIO

Mae safle'r cais yn ddarn o dir hir a chul ar lethr sydd wedi'i leoli rhwng safle parcio'r hen swyddfeydd trethi ym Mhlascrug a heol mynediad sy'n darparu mynediad i gerddwyr a cherbydau i adeiladau Bryn Derw ac ardal Buarth, Aberystwyth.

Ar dir uwch i'r gogledd ddwyrain o'r safle mae adeilad rhestredig Edward Davies sy'n rhan o ystâd Prifysgol Aberystwyth. Mae'r tir rhwng adeilad Edward Davies a safle'r cais yn nodweddiadol yn cynnwys manau gwyrdd a choed hen. Mae adeilad yr hen swyddfa dreth i'r de tra i'r gogledd orllewin mae Heol y Buarth a Ffordd Stanley. Mae'r safle wedi'i leoli o fewn ardal gadwraeth y dref.

Nid oes unrhyw hanes cynllunio i'r rhan benodol hwn o dir, er i ganiatâd gael ei roi yn ddiweddar i adnewyddu adeilad Bryn Derw, codi bloc o fflatiau i'r dwyrain o Bryn Derw a newid defnydd rhan o'r adeilad treth ac estyniad at bwrpas llety preswyl.

## MANYLION Y DATBLYGIAD

Mae'r cais yn un o bedwar cais llawn sy'n cael eu hystyried ac sy'n gofyn am ganiatâd i adeiladu hyd at 24 o fflatiau. Mae'r ceisiadau wedi'u cyflwyno arwahân ac yn cynnwys pedwar bloc o fflatiau ar gyfer pob safle sydd i'w lleoli mewn llinell a fydd yn rhedeg o'r gogledd-orllewin i'r de-ddwyrain.

Mae'r cais sy'n cael ei ystyried fel rhan o'r cais hwn yn cynnwys yr adeilad a nodwyd fel Bloc 1A a dyma'r uned fwyaf dwyreiniol o'r pedwar.

Adeilad pedwar llawr yw Bloc 1A sy'n darparu cyfanswm o wyth fflat. Bydd pob llawr yn darparu 2 x 1 uned ystafell wely gyda gofod i ystafell fyw, ystafell fwyta ac ystafell ymolchi.

Yn wahanol i'r blociau eraill, mae Bloc 1A yn gwynebu'r dwyrain. Prif nodweddion ei edrychiad fydd ffenestri bae *bay windows* a balconïau *juliette* ar y llawr uchaf. Bydd yn cysylltu â'r blociau cysylltiedig gan ardal gyntedd allanol a fydd yn cynnwys grisiau a lifft i'r lloriau uchaf.

Yn allanol, bydd yr adeilad yn cael ei orffen gyda rendr llyfn gyda chwonau (*quoins*) brics a dur wedi'i galfaneiddio ar gyfer y balconi allanol. Bydd manylion asio yn llwyd anthratig, gyda balwstradau (*balustrades*) y balconi yn cael eu cwblhau gyda gwydr. Bydd y to yn cael ei wneud gan ddefnyddio llechen naturiol.

## POLISIŌ A CHANLLAWIAU CYNLLUNIO PERTHNASOL

DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Gymraeg

DM03 Teithio Cynaliadwy

DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol

DM05 Datblygiad Cynaliadwy a Budd Cynllunio

DM06 Dylunio a Chreu Lle o Safon Uchel

DM07 Ardaloedd Cadwraeth

DM09 Dylunio a Symudiad

DM10 Dylunio a Thirweddu  
DM13 Systemau Draenio Cynaliadwy  
DM14 Cadwraeth Natur a Chysylltedd Ecolegol  
DM15 Cadw Bioamrywiaeth Leol  
DM17 Y Dirwedd yn Gyffredinol  
DM19 Tirwedd Hanesyddol a Diwylliannol  
DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd  
LU02 Gofynion ar gyfer pob datblygiad preswyl  
LU04 Diwallu amrywiaeth o anghenion tai  
LU05 Sicrhau bod datblygiad tai yn cael ei gyflawni  
LU06 Dwysedd Tai  
LU24 Darparu Gofod Agored Newydd  
S01 Twf Cynaliadwy  
S02 Datblygu mewn Canolfannau Gwasanaeth Trefol (USCs)  
S05 Tai Fforddiadwy  
SPG 2015 Y Gymuned a'r Gymraeg  
SPG Ebrill 2014 Mannau Agored  
Taflen Gymorth SPG 2015 Y Gymuned a'r Gymraeg  
SPG 2015 Safonau Parcio CSC  
SPG 2015 Aseiad Trafnidiaeth  
SPG 2015 Amgylchedd a Dylunio Adeiledig  
SPG 2015 Cadwraeth Natur  
SPG 2014 Tai Fforddiadwy  
Taflen Gymorth SPG 2014 Tai Fforddiadwy  
Cymru'r Dyfodol: Cynllun Cenedlaethol 2040  
Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)  
TAN1 Cyd-astudiaeth Argaeledd Tir ar gyfer Tai (2015)  
TAN2 Cynllunio a Thai Fforddiadwy (2006)  
TAN5 Cadwraeth Natur a Chynllunio (2009)  
TAN12 Cynllunio (2016)  
TAN18 Trafnidiaeth (2007)  
TAN20 Cynllunio a'r Iaith Gymraeg (2017)  
TAN24 Yr Amgylchedd Hanesyddol (2017)

## **YSTYRIAETHAU PERTHNASOL ERAILL**

**DEDDF TROSEDD AC ANHREFN 1998**

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

## **DEDDF CYDRADDOLDEB 2010**

Mae Deddf Cydraddoldeb 2010 yn nodi nifer o 'nodweddion 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 anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchoddedig; • cymryd camau i ddiwallu anghenion pobl sy'n perthyn i grwpiau gwarchoddedig pan fydd yr anghenion hyn yn wahanol i anghenion pobl eraill;
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

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

## **DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015**

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

## **YMATEBION I'R YMGYNGHORIAD**

Cyngor Tref Aberystwyth – Dim ymateb

Gwasanaethau Prifffyrdd Ceredigion – Dim gwrthwynebiad, yn ddibynol ar amodau

Gwasanaethau Draenio Tir – Angen cymeradwyaeth gan SUDs

Ecoleg – Dim gwrthwynebiad, yn ddibynol ar amodau

Cyfoeth Naturiol Cymru – Dim gwrthwynebiad, yn ddibynol ar amodau

Dŵr Cymru – Dim gwrthwynebiad, yn ddibynol ar amodau

Derbyniwyd un gwrthwynebiad gan drydydd parti yn gwrthwynebu'r cynllun ar sail cynnig darpariaeth parcio sy'n annigonol ac a fyddai'n gwaethygu problemau parcio yn ardal Ffordd y Buarth; gor-ddatblygu safle ac effaith niweidiol ar adeilad rhestredig cyfagos.

## **CASGLIAD**

Dywed Adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004: "Os rhoddir ystyriaeth i'r cynllun datblygu er mwyn gwneud penderfyniad o dan y Deddfau Cynllunio, bydd yn rhaid i'r penderfyniad hwnnw fod yn unol â'r cynllun oni bai fod ystyriaethau perthnasol yn awgrymu fel arall."

Er bod y cynllun cyffredinol wedi'i gyflwyno mewn pedwar cais sy'n cawmpasu pedwar bloc, er mwyn penderfyni ar y ceisiadau bydd ystyriaeth yn cael ei rhoi i'r cynnig yn ei gyfanrwydd ac nid ar y cynlluniau'n unigol.

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

Mae Polisi S01 y Cynllun Datblygu Lleol (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, 24% yn y Canolfannau Gwasanaethau Gwledig a 25% mewn aneddiadau a lleoliadau eraill (gan gynnwys aneddiadau cysylltiedig).

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 hefyd yn

ofynnol i ddatblygiad gyfrannu at ei arwyddocâd cenedlaethol a'i rôl fel canolfan strategol Canolfan Strategol Cymru ac yn cefnogi amcanion a chynlluniau gweithredu cyfredol sy'n ymwneud â'i Statws Adfywio Strategol.

Cyfanswm y gofynion ar gyfer darparu tai yn Aberystwyth fel y nodir yn y CDLI yw 1877. Mae'r ffigurau monitro tai CDLI diweddaraf (Ebrill 2023) yn dangos mai dim ond 647 o anheddau sydd wedi'u cwblhau yn y Ganolfan Gwasanaethau Trefol gyda chaniatâd ar gyfer 230 o anheddau pellach. Felly, gan gyfrif eiddo sydd wedi'u dymchwel a'u haddasu (-71) mae lle i 1071 o anheddau eraill yn Aberystwyth. Oherwydd hyn, ystyrir y byddai'r cynigion yn cydymffurfio â Pholisïau S01 a S02 y CDLI a derbynnir yr egwyddor o ddatblygu.

Mae polisi DM01 sy'n Rheoli Effeithiau Datblygu ar Gymunedau a'r Gymraeg yn ei gwneud yn ofynnol i Asesiad Effaith ar Gymunedau a'r Gymraeg (CLIA) i gael ei ddarparu mewn perthynas â datblygiadau tai o fewn canolfannau gwasanaeth lle byddai'r ddarpariaeth yn cael ei gynniog ynghynt na'r hyn a cyfeirir ato yn Natganiad y Grŵp Anheddu.

Ni fyddai'r ddarpariaeth tai arfaethedig yn cael ei gynniog ynghynt na'r hyn y cyfeirir ato yn y Datganiad Grŵp Anheddu, ac oherwydd hyn, ystyrir y gellir cyflawni'r datblygiad heb effeithio'n negyddol ar broffil Cymunedol ac Ieithyddol Aberystwyth.

Mae Polisi S05 y CDLI sy'n ymdrin â Thai 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, ac o ystyried bod cyfanswm o 24 o fflatiau i'w darparu yn gyfangwbl, er mwyn bodloni polisi S05, mae'n ofynnol i'r gwerth cyfatebol o 4.8 annedd fforddiadwy gael eu darparu naill ai ar y safle neu drwy swm cymudo.

Yn dilyn trafodaethau gyda'r datblygwr, cytunwyd y bydd cyfanswm o bedair uned fforddiadwy yn cael eu darparu ynghyd â swm cymudol i osgoi unrhyw ddiffyg.

Bydd y bedair uned fforddiadwy yn cael eu gosod ar y llawr gwaelod a byddant yn addas ar gyfer mynedia di gadeiriau olwyn. Bydd yr unedau fforddiadwy yn cael eu dyrannu yn gyntaf fel aneddau Rhenti Canolradd gyda'r opsiwn o fewn polisi S106 i droi'r cytundeb i Swm Gostyngol i'w Werthu. Bydd y swm cymudo'n cael ei wneud cyn i'r bumed uned gael ei darparu.

Mae Polisi DM06 yn ceisio diogelu amwynder preswylwyr sy'n byw gerllaw rhag niwed sylweddol mewn perthynas â phreifatrwydd, sŵn a golygfeydd. Nid oes unrhyw eiddo preswyl yn ffinio â'r safle.

DM06 yw'r polisi CDLI ac yn nodi y dylai Datblygiad gael ei ystyried yn llawn a chyfrannu'n gadarnhaol at yr amgylchedd leol a'r ardal leol sy'n cwmpasu safle. Dylai'r datblygiad adlewyrchu dealltwriaeth glir o egwyddorion dylunio, cyflwr, cymdeithasol, economaidd ac amgylcheddol lleol a dylai hyrwyddo dylunio arloesol wrth ystyried arbenigrwydd lleol a threftadaeth ddiwylliannol o ran ffurf, dyluniad a deunydd. Dylai cynigion datblygu hefyd ategu'r safle a'i amgylchoedd o ran cynllun, parchu safbwyntiau i mewn ac allan o'r safle, gan gynhyrchu ffurf gydlynol mewn perthynas â graddfa, uchder a chyfran y ffurf adeiledig bresennol.

Mae polisi DM06 Dylunio ac Amgylchedd Adeiledig o'r Canllawiau Cynllunio Atodol (CCA) sydd wedi'i fabwysiadu gan y cyngor yn rhoi arweiniad ar y materion y mae angen eu hystyried wrth ddatblygu amrywiol adeiladau. Mae Adran 2 o'r CCA yn ystyried sut y dylai cynigion ymateb i Gymeriad Ceredigion. Mae Ceredigion yn ffodus o fod â hanes cyfoethog, sy'n cael ei adlewyrchu yn gyson mewn adeiladau a lleoedd niferus ar draws y sir. Er mwyn gwella ansawdd amgylchedd adeiledig Ceredigion, mae'n hanfodol bod datblygiadau newydd yn seiliedig ar asesiad trylwyr o gymeriad lleol.

Mae'r CCA yn rhoi arweiniad ar yr elfennau perthnasol i'w hystyried wrth ddylunio cynniog sy'n ymateb i gymeriad lleol Ceredigion, gyda phobl a chysylltedd yn ddwy elfen bresennol o'r pedair prif elfen i'w hystyried.

Ystyrir maint a dyluniad y datblygiad arfaethedig i adlewyrchu yr anheddau a geir ar Coedlan y Llwyfen ac i Heol y Buarth o ran uchder.

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

Mae'r safle wedi'i leoli yn ardal gadwraeth Canol Tref Aberystwyth ac yn union islaw Adeilad rhestredig Gradd II\* Edward Davies, er y nodir bod ardal werdd fawr a nodweddir gan goed aeddfed wedi'i lleoli rhwng safle'r cais a'r adeilad rhestredig.

Ystyrir bod y datblygiad arfaethedig wedi'i ddylunio'n bwrsol er mwyn peidio â chystadlu â'r ased o ran amlygrwydd ar ochr y bryn. Yn hytrach, fe'i cynlluniwyd i edrych fel estyniad i ddelwedd y stryd ar Ffordd Stanley / Coedlan y Llwyfen. O ystyried bod ardal werdd yng nghefn y safle a bod uchder y datblygiad, sy'n ymestyn hyd at Ffordd Stanley / Coedlan y Llwyfen, ac yn is nag adeilad Edward Davies, ystyrir na fydd y datblygiad arfaethedig yn arwain at niwed i leoliad yr adeiladau rhestredig hyn na'r ardal gadwraeth ehangach.

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 safleoedd parcio fel rhan o gynigion datblygu yn unol â'r CCA Safonau Parcio Ceredigion.

Byddai mynediad i gerbydau i'r datblygiad arfaethedig ar hyd Ffordd Stanley gyda chyfanswm o 55 o leoedd parcio ceir yn cael eu darparu i wasanaethu'r llety preswyl cyffredinol yng nghyfadeilad Brynderw.

Felly, ystyrir bod y cynnig yn cyd-fynd â'r safonau parcio mabwysiedig fel y nodir yn y CCA o ddarparu rhwng 0.5 ac 1 lle parcio ceir fesul fflat.

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

Ar y cyfan, ystyrir na fydd y datblygiad arfaethedig yn cael effaith andwyol annerbyniol ar ddiogelwch a symudiad ar briffyrdd, ac mae digon o gapasiti o fewn y rhwydwaith priffyrdd presennol i ymdopi a'r traffig ychwanegol o ganlyniad i'r datblygiad hwn ac felly mae'n cydymffurfio ag egwyddorion creu lleoedd sef PPW, Cymru'r Dyfodol, TAN18, a pholisïau DM03 a DM04 Cynllun Datblygu Lleol Ceredigion.

Mae DM14 a DM15 o'r Cynllun Datblygu Lleol yn ceisio cynnal a gwella bioamrywiaeth a diogelu safleoedd pwysig sydd dan warchodaeth. Bydd safleoedd, cynefinoedd a rhywogaethau sy'n cael eu gwarchod yn benodol, yn amhenodol, neu'n gyfuniad o'r ddau, ond yn cael eu caniatáu lle y gwelir bod y cynnig yn cyfrannu at amddiffyn, gwella neu reolaeth buddiol o'r safle, cynefin neu rywogaeth neu mewn amgylchiadau penodol eraill sydd wedi'i nodi mewn polisi. Mae CCA y cyngor ar fioamrywiaeth yn darparu arweiniad ar sut i asesu'r effaith y mae datblygiad yn ei gael ar safleoedd penodol neu ar rywogaethau sydd dan warchodaeth.

Cynhaliwyd Arfarniad Ecolegol Rhagarweiniol gan gynnwys arolwg estynedig ar gynefin ei gynnal a noswyd bod y safle'n cael ei gydnabod fel brydgywydd a glaswlltir wedi'i wella. Ystyriwyd bod y cynefinoedd ar y safle o werth ecolegol isel er eu bod yn medru ymgatrefu moch daear, draenogod ac ymlusgiaid.

Ymgynghorwyd â'r Ecolegydd Cynllunio Sirol wrth ystyried y cais cynllunio ac nid yw'n codi unrhyw wrthwynebiad yn ddibynnol ar amod.

O ystyried faint mor agos ydyw at ffos Plascrug, sydd wedi'i chysylltu'n hydrolegol âg ardal sydd wedi'i ddynodi'n SAC Morol Gorllewin Cymru ac SPA Gogledd Bae Ceredigion, cynhaliwyd Asesiad Rheoleiddio Cynefinoedd a ddaeth i'r casgliad bod effaith posibl ar nodweddion dynodedig yr SAC ac SPA o lygredd ac argaeledd ysglyfaeth yn ystod cyfnod adeiladu'r datblygiad.

O ganlyniad, argymhellir gosod amod wedi'i eirio'n briodol pe bai'r cynnig yn cael ei gefnogi sy'n mynnu bod gwaith yn cael ei wneud yn unol â Chynllun Rheoli Amgylcheddol Adeiladu y cytunwyd arno.

Ystyrir bod y safle ym mharth llifogydd A, fel sy'n cael ei ddangos ar Fap Cyngor Datblygu Cyfoeth Naturiol Cymru, ac ym mharth llifogydd 2 sydd i'w gweld ar y map llifogydd ar gyfer cynllunio, sef y wybodaeth ddiweddaraf a'r wyboeth orau posibl mewn perthynas â llifogydd. O ystyried lle mae'r llifogydd yn effeithio ar safle'r cais, mae Cyfoeth Naturiol Cymru wedi dod i'r casgliad y byddai cynigion i'r safle yn dderbyniol, ar yr amod bod y datblygwr yn ymwybodol am y risgiau llifogydd posibl i'r ardaloedd hyn.

Mae adran gwasanaethau technegol y cyngor eu hunain wedi cynghori bod angen cymeradwyaeth gan yr adran System Ddraenio Cynaliadwy (SUDs) gan ddarparu manylion ynghylch sut i leihau'r risg o lifogydd dŵr arwyneb. Felly, ystyrir y gellid rheoli gwaredu dŵr wyneb yn briodol drwy broses gymeradwyo'r SUDs, oherwydd hynny ni ystyrir bod y datblygiad arfaethedig yn cynyddu'r risg o lifogydd.

Wrth ddod i gasgliad felly, ystyrir bod y cynnig yn dderbyniol ac y gellir ei gefnogi. Nid oes unrhyw wrthwynebiadau perthnasol i'r cynllun cyffredinol ac argymhellir cymeradwyo'r cais yn amodol ar gwblhau cytundeb A106 ynghylch darparu tai fforddiadwy.

## **ARGYMHELLIAD**

GOHIRIO'r cais er mwyn cwblhau cytundeb A106 ynghylch darparu tai fforddiadwy a chymeradwyo'r cais yn yn ddibynnol ar amodau wedi i'r cytundeb A106 gael ei gwblhau.

<b>Application Reference</b>	A230210
<b>Received</b>	20-03-2023
<b>Proposal</b>	Erection of a new build detached block of flats, four storeys in height, containing 8 no flats with associated car parking and communal amenity spaces.
<b>Site Location</b>	Bryn Derw Stanley Road, Aberystwyth, Ceredigion, SY23 1LB
<b>Application Type</b>	Full Planning
<b>Applicant</b>	Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY
<b>Agent</b>	Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

## THE SITE AND RELEVANT PLANNING HISTORY

The application site is a sloping elongated parcel of land located between the parking area serving the former tax offices at Plascrug and an access road which provides both pedestrian and vehicular access to the Bryn Derw building in the Buarth area of Aberystwyth.

On higher ground to the north east of the site is the listed Edward Davies Building which is part of the Aberystwyth University's estate. Land between the Edward Davies building and the application site is characterised by greenery and mature trees. The former tax office building is to the south whilst to the north-west are Buarth Road and Stanley Road. The site is located within the town's conservation area.

There is no planning history to this particular parcel of land although planning permission was recently granted for the refurbishment of the Bryn Derw building, the erection of a block of flats to the east of Bryn Derw and the change of use of part of the former tax building and its extension to residential accommodation.

## DETAILS OF DEVELOPMENT

The application is one of four full applications under consideration which in total seeks to provide a total of 24 flats. The applications have been submitted separately and cover four blocks each to be sited in a linear fashion running from north-west to south-east.

The application under consideration as part of this application covers the building identified as Block 1A and is the most easterly unit of the four.

Block 1A is a four floor building providing a total of eight flats. Each floor looks to provide 2 x 1 bedroomed units with living dining space and bathroom.

Contrary to the other blocks, Block 1A orientates towards the east and its main elevation incorporates bay windows and Juliette balconies on the upper floor. It is linked to the associated blocks by an external concourse area which includes stairwells and lift area to the upper floors.

Externally the building would be finished in smooth render with facing brickwork quoins and galvanised steel to the external balcony. Joinery details would be finished in anthracite grey, with balcony balustrades finished in glass. The pitched roof would be finished in natural slate.

## 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



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  
DM19 Historic and Cultural 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  
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  
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)  
TAN1 Joint Housing Land Availability Studies (2015)  
TAN2 Planning and Affordable Housing (2006)  
TAN5 Nature Conservation and Planning (2009)  
TAN12 Design (2016)  
TAN18 Transport (2007)  
TAN20 Planning and the Welsh Language (2017)

## **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 – No response

Ceredigion Highways – No Objection STC

Land Drainage – SUDs approval required

Ecology – No Objection STC

Natural Resources Wales – No Objection STC

Dŵr Cymru / Welsh Water – No Objection STC

One third party objection was received objecting the scheme on grounds of inadequate parking provision being proposed which would exacerbate parking problems in the Buarth Road area; over-development of site and detrimental impact on neighbouring listed building.

## **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".

Notwithstanding that the overall scheme has been submitted in four applications covering four blocks, for the purpose of the determination of the applications consideration will be given to the proposal as a whole and not on an individual basis.

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 (April 2023) shows that only 647 dwellings have been completed in the Urban Service Centre with extant permission for a further 230 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.

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.

Policy S05 of the LDP which deals with Affordable Housing requires all residential development to provide onsite affordable housing or a contribution towards affordable housing provision. In this instance, and given that there are a total of 24 flats to be provided overall, 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.

Following negotiations with the developer it has been agreed that a total of four affordable units will be provided together with a commuted sum to make the shortfall.

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 commuted sum will be made prior to the occupation of the fifth unit.

Policy DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook. There are no residential properties to the immediate vicinity of the site.

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 dwellings found on Elm Tree Avenue and to Buarth Road in terms of height.

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.

The site is situated within the Aberystwyth Town Centre conservation area and directly below the grade II\* listed Edward Davies Building although it is noted that a large green area characterised by mature trees is positioned between the application site and the listed building.

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 as an extension to the streetscene of Stanley Road / Elm Tree Avenue. Given that there is a green area to the rear of the site and that height of the development, which cascades down towards Stanley Road / Elm Tree Avenue, is below the Edward Davies building it is considered that the proposed development will not give rise to detrimental harm to the setting of these listed buildings or the wider conservation area.

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 55 car parking spaces will be provided to serve the overall residential accommodation at the Brynderw complex.

The proposal is therefore 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.

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.

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.

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 and the site was identified as scrub and improved grassland. Habitats on site were considered to be of low ecological value although capable of supporting badgers, hedgehogs and reptiles.

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

In view of its proximity to the Plascrug ditch, which is hydrologically connected to the designated West Wales Marine SAC and the Northern Cardigan Bay SPA, a Habitats Regulation Assessment was undertaken which concluded potential impact on designated features of the SAC and SPA from pollution and prey availability during the construction phase of development.

As a result it is recommended that an appropriately worded condition be imposed should the proposal be supported requiring works to be undertaken in strict accordance with an agreed Construction Environmental Management Plan.

The site is considered to be in flood zone A as shown on NRW's Development Advice Map, and Flood zone 2 as shown on the Flood map for planning which is the most up to date and best available information in respect of flooding. NRW have concluded that given the location of flood risk shown to be affecting the application site the proposals could be acceptable, subject to the developer being made aware of the potential flood risks to these areas.

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.

In conclusion it is considered that the proposal is acceptable and can be supported. There are no material objections to the overall scheme and it is recommended that the application be approved subject to conditions subject to the completion of a S106 agreement regarding the provision of affordable housing.

## **RECOMMENDATION:**

To DEFER the application for completion of a S106 agreement regarding the provision of affordable housing and to approve the application subject to conditions once the S106 agreement is complete.





**Rhif y Cais** A230304

**Derbyniwyd** 20-04-2023

**Y Bwriad** Datblygiad arfaethedig yn cynnwys bloc newydd ar wahân o fflatiau, tri llawr o uchder, sy'n cynnwys 6 fflat gyda meysydd parcio cysylltiedig a manau amwynder cymunedol. (Bloc 1B).

**Lleoliad Safle** Bloc 1B, Bryn Derw, Ffordd Stanley, Aberystwyth, SY23 1LB

**Math o Gais** Cynllunio llawn

**Ymgeisydd** Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY

**Asiant** Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

## Y SAFLE A'I HANES PERTHNASOL O RAN CYNLLUNIO

Mae safle'r cais yn ddarn o dir hir a chu lar lethr sydd wedi'i leoli rhwng safle parcio'r hen swyddfeydd trethi ym Mhlascrug a heol mynediad sy'n darparu mynediad i gerddwyr a cherbydau i adeiladau Bryn Derw ac ardal Buarth, Aberystwyth.

Ar dir uwch i'r gogledd ddwyrain o'r safle mae adeilad rhestredig Edward Davies sy'n rhan o ystâd Prifysgol Aberystwyth. Mae'r tir rhwng adeilad Edward Davies a safle'r cais yn nodweddiadol yn cynnwys manau gwyrdd choed hen. Mae adeilad yr hen swyddfa dreth i'r de tra i'r gogledd orllewin mae Heol y Buarth a Ffordd Stanley. Mae'r safle wedi'i leoli o fewn ardal gadwraeth y dref.

Nid oes unrhyw hanes cynllunio i'r rhan penodol hwn o dir, er i ganiatad gael ei roi yn ddiweddar i adnewyddu adeilad Bryn Derw, codi bloc o fflatiau i'r dwyrain o Bryn Derw a newid defnydd rhan o'r adeilad treth ac estyniad at bwrpas llety preswyl.

## MANYLION Y DATBLYGIAD

Mae'r cais yn un o bedwar cais llawn sy'n cael eu hystyried ac sy'n gofyn am ganiatad i adeiladu hyd at 24 o fflatiau. Mae'r ceisiadau wedi'u cyflwyno arwahân ac yn cynnwys pedwar bloc o fflatiau ar gyfer pob safle sydd i'w lleoli mewn llinell a fydd yn rhedeg o'r gogledd-orllewin i'r de-ddwyrain.

Mae'r cais sy'n cael ei ystyried fel rhan o'r cais hwn yn cynnwys yr adeilad a nodwyd fel Bloc 1B a dyma'r uned ail fwyaf dwyreiniol o'r pedwar.

Mae Bloc 1B yn adeilad tri llawr sy'n darparu cyfanswm o chwe fflat. Bydd pob llawr yn darparu 2 x 1 unedau ystafell wely gyda gofod i ystafell fyw, ystafell fwyta ac ystafell ymolchi.

Bloc 1B yw'r ail bloc o fflatiau ar yr ochr ddwyreiniol o'r holl ddatblygiad gyda'r prif edrychiad yn gwynebu'r de-orllewin â Phlascrug. Fel pob uned arall, prif nodweddion ei edrychiad fydd ffenestri bae (bay windows) a balconïau juliette ar y llawr uchaf. Bydd mynediad i'r fflatiau ar y llawr gwaelod yn cael eu darparu gan ddrysau blaen ochr tra bo mynediad i'r lloriau uchaf yn cael eu darparu gan y cyntedd allanol.

Yn allanol, bydd yr adeilad yn cael ei orffen gyda rendr llyfn gyda chwonau (quoins) brics a dur wedi'i galfaneiddio ar gyfer y balconi allanol. Bydd manylion asio yn llwyd anthratig, gyda balustradau (balustrades) y balconi yn cael eu cwblhau gyda gwydr. Bydd y to yn cael ei wneud gan ddefnyddio llechen naturiol.

## POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Gymraeg

DM03 Teithio Cynaliadwy

DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol

DM05 Datblygiad Cynaliadwy a Budd Cynllunio

DM06 Dylunio a Chreu Lle o Safon Uchel

DM07 Ardaloedd Cadwraeth

DM09 Dylunio a Symudiad

DM10 Dylunio a Thirweddu  
DM13 Systemau Draenio Cynaliadwy  
DM14 Cadwraeth Natur a Chysylltedd Ecolegol  
DM15 Cadw Bioamrywiaeth Leol  
DM17 Y Dirwedd yn Gyffredinol  
DM19 Tirwedd Hanesyddol a Diwylliannol  
DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd  
LU02 Gofynion ar gyfer pob datblygiad preswyl  
LU04 Diwallu amrywiaeth o anghenion tai  
LU05 Sicrhau bod datblygiad tai yn cael ei gyflawni  
LU06 Dwysedd Tai  
LU24 Darparu Gofod Agored Newydd  
S01 Twf Cynaliadwy  
S02 Datblygu mewn Canolfannau Gwasanaeth Trefol (USCs)  
S05 Tai Fforddiadwy

SPG 2015 Y Gymuned a'r Gymraeg  
SPG Ebrill 2014 Mannau Agored  
Taflen Gymorth SPG 2015 Y Gymuned a'r Gymraeg  
SPG 2015 Safonau Parcio CSC  
SPG 2015 Asesiad Trafnidiaeth  
SPG 2015 Amgylchedd a Dylunio Adeiledig  
SPG 2015 Cadwraeth Natur  
SPG 2014 Tai Fforddiadwy  
Taflen Gymorth SPG 2014 Tai Fforddiadwy

Cymru'r Dyfodol: Cynllun Cenedlaethol 2040  
Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)  
TAN1 Cyd-astudiaeth Argaeledd Tir ar gyfer Tai (2015)  
TAN2 Cynllunio a Thai Fforddiadwy (2006)  
TAN5 Cadwraeth Natur a Chynllunio (2009)  
TAN12 Cynllunio (2016)  
TAN18 Trafnidiaeth (2007)  
TAN20 Cynllunio a'r Iaith Gymraeg (2017)  
TAN24 Yr Amgylchedd Hanesyddol (2017)



## YSTYRIAETHAU PERTHNASOL ERAILL

### DEDDF TROSEDD AC ANHREFN 1998

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

### DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn nodi nifer o 'nodweddion 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 anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl sy'n perthyn i grwpiau gwarchoddedig pan fydd yr anghenion hyn yn wahanol i anghenion pobl eraill;
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

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

### DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

## YMATEBION I'R YMGYNGHORIAD

Cyngor Tref Aberystwyth— Gwrthwynebu'r cais ar sail bod seilwaith y ffordd yn annigonol ar gyfer y traffig a fydd o ganlyniad i ddatblygiad o'r maint hwn gyda'r heolydd a nodwyd sy'n cael eu defnyddio gan gerddwyr / llwybrau i'r ysgol ac ati; effaith ar yr Ysgol Gelf gyfagos; diffyg lle parcio; diffyg storio gwastraff; diffyg storio beiciau; mae tynnu'r coed cyn cael caniatad cynllunio yn hollol annerbyniol yn ogystal â'r niwed i fioamrywiaeth yr ardal leol; mae'r system ddraenio yn annigonol i ddarparu ar gyfer y datblygiad.

Gwasanaethau Priffyrdd Ceredigion – Dim gwrthwynebiad, yn ddibynnol ar amodau

Gwasanaethau Draenio Tir – Angen cymeradwyaeth gan SUDs

Ecoleg – Dim gwrthwynebiad, yn ddibynnol ar amodau

Cyfoeth Naturiol Cymru – Dim gwrthwynebiad, yn ddibynnol ar amodau

Dŵr Cymru— Dim gwrthwynebiad, yn ddibynnol ar amodau

Cafwyd tri gwrthwynebiad gan drydydd parti yn gwrthwynebu'r cynllun ar sail y bydd datblygiad yn effeithio ar ddatblygiad yr hen swyddfa dreth; effeithio ar yr Ysgol Gelf; Pryderon diogelwch priffyrdd; colli manau gwyrdd; nad oes darpariaeth parcio wedi'i chynnal; cysgodi / colli golau i Rhodfa Plascrug; a gor-ddatblygiad y safle.

## CASGLIAD

Dywed Adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004: "Os rhoddir ystyriaeth i'r cynllun datblygu er mwyn gwneud penderfyniad o dan y Deddfau Cynllunio, bydd yn rhaid i'r penderfyniad hwnnw fod yn unol â'r cynllun oni bai fod ystyriaethau perthnasol yn awgrymu fel arall."

Er bod y cynllun cyffredinol wedi'i gyflwyno mewn pedwar cais sy'n cawmpasu pedwar bloc, er mwyn penderfyni ar y ceisiadau bydd ystyriaeth yn cael ei rhoi i'r cynnig yn ei gyfanrwydd ac nid ar y cynlluniau'n unigol.

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

Mae Polisi S01 y Cynllun Datblygu Lleol (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, 24% yn y Canolfannau Gwasanaethau Gwledig a 25% mewn aneddiadau a lleoliadau eraill (gan gynnwys aneddiadau cysylltiedig).

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 hefyd yn ofynnol i ddatblygiad gyfrannu at ei arwyddocâd cenedlaethol a'i rôl fel canolfan strategol Canolbarth Cymru ac yn cefnogi amcanion a chynlluniau gweithredu cyfredol sy'n ymwneud â'i Statws Adfywio Strategol.

Cyfanswm y gofynion ar gyfer darparu tai yn Aberystwyth fel y nodir yn y CDLI yw 1877. Mae'r ffigurau monitro tai CDLI diweddaraf (Ebrill 2023) yn dangos mai dim ond 647 o anheddau sydd wedi'u cwblhau yn y Ganolfan Gwasanaethau Trefol gyda chaniatâd ar gyfer 230 o anheddau pellach. Felly, gan gyfrif eiddo sydd wedi'u dymchwel a'u haddasu (-71) mae lle i 1071 o anheddau eraill yn Aberystwyth. Oherwydd hyn, ystyrir y byddai'r cynigion yn cydymffurfio â Pholisïau S01 a S02 y CDLI a derbynnir yr egwyddor o ddatblygu.

Mae polisi DM01 sy'n Rheoli Effeithiau Datblygu ar Gymunedau a'r Gymraeg yn ei gwneud yn ofynnol i Asesiad Effaith ar Gymunedau a'r Gymraeg (CLIA) i gael ei ddarparu mewn perthynas â datblygiadau tai o fewn canolfannau gwasanaeth lle byddai'r ddarpariaeth yn cael ei gynnig ynghynt na'r hyn a cyfeirir ato yn Natganiad y Grŵp Anheddu.

Ni fyddai'r ddarpariaeth tai arfaethedig yn cael ei gynnig ynghynt na'r hyn y cyfeirir ato yn y Datganiad Grŵp Anheddu, ac oherwydd hyn, ystyrir y gellir cyflawni'r datblygiad heb effeithio'n negyddol ar broffil Cymunedol ac Ieithyddol Aberystwyth.

Mae Polisi S05 y CDLI sy'n ymdrin â Thai 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, ac o ystyried bod cyfanswm o 24 o fflatiau i'w darparu yn gyfangwbl, er mwyn bodloni polisi S05, mae'n ofynnol i'r gwerth cyfatebol o 4.8 annedd fforddiadwy gael eu darparu naill ai ar y safle neu drwy swm cymudo.

Yn dilyn trafodaethau gyda'r datblygwr, cytunwyd y bydd cyfanswm o bedair uned fforddiadwy yn cael eu darparu ynghyd â swm cymudol i osgoi unrhyw ddiffyg.

Bydd y bedair uned fforddiadwy yn cael eu gosod ar y llawr gwaelod a byddant yn addas ar gyfer mynedia di gadeiriau olwyn. Bydd yr unedau fforddiadwy yn cael eu dyrannu yn gyntaf fel aneddau Rhenti Canolradd gyda'r opsiwn o fewn polisi S106 i droi'r cytundeb i Swm Gostyngol i'w Werthu. Bydd y swm cymudo'n cael ei wneud cyn i'r bumed uned gael ei darparu.

Mae Polisi DM06 yn ceisio diogelu amwynder preswylwyr sy'n byw gerllaw rhag niwed sylweddol mewn perthynas â phreifatrwydd, sŵn a golygfeydd. Nid oes unrhyw eiddo preswyl yn ffinio â'r safle.

DM06 yw'r polisi CDLI ac yn nodi y dylai Datblygiad gael ei ystyried yn llawn a chyfrannu'n gadarnhaol at yr amgylchedd leol a'r ardal leol sy'n cwmpasu safle. Dylai'r datblygiad adlewyrchu dealltwriaeth glir o egwyddorion dylunio, cyflwr, cymdeithasol, economaidd ac amgylcheddol lleol a dylai hyrwyddo dylunio arloesol wrth ystyried arbenigrwydd lleol a threftadaeth ddiwylliannol o ran ffurf, dyluniad a deunydd. Dylai cynigion datblygu hefyd ategu'r safle a'i amgylchoedd o ran cynllun, parchu safbwyntiau i mewn ac allan o'r safle, gan gynhyrchu ffurf gydlynol mewn perthynas â graddfa, uchder a chyfran y ffurf adeiledig bresennol.

Mae polisi DM06 Dylunio ac Amgylchedd Adeiledig o'r Canllawiau Cynllunio Atodol (CCA) sydd wedi'i fabwysiadu gan y cyngor yn rhoi arweiniad ar y materion y mae angen eu hystyried wrth ddatblygu amrywiol adeiladau. Mae Adran 2 o'r CCA yn ystyried sut y dylai cynigion ymateb i Gymeriad Ceredigion. Mae Ceredigion yn ffodus o fod â hanes cyfoethog, sy'n cael ei adlewyrchu yn gyson mewn adeiladau a lleoedd niferus ar draws y sir. Er mwyn gwella ansawdd amgylchedd adeiledig Ceredigion, mae'n hanfodol bod datblygiadau newydd yn seiliedig ar asesiad trylwyr o gymeriad lleol.

Mae'r CCA yn rhoi arweiniad ar yr elfennau perthnasol i'w hystyried wrth ddylunio cynnig sy'n ymateb i gymeriad lleol Ceredigion, gyda phobl a chysylltedd yn ddwy elfen bresennol o'r pedair prif elfen i'w hystyried.

Ystyrir maint a dyluniad y datblygiad arfaethedig i adlewyrchu yr anheddau a geir ar Coedlan y Llwyfen ac i Heol y Buarth o ran uchder.

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

Mae'r safle wedi'i leoli yn ardal gadwraeth Canol Tref Aberystwyth ac yn union islaw Adeilad rhestredig Gradd II\* Edward Davies, er y nodir bod ardal werdd fawr a nodweddir gan goed aeddfed wedi'i lleoli rhwng safle'r cais a'r adeilad rhestredig.

Ystyrir bod y datblygiad arfaethedig wedi'i ddylunio'n bwrpasol er mwyn peidio â chystadlu â'r ased o ran amlygrwydd ar

ochr y bryn. Yn hytrach, fe'i cynlluniwyd i edrych fel estyniad i ddelwedd y stryd ar Ffordd Stanley / Coedlan y Llwyfen. O ystyried bod ardal werdd yng nghefn y safle a bod uchder y datblygiad, sy'n ymestyn hyd at Ffordd Stanley / Coedlan y Llwyfen, ac yn is nag adeilad Edward Davies, ystyrir na fydd y datblygiad arfaethedig yn arwain at niwed i leoliad yr adeiladau rhestredig hyn na'r ardal gadwraeth ehangach.

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 safleoedd parcio fel rhan o gynigion datblygu yn unol â'r CCA Safonau Parcio Ceredigion.

Byddai mynediad i gerbydau i'r datblygiad arfaethedig ar hyd Ffordd Stanley gyda chyfanswm o 55 o leoedd parcio ceir yn cael eu darparu i wasanaethu'r llety preswyl cyffredinol yng nghyfadeilad Brynderw.

Felly, ystyrir bod y cynnig yn cyd-fynd â'r safonau parcio mabwysiedig fel y nodir yn y CCA o ddarparu rhwng 0.5 ac 1 lle parcio ceir fesul fflat.

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

Ar y cyfan, ystyrir na fydd y datblygiad arfaethedig yn cael effaith andwyol annerbyniol ar ddiogelwch a symudiad ar briffyrdd, ac mae digon o gapasiti o fewn y rhwydwaith priffyrdd presennol i ymdopi a'r traffig ychwanegol o ganlyniad i'r datblygiad hwn ac felly mae'n cydymffurfio ag egwyddorion creu lleoedd sef PPW, Cymru'r Dyfodol, TAN18, a pholisïau DM03 a DM04 Cynllun Datblygu Lleol Ceredigion.

Mae DM14 a DM15 o'r Cynllun Datblygu Lleol yn ceisio cynnal a gwella bioamrywiaeth a diogelu safleoedd pwysig sydd dan warchodaeth. Bydd safleoedd, cynefinoedd a rhywogaethau sy'n cael eu gwarchod yn benodol, yn amhenodol, neu'n gyfuniad o'r ddau, ond yn cael eu caniatáu lle y gwelir bod y cynnig yn cyfrannu at amddiffyn, gwella neu reolaeth buddiol o'r safle, cynefin neu rywogaeth neu mewn amgylchiadau penodol eraill sydd wedi'i nodi mewn polisi. Mae CCA y cyngor ar fioamrywiaeth yn darparu arweiniad ar sut i asesu'r effaith y mae datblygiad yn ei gael ar safleoedd penodol neu ar rywogaethau sydd dan warchodaeth.

Cynhaliwyd Arfarniad Ecolegol Rhagarweiniol gan gynnwys arolwg estynedig ar gynefin ei gynnal a noswyd bod y safle'n cael ei gydnabod fel brydgydd a glaswlltir wedi'i wella. Ystyriwyd bod y cynefinoedd ar y safle o werth ecolegol isel er eu bod yn medru ymgatrefu moch daear, draenogod ac ymlusgiaid.

Ymgynghorwyd â'r Ecolegydd Cynllunio Sirol wrth ystyried y cais cynllunio ac nid yw'n codi unrhyw wrthwynebiad yn ddibynnol ar amod.

O ystyried faint mor agos ydyw at ffos Plascrug, sydd wedi'i chysylltu'n hydrolegol âg ardal sydd wedi'i ddynodi'n SAC Morol Gorllewin Cymru ac SPA Gogledd Bae Ceredigion, cynhaliwyd Asesiad Rheoleiddio Cynefinoedd a ddaeth i'r casgliad bod effaith posibl ar nodweddion dynodedig yr SAC ac SPA o lygredd ac argaeledd ysglyfaeth yn ystod cyfnod adeiladu'r datblygiad.

O ganlyniad, argymhellir gosod amod wedi'i eirio'n briodol pe bai'r cynnig yn cael ei gefnogi sy'n mynnu bod gwaith yn cael ei wneud yn unol â Chynllun Rheoli Amgylcheddol Adeiladu y cytunwyd arno.

Ystyrir bod y safle ym mharth llifogydd A, fel sy'n cael ei ddangos ar Fap Cyngor Datblygu Cyfoeth Naturiol Cymru, ac ym mharth llifogydd 2 sydd i'w gweld ar y map llifogydd ar gyfer cynllunio, sef y wybodaeth ddiweddaraf a'r wyboaeth orau posibl mewn perthynas â llifogydd. O ystyried lle mae'r llifogydd yn effeithio ar safle'r cais, mae Cyfoeth Naturiol Cymru wedi dod i'r casgliad y byddai cynigion i'r safle yn dderbyniol, ar yr amod bod y datblygwr yn ymwybodol am y risgiau llifogydd posibl i'r ardaloedd hyn.

Mae adran gwasanaethau technegol y cyngor eu hunain wedi cynghori bod angen cymeradwyaeth gan yr adran System Ddraenio Cynaliadwy (SUDs) gan ddarparu manylion ynghylch sut i leihau'r risg o lifogydd dŵr arwyneb. Felly, ystyrir y gellid rheoli gwaredu dŵr wyneb yn briodol drwy broses gymeradwyo'r SUDs, oherwydd hynny ni ystyrir bod y datblygiad arfaethedig yn cynyddu'r risg o lifogydd.

Wrth ddod i gasgliad felly, ystyrir bod y cynnig yn dderbyniol ac y gellir ei gefnogi. Nid oes unrhyw wrthwynebiadau perthnasol i'r cynllun cyffredinol ac argymhellir cymeradwyo'r cais yn amodol ar gwblhau cytundeb A106 ynghylch darparu tai fforddiadwy.

## **ARGYMHELLIAD**

GOHIRIO'r cais er mwyn cwblhau cytundeb A106 ynghylch darparu tai fforddiadwy a chymeradwyo'r cais yn yn ddibynnol ar amodau wedi i'r cytundeb A106 gael ei gwblhau.

<b>Application Reference</b>	A230304
<b>Received</b>	20-04-2023
<b>Proposal</b>	Proposed development consists of a new build detached block of flats, three storeys in height, containing 6 no flats with associated car parking and communal amenity spaces. (Block 1B).
<b>Site Location</b>	Block 1B, Bryn Derw, Stanley Road, Aberystwyth, SY23 1LB
<b>Application Type</b>	Full Planning
<b>Applicant</b>	Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY
<b>Agent</b>	Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

## THE SITE AND RELEVANT PLANNING HISTORY

The application site is a sloping elongated parcel of land located between the parking area serving the former tax offices at Plascrug and an access road which provides both pedestrian and vehicular access to the Bryn Derw building in the Buarth area of Aberystwyth.

On higher ground to the north east of the site is the listed Edward Davies Building which is part of the Aberystwyth University's estate. Land between the Edward Davies building and the application site is characterised by greenery and mature trees. The former tax office building is to the south whilst to the north-west are Buarth Road and Stanley Road. The site is located within the town's conservation area.

There is no planning history to this particular parcel of land although planning permission was recently granted for the refurbishment of the Bryn Derw building, the erection of a block of flats to the east of Bryn Derw and the change of use of part of the former tax building and its extension to residential accommodation.

## DETAILS OF DEVELOPMENT

The application is one of four full applications under consideration which in total seeks to provide a total of 24 flats. The applications have been submitted separately and cover four blocks each to be sited in a linear fashion running from north-west to south-east.

The application under consideration as part of this application covers the building identified as Block 1B and is the second most easterly unit of the four.

Block 1B is a three floor building providing a total of six flats. Each floor looks to provide 2 x 1 bedroomed units with living dining space and bathroom.

Block 1B is second block of flats on the eastern side of the overall development with its main elevation facing the south west and Plascrug Avenue. Like all other units, the main elevation incorporates bay windows and juliette balconies on the upper floor. Access to the ground floor flats are provided by front side doors whilst access to the upper floors are provided via the external concourse area.

Externally the building would be finished in smooth render with facing brickwork quoins and galvanised steel to the external balcony. Joinery details would be finished in anthracite grey, with balcony balustrades finished in glass. The pitched roof would be finished in natural slate.

## 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

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  
DM19 Historic and Cultural 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  
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  
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)  
TAN1 Joint Housing Land Availability Studies (2015)  
TAN2 Planning and Affordable Housing (2006)  
TAN5 Nature Conservation and Planning (2009)  
TAN12 Design (2016)  
TAN18 Transport (2007)  
TAN20 Planning and the Welsh Language (2017)

## **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 – Object the proposal on grounds that road infrastructure is inadequate for the traffic generated by this size of development with the said roads used by pedestrians / routes to schools etc; impact on the neighbouring School of Art; lack of parking; lack of waste storage; lack of bike storage; the removal of trees prior to planning consent is unacceptable as well as the damage done to the area's biodiversity; drainage system is inadequate to cater for the development.

Ceredigion Highways – No Objection STC

Land Drainage – SUDs approval required

Ecology – No Objection STC

Natural Resources Wales – No Objection STC

Dŵr Cymru / Welsh Water – No Objection STC

Three third party objections received objecting the scheme on grounds that development will impact the development of the former tax office; impact on the School of Art; highway safety concerns; loss of green space; no parking provision proposed; overshadowing / loss of light to Plasrug Avenue; and over-development of site.

## **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".

Notwithstanding that the overall scheme has been submitted in four applications covering four blocks, for the purpose of the determination of the applications consideration will be given to the proposal as a whole and not on an individual basis.

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 (April 2023) shows that only 647 dwellings have been completed in the Urban Service Centre with extant permission for a further 230 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.

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.

Policy S05 of the LDP which deals with Affordable Housing requires all residential development to provide onsite affordable housing or a contribution towards affordable housing provision. In this instance, and given that there are a total of 24 flats to be provided overall, 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.

Following negotiations with the developer it has been agreed that a total of four affordable units will be provided together with a commuted sum to make the shortfall.

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 commuted sum will be made prior to the occupation of the fifth unit.

Policy DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook. There are no residential properties to the immediate vicinity of the site.

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 dwellings found on Elm Tree Avenue and to Buarth Road in terms of height.

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.

The site is situated within the Aberystwyth Town Centre conservation area and directly below the grade II\* listed Edward

Davies Building although it is noted that a large green area characterised by mature trees is positioned between the application site and the listed building.

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 as an extension to the streetscene of Stanley Road / Elm Tree Avenue. Given that there is a green area to the rear of the site and that height of the development, which cascades down towards Stanley Road / Elm Tree Avenue, is below the Edward Davies building it is considered that the proposed development will not give rise to detrimental harm to the setting of these listed buildings or the wider conservation area.

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 55 car parking spaces will be provided to serve the overall residential accommodation at the Brynderw complex.

The proposal is therefore 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.

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.

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.

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 and the site was identified as scrub and improved grassland. Habitats on site were considered to be of low ecological value although capable of supporting badgers, hedgehogs and reptiles.

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

In view of its proximity to the Plascrug ditch, which is hydrologically connected to the designated West Wales Marine SAC and the Northern Cardigan Bay SPA, a Habitats Regulation Assessment was undertaken which concluded potential impact on designated features of the SAC and SPA from pollution and prey availability during the construction phase of development.

As a result it is recommended that an appropriately worded condition be imposed should the proposal be supported requiring works to be undertaken in strict accordance with an agreed Construction Environmental Management Plan.

The site is considered to be in flood zone A as shown on NRW's Development Advice Map, and Flood zone 2 as shown on the Flood map for planning which is the most up to date and best available information in respect of flooding. NRW have concluded that given the location of flood risk shown to be affecting the application site the proposals could be acceptable, subject to the developer being made aware of the potential flood risks to these areas.

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.

In conclusion it is considered that the proposal is acceptable and can be supported. There are no material objections to the overall scheme and it is recommended that the application be approved subject to conditions subject to the completion of a S106 agreement regarding the provision of affordable housing.

## **RECOMMENDATION:**

To DEFER the application for completion of a S106 agreement regarding the provision of affordable housing and to approve



the application subject to conditions once the S106 agreement is complete.



**Rhif y Cais** A230306

**Derbyniwyd** 20-04-2023

**Y Bwriad** Datblygiad arfaethedig yn cynnwys bloc newydd ar wahân o fflatiau, tri llawr o uchder, sy'n cynnwys 6 fflat gyda meysydd parcio cysylltiedig a manau amwynder cymunedol. (Bloc 1C).

**Lleoliad Safle** Bloc 1C, Bryn Derw, Ffordd Stanley, Aberystwyth, Ceredigion, SY23 1LB

**Math o Gais** Cynllunio Llawn

**Ymgeisydd** Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY

**Asiant** Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

## Y SAFLE A'I HANES PERTHNASOL O RAN CYNLLUNIO

Mae safle'r cais yn ddarn o dir hir a chul ar lethr sydd wedi'i leoli rhwng safle parcio'r hen swyddfeydd trethi ym Mhlascrug a heol mynediad sy'n darparu mynediad i gerddwyr a cherbydau i adeiladau Bryn Derw ac ardal Buarth, Aberystwyth.

Ar dir uwch i'r gogledd ddwyrain o'r safle mae adeilad rhestredig Edward Davies sy'n rhan o ystâd Prifysgol Aberystwyth. Mae'r tir rhwng adeilad Edward Davies a safle'r cais yn nodweddiadol yn cynnwys manau gwyrdd a choed hen. Mae adeilad yr hen swyddfa dreth i'r de tra i'r gogledd orllewin mae Heol y Buarth a Ffordd Stanley. Mae'r safle wedi'i leoli o fewn ardal gadwraeth y dref.

Nid oes unrhyw hanes cynllunio i'r rhan benodol hwn o dir, er i ganiatâd gael ei roi yn ddiweddar i adnewyddu adeilad Bryn Derw, codi bloc o fflatiau i'r dwyrain o Bryn Derw a newid defnydd rhan o'r adeilad treth ac estyniad at bwrpas llety preswyl.

## MANYLION Y DATBLYGIAD

Mae'r cais yn un o bedwar cais llawn sy'n cael eu hystyried ac sy'n gofyn am ganiatâd i adeiladu hyd at 24 o fflatiau. Mae'r ceisiadau wedi'u cyflwyno arwahân ac yn cynnwys pedwar bloc o fflatiau ar gyfer pob safle sydd i'w lleoli mewn llinell a fydd yn rhedeg o'r gogledd-orllewin i'r de-ddwyrain.

Mae'r cais sy'n cael ei ystyried fel rhan o'r cais hwn yn cynnwys yr adeilad a nodwyd fel Bloc 1C a dyma'r uned ail fwyaf gorllewinol o'r pedwar.

Mae Bloc 1C yn adeilad tri llawr sy'n darparu cyfanswm o chwe fflat. Bydd pob llawr yn darparu 2 x 1 unedau ystafell wely gyda gofod i ystafell fyw, ystafell fwyta ac ystafell ymolchi

Bloc 1C yw'r ail bloc o fflatiau ar ochr orllewinol y datblygiad cyfan, gyda'r prif edrychiad yn gwynebu'r de-orllewin a Phlascrug. Fel pob uned arall, prif nodweddion ei edrychiad fydd ffenestri bae (bay windows) a balconïau juliette ar y llawr uchaf. Bydd mynediad i'r fflatiau ar y llawr gwaelod yn cael eu darparu gan ddrysau blaen ochr tra bo mynediad i'r lloriau uchaf yn cael eu darparu gan y cyntedd allanol.

Yn allanol, bydd yr adeilad yn cael ei orffen gyda rendr llyfn gyda chwonau (quoins) brics a dur wedi'i galfaneiddio ar gyfer y balconi allanol. Bydd manylion asio yn llwyd anthratig, gyda balustradau (balustrades) y balconi yn cael eu cwblhau gyda gwydr. Bydd y to yn cael ei wneud gan ddefnyddio llechen naturiol.

## POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Gymraeg

DM03 Teithio Cynaliadwy

DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol

DM05 Datblygiad Cynaliadwy a Budd Cynllunio

DM06 Dylunio a Chreu Lle o Safon Uchel

DM07 Ardaloedd Cadwraeth

DM09 Dylunio a Symudiad

DM10 Dylunio a Thirweddu  
DM13 Systemau Draenio Cynaliadwy  
DM14 Cadwraeth Natur a Chysylltedd Ecolegol  
DM15 Cadw Bioamrywiaeth Leol  
DM17 Y Dirwedd yn Gyffredinol  
DM19 Tirwedd Hanesyddol a Diwylliannol  
DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd  
LU02 Gofynion ar gyfer pob datblygiad preswyl  
LU04 Diwallu amrywiaeth o anghenion tai  
LU05 Sicrhau bod datblygiad tai yn cael ei gyflawni  
LU06 Dwysedd Tai  
LU24 Darparu Gofod Agored Newydd  
S01 Twf Cynaliadwy  
S02 Datblygu mewn Canolfannau Gwasanaeth Trefol (USCs)  
S05 Tai Fforddiadwy

SPG 2015 Y Gymuned a'r Gymraeg  
SPG Ebrill 2014 Mannau Agored  
Taflen Gymorth SPG 2015 Y Gymuned a'r Gymraeg  
SPG 2015 Safonau Parcio CSC  
SPG 2015 Asesiad Trafnidiaeth  
SPG 2015 Amgylchedd a Dylunio Adeiledig  
SPG 2015 Cadwraeth Natur  
SPG 2014 Tai Fforddiadwy  
Taflen Gymorth SPG 2014 Tai Fforddiadwy

Cymru'r Dyfodol: Cynllun Cenedlaethol 2040  
Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)  
TAN1 Cyd-astudiaeth Argaeledd Tir ar gyfer Tai (2015)  
TAN2 Cynllunio a Thai Fforddiadwy (2006)  
TAN5 Cadwraeth Natur a Chynllunio (2009)  
TAN12 Cynllunio (2016)  
TAN18 Trafnidiaeth (2007)  
TAN20 Cynllunio a'r Iaith Gymraeg (2017)  
TAN24 Yr Amgylchedd Hanesyddol (2017)

## YSTYRIAETHAU PERTHNASOL ERAILL

### DEDDF TROSEDD AC ANHREFN 1998

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

### DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn nodi nifer o 'nodweddion 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 anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl sy'n perthyn i grwpiau gwarchoddedig pan fydd yr anghenion hyn yn wahanol i anghenion pobl eraill;
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

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

### DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

## YMATEBION I'R YMGYNGHORIAD

Cyngor Tref Aberystwyth— Gwrthwynebu'r cais ar sail bod seilwaith y ffordd yn annigonol ar gyfer y traffig a fydd o ganlyniad i ddatblygiad o'r maint hwn gyda'r heolydd a nodwyd sy'n cael eu defnyddio gan gerddwyr / llwybrau i'r ysgol ac ati; effaith ar yr Ysgol Gelf gyfagos; diffyg lle parcio; diffyg storio gwastraff; diffyg storio beiciau; mae tynnu'r coed cyn cael caniatad cynllunio yn hollol annerbyniol yn ogystal â'r niwed i fioamrywiaeth yr ardal leol; mae'r system ddraenio yn annigonol i ddarparu ar gyfer y datblygiad.

Gwasanaethau Prifffyrdd Ceredigion – Dim gwrthwynebiad, yn ddibynnol ar amodau

Gwasanaethau Draenio Tir – Angen cymeradwyaeth gan SUDs

Ecoleg – Dim gwrthwynebiad, yn ddibynnol ar amodau

Cyfoeth Naturiol Cymru – Dim gwrthwynebiad, yn ddibynnol ar amodau

Dŵr Cymru— Dim gwrthwynebiad, yn ddibynnol ar amodau

Cafwyd tri gwrthwynebiad gan drydydd parti yn gwrthwynebu'r cynllun ar sail y bydd datblygiad yn effeithio ar ddatblygiad yr hen swyddfa dreth; effeithio ar yr Ysgol Gelf; Pryderon diogelwch prifffyrdd; colli manau gwyrdd; nad oes darpariaeth parcio wedi'i chynnal; cysgodi / colli golau i Rhodfa Plascrug; a gor-ddatblygiad y safle.

## CASGLIAD

Dywed Adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004: "Os rhoddir ystyriaeth i'r cynllun datblygu er mwyn gwneud penderfyniad o dan y Deddfau Cynllunio, bydd yn rhaid i'r penderfyniad hwnnw fod yn unol â'r cynllun oni bai fod ystyriaethau perthnasol yn awgrymu fel arall."

Er bod y cynllun cyffredinol wedi'i gyflwyno mewn pedwar cais sy'n cawmpasu pedwar bloc, er mwyn penderfyni ar y ceisiadau bydd ystyriaeth yn cael ei rhoi i'r cynnig yn ei gyfanrwydd ac nid ar y cynlluniau'n unigol.

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

Mae Polisi S01 y Cynllun Datblygu Lleol (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, 24% yn y Canolfannau Gwasanaethau Gwledig a 25% mewn aneddiadau a lleoliadau eraill (gan gynnwys aneddiadau cysylltiedig).

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 hefyd yn ofynnol i ddatblygiad gyfrannu at ei arwyddocâd cenedlaethol a'i rôl fel canolfan strategol Canolbarth Cymru ac yn cefnogi amcanion a chynlluniau gweithredu cyfredol sy'n ymwneud â'i Statws Adfywio Strategol.

Cyfanswm y gofynion ar gyfer darparu tai yn Aberystwyth fel y nodir yn y CDLI yw 1877. Mae'r ffigurau monitro tai CDLI diweddaraf (Ebrill 2023) yn dangos mai dim ond 647 o anheddau sydd wedi'u cwblhau yn y Ganolfan Gwasanaethau Trefol gyda chaniatâd ar gyfer 230 o anheddau pellach. Felly, gan gyfrif eiddo sydd wedi'u dymchwel a'u haddasu (-71) mae lle i 1071 o anheddau eraill yn Aberystwyth. Oherwydd hyn, ystyrir y byddai'r cynigion yn cydymffurfio â Pholisïau S01 a S02 y CDLI a derbynnir yr egwyddor o ddatblygu.

Mae polisi DM01 sy'n Rheoli Effeithiau Datblygu ar Gymunedau a'r Gymraeg yn ei gwneud yn ofynnol i Asesiad Effaith ar Gymunedau a'r Gymraeg (CLIA) i gael ei ddarparu mewn perthynas â datblygiadau tai o fewn canolfannau gwasanaeth lle byddai'r ddarpariaeth yn cael ei gynnig ynghynt na'r hyn a cyfeirir ato yn Natganiad y Grŵp Anheddu.

Ni fyddai'r ddarpariaeth tai arfaethedig yn cael ei gynnig ynghynt na'r hyn y cyfeirir ato yn y Datganiad Grŵp Anheddu, ac oherwydd hyn, ystyrir y gellir cyflawni'r datblygiad heb effeithio'n negyddol ar broffil Cymunedol ac Ieithyddol Aberystwyth.

Mae Polisi S05 y CDLI sy'n ymdrin â Thai 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, ac o ystyried bod cyfanswm o 24 o fflatiau i'w darparu yn gyfangwbl, er mwyn bodloni polisi S05, mae'n ofynnol i'r gwerth cyfatebol o 4.8 annedd fforddiadwy gael eu darparu naill ai ar y safle neu drwy swm cymudo.

Yn dilyn trafodaethau gyda'r datblygwr, cytunwyd y bydd cyfanswm o bedair uned fforddiadwy yn cael eu darparu ynghyd â swm cymudol i osgoi unrhyw ddiffyg.

Bydd y bedair uned fforddiadwy yn cael eu gosod ar y llawr gwaelod a byddant yn addas ar gyfer mynedia di gadeiriau olwyn. Bydd yr unedau fforddiadwy yn cael eu dyrannu yn gyntaf fel aneddau Rhenti Canolradd gyda'r opsiwn o fewn polisi S106 i droi'r cytundeb i Swm Gostyngol i'w Werthu. Bydd y swm cymudo'n cael ei wneud cyn i'r bumed uned gael ei darparu.

Mae Polisi DM06 yn ceisio diogelu amwynder preswylwyr sy'n byw gerllaw rhag niwed sylweddol mewn perthynas â phreifatrwydd, sŵn a golygfeydd. Nid oes unrhyw eiddo preswyl yn ffinio â'r safle.

DM06 yw'r polisi CDLI ac yn nodi y dylai Datblygiad gael ei ystyried yn llawn a chyfrannu'n gadarnhaol at yr amgylchedd leol a'r ardal leol sy'n cwmpasu safle. Dylai'r datblygiad adlewyrchu dealltwriaeth glir o egwyddorion dylunio, cyflwr, cymdeithasol, economaidd ac amgylcheddol lleol a dylai hyrwyddo dylunio arloesol wrth ystyried arbenigrwydd lleol a threftadaeth ddiwylliannol o ran ffurf, dyluniad a deunydd. Dylai cynigion datblygu hefyd ategu'r safle a'i amgylchoedd o ran cynllun, parchu safbwyntiau i mewn ac allan o'r safle, gan gynhyrchu ffurf gydlynol mewn perthynas â graddfa, uchder a chyfran y ffurf adeiledig bresennol.

Mae polisi DM06 Dylunio ac Amgylchedd Adeiledig o'r Canllawiau Cynllunio Atodol (CCA) sydd wedi'i fabwysiadu gan y cyngor yn rhoi arweiniad ar y materion y mae angen eu hystyried wrth ddatblygu amrywiol adeiladau. Mae Adran 2 o'r CCA yn ystyried sut y dylai cynigion ymateb i Gymeriad Ceredigion. Mae Ceredigion yn ffodus o fod â hanes cyfoethog, sy'n cael ei adlewyrchu yn gyson mewn adeiladau a lleoedd niferus ar draws y sir. Er mwyn gwella ansawdd amgylchedd adeiledig Ceredigion, mae'n hanfodol bod datblygiadau newydd yn seiliedig ar asesiad trylwyr o gymeriad lleol.

Mae'r CCA yn rhoi arweiniad ar yr elfennau perthnasol i'w hystyried wrth ddylunio cynnig sy'n ymateb i gymeriad lleol Ceredigion, gyda phobl a chysylltedd yn ddwy elfen bresennol o'r pedair prif elfen i'w hystyried.

Ystyrir maint a dyluniad y datblygiad arfaethedig i adlewyrchu yr anheddau a geir ar Coedlan y Llwyfen ac i Heol y Buarth o ran uchder.

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

Mae'r safle wedi'i leoli yn ardal gadwraeth Canol Tref Aberystwyth ac yn union islaw Adeilad rhestredig Gradd II\* Edward Davies, er y nodir bod ardal werdd fawr a nodweddir gan goed aeddfed wedi'i lleoli rhwng safle'r cais a'r adeilad rhestredig.

Ystyrir bod y datblygiad arfaethedig wedi'i ddylunio'n bwrpasol er mwyn peidio â chystadlu â'r ased o ran amlygrwydd ar

ochr y bryn. Yn hytrach, fe'i cynlluniwyd i edrych fel estyniad i ddelwedd y stryd ar Ffordd Stanley / Coedlan y Llwyfen. O ystyried bod ardal werdd yng nghefn y safle a bod uchder y datblygiad, sy'n ymestyn hyd at Ffordd Stanley / Coedlan y Llwyfen, ac yn is nag adeilad Edward Davies, ystyrir na fydd y datblygiad arfaethedig yn arwain at niwed i leoliad yr adeiladau rhestredig hyn na'r ardal gadwraeth ehangach.

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 safleoedd parcio fel rhan o gynigion datblygu yn unol â'r CCA Safonau Parcio Ceredigion.

Byddai mynediad i gerbydau i'r datblygiad arfaethedig ar hyd Ffordd Stanley gyda chyfanswm o 55 o leoedd parcio ceir yn cael eu darparu i wasanaethu'r llety preswyl cyffredinol yng nghyfadeilad Brynderw.

Felly, ystyrir bod y cynnig yn cyd-fynd â'r safonau parcio mabwysiedig fel y nodir yn y CCA o ddarparu rhwng 0.5 ac 1 lle parcio ceir fesul fflat.

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

Ar y cyfan, ystyrir na fydd y datblygiad arfaethedig yn cael effaith andwyol annerbyniol ar ddiogelwch a symudiad ar briffyrdd, ac mae digon o gapasiti o fewn y rhwydwaith priffyrdd presennol i ymdopi a'r traffig ychwanegol o ganlyniad i'r datblygiad hwn ac felly mae'n cydymffurfio ag egwyddorion creu lleoedd sef PPW, Cymru'r Dyfodol, TAN18, a pholisïau DM03 a DM04 Cynllun Datblygu Lleol Ceredigion.

Mae DM14 a DM15 o'r Cynllun Datblygu Lleol yn ceisio cynnal a gwella bioamrywiaeth a diogelu safleoedd pwysig sydd dan warchodaeth. Bydd safleoedd, cynefinoedd a rhywogaethau sy'n cael eu gwarchod yn benodol, yn amhenodol, neu'n gyfuniad o'r ddau, ond yn cael eu caniatáu lle y gwelir bod y cynnig yn cyfrannu at amddiffyn, gwella neu reolaeth buddiol o'r safle, cynefin neu rywogaeth neu mewn amgylchiadau penodol eraill sydd wedi'i nodi mewn polisi. Mae CCA y cyngor ar fioamrywiaeth yn darparu arweiniad ar sut i asesu'r effaith y mae datblygiad yn ei gael ar safleoedd penodol neu ar rywogaethau sydd dan warchodaeth.

Cynhaliwyd Arfarniad Ecolegol Rhagarweiniol gan gynnwys arolwg estynedig ar gynefin ei gynnal a noswyd bod y safle'n cael ei gydnabod fel brydgydd a glaswlltir wedi'i wella. Ystyriwyd bod y cynefinoedd ar y safle o werth ecolegol isel er eu bod yn medru ymgatrefu moch daear, draenogod ac ymlusgiaid.

Ymgynghorwyd â'r Ecolegydd Cynllunio Sirol wrth ystyried y cais cynllunio ac nid yw'n codi unrhyw wrthwynebiad yn ddibynnol ar amod.

O ystyried faint mor agos ydyw at ffos Plascrug, sydd wedi'i chysylltu'n hydrolegol âg ardal sydd wedi'i ddynodi'n SAC Morol Gorllewin Cymru ac SPA Gogledd Bae Ceredigion, cynhaliwyd Asesiad Rheoleiddio Cynefinoedd a ddaeth i'r casgliad bod effaith posibl ar nodweddion dynodedig yr SAC ac SPA o lygredd ac argaeledd ysglyfaeth yn ystod cyfnod adeiladu'r datblygiad.

O ganlyniad, argymhellir gosod amod wedi'i eirio'n briodol pe bai'r cynnig yn cael ei gefnogi sy'n mynnu bod gwaith yn cael ei wneud yn unol â Chynllun Rheoli Amgylcheddol Adeiladu y cytunwyd arno.

Ystyrir bod y safle ym mharth llifogydd A, fel sy'n cael ei ddangos ar Fap Cyngor Datblygu Cyfoeth Naturiol Cymru, ac ym mharth llifogydd 2 sydd i'w gweld ar y map llifogydd ar gyfer cynllunio, sef y wybodaeth ddiweddaraf a'r wyboaeth orau posibl mewn perthynas â llifogydd. O ystyried lle mae'r llifogydd yn effeithio ar safle'r cais, mae Cyfoeth Naturiol Cymru wedi dod i'r casgliad y byddai cynigion i'r safle yn dderbyniol, ar yr amod bod y datblygwr yn ymwybodol am y risgiau llifogydd posibl i'r ardaloedd hyn.

Mae adran gwasanaethau technegol y cyngor eu hunain wedi cynghori bod angen cymeradwyaeth gan yr adran System Ddraenio Cynaliadwy (SUDs) gan ddarparu manylion ynghylch sut i leihau'r risg o lifogydd dŵr arwyneb. Felly, ystyrir y gellid rheoli gwaredu dŵr wyneb yn briodol drwy broses gymeradwyo'r SUDs, oherwydd hynny ni ystyrir bod y datblygiad arfaethedig yn cynyddu'r risg o lifogydd.

Wrth ddod i gasgliad felly, ystyrir bod y cynnig yn dderbyniol ac y gellir ei gefnogi. Nid oes unrhyw wrthwynebiadau perthnasol i'r cynllun cyffredinol ac argymhellir cymeradwyo'r cais yn amodol ar gwblhau cytundeb A106 ynghylch darparu tai fforddiadwy.

## **ARGYMHELLIAD**

GOHIRIO'r cais er mwyn cwblhau cytundeb A106 ynghylch darparu tai fforddiadwy a chymeradwyo'r cais yn yn ddibynnol ar amodau wedi i'r cytundeb A106 gael ei gwblhau.

<b>Application Reference</b>	A230306
<b>Received</b>	20-04-2023
<b>Proposal</b>	The proposed development consists of a new build detached block of flats, three storeys in height, containing 6 no flats with associated car parking and communal amenity spaces. (Block 1C)
<b>Site Location</b>	Block 1C, Bryn Derw Stanley Road, Aberystwyth, Ceredigion, SY23 1LB
<b>Application Type</b>	Full Planning
<b>Applicant</b>	Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY
<b>Asiant / Agent</b>	Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

## THE SITE AND RELEVANT PLANNING HISTORY

The application site is a sloping elongated parcel of land located between the parking area serving the former tax offices at Plascrug and an access road which provides both pedestrian and vehicular access to the Bryn Derw building in the Buarth area of Aberystwyth.

On higher ground to the north east of the site is the listed Edward Davies Building which is part of the Aberystwyth University's estate. Land between the Edward Davies building and the application site is characterised by greenery and mature trees. The former tax office building is to the south whilst to the north-west are Buarth Road and Stanley Road. The site is located within the town's conservation area.

There is no planning history to this particular parcel of land although planning permission was recently granted for the refurbishment of the Bryn Derw building, the erection of a block of flats to the east of Bryn Derw and the change of use of part of the former tax building and its extension to residential accommodation.

## DETAILS OF DEVELOPMENT

The application is one of four full applications under consideration which in total seeks to provide a total of 24 flats. The applications have been submitted separately and cover four blocks each to be sited in a linear fashion running from north-west to south-east.

The application under consideration as part of this application covers the building identified as Block 1C and is the second most westerly unit of the four.

Block 1C is a three floor building providing a total of six flats. Each floor looks to provide 2 x 1 bedroomed units with living dining space and bathroom.

Block 1C is second block of flats on the western side of the overall development with its main elevation facing the south west and Plascrug Avenue. Like all other units, the main elevation incorporates bay windows and juliette balconies on the upper floor. Access to the ground floor flats are provided by front side doors whilst access to the upper floors are provided via the external concourse area.

Externally the building would be finished in smooth render with facing brickwork quoins and galvanised steel to the external balcony. Joinery details would be finished in anthracite grey, with balcony balustrades finished in glass. The pitched roof would be finished in natural slate.

## 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



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  
DM19 Historic and Cultural 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  
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  
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)  
TAN1 Joint Housing Land Availability Studies (2015)  
TAN2 Planning and Affordable Housing (2006)  
TAN5 Nature Conservation and Planning (2009)  
TAN12 Design (2016)  
TAN18 Transport (2007)  
TAN20 Planning and the Welsh Language (2017)

## **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 – Object the proposal on grounds that road infrastructure is inadequate for the traffic generated by this size of development with the said roads used by pedestrians / routes to schools etc; impact on the neighbouring School of Art; lack of parking; lack of waste storage; lack of bike storage; the removal of trees prior to planning consent is unacceptable as well as the damage done to the area's biodiversity; drainage system is inadequate to cater for the development.

Ceredigion Highways – No Objection STC

Land Drainage – SUDs approval required

Ecology – No Objection STC

Natural Resources Wales – No Objection STC

Dŵr Cymru / Welsh Water – No Objection STC

Three third party objections received objecting the scheme on grounds that development will impact the development of the former tax office; impact on the School of Art; highway safety concerns; loss of green space; no parking provision proposed; overshadowing / loss of light to Plasrug Avenue; and over-development of site.

## **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".

Notwithstanding that the overall scheme has been submitted in four applications covering four blocks, for the purpose of the determination of the applications consideration will be given to the proposal as a whole and not on an individual basis.

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 (April 2023) shows that only 647 dwellings have been completed in the Urban Service Centre with extant permission for a further 230 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.

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.

Policy S05 of the LDP which deals with Affordable Housing requires all residential development to provide onsite affordable housing or a contribution towards affordable housing provision. In this instance, and given that there are a total of 24 flats to be provided overall, 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.

Following negotiations with the developer it has been agreed that a total of four affordable units will be provided together with a commuted sum to make the shortfall.

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 commuted sum will be made prior to the occupation of the fifth unit.

Policy DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook. There are no residential properties to the immediate vicinity of the site.

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 dwellings found on Elm Tree Avenue and to Buarth Road in terms of height.

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.

The site is situated within the Aberystwyth Town Centre conservation area and directly below the grade II\* listed Edward

Davies Building although it is noted that a large green area characterised by mature trees is positioned between the application site and the listed building.

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 as an extension to the streetscene of Stanley Road / Elm Tree Avenue. Given that there is a green area to the rear of the site and that height of the development, which cascades down towards Stanley Road / Elm Tree Avenue, is below the Edward Davies building it is considered that the proposed development will not give rise to detrimental harm to the setting of these listed buildings or the wider conservation area.

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 55 car parking spaces will be provided to serve the overall residential accommodation at the Brynderw complex.

The proposal is therefore 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.

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.

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.

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 and the site was identified as scrub and improved grassland. Habitats on site were considered to be of low ecological value although capable of supporting badgers, hedgehogs and reptiles.

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

In view of its proximity to the Plascrug ditch, which is hydrologically connected to the designated West Wales Marine SAC and the Northern Cardigan Bay SPA, a Habitats Regulation Assessment was undertaken which concluded potential impact on designated features of the SAC and SPA from pollution and prey availability during the construction phase of development.

As a result it is recommended that an appropriately worded condition be imposed should the proposal be supported requiring works to be undertaken in strict accordance with an agreed Construction Environmental Management Plan.

The site is considered to be in flood zone A as shown on NRW's Development Advice Map, and Flood zone 2 as shown on the Flood map for planning which is the most up to date and best available information in respect of flooding. NRW have concluded that given the location of flood risk shown to be affecting the application site the proposals could be acceptable, subject to the developer being made aware of the potential flood risks to these areas.

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.

In conclusion it is considered that the proposal is acceptable and can be supported. There are no material objections to the overall scheme and it is recommended that the application be approved subject to conditions subject to the completion of a S106 agreement regarding the provision of affordable housing.

## **RECOMMENDATION:**

To DEFER the application for completion of a S106 agreement regarding the provision of affordable housing and to approve the application subject to conditions once the S106 agreement is complete.



**Rhif y Cais** A230308

**Derbyniwyd** 21-04-2023

**Y Bwriad** Datblygiad arfaethedig yn cynnwys bloc newydd ar wahân o fflatiau dau lawr gyda lle yn y to, sy'n cynnwys pedwar fflat gyda meysydd parcio cysylltiedig a manau amwynder cymunedol. (Bloc 1D).

**Lleoliad Safle** Brynderw, Ffordd Stanley, Aberystwyth, SY23 1LB

**Math o Gais** Cynllunio llawn

**Ymgeisydd** Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY

**Asiant** Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

## Y SAFLE A'I HANES PERTHNASOL O RAN CYNLLUNIO

Mae safle'r cais yn ddarn o dir hir a chul ar lethr sydd wedi'i leoli rhwng safle parcio'r hen swyddfeydd trethi ym Mhlascrug a heol mynediad sy'n darparu mynediad i gerddwyr a cherbydau i adeiladau Bryn Derw ac ardal Buarth, Aberystwyth.

Ar dir uwch i'r gogledd ddwyrain o'r safle mae adeilad rhestredig Edward Davies sy'n rhan o ystâd Prifysgol Aberystwyth. Mae'r tir rhwng adeilad Edward Davies a safle'r cais yn nodweddiadol yn cynnwys manau gwyrdd choed hen. Mae adeilad yr hen swyddfa dreth i'r de tra i'r gogledd orllewin mae Heol y Buarth a Ffordd Stanley. Mae'r safle wedi'i leoli o fewn ardal gadwraeth y dref.

Nid oes unrhyw hanes cynllunio i'r rhan penodol hwn o dir, er i ganiatad gael ei roi yn ddiweddar i adnewyddu adeilad Bryn Derw, codi bloc o fflatiau i'r dwyrain o Bryn Derw a newid defnydd rhan o'r adeilad treth ac estyniad at bwrpas llety preswyl.

## MANYLION Y DATBLYGIAD

Mae'r cais yn un o bedwar cais llawn sy'n cael eu hystyried ac sy'n gofyn am ganiatad i adeiladu hyd at 24 o fflatiau. Mae'r ceisiadau wedi'u cyflwyno arwahân ac yn cynnwys pedwar bloc o fflatiau ar gyfer pob safle sydd i'w lleoli mewn llinell a fydd yn rhedeg o'r gogledd-orllewin i'r de-ddwyrain.

Mae'r cais sy'n cael ei ystyried fel rhan o'r cais hwn yn cynnwys yr adeilad a nodwyd fel Bloc 1D a dyma'r uned mwyaf gorllewinol o'r pedwar.

Mae Bloc 1D yn adeilad dau lawr sydd â llety yn y tô ac felly'n darparu cyfanswm o bedwar fflat. Bydd y llawr gwaelod yn darparu 2 x 1 unedau ystafell wely gyda gofod i ystafell fyw, ystafell fwyta ac ystafell ymolchi, tra bod y llawr uwch yn darparu 2 x 2 ystafell wely maisonettes gyda gofod i ystafell fyw, ystafell fwyta ac ystafell ymolchi ar un llawr, ac ystafelloedd gwely ac ail ystafell ymolchi yn y llety yn y tô.

Bloc 1D sydd wedi'i leoli ar yr ochr mwyaf gorllewinol o'r holl ddatblygiad gyda'r prif edrychiad yn gwynebu'r de-orllewin â Phlascrug. Fel pob uned arall, prif nodweddion ei edrychiad fydd ffenestri bae (bay windows) a balconïau juliette ar y llawr uchaf. Bydd mynediad i'r fflatiau ar y llawr gwaelod yn cael eu darparu gan ddrysau blaen ochr tra bo mynediad i'r lloriau uchaf yn cael eu darparu gan y cyntedd allanol.

Yn allanol, bydd yr adeilad yn cael ei orffen gyda rendr llyfn gyda chwonau (quoins) brics a dur wedi'i galfaneiddio ar gyfer y balconi allanol. Bydd manylion asio yn llwyd anthratig, gyda balwstradau (balustrades) y balconi yn cael eu cwblhau gyda gwydr. Bydd y to yn cael ei wneud gan ddefnyddio llechen naturiol.

## POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Gymraeg

DM03 Teithio Cynaliadwy

DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol

DM05 Datblygiad Cynaliadwy a Budd Cynllunio

DM06 Dylunio a Chreu Lle o Safon Uchel

DM07 Ardaloedd Cadwraeth

DM09 Dylunio a Symudiad

DM10 Dylunio a Thirweddu  
DM13 Systemau Draenio Cynaliadwy  
DM14 Cadwraeth Natur a Chysylltedd Ecolegol  
DM15 Cadw Bioamrywiaeth Leol  
DM17 Y Dirwedd yn Gyffredinol  
DM19 Tirwedd Hanesyddol a Diwylliannol  
DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd  
LU02 Gofynion ar gyfer pob datblygiad preswyl  
LU04 Diwallu amrywiaeth o anghenion tai  
LU05 Sicrhau bod datblygiad tai yn cael ei gyflawni  
LU06 Dwysedd Tai  
LU24 Darparu Gofod Agored Newydd  
S01 Twf Cynaliadwy  
S02 Datblygu mewn Canolfannau Gwasanaeth Trefol (USCs)  
S05 Tai Fforddiadwy

SPG 2015 Y Gymuned a'r Gymraeg  
SPG Ebrill 2014 Mannau Agored  
Taflen Gymorth SPG 2015 Y Gymuned a'r Gymraeg  
SPG 2015 Safonau Parcio CSC  
SPG 2015 Asesiad Trafnidiaeth  
SPG 2015 Amgylchedd a Dylunio Adeiledig  
SPG 2015 Cadwraeth Natur  
SPG 2014 Tai Fforddiadwy  
Taflen Gymorth SPG 2014 Tai Fforddiadwy

Cymru'r Dyfodol: Cynllun Cenedlaethol 2040  
Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)  
TAN1 Cyd-astudiaeth Argaeledd Tir ar gyfer Tai (2015)  
TAN2 Cynllunio a Thai Fforddiadwy (2006)  
TAN5 Cadwraeth Natur a Chynllunio (2009)  
TAN12 Cynllunio (2016)  
TAN18 Trafnidiaeth (2007)  
TAN20 Cynllunio a'r Iaith Gymraeg (2017)  
TAN24 Yr Amgylchedd Hanesyddol (2017)



## YSTYRIAETHAU PERTHNASOL ERAILL

### DEDDF TROSEDD AC ANHREFN 1998

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

### DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn nodi nifer o 'nodweddion 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 anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl sy'n perthyn i grwpiau gwarchoddedig pan fydd yr anghenion hyn yn wahanol i anghenion pobl eraill;
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

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

### DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

## YMATEBION I'R YMGYNGHORIAD

Cyngor Tref Aberystwyth— Gwrthwynebu'r cais ar sail bod seilwaith y ffordd yn annigonol ar gyfer y traffig a fydd o ganlyniad i ddatblygiad o'r maint hwn gyda'r heolydd a nodwyd sy'n cael eu defnyddio gan gerddwyr / llwybrau i'r ysgol ac ati; effaith ar yr Ysgol Gelf gyfagos; diffyg lle parcio; diffyg storio gwastraff; diffyg storio beiciau; mae tynnu'r coed cyn cael caniatad cynllunio yn hollol annerbyniol yn ogystal â'r niwed i fioamrywiaeth yr ardal leol; mae'r system ddraenio yn annigonol i ddarparu ar gyfer y datblygiad.

Gwasanaethau Priffyrdd Ceredigion – Dim gwrthwynebiad, yn ddibynnol ar amodau

Gwasanaethau Draenio Tir – Angen cymeradwyaeth gan SUDs

Ecoleg – Dim gwrthwynebiad, yn ddibynnol ar amodau

Cyfoeth Naturiol Cymru – Dim gwrthwynebiad, yn ddibynnol ar amodau

Dŵr Cymru— Dim gwrthwynebiad, yn ddibynnol ar amodau

Cafwyd tri gwrthwynebiad gan drydydd parti yn gwrthwynebu'r cynllun ar sail y bydd datblygiad yn effeithio ar ddatblygiad yr hen swyddfa dreth; effeithio ar yr Ysgol Gelf; Pryderon diogelwch priffyrdd; colli mannau gwyrdd; nad oes darpariaeth parcio wedi'i chynnal; cysgodi / colli golau i Rhodfa Plascrug; a gor-ddatblygiad y safle.

## CASGLIAD

Dywed Adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004: "Os rhoddir ystyriaeth i'r cynllun datblygu er mwyn gwneud penderfyniad o dan y Deddfau Cynllunio, bydd yn rhaid i'r penderfyniad hwnnw fod yn unol â'r cynllun oni bai fod ystyriaethau perthnasol yn awgrymu fel arall."

Er bod y cynllun cyffredinol wedi'i gyflwyno mewn pedwar cais sy'n cawmpasu pedwar bloc, er mwyn penderfyni ar y ceisiadau bydd ystyriaeth yn cael ei rhoi i'r cynnig yn ei gyfanrwydd ac nid ar y cynlluniau'n unigol.

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

Mae Polisi S01 y Cynllun Datblygu Lleol (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, 24% yn y Canolfannau Gwasanaethau Gwledig a 25% mewn aneddiadau a lleoliadau eraill (gan gynnwys aneddiadau cysylltiedig).

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 hefyd yn ofynnol i ddatblygiad gyfrannu at ei arwyddocâd cenedlaethol a'i rôl fel canolfan strategol Canolbarth Cymru ac yn cefnogi amcanion a chynlluniau gweithredu cyfredol sy'n ymwneud â'i Statws Adfywio Strategol.

Cyfanswm y gofynion ar gyfer darparu tai yn Aberystwyth fel y nodir yn y CDLI yw 1877. Mae'r ffigurau monitro tai CDLI diweddaraf (Ebrill 2023) yn dangos mai dim ond 647 o anheddau sydd wedi'u cwblhau yn y Ganolfan Gwasanaethau Trefol gyda chaniatâd ar gyfer 230 o anheddau pellach. Felly, gan gyfrif eiddo sydd wedi'u dymchwel a'u haddasu (-71) mae lle i 1071 o anheddau eraill yn Aberystwyth. Oherwydd hyn, ystyrir y byddai'r cynigion yn cydymffurfio â Pholisïau S01 a S02 y CDLI a derbynnir yr egwyddor o ddatblygu.

Mae polisi DM01 sy'n Rheoli Effeithiau Datblygu ar Gymunedau a'r Gymraeg yn ei gwneud yn ofynnol i Asesiad Effaith ar Gymunedau a'r Gymraeg (CLIA) i gael ei ddarparu mewn perthynas â datblygiadau tai o fewn canolfannau gwasanaeth lle byddai'r ddarpariaeth yn cael ei gynnig ynghynt na'r hyn a cyfeirir ato yn Natganiad y Grŵp Anheddu.

Ni fyddai'r ddarpariaeth tai arfaethedig yn cael ei gynnig ynghynt na'r hyn y cyfeirir ato yn y Datganiad Grŵp Anheddu, ac oherwydd hyn, ystyrir y gellir cyflawni'r datblygiad heb effeithio'n negyddol ar broffil Cymunedol ac Ieithyddol Aberystwyth.

Mae Polisi S05 y CDLI sy'n ymdrin â Thai 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, ac o ystyried bod cyfanswm o 24 o fflatiau i'w darparu yn gyfangwbl, er mwyn bodloni polisi S05, mae'n ofynnol i'r gwerth cyfatebol o 4.8 annedd fforddiadwy gael eu darparu naill ai ar y safle neu drwy swm cymudo.

Yn dilyn trafodaethau gyda'r datblygwr, cytunwyd y bydd cyfanswm o bedair uned fforddiadwy yn cael eu darparu ynghyd â swm cymudol i osgoi unrhyw ddiffyg.

Bydd y bedair uned fforddiadwy yn cael eu gosod ar y llawr gwaelod a byddant yn addas ar gyfer mynedia di gadeiriau olwyn. Bydd yr unedau fforddiadwy yn cael eu dyrannu yn gyntaf fel aneddau Rhenti Canolradd gyda'r opsiwn o fewn polisi S106 i droi'r cytundeb i Swm Gostyngol i'w Werthu. Bydd y swm cymudo'n cael ei wneud cyn i'r bumed uned gael ei darparu.

Mae Polisi DM06 yn ceisio diogelu amwynder preswylwyr sy'n byw gerllaw rhag niwed sylweddol mewn perthynas â phreifatrwydd, sŵn a golygfeydd. Nid oes unrhyw eiddo preswyl yn ffinio â'r safle.

DM06 yw'r polisi CDLI ac yn nodi y dylai Datblygiad gael ei ystyried yn llawn a chyfrannu'n gadarnhaol at yr amgylchedd leol a'r ardal leol sy'n cwmpasu safle. Dylai'r datblygiad adlewyrchu dealltwriaeth glir o egwyddorion dylunio, cyflwr, cymdeithasol, economaidd ac amgylcheddol lleol a dylai hyrwyddo dylunio arloesol wrth ystyried arbenigrwydd lleol a threftadaeth ddiwylliannol o ran ffurf, dyluniad a deunydd. Dylai cynigion datblygu hefyd ategu'r safle a'i amgylchoedd o ran cynllun, parchu safbwyntiau i mewn ac allan o'r safle, gan gynhyrchu ffurf gydlynol mewn perthynas â graddfa, uchder a chyfran y ffurf adeiledig bresennol.

Mae polisi DM06 Dylunio ac Amgylchedd Adeiledig o'r Canllawiau Cynllunio Atodol (CCA) sydd wedi'i fabwysiadu gan y cyngor yn rhoi arweiniad ar y materion y mae angen eu hystyried wrth ddatblygu amrywiol adeiladau. Mae Adran 2 o'r CCA yn ystyried sut y dylai cynigion ymateb i Gymeriad Ceredigion. Mae Ceredigion yn ffodus o fod â hanes cyfoethog, sy'n cael ei adlewyrchu yn gyson mewn adeiladau a lleoedd niferus ar draws y sir. Er mwyn gwella ansawdd amgylchedd adeiledig Ceredigion, mae'n hanfodol bod datblygiadau newydd yn seiliedig ar asesiad trylwyr o gymeriad lleol.

Mae'r CCA yn rhoi arweiniad ar yr elfennau perthnasol i'w hystyried wrth ddylunio cynnig sy'n ymateb i gymeriad lleol Ceredigion, gyda phobl a chysylltedd yn ddwy elfen bresennol o'r pedair prif elfen i'w hystyried.

Ystyrir maint a dyluniad y datblygiad arfaethedig i adlewyrchu yr anheddau a geir ar Coedlan y Llwyfen ac i Heol y Buarth o ran uchder.

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

Mae'r safle wedi'i leoli yn ardal gadwraeth Canol Tref Aberystwyth ac yn union islaw Adeilad rhestredig Gradd II\* Edward Davies, er y nodir bod ardal werdd fawr a nodweddir gan goed aeddfed wedi'i lleoli rhwng safle'r cais a'r adeilad rhestredig.

Ystyrir bod y datblygiad arfaethedig wedi'i ddylunio'n bwrpasol er mwyn peidio â chystadlu â'r ased o ran amlygrwydd ar

ochr y bryn. Yn hytrach, fe'i cynlluniwyd i edrych fel estyniad i ddelwedd y stryd ar Ffordd Stanley / Coedlan y Llwyfen. O ystyried bod ardal werdd yng nghefn y safle a bod uchder y datblygiad, sy'n ymestyn hyd at Ffordd Stanley / Coedlan y Llwyfen, ac yn is nag adeilad Edward Davies, ystyrir na fydd y datblygiad arfaethedig yn arwain at niwed i leoliad yr adeiladau rhestredig hyn na'r ardal gadwraeth ehangach.

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 safleoedd parcio fel rhan o gynigion datblygu yn unol â'r CCA Safonau Parcio Ceredigion.

Byddai mynediad i gerbydau i'r datblygiad arfaethedig ar hyd Ffordd Stanley gyda chyfanswm o 55 o leoedd parcio ceir yn cael eu darparu i wasanaethu'r llety preswyl cyffredinol yng nghyfadeilad Brynderw.

Felly, ystyrir bod y cynnig yn cyd-fynd â'r safonau parcio mabwysiedig fel y nodir yn y CCA o ddarparu rhwng 0.5 ac 1 lle parcio ceir fesul fflat.

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

Ar y cyfan, ystyrir na fydd y datblygiad arfaethedig yn cael effaith andwyol annerbyniol ar ddiogelwch a symudiad ar briffyrdd, ac mae digon o gapasiti o fewn y rhwydwaith priffyrdd presennol i ymdopi a'r traffig ychwanegol o ganlyniad i'r datblygiad hwn ac felly mae'n cydymffurfio ag egwyddorion creu lleoedd sef PPW, Cymru'r Dyfodol, TAN18, a pholisïau DM03 a DM04 Cynllun Datblygu Lleol Ceredigion.

Mae DM14 a DM15 o'r Cynllun Datblygu Lleol yn ceisio cynnal a gwella bioamrywiaeth a diogelu safleoedd pwysig sydd dan warchodaeth. Bydd safleoedd, cynefinoedd a rhywogaethau sy'n cael eu gwarchod yn benodol, yn amhenodol, neu'n gyfuniad o'r ddau, ond yn cael eu caniatáu lle y gwelir bod y cynnig yn cyfrannu at amddiffyn, gwella neu reolaeth buddiol o'r safle, cynefin neu rywogaeth neu mewn amgylchiadau penodol eraill sydd wedi'i nodi mewn polisi. Mae CCA y cyngor ar fioamrywiaeth yn darparu arweiniad ar sut i asesu'r effaith y mae datblygiad yn ei gael ar safleoedd penodol neu ar rywogaethau sydd dan warchodaeth.

Cynhaliwyd Arfarniad Ecolegol Rhagarweiniol gan gynnwys arolwg estynedig ar gynefin ei gynnal a noswyd bod y safle'n cael ei gydnabod fel brydgydd a glaswlltir wedi'i wella. Ystyriwyd bod y cynefinoedd ar y safle o werth ecolegol isel er eu bod yn medru ymgatrefu moch daear, draenogod ac ymlusgiaid.

Ymgynghorwyd â'r Ecolegydd Cynllunio Sirol wrth ystyried y cais cynllunio ac nid yw'n codi unrhyw wrthwynebiad yn ddibynnol ar amod.

O ystyried faint mor agos ydyw at ffos Plascrug, sydd wedi'i chysylltu'n hydrolegol âg ardal sydd wedi'i ddynodi'n SAC Morol Gorllewin Cymru ac SPA Gogledd Bae Ceredigion, cynhaliwyd Asesiad Rheoleiddio Cynefinoedd a ddaeth i'r casgliad bod effaith posibl ar nodweddion dynodedig yr SAC ac SPA o lygredd ac argaeledd ysglyfaeth yn ystod cyfnod adeiladu'r datblygiad.

O ganlyniad, argymhellir gosod amod wedi'i eirio'n briodol pe bai'r cynnig yn cael ei gefnogi sy'n mynnu bod gwaith yn cael ei wneud yn unol â Chynllun Rheoli Amgylcheddol Adeiladu y cytunwyd arno.

Ystyrir bod y safle ym mharth llifogydd A, fel sy'n cael ei ddangos ar Fap Cyngor Datblygu Cyfoeth Naturiol Cymru, ac ym mharth llifogydd 2 sydd i'w gweld ar y map llifogydd ar gyfer cynllunio, sef y wybodaeth ddiweddaraf a'r wyboaeth orau posibl mewn perthynas â llifogydd. O ystyried lle mae'r llifogydd yn effeithio ar safle'r cais, mae Cyfoeth Naturiol Cymru wedi dod i'r casgliad y byddai cynigion i'r safle yn dderbyniol, ar yr amod bod y datblygwr yn ymwybodol am y risgiau llifogydd posibl i'r ardaloedd hyn.

Mae adran gwasanaethau technegol y cyngor eu hunain wedi cynghori bod angen cymeradwyaeth gan yr adran System Ddraenio Cynaliadwy (SUDs) gan ddarparu manylion ynghylch sut i leihau'r risg o lifogydd dŵr arwyneb. Felly, ystyrir y gellid rheoli gwaredu dŵr wyneb yn briodol drwy broses gymeradwyo'r SUDs, oherwydd hynny ni ystyrir bod y datblygiad arfaethedig yn cynyddu'r risg o lifogydd.

Wrth ddod i gasgliad felly, ystyrir bod y cynnig yn dderbyniol ac y gellir ei gefnogi. Nid oes unrhyw wrthwynebiadau perthnasol i'r cynllun cyffredinol ac argymhellir cymeradwyo'r cais yn amodol ar gwblhau cytundeb A106 ynghylch darparu tai fforddiadwy.

## **ARGYMHELLIAD**

GOHIRIO'r cais er mwyn cwblhau cytundeb A106 ynghylch darparu tai fforddiadwy a chymeradwyo'r cais yn yn ddibynnol ar amodau wedi i'r cytundeb A106 gael ei gwblhau.



<b>Rhif y Cais / Application Reference</b>	A230308
<b>Derbyniwyd / Received</b>	21-04-2023
<b>Y Bwriad / Proposal</b>	Proposed development consists of a new build detached block of flats, two storeys in height with roof accommodation, containing 4 no flats with associated car parking and communal amenity spaces. (Block 1D).
<b>Lleoliad Safle / Site Location</b>	Brynderw, Stanley Road, Aberystwyth, SY23 1LB
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY
<b>Asiant / Agent</b>	Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

## THE SITE AND RELEVANT PLANNING HISTORY

The application site is a sloping elongated parcel of land located between the parking area serving the former tax offices at Plascrug and an access road which provides both pedestrian and vehicular access to the Bryn Derw building in the Buarth area of Aberystwyth.

On higher ground to the north east of the site is the listed Edward Davies Building which is part of the Aberystwyth University's estate. Land between the Edward Davies building and the application site is characterised by greenery and mature trees. The former tax office building is to the south whilst to the north-west are Buarth Road and Stanley Road. The site is located within the town's conservation area.

There is no planning history to this particular parcel of land although planning permission was recently granted for the refurbishment of the Bryn Derw building, the erection of a block of flats to the east of Bryn Derw and the change of use of part of the former tax building and its extension to residential accommodation.

## DETAILS OF DEVELOPMENT

The application is one of four full applications under consideration which in total seeks to provide a total of 24 flats. The applications have been submitted separately and cover four blocks each to be sited in a linear fashion running from north-west to south-east.

The application under consideration as part of this application covers the building identified as Block 1D and is the most westerly unit of the four.

Block 1D is a two storey floor building with roof accommodation providing a total of four flats. The ground floor looks to provide 2 x 1 bedroomed units with living dining space and bathroom whilst the upper floor provides 2 x 2 bedroomed maisonettes with the living, bathroom and kitchen on one floor and the bedrooms and a second bathroom in the roof accommodation.

Block 1D is to be located on the western side of the overall development with its main elevation facing the south west and Plascrug Avenue. Like all other units, the main elevation incorporates bay windows and juliette balconies on the upper floor. Access to the ground floor flats are provided by front side doors whilst access to the upper floors are provided via the external concourse area.

Externally the building would be finished in smooth render with facing brickwork quoins and galvanised steel to the external balcony. Joinery details would be finished in anthracite grey, with balcony balustrades finished in glass. The pitched roof would be finished in natural slate.

## 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  
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  
DM19 Historic and Cultural 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  
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  
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)  
TAN1 Joint Housing Land Availability Studies (2015)  
TAN2 Planning and Affordable Housing (2006)  
TAN5 Nature Conservation and Planning (2009)  
TAN12 Design (2016)

TAN18 Transport (2007)

TAN20 Planning and the Welsh Language (2017)

TAN24 The Historic Environment (2017)

## **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 – Object the proposal on grounds that road infrastructure is inadequate for the traffic generated by this size of development with the said roads used by pedestrians /routes to schools etc; impact on the neighbouring School of Art; lack of parking; lack of waste storage; lack of bike storage; the removal of trees prior to planning consent is unacceptable as well as the damage done to the area's biodiversity; drainage system is inadequate to cater for the development.

Ceredigion Highways – No Objection STC

Land Drainage – SUDs approval required

Ecology – No Objection STC

Natural Resources Wales – No Objection STC

Dŵr Cymru / Welsh Water – No Objection STC

Three third party objections received objecting the scheme on grounds that development will impact the development of the former tax office; impact on the School of Art; highway safety concerns; loss of green space; no parking provision proposed; overshadowing / loss of light to Plascrug Avenue; and over-development of site.

## **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".

Notwithstanding that the overall scheme has been submitted in four applications covering four blocks, for the purpose of the determination of the applications consideration will be given to the proposal as a whole and not on an individual basis.

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 (April 2023) shows that only 647 dwellings have been completed in the Urban Service Centre with extant permission for a further 230 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.

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.

Policy S05 of the LDP which deals with Affordable Housing requires all residential development to provide onsite affordable housing or a contribution towards affordable housing provision. In this instance, and given that there are a total of 24 flats to be provided overall, 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.

Following negotiations with the developer it has been agreed that a total of four affordable units will be provided together with a commuted sum to make the shortfall.

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 commuted sum will be made prior to the occupation of the fifth unit.

Policy DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook. There are no residential properties to the immediate vicinity of the site.

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 dwellings found on Elm Tree Avenue and to Buarth Road in terms of height.



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.

The site is situated within the Aberystwyth Town Centre conservation area and directly below the grade II\* listed Edward Davies Building although it is noted that a large green area characterised by mature trees is positioned between the application site and the listed building.

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 as an extension to the streetscene of Stanley Road / Elm Tree Avenue. Given that there is a green area to the rear of the site and that height of the development, which cascades down towards Stanley Road / Elm Tree Avenue, is below the Edward Davies building it is considered that the proposed development will not give rise to detrimental harm to the setting of these listed buildings or the wider conservation area.

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 55 car parking spaces will be provided to serve the overall residential accommodation at the Brynderw complex.

The proposal is therefore 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.

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.

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.

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 and the site was identified as scrub and improved grassland. Habitats on site were considered to be of low ecological value although capable of supporting badgers, hedgehogs and reptiles.

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

In view of its proximity to the Plascrug ditch, which is hydrologically connected to the designated West Wales Marine SAC and the Northern Cardigan Bay SPA, a Habitats Regulation Assessment was undertaken which concluded potential impact on designated features of the SAC and SPA from pollution and prey availability during the construction phase of development.

As a result it is recommended that an appropriately worded condition be imposed should the proposal be supported requiring works to be undertaken in strict accordance with an agreed Construction Environmental Management Plan.

The site is considered to be in flood zone A as shown on NRW's Development Advice Map, and Flood zone 2 as shown on the Flood map for planning which is the most up to date and best available information in respect of flooding. NRW have concluded that given the location of flood risk shown to be affecting the application site the proposals could be acceptable, subject to the developer being made aware of the potential flood risks to these areas.

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.

In conclusion it is considered that the proposal is acceptable and can be supported. There are no material objections to the overall scheme and it is recommended that the application be approved subject to conditions subject to the completion of a

S106 agreement regarding the provision of affordable housing.

**RECOMMENDATION:**

To DEFER the application for completion of a S106 agreement regarding the provision of affordable housing and to approve the application subject to conditions once the S106 agreement is complete.

## 2.5. A230612



<b>Rhif y Cais</b>	A230612
<b>Derbyniwyd</b>	21-08-2023
<b>Y Bwriad</b>	Codi annedd
<b>Lleoliad y Safle</b>	Tir ar Fferm Bron Y Glyn Glynarthen, Llandysul, SA44 6PS
<b>Math o Gais</b>	Cynllun Llawn
<b>Ymgeisydd</b>	Mr a Miss A a B James a Jones, Bron Y Glyn, Glynarthen, Llandysul, Ceredigion, SA44 6PS
<b>Asiant</b>	Mr Robert Thomas (Thomas Login Architecture), Plas Y Berllan, Ffostrasol, Llandysul, Ceredigion, SA44 4TE

## Y SAFLE A HANES PERTHNASOL

Mae cais y safle'n cyfeirio at gae amaethyddol mewn ardal anghysbell ac agored o'r ardal wledig, sydd oddeutu 0.5 milltir i'r gogledd o bentref Felin-Wnda. Mae'r caeau yn ffurfio rhan o fferm Bron y Glyn, sydd wedi'i leoli oddeutu 0.4 milltir i'r gogledd. Mae un adeilad preswyl i'r gogledd o'r safle ac un arall i'r de. Fel arall, mae'r safle wedi'i amgylchynu gan gaeau amaethyddol.

Cafwyd cais cynllunio ar gyfer y datblygiad ar y safle i godi annedd fforddiadwy ei gyflwyno i'r Awdurdod Cynllunio Lleol ym mis Mawrth 2018. Cyflwynwyd y cais gan frawd yr ymdeisydd, ond cafodd ei dynnu'n ôl wedi hynny (A180270).

Nid oes unrhyw hanes cynllunio arall sy'n ymwneud â'r safle.

## MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio llawn i godi'r annedd fforddiadwy. Bwriedir gosod yr annedd yng nghornel ogledd-orllewinol y cae, wrth ymyl y ffordd, gyda mynedfa newydd wedi'i chreu'n uniongyrchol o'r ffordd. Mae ychydig o'r ffordd er mwyn darparu mynediad ac ardal barcio yn y tu blaen, gyda gardd cymharol fawr wrth ochr ac yn y cefn, sydd wedi'i orchuddio â glaswellt. Dau lawr fydd i'r annedd ei hun, gydag un tafluniad talcen blaen, a garej llawr a hanner wrth ochr. Bydd estyniad tô fflat yn cael ei gynnwys yn y cefn. Cyfanwsm hyd yr annedd fydd 17.35 metr, a chyfanswm lled (gan gynnwys y rhan un llawr yn y cefn) fydd 14.29 metr, a chyfanwsm uchder o 9.1 metr. Cyfanswm arwynebedd y llawr mewnol fydd 270 metr sgwar.

O ran deunyddiau, teils cerrig naturiol fydd y tô, bydd y waliau'n cael eu peintio â roughcast render, gyda wal gerrig naturiol ar wal flaen y tŷ a plinth o frics, bydd y ffenestri a'r drysau naill ai yn upvc neu alwminiwm cyfansawdd mewn llwyd maenlo

O fewn yr annedd, bydd y llawr gwaelod yn cynnwys cegin a lle bwyta mawr, swyddfa, ystafell chwarae/ ystafell westeion, ystafell fyw, 2 x tŷ bach, ac ystafell aml-bwrpas, gyda garej wedi'i atodi. Ar y llawr cyntaf bydd 4 ystafell wely, ystafell ymolchi, ystafell wisgo y gellir cerdded ynnddi ac en-suite.

Bydd dŵr ar yr arwyneb yn cael ei drin gan system ddraenio cynaliadwy a suddfan ddŵr.

Bydd Carthion yn cael eu trin gyda thanc carthion a chynllun cyfleuster parod i drin carthion. Anfonwyd e-bost at yr asiant i ofyn am eglurhad, fodd bynnag ni dderbyniwyd ymateb.

Nid oes unrhyw fanylion ynghylch triniaeth y ffin na thirlunio wedi'u cyflwyno.

## POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisi Cynllunio Cenedlaethol Perthnasol

- Cymru'r Dyfodol: cynllun cenedlaethol 2040
- PPW Cynllun Cynlluniau Cymru (rhifyn 11, Chwefror 2021)
- TAN2 Cynllunio a Chartrefi Fforddiadwy (2006)
- TAN5 Gwarchod Natur a Chynllunio (2009)

Polisi Cynllunio Lleol Perthnasol

Mae polisïau Cynllun Datblygu Lleol yn berthnasol wrth benderfynu ar y cais hwn:

- S01 Twf Cynaliadwy
- S04 Datblygu mewn aneddiadau cysylltiedig a lleoliadau eraill

- S05 Tai Fforddiadwy
- LU02 Gofynion ar gyfer pob datblygiad preswyl
- LU05 Sicrhau bod datblygiad tai yn cael ei gyflawni
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirweddu
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol
- DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd

Canllawiau Cynllunio Atodol mabwysiedig perthnasol:

- Tai Fforddiadwy - Medi 2014
- Taflenni Cymorth SPG Tai Fforddiadwy
- Taflen Ganllaw: Tystiolaeth sydd angen ar gyfer Tai Fforddiadwy a Meini Prawf Cymhwysio.
- Cadwraeth Natur SPG – Ionawr 2015
- Amgylchedd a Dylunio Adeiledig - Ionawr 2015
- Safonau Parcio CSC SPG - Ionawr 2015

## YSTYRIAETHAU PERTHNASOL ERAILL

### DEDDF TROSEDD AC ANHREFN 1998

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

### DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn nodi nifer o 'nodweddion 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 anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl sy'n perthyn i grwpiau gwarchoddedig pan fydd yr anghenion hyn yn wahanol i anghenion pobl eraill;
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfarfartal o isel.

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

### DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

### YMATEBION YMGYNGHORI

- **Cyngor Cymunedol Penbryn Community Council** - "Barn unfrydol yr aelodau oedd y ddylid cymeradwyo'r cais. Mae hi'n ddigon anodd ar bobl leol bellach i fyw a dod o hyd i gartref yn eu cynefin. Anogwn y Cyngor i gymeradwyo'r cais hwn er lles y gymuned leol a chynnal gwasanaethau ar gyfer y trigolion"
- **Ecolegwr Cynllunio** – Angen gwybodaeth bellach
- **Awdurdod Prifffyrdd Lleol** – Argymhellir amodau
- **Draenio Tir** - Angen cymeradwyaeth SuDS

- **Cyfoeth Naturiol Cymru** - Pryder - safle o fewn dalgylch SAC Afon Teifi a bydd yn arwain at fwy o ffosffadau. LPA i ymgymryd â HRA
- **Dwr Cymru** – Dim sylwad

Derbyniwyd un datganiad gan drydydd parti, gan nodi'r canlynol, yn gryno.:

- cwestiynu'r fanyleb a'r angen am y math hwn o annedd
- nid yw'r annedd yn fforddiadwy o ran pris
- mwy o straen ar brif gyflenwad dŵr sydd eisioes dan bwysau
- Mae 6 eiddo sydd ar gael o fewn 5 milltir i Glynarthen am hyd at £200k, yn cynnwys adeilad newydd a Chartref Fforddiadwy
- mwy na 12 eiddo ar gael o fewn 5 milltir i Glynarthen am hyd at £230k
- mae prisiau eiddo wedi gostwng 5.3% a rhagwelir y byddant yn parhau i ostwng trwy 2023/4 a fydd yn gwneud mwy o eiddo'n fforddiadwy wrth symud ymlaen.
- awgrymir fod safle amgen ger y fferm yn fwy addas

## CASGLIAD

Dywed Adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004: "Os rhoddir ystyriaeth i'r cynllun datblygu er mwyn gwneud penderfyniad o dan y Deddfau Cynllunio, bydd yn rhaid i'r penderfyniad hwnnw fod yn unol â'r cynllun oni bai fod ystyriaethau perthnasol yn awgrymu fel arall."

Mae'r cynllun datblygu ar gyfer Ceredigion yn cynnwys Cymru'r Dyfodol: Cynllun Cenedlaethol 2040 (Cymru'r Dyfodol) a Chynllun Datblygu Lleol Ceredigion 2007-2022 (CDLI). Nid yw Cynllun Datblygu Strategol (SDP) wedi'i fabwysiadu ar gyfer rhanbarth Canolbarth Cymru gan fod y gofyniad am un yn gymharol newydd.

Yn unol â Deddf Cynllunio a Phrynu Gorfodol 2004, pe bai polisi yng Nghymru'r Dyfodol yn gwrthdaro â pholisi o fewn CDLI Ceredigion, yna dylid datrys y gwrthdaro o blaid y Polisi sydd wedi'i gynnwys yng Nghymru'r Dyfodol. Mae hyn oherwydd mai Cymru'r Dyfodol yw'r ddogfen ddiweddaraf i ddod yn rhan o'r cynllun datblygu.

## Egwyddor Datblygu

Mae Strategaeth Ofodol Cymru y Dyfodol yn cyfeirio datblygiad i Ardaloedd Twf Cenedlaethol a Rhanbarthol er mwyn sianelu pwysau datblygu i fwrdd o gefn gwlad agored. Mae pum Ardal Twf Rhanbarthol yng Nghanolbarth Cymru a dylai datblygiad yn yr ardaloedd hyn ddiwallu anghenion tai, economaidd a chymdeithasol y rhanbarth. Mae dau o'r pum Ardal Twf Rhanbarthol wedi'u lleoli yng Ngheredigion. Y rhain yw Aberystwyth, Aberteifi, Llanbedr Pont Steffan, Llandysul a Chastellnewydd Emlyn (Adpar). Yn unol â hynny, dylid cyfeirio datblygiadau at yr aneddiadau hyn.

Mae'n hanfodol bod datblygiad mewn ardaloedd gwledig yn gynaliadwy os yw am gyd-fynd â Chymru'r Dyfodol a chyflawni swyddogaeth statudol y system gynllunio. Mae Polisi 4 Cymru y Dyfodol yn diffinio aneddiadau gwledig ffyniannus, gwydn a chynaliadwy fel y rhai a nodweddir gan gymysgedd gyfoethog o dai, cyflogaeth, gwasanaethau a seilwaith sydd wedi'u lleoli yn y mannau iawn i ddiwallu anghenion a dyheadau'r boblogaeth yn y dyfodol. Dylai gwahanol ddefnyddiau gael eu lleoli yn agos at ei gilydd i greu lleoedd egnïol bywiog lle gall pobl gerdded a beicio ac maent yn llai dibynnol ar geir. Dylid sicrhau bod unrhyw ddatblygiad tai gwledig ychwanegol yn digwydd mewn trefi a phentrefi sy'n ymgorffori gweledigaeth Cymru'r Dyfodol o anheddiad gwledig cynaliadwy.

Mae safle'r cais o fewn 'lleoliadau eraill' fel y nodwyd yn y Cynllun Datblygu Lleol mabwysiedig (CDLI) lle caiff datblygiad ei reoli'n llym er budd sicrhau datblygu cynaliadwy a diogelu cefn gwlad agored. Mae Polisi CDLI S04 yn nodi bod tai cyffredinol yn amhriodol o fewn 'lleoliadau eraill' oni bai y gellir ei gyfiawnhau ar y sail ei fod yn diwallu angen tai fforddiadwy heb ei ddiwallu yn yr ardal leol ac yn unol â Pholisi S05; neu angen am fenter wledig sy'n byw yn unol â TAN 6. Mae'r cais cynllunio hwn ar gyfer annedd fforddiadwy, ac nid yw'n cael ei wneud cais amdano fel menter wledig sy'n byw o dan TAN 6. Mae'r Datganiad Tai Fforddiadwy a gyflwynwyd fel rhan o'r cais yn nodi bod yr ymgeiswyr yn helpu ar y fferm deuluol, fodd bynnag, nid yw'r cais ar gyfer annedd TAN 6 ac felly ni ellir rhoi pwysau i hyn fel rhan o benderfyniad y cais.

Mae'r Polisi hefyd yn ei gwneud yn ofynnol i dai fforddiadwy gael eu lleoli yn union wrth ymyl grwpiau presennol o anheddau yn unol â bwriadau paragraff 9.2.22 Polisi Cynllunio Cymru. Er bod Polisi Cynllunio Cymru wedi'i ddiweddarau ers hynny, mae paragraff 3.56 yn parhau i'w gwneud yn ofynnol i ddatblygiadau yng nghefn gwlad gael eu lleoli o fewn aneddiadau cyfagos lle gellir ei letya orau o ran seilwaith, mynediad, cynefinoedd a chadwraeth tirlunio, ac mae'n nodi y gallai mewnlenni neu fân estyniadau i aneddiadau presennol fod yn dderbyniol yn enwedig pan fyddant yn diwallu angen lleol am dai fforddiadwy. Ond mae'n rhaid i adeilad newydd yng nghefn gwlad agored i fwrdd o'r aneddiadau presennol barhau i gael ei reoli'n llym.

Mae safle'r cais mewn lleoliad cefn gwlad agored, anghysbell, ac nid yw'n agos at anheddiad sy'n bodoli eisioes. Nid oes mewnlenni neu estyniad bach i anheddiad presennol. Fe'i hamgylchynir gan gaeau amaethyddol, gydag anheddau a

ffermydd ynysig, sydd wedi'u lleoli'n ysbeidiol, ac nad ydynt yn ffurfio grŵp, clwstwr, nac aneddiad. Mae Felin Wnda tua 0.5 milltir i'r de, fodd bynnag mae hwn yn bentrefan gwledig bach, ac nid yn aneddiad. Lleolir pentref Glynarthen tua 1.2 milltir i ffwrdd, ac nid yw'n cael ei adnabod fel anheddiad o fewn y CDLI. Yr anheddiad agosaf, fel y nodwyd o fewn y CDLI, yw Rhydlewis sydd 2.2 milltir i ffwrdd ac sydd â gwasanaethau a chyfleusterau cyfyngedig. Mae Brynhoffnant tua 2.6 milltir i ffwrdd ac mae'n cynnig rhai gwasanaethau a chyfleusterau. Mae'r aneddiadau yn rhy bell i ffwrdd i'w cyrraedd ar droed, ac nid oes palmant parhaus hefyd i ganiatáu cerdded yn ddiogel. Hefyd, nid oes darpariaeth trafniadaeth gyhoeddus o fewn pellter cerdded diogel i safle'r cais. Felly, byddai meddianwyr yn dibynnu'n llwyr ar ddefnyddio cerbyd preifat i gael mynediad at wasanaethau a chyfleusterau. Mae hyn yn groes i bolisi cynllunio cenedlaethol a lleol sy'n ceisio hyrwyddo dulliau cynaliadwy o deithio drwy sicrhau bod datblygiad tai yn cael eu hadeiladu mewn lleoliadau lle gellir cyrchu gwasanaethau a chyfleusterau yn y lle cyntaf trwy gerdded a beicio, yna ar drafniadaeth gyhoeddus ac yna yn olaf gan gerbydau modur preifat.

O ran angen tai fforddiadwy, mae'r Datganiad AH yn nodi bod chwiliad ar Rightmove (Gorffennaf 2023) yn dangos bod prinder cyffredinol o eiddo newydd hyd at werth o £200,000 (cyllideb yr ymgeisydd) a dim eiddo fforddiadwy o fewn 3 milltir i safle'r cais. Mae'n dweud bod un byngalo ar gael ym Mhentregat ar £225,000 ond mae'n rhy bell o'r fferm. Mae'r Datganiad AH yn nodi bod chwiliad o radiws o 5 milltir yn dangos bod nifer o eiddo dros £200,000 gyda nifer cyfyngedig yn is na'r pris hwn.

Mae'r LPA wedi ymgymryd â'i chwiliad ei hun ar-lein (Rightmove (Hydref 2023)), sy'n dangos bod 8 eiddo ar y farchnad o fewn radiws o 5 milltir i safle'r cais hyd at werth £200,000, ac mae hyn yn cynnwys dwy annedd fforddiadwy newydd - un ym Mlaenporth ac un ym Plwmp. Wrth ehangu'r ardal chwilio i 10 milltir o fewn safle'r cais, datgelodd nifer fawr o eiddo sydd ar y farchnad ar hyn o bryd.

O ran cyllideb yr ymgeisydd o £200,000, mae gan yr annedd arfaethedig arwynebedd llawr mewnol cyffredinol o 270 metr sgwâr. Gan gyfeirio at gyfradd adeiladu safonol y Cyngor o £1468.62, byddai'r annedd yn costio tua £397,000 i'w hadeiladu, ac eithrio unrhyw gostau ychwanegol eraill megis costau seilwaith a gwasanaethau. Mae hyn hefyd ar y sail bod yr ymgeiswyr yn cael eu rhoi ar y tir. Hyd yn oed os yw'r gyfradd adeiladu yn cael ei gostwng i ddweud £1000, byddai'n dal i gostio o leiaf £270,000 i'w adeiladu. Yn seiliedig ar hyn, ystyrir yn rhesymol ystyried nad yw'r ymgeiswyr mewn angen tai fforddiadwy, ac y byddent yn gallu fforddio annedd ar y farchnad agored.

Nid oes unrhyw reswm pam fod angen i'r ymgeiswyr breswyllo yn y lleoliad hwn, heblaw am awydd i fyw yn agos at y fferm. Er bod yr Awdurdod Cynllunio Lleol yn gefnogol i bobl leol aros ac eisiau byw'n lleol, mae ehangu'r ardal chwilio i 10 milltir yn parhau i ganiatáu i'r ymgeiswyr fyw'n lleol a chyfrannu at yr economi leol yn yr un ffordd - hyd yn oed yn fwy felly os ydych chi'n byw mewn anheddiad presennol gerllaw gwasanaethau a chyfleusterau presennol, yn hytrach na byw yng nghanol nunlle. Byddai hefyd yn caniatáu i'r ymgeiswyr fyw'n agos at y fferm i helpu fel y mynnent. Nid yw'r ymgeisydd yn cael ei gyflogi ar y fferm, ac nid yw'r cais ar gyfer TAN 6, felly nid oes rheswm swyddogaethol dros fyw yn agos at y fferm ar unwaith. Os oes gofyn i berson ychwanegol fyw yn agos at y fferm yn syth oherwydd anghenion gweithredol y fferm, yna dylid gwneud cais am annedd TAN 6 yn lle.

Er gwaethaf hyn, hyd yn oed os dangoswyd angen, nid yw hyn yn diystyru'r ffaith nad yw'r annedd fforddiadwy hwn yng nghefn gwlad agored ac sy'n anghynaladwy, yn cael ei gefnogi gan bolisi cynllunio cenedlaethol na lleol.

### **Gofynion Nodweddion Corfforol:**

Dylid sicrhau bod tai fforddiadwy yn darparu ar gyfer anghenion lleol gwirioneddol a'u bod yn fforddiadwy am byth. Dylai tai fforddiadwy fod wedi'u cynllunio'n dda ac o raddfa briodol. Rhaid i bob tŷ fforddiadwy fodloni safonau ansawdd datblygu Llywodraeth Cymru a nodir o dan Creu Cartrefi a Lleoedd Hardd.

Mae'r arwynebedd llawr net lleiaf ac uchafswm ar gyfer cartref fforddiadwy wedi'i nodi yn atodiad 4 o Daflenni Cymorth SPG Tai Fforddiadwy (gweler tudalen 10). Y safon uchaf yw 137 metr sgwâr. Mae gan yr annedd arfaethedig arwynebedd llawr mewnol o 270 metr sgwâr sy'n sylweddol uwch na'r safon a argymhellir. Mae'r raddfa yn ormodol a byddai'n golygu na fyddai'r annedd yn diwallu angen tai fforddiadwy gwirioneddol am byth. Cysylltwyd â'r asiant yn gofyn am gynlluniau diwygiedig i leihau maint yr annedd i 137 metr sgwâr ond ni dderbyniwyd ymateb.

### **Dylunio a Thirwedd**

Mae Polisi CDLI DM06 yn ceisio sicrhau bod datblygiadau yn cael sylw llawn ac yn cyfrannu'n gadarnhaol at gyd-destun ei leoliad a'i amgylchedd cwmpasog. Mae'n darparu rhestr o feini prawf y dylai datblygiad eu cynnwys er mwyn cyflawni egwyddorion dylunio a chreu lleoedd o ansawdd uchel. Ar ben hynny, mae Polisi CDLI DM17 yn caniatáu datblygiad nad yw'n cael effaith andwyol sylweddol ar gymeriad arbennig a rhinweddau'r dirwedd gyffredinol.

Nid oes unrhyw wrthwynebiadau penodol i ddyluniad a deunyddiau'r annedd arfaethedig, fodd bynnag, codir gwrthwynebiadau i raddfa'r annedd. Er nad oes unrhyw fanylion am driniaeth ffiniau, na chyflwynwyd cynllun tirlunio manwl, gellir ymdrin â'r rhain drwy amodau cynllunio os oedd caniatâd ar ddod.

Bydd adeilad newydd o fewn y lleoliad cefn gwlad agored hwn yn cael effaith andwyol sylweddol ar gymeriad gwledig y dirwedd leol. Felly, ni ystyrir bod y datblygiad arfaethedig yn cyfrannu'n gadarnhaol at ei gyd-destun, a bydd yn niweidio nodweddion arbennig y dirwedd yn sylweddol, yn groes i Bolisïau CDLI DM06 a DM17.

### **Amwynder Preswyl**

Mae un annedd ar naill ochr y cae, ond ni ystyrir bod y datblygiad arfaethedig yn cael effaith andwyol ar eu mwynder o ran sŵn, goroddef, cysgodi neu golli preifatrwydd, o ystyried natur datblygiad a'r pellter gwahanu.

### **Priffyrdd**

Nid yw'r awdurdod priffyrdd lleol wedi codi unrhyw wrthwynebiadau yn ddibynol ar amodau.

### **Draenio Tir**

Mae draenio tir y Cyngor wedi dweud y dylai fod angen rhagor o wybodaeth. Fodd bynnag, bydd y datblygiad yn gofyn am gymeradwyaeth SuDS gan SAB y Cyngor, felly gellir ymdrin â dŵr wyneb yn foddhaol gan y SAB.

### **Ecoleg**

Mae'r safle wedi'i leoli o fewn dalgyloch Ardal Cadwraeth Arbennig (ACA) Afon Teifi sy'n methu ei thargedau ar gyfer ffosffadau. O ganlyniad, bydd angen cynnal Asesiad Rheoliadau Cynefinoedd (ARhC) o dan reoliadau 63 o Reoliadau Gwarchod Cynefinoedd a Rhywogaethau 2017. Nid oes digon o wybodaeth wedi'i chyflwyno gyda'r cais ar hyn o bryd i alluogi cynnal ARhC. Bydd angen rhagor o wybodaeth am y system trin carthffosiaeth breifat arfaethedig, er mwyn sicrhau ei bod yn cwrdd â holl feini prawf a nodir yng Nghanllaw Cyfoeth Naturiol Cymru. Nodir bod dau ollyngiad cofrestredig i'r ddaear o fewn 200m i'r safle arfaethedig.

Nid oes asesiad ecolegol wedi ei gyflwyno fel rhan o'r cais. Mae'r safle wedi ei leoli mewn lleoliad gwledig ar yr hyn sy'n ymddangos yn laswelltir wedi'i wella. Mae'r hyn sy'n ymddangos yn glawdd cyflawn sy'n gyfoethog o rywogaethau ar hyd ochr y ffordd, a bydd angen tynnu rhan o'r clawdd i lawr er mwyn darparu'r llain welededd angenrheidiol. Mae'n angenrheidiol felly bod gwybodaeth bellach yn cael ei chyflwyno er mwyn caniatáu i'r ACLI asesu effeithiau'r datblygiad arfaethedig ar fioamrywiaeth a bod angen cynnal arolwg o'r clawdd cyn gwneud penderfyniad i asesu'r effeithiau posibl ar rywogaethau â blaenoriaeth.

Felly, nid oes digon o wybodaeth wedi'i chyflwyno i alluogi'r ACLI i asesu effeithiau'r datblygiad arfaethedig mewn perthynas â'r clawdd ar ochr y ffordd. Mae angen cyflwyno rhagor o wybodaeth ecolegol cyn penderfynu ar y cais.

### **ARGYMHELLIAD:**

Argymhellir y dylid gwrthod y cais am y rhesymau canlynol::

1. Byddai'r cais yn arwain at annedd fforddiadwy newydd o fewn cefn gwlad agored anghyfiawn a lleoliad anghynaliadwy yn groes i'r polisi cynllunio cenedlaethol a nodir yng Nghymru'r Dyfodol: cynllun cenedlaethol 2040, Polisi Cynllunio Cymru a Nodyn Cyngor Technegol (TAN) 2: Cynllunio a Thai Fforddiadwy (2006) a'r Cynllun Datblygu Lleol mabwysiedig, polisïau S01 ac S04.
2. Byddai'r datblygiad arfaethedig yn niweidiol i gymeriad gwledig ac ymddangosiad yr ardal gyfagos, yn groes i'r Cynllun Datblygu Lleol mabwysiedig, polisïau DM06 a DM17.
3. Mae graddfa'r annedd arfaethedig yn methu â chwrdd â safonau ansawdd datblygu Llywodraeth Cymru a nodir o dan Creu Cartrefi a Lleoedd Hardd a fyddai'n golygu na fyddai'r annedd yn diwallu angen gwirioneddol am dai fforddiadwy am byth.
4. Nid oes digon o wybodaeth wedi'i chyflwyno mewn perthynas â draeniad carthffosiaeth ac felly ni fu'n bosibl cynnal Asesiad Rheoliadau Cynefinoedd.
5. Nid oes digon o wybodaeth wedi'i chyflwyno mewn perthynas â'r clawdd ar ochr y ffordd o ran ecoleg, ac felly nid yw effaith tynnu rhan o'r clawdd i lawr a mesurau lliniaru priodol wedi eu hadnabod.

### **Rhesymau dros gyfeirio at y Pwyllgor Rheoli Datblygu**

Mae'r cais yn cael ei adrodd i'r Pwyllgor Rheoli Datblygu o dan Ran 2, a54 o Gynllun Dirprwyo Cyngor gan fod y cais yn cael ei gyflwyno ar ran cyswllt personol agos Aelod Etholedig o'r Cyngor.



<b>Rhif y Cais / Application Reference</b>	A230612
<b>Derbyniwyd / Received</b>	21-08-2023
<b>Y Bwriad / Proposal</b>	Erection of dwelling
<b>Lleoliad Safle / Site Location</b>	Land On Bron Y Glyn Glynarthen, Llandysul, SA44 6PS
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr and Miss A and B James and Jones, Bron Y Glyn, Glynarthen, Llandysul, Ceredigion, SA44 6PS
<b>Asiant / Agent</b>	Mr Robert Thomas (Thomas Login Architecture), Plas Y Berllan, Ffostrasol, Llandysul, Ceredigion, SA44 4TE

## THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to an agricultural field, within a remote, open countryside location, approximately 0.5 miles to the north of the hamlet of Felin-Wnda. The fields forms part of Bron y Glyn farm, which is located approximately 0.4 miles to the north. There is one residential property to the north of the site and one to the south. Otherwise, the site is bounded by agricultural fields.

A planning application for the development of the site for the erection of an affordable dwelling was submitted to the LPA in March 2018. The application was submitted by the applicant's brother, however it was subsequently withdrawn (A180270).

There are no other planning history relating to the site.

## DETAILS OF DEVELOPMENT

The application seeks full planning permission for the erection of an affordable dwelling. The dwelling is proposed to be positioned within the north-west corner of the field, adjacent to the road, with a new access created directly from the road. It sits slightly back from the roadside boundary to provide access and parking area to the front, with a relatively large garden area to its sides and rear, which is laid with grass. The dwelling itself is two storey, with a single front gable projection, and a 1 and a half storey garage to the side. A flat roof single storey extension is included to the rear. The dwelling measures a total length of 17.35 metres, a total width of (including the single storey section to the rear) 14.29 metres and an overall height of 9.1 metres. The total internal floor area is 270 square metres.

In terms of materials, the roof will be natural stone tiles, the walls will be painted roughcast render, with natural stone to the front gable projection and brick plinths, the windows and doors will be either upvc or aluminium composite in anthracite grey.

Internally, the ground floor provides a large kitchen dining, study/office, play room/guest room, living room, 2 x WC, and utility room, with attached garage. The first floor provides 4 bedrooms, bathroom, walk in dressing room and en-suite.

Surface water will be dealt with by sustainable drainage system and soakaways.

Foul Sewage will be dealt with by septic tank and package treatment plan. An email has been sent to the agent to seek clarification, however no response has been received.

No details of boundary treatment and landscaping have been submitted.

## RELEVANT PLANNING POLICIES AND GUIDANCE

### Relevant National Planning Policy

- Future Wales: the national plan 2040
- PPW Planning Policy Wales (edition 11, February 2021)
- TAN2 Planning and Affordable Housing (2006)
- TAN5 Nature Conservation and Planning (2009)

### 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
- S05 Affordable Housing

- LU02 Requirements Regarding All Residential Developments
- LU05 Securing the Delivery of Housing Development
- DM03 Sustainable Travel
- DM04 Sustainable Travel Infrastructure as a Material Consideration
- 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
- DM20 Protection of Trees| Hedgerows and Woodlands

Relevant adopted Supplementary Planning Guidances:

- Affordable Housing - Sept 2014
- Affordable Housing SPG Help Sheets
- Guidance Sheet: Evidence Need for Affordable Housing and Qualifying Criteria.
- Nature Conservation SPG - Jan 2015
- Built Environment and Design - Jan 2015
- CCC Parking Standards SPG - Jan 2015

## **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**

- **Penbryn Community Council** - The unanimous opinion of the members was that the application should be approved. It is difficult for local people to live and find homes in their local area. We encourage the Council to approve this application for the benefit of the local community and to provide services for the residents
- **Planning Ecologist** - Further information required
- **Local Highway Authority** - Recommended conditions
- **Land Drainage** - SuDS approval required
- **Natural Resources Wales** - Concern - site within river Teifi SAC catchment area and will result in increase phosphates. LPA to undertake HRA
- **Dwr Cymru Welsh Water** - No comments

One representations has been received from a third party, noting the following, in summary:

- question the specification and need for this type of dwelling
- dwelling not affordable in terms of price
- increased strain on an already overstretched mains water supply
- 6 properties available within 5 miles of Glynarthen for up to £200k, including a new build and an Affordable Home
- more than 12 properties available within 5 miles of Glynarthen for up to £230k
- Property prices have dropped by 5.3% and forecasted to continue to fall through 2023/4 which will make more properties affordable going forward
- Alternative site near to the farm suggested as being more suitable

## **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 development plan for Ceredigion consists of Future Wales: The National Plan 2040 (Future Wales) and the Ceredigion Local Development Plan 2007-2022 (LDP). A Strategic Development Plan (SDP) has not been adopted for the Mid Wales region as the requirement for one is relatively new.

In line with the Planning and Compulsory Purchase Act 2004, should a policy in Future Wales conflict with a policy within the Ceredigion LDP, then the conflict should be resolved in favour of the Policy contained within Future Wales. This is due to Future Wales being the latest document to become part of the development plan.

## **Principle of Development**

Future Wales' Spatial Strategy directs development to National and Regional Growth Areas in order to channel development pressures away from the open countryside. There are five Regional Growth Areas in Mid Wales and development in these areas should meet the housing, economic and social needs of the region. Two of the five Regional Growth Areas are located within Ceredigion. These are Aberystwyth, Cardigan, Lampeter, Llandysul and Newcastle Emlyn (Adpar). Accordingly, development should be directed to these settlements.

It is imperative that development in rural areas is sustainable if it is to accord with Future Wales and meet the statutory function of the planning system. Policy 4 of Future Wales defines thriving, resilient and sustainable rural settlements as those 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. Different uses should be situated within close proximity to each other to create vibrant active places where people can walk and cycle and are less reliant on cars. It should be ensured that any additional rural housing development takes place in towns and villages which embody Future Wales' vision of a sustainable rural settlement.

The application site lies within 'other locations' as identified within the adopted Local Development Plan (LDP) 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. This planning application is for an affordable dwelling, and is not being applied for as a rural enterprise dwelling under TAN 6. The Affordable Housing Statement submitted as part of the application states that the applicants help out at the family farm, however the application is not for a TAN 6 dwelling and therefore no weight can be given to this as part of the determination of the application.

The Policy also 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. Whilst PPW has since been updated, paragraph 3.56 continues to require development in the countryside to be located within and adjoining settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscaping conservation, and 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.

The application site lies within a remote, open countryside location, and is nowhere near an existing settlement. It does not there constitute infilling or minor extension to an existing settlement. It is surrounded by agricultural fields, with isolated dwellings and farmsteads, which are sporadically located, and do not form a group, cluster, nor a settlement. Felin Wnda lies approximately 0.5 miles to the south, however this a small rural hamlet, and not a settlement. The village of Glynarthen is located approximately 1.2 miles away, and is not identified as a settlement within the LDP. The nearest settlement, as identified within the LDP, is Rhyd Lewis which is 2.2 miles away and has limited services and facilities. Brynhoffnant is located

approximately 2.6 miles away and offers some services and facilities. The settlements are too far away to reach by foot, and there are also no continuous pavements to allow for safe walking. 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.

In terms of affordable housing need, the AH Statement states that a search on Rightmove (July 2023) shows that there is a general shortage of new properties up to a value of £200,000 (applicant's budget) and no affordable properties within 3 miles of the application site. It states that there was one bungalow available in Pentregat at £225,000 but is too far from the farm. The AH Statement states that a search of 5 miles radius show that there are a number of properties over £200,000 with limited number below this price.

The LPA has undertaken its own search online (Rightmove (October 2023)), which shows that there are 8 properties on the market within a 5 mile radius of the application site up to the value of £200,000, and this includes two new build affordable dwellings - one in Blaenporth and one in Plwmp. Broadening the search area to 10 miles within the application site, revealed a large number of properties currently on the market.

In terms of the applicant's budget of £200,000, the proposed dwelling has an overall internal floor area of 270 square metres. With reference to the Council's standard build rate of £1468.62, the dwelling would cost approximately £397,000 to build, excluding any other additional costs such as infrastructure and service costs. This is also on the basis that the applicants are gifted the land. Even if the build rate is reduced to say £1000, it would still cost at least £270,000 to build. Based on this, it is considered reasonable to consider that the applicants are not in an affordable housing need, and would be able to afford a dwelling on the open market.

There is no reason why the applicants need to reside at this location, other than a desire to live close to the farm. Whilst the LPA are supportive of local people staying and wanting to live local, broadening the search area to 10 miles continues to allow the applicants to live local and contribute to the local economy in the same way - even more so if living within an existing settlement adjacent to existing services and facilities, as opposed to living in the middle of nowhere. It would also allow the applicants to live close to the farm to help out as they require. The applicant is not employed at the farm, and the application is not for a TAN 6, therefore there is no functional reason to live within immediate proximity to the farm. If there is a requirement for an additional person to live within immediate proximity to the farm due to operational needs of the farm, then an application for a TAN 6 dwelling should be made instead.

Notwithstanding this, even if a need was demonstrated, this does not override the fact that an affordable dwelling in this open countryside and unsustainable, location is not supported by both national and local planning policy.

### **Physical Characteristics Requirements:**

It should be ensured that affordable housing provides for genuine local needs and is affordable in perpetuity. Affordable housing should be well designed and of an appropriate scale. All affordable housing must meet the Welsh Government's development quality standards set out under Creating Beautiful Homes and Places.

The minimum and maximum net floor area for an affordable home is set out within appendix 4 of the Affordable Housing SPG Help Sheets (see page 10). The absolute maximum standard is 137sq.m. The proposed dwelling has a total internal floor area of 270 square metres which is significantly above the recommended standard. The scale is excessive and would mean that the dwelling would not meet a genuine affordable housing need in perpetuity.

### **Design and Landscape**

LDP Policy DM06 seeks to ensure that developments have full regard and positively contribute to the context of its location and surroundings. It provides a list of criteria that development should include in order to achieve high quality design and placemaking principles. Furthermore, LDP Policy DM17 only permits development that does not have a significant adverse effect on the special character and qualities of the general landscape.

There are no specific objections to the design and materials of the proposed dwelling, however objections are raised to the scale of the dwelling. Whilst no details of boundary treatment, nor a detailed landscaping plan has been submitted, these can be dealt with by planning conditions if permission was to be forthcoming.

A new build dwelling within this open countryside location will have a significant detrimental impact on the rural character of the local landscape. The proposed development is not therefore considered to contribute positively to its context, and will significantly harm the special qualities of the landscape, contrary to LDP Policies DM06 and DM17.

### **Residential Amenity**

There is a single dwelling on the either side of the field, however the proposed development is not considered to have an adverse impact on their amenity in terms of noise, overbearing, overshadowing or loss of privacy, given the nature of development and the separation distance.

### **Highways**

The local highway authority has raised no objections subject to conditions.

### **Land Drainage**

The Council's Land Drainage has advised that further information should be required. However, the development will require SuDS approval from the Council's SAB, therefore surface water can be satisfactorily dealt with by the SAB.

### **Ecology**

The site is located within the catchment area of the Afon Teifi Special Area of Conservation (SAC) which is failing its targets for phosphates. As a result, a Habitats Regulations Assessment will need to be carried out under regulations 63 of the Conservation of Habitats and Species Regulations 2017. There is currently insufficient information submitted with the application to enable a HRA to be undertaken. Further information regarding the proposed private sewage treatment system will be required, to ensure it meets all the criteria set out in NRW Guidance. It is noted that there are two registered discharges to ground within 200m of the proposed site.

No ecological assessment has been submitted as part of the application. The site is located in a rural location on what appears to be improved grassland. There is what appears to be species rich intact hedgerow along the roadside, a section of hedgerow will need to be removed to provide the required visibility splay. It is therefore necessary that further information is submitted to allow the LPA to assess the impacts of the proposed development to biodiversity and that a hedgerow survey is required to be undertaken prior to determination to assess the potential impacts on priority species.

Therefore, insufficient information has been submitted to enable the LPA to assess the impacts of the proposed development with regard to the roadside hedgerow. Further ecological information is required to be submitted prior to determination of the application.

### **RECOMMENDATION:**

The application is recommended for refusal for the following reasons:

1. The application would result in a new affordable dwelling within an unjustified open countryside and unsustainable location contrary to national planning policy set out within Future Wales: the national plan 2040, Planning Policy Wales and Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006) and the adopted Local Development Plan, policies S01 and S04.
2. The proposed development would be detrimental to the rural character and appearance of the surrounding area, contrary to the adopted Local Development Plan, policies DM06 and DM17.
3. The scale of the proposed dwelling fails to meet the Welsh Government's development quality standards set out under Creating Beautiful Homes and Places which would mean that the dwelling would not meet a genuine affordable housing need in perpetuity.
4. Insufficient information has been submitted in relation to foul drainage and therefore it has not been possible to undertake a Habitats Regulations Assessment.
5. Insufficient information has been submitted in relation to the roadside hedgerow with regards to ecology, and therefore the impact of the removal of part of the hedgerow and appropriate mitigation has not been identified.

### **Reasons for referring to the Development Management Committee**

The application is being reported to the Development Management Committee under Part 2, s54 of the Council's Scheme of Delegation as the application is submitted on behalf of a close personal associate of a service Elected Member of the Council.

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## 3. Diprwydedig/Delegated

05-10-2023 - 01-11-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
1	A210134	(The Jacob Trust)	Retention of conversion of barn to tourism accommodation.	Gwarnant, Cwrtnewydd, Llanybydder. SA40 9YN	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-10-2023
2	A210483	Mr and Mrs Wyn & Ann Thomas	Retention of extension to existing agricultural building for the purpose of Licenced Dog Breeding use and the proposed further extension to side to form outdoor/undercover dog runs and three no. stables and the change of use of the existing agricultural building for use in connection with both dog breeding and horses. Also the retention of the extended yard and hardstanding to the East of the building described above.	Clos Glas, Coed Y Bryn, Llandysul, SA44 5LS	Caniatawyd gydag Amodau / Approved Subject to Conditions	05-10-2023
3	A220113	Mr and Mrs D & L Berner & Cole	Proposed change of use of land adjacent Rhosymaen into leisure use consisting of 4No glamping pods, lake and track/parking area.	Rhosmaen, Bethania, Llanon. SY23 5NW	Gwrthodwyd / Refused	31-10-2023
4	A220276	Mr T Davies (Caerfelin Leisure Park Limited)	Retrospective Planning Application for The Ground Investigations and Engineering Works in Order to Stabilise the Land at The Site and The Erection of a Retaining Wall	Caerfelin Leisure Park, Ffordd Ysgolig, Aberporth. SA43 2BZ	Caniatawyd gydag Amodau / Approved Subject to Conditions	26-10-2023
5	A220315	Mr Barry Davies	Erection of a dwelling	Land adj 10 Maes Pedrog, Ferwig, Cardigan, SA43 1PX	Gwrthodwyd / Refused	20-10-2023
6	A220580	Mr Charles George	Re-submission of A030150 (2003) for the conversion of former mill into ancillary building to be used in conjunction with the main dwelling	Glanyrafon, Ponterwyd, Aberystwyth. SY23 3JS	Caniatawyd gydag Amodau / Approved Subject to Conditions	01-11-2023
7	A220751	Mr and Mrs G & E Jones	Proposed new dwelling.	Land opposite Tynllwyn, Llanddewi Brefi, SY25 6NY	Gwrthodwyd / Refused	12-10-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
8	A220794	Mrs D Spratt	Conversion, change of use to include the erection of a modest extension to the side of an existing detached garage and storage building into a unit of self-contained holiday accommodation	Detached garage opposite Bryn view, Cwrtnewydd, Llanybydder, SA40 9YL	Caniatawyd gydag Amodau / Approved Subject to Conditions	31-10-2023
9	A220818	Mr and Mrs Homer	Erection of a replacement dwelling and associated works (revised proposal) to extant permission of outline planning application [A200181] & the reserved matters application [A220265]	Land on the North-West side of Llanerch Dyfi, Tre'r Ddol, Machynlleth. SY20 8QD	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	31-10-2023
10	A220843	Mr Griffiths (Common Junction Sidings)	Erection of two residential dwellings.	Pilot Place Garage, Pilot Lane, New Quay. SA45 9QR	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	13-10-2023
11	A220890	Mr and Mrs D & F Woodley	Retention of Use of former Holiday-Let Accommodation as a Residential Dwellinghouse	Cwmtegyrd, Capel Dewi, Llandysul. SA44 4PG	Tynnwyd yn ôl / Withdrawn	11-10-2023
12	A230018	S & A Bleach	Proposed erection of 2 affordable dwellings	Land adj. to Roselee Cottage, Bryngwenith, Henllan, SA44 5TY	Gwrthodwyd / Refused	26-10-2023
13	A230108	Mr Hugh Williams	Proposed rural enterprise dwelling.	Maenelin Uchaf, Llanddeiniol, Aberystwyth, SY23 5AR	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	12-10-2023
14	A230201	Mr M Davies	Slurry pit.	Hafod Farm, Ferwig, Cardigan, SA43 1PU	Caniatawyd gydag Amodau / Approved Subject to Conditions	31-10-2023
15	A230208	Mrs M E Davies	General repairs and renovation, replacement of rotten modern style windows, flat roof repairs and replacement of missing and or UPVC rainwater goods in cast iron.	Bryneithin, Llanfarian, Aberystwyth, Ceredigion, SY23 4UJ	Caniatâd wedi ei roi / Consent Granted	20-10-2023



#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
16	A230256	Mr Alistair Hughes	Proposed conversion of existing redundant attached stone barn as an extension to the dwelling, along with the renovation and alterations to the farm house itself including construction of a new small lean-to porch. With some demolition. Also conversion and extension of garage to store with Solar PV panels on roof.	Cefngarthenor, Tregaron. SY23 6UP	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-10-2023
17	A230318	Mr and Mrs A Lewis	Proposed detached dwelling with garage and associated works together with relocation of northern boundary (infill/Plot 1).	Land/plot North of Trewern, Felinfach, Lampeter, SA48 7PG	Gwrthodwyd / Refused	20-10-2023
18	A230331	B D & M H Parry (B D & MH Parry & Son)	Construction of slurry storage tank and associated ground works	Blaenborthyn, Maesycrugiau, SA39 9LU	Caniatawyd gydag Amodau / Approved Subject to Conditions	09-10-2023
19	A230335	Mr Dean James	Rearrange the interior, replace old roof and extended roof level.	The Nook, Aberporth, Cardigan. SA43 2BX	Caniatawyd gydag Amodau / Approved Subject to Conditions	31-10-2023
20	A230338	Mr Ian Roberts	Proposed lawful development certificate for ancillary accommodation and connect to existing sewerage system.	Felincwm, Pennant, Llanon. SY23 5JW	Gwrthodwyd / Refused	20-10-2023
21	A230361	Mr Marlais Davies	Outline planning consent for six dwellings and associated works.	Plots adj. Heol y Felin, Penparc, SA43 1RH	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	12-10-2023
22	A230366	Mr Frank Reynolds (Frank Reynolds Architects)	Repair only of existing barns and removal of unoriginal lean-to buildings	Drefaes Uchaf, Bethania, Llonon. SY23 5NJ	Caniatâd wedi ei roi / Consent Granted	05-10-2023
23	A230379	Mr Gwyn Lewis	Discharge of condition 7 of planning permission - A230147 - Water Drainage Plan	Brynieithin, Lewis Coaches, From The A487t To The End Of The Road, Llanrhystud, SY23 5DN	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	10-10-2023
24	A230383	Mr David Brian Evans	Erection of a dormer bungalow	Plot of land between Llawnfynny and Tangnefedd, Maenygroes, New Quay, SA45 9TR	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	12-10-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
25	A230398	Martin Fox	Partial demolition of and extension to existing domestic garage & workshop space and associated works.	Penybwloch, C1003 From The Entrance Of Clyn Yr Ynys To The Junction Of The C1120, Y Ferwig, Cardigan, Ceredigion, SA43 1QA	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-10-2023
26	A230420	Mr Ben Hampton	Discharge of condition 12 from planning permission A190692 (landscaping scheme)	Zefyr House, Plwmp, SA44 6HS	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	20-10-2023
27	A230428	Mr D Evans (Cartrefi Dyfed Homes Ltd)	Removal of rear conservatory, erection of new single storey extension and cladding of existing dwelling with external wall insulation and render.	Crossways, cross Inn, Llanon, SY23 5NB	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-10-2023
28	A230429	Miss L Phillips	Proposed glamping pods to include formation of parking area and passing place	The White House, Penrhiw Pistyll Lane, New Quay. SA45 9TQ	Gwrthodwyd / Refused	20-10-2023
29	A230450	Tim Ellaway	Extension to the front of the property at ground floor and 1st floor. Extension of the rear dormer.	32 Maeshendre, Waunfawr, Aberystwyth, Ceredigion, SY23 3PR	Tynnwyd yn ôl / Withdrawn	31-10-2023
30	A230452	Mr and Mrs D Cross	Proposed first floor extension, improvements, alterations and associated works	46 Dolhelyg, Penrhyncoch, SY23 3GZ	Caniatawyd gydag Amodau / Approved Subject to Conditions	30-10-2023
31	A230453	Mr J Karas	Works to Vicarage involve removal of boiler and concrete slab, repairing lime render and tiling in cellar. Opening up existing fireplace and installing new flue liner wood burner and surround. Conversion of wood store to accommodate new boiler and fuel store. Refurbishment and repair of Coach house to provide workshop / studio / storage areas with new wc.	Elerch Vicarage, Bontgoch, Talybont, SY24 5DP	Caniatawyd gydag Amodau / Approved Subject to Conditions	06-10-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
32	A230454	Mr J Karas	Works to Vicarage involve removal of boiler and concrete slab, repairing lime render and tiling in cellar. Opening up existing fireplace and installing new flue liner wood burner and surround. Conversion of wood store to accommodate new boiler and fuel store. Refurbishment and repair of Coach house to provide workshop / studio / storage areas with new wc.	Elerch Vicarage, Bontgoch, Talybont, SY24 5DP	Caniatâd wedi ei roi / Consent Granted	06-10-2023
33	A230466	Mr M Cronin	Internal and external renovations and alterations to include demolition of rear extension.	Glanrhos, Llanafan, Aberystwyth, SY23 4BG	Caniatâd wedi ei roi / Consent Granted	17-10-2023
34	A230489	Mr Alan Davies	Proposed retrospective planning for as built ground floor extension and approval for proposed first floor extension.	43 Rhyd-y-Bont, Penparcau, Aberystwyth. SY23 1SR	Caniatawyd gydag Amodau / Approved Subject to Conditions	26-10-2023
35	A230495	Mr J Lynch	Discharge condition 9 of planning permission A180613 - details of composting WC's	Manorafon, Sarnau, Llandysul, Ceredigion, SA44 6QH	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	30-10-2023
36	A230496	Mr J Lynch	Discharge condition 10 of planning permission A180613 - Foul water disposal system	Manorafon, Sarnau, Llandysul, Ceredigion, SA44 6QH	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	30-10-2023
37	A230507	Mr M Roberts	Disabled adaptations to include internal alterations, garage for disabled embark-disembark to car, kitchen and level access to front elevation, create level/ wheelchair access around the property and associated works	Gerylli, Gwbert, Cardigan. SA43 1PR	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-10-2023
38	A230509	Mr and Mrs Griffiths	Conversion of existing derelict mill into 2no units of holiday accommodation.	Wenallt Cottage, Llanafan, Aberystwyth. SY23 4AX	Caniatawyd gydag Amodau / Approved Subject to Conditions	06-10-2023
39	A230510	Mr Richard Wells	Installation of solar panels to rear slope of no's.34 and 36 Pier Streets main range roof and roof of rear two-storey extension to no.34 Pier St.	Cafe, 34 Pier Street, Aberystwyth. SY23 2LN	Caniatawyd gydag Amodau / Approved Subject to Conditions	27-10-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
40	A230511	Mr Richard Wells	Installation of solar panels to rear slope of no's.34 and 36 Pier St's main range roof and roof of rear two-storey extension to no.34 Pier St.	Cafe, 34 Pier Street, Aberystwyth. SY23 2LN	Caniatâd wedi ei roi / Consent Granted	27-10-2023
41	A230530	Mr and Mrs G Howells	Extension to dwelling	Cae Barcud, Llanwenog, Llanybydder. SA40 9UU	Caniatawyd gydag Amodau / Approved Subject to Conditions	09-10-2023
42	A230535	Mr Ian Jones (Rheidol Properties)	Discharge condition 16 of planning permission A220853 - Construction Environmental Management Plan	Land adjacent to Brynteg Primrose Hill, Llanbadarn Fawr, Aberystwyth, Ceredigion, SY23 3AT	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	10-10-2023
43	A230543	Mr & Mrs Reg & Corinne Stewart & Family	Amend/delete conditions 12, 13 and 14 of planning permission A100387 relating to holiday occupation	Arfryn, Oakford, Llanarth, Ceredigion, SA47 0RP	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-10-2023
44	A230548	Mr Barry Lloyd	To use a static caravan for family when visiting Wales, also to use when lambing / harvesting should we need additional help. No services are currently connected to the static but I wish to install all services to it.	Bryngwilym, Horeb, Llandysul. SA44 4JL	Caniatâd ddim ei angen / Permission not required	12-10-2023
45	A230551	Ms Heather Ellis Jones	Proposed new build to be used as holiday let at existing Guest House, Yr Hen Ficerdy, Capel Bangor, Aberystwyth.	Old Vicarage, Capel Bangor, Aberystwyth. SY23 3LZ	Caniatawyd gydag Amodau / Approved Subject to Conditions	27-10-2023
46	A230557	Mrs Lamorna Jayne Payne	Proposed double garage and summer house to include change of use of Agricultural land to be included within the domestic curtilage.	Lleifior Fawr, Llangwryfon, Aberystwyth. SY23 4HD	Caniatawyd gydag Amodau / Approved Subject to Conditions	13-10-2023
47	A230562	(Cornerstone)	Lattice tower, equipment cabinets and ancillary equipment to be installed	Land At Heol Feinog Rhydowen, Llandysul, Ceredigion, SA44 4UD	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	05-10-2023
48	A230564	Bryn & Sian Williams	Extension to dwelling inc. removal of existing upvc/glass conservatory.	Rhandir, A475 From The Junction Of The C1033 To Cwmsychpant, Cwmsychpant, Llanybydder, Ceredigion, SA40 9XJ	Caniatawyd gydag Amodau / Approved Subject to Conditions	25-10-2023
49	A230576	Mrs Tracy Kirtley	Proposed change of use of two lorry backs into 1.no holiday let to include changes to existing vehicular access and parking area	Penparc, Dihewyd, Lampeter. SA48 7PZ	Gwrthodwyd / Refused	20-10-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
50	A230579	Lyn & Eileen Rees	Erection of portal framed building for biomass boiler and associated works (Retrospective)	Tanrhos, Cwrtnewydd, Llanybydder. SA40 9YN	Caniatawyd gydag Amodau / Approved Subject to Conditions	11-10-2023
51	A230585	Dr Helen Miles	Construction of a single storey porch/conservatory on the principal elevation.	Brynywawr, U1047 From The Junction Of The A487-t To The Junction Of The C1133 Known As Church Road, Talybont, Ceredigion, SY24 5HJ	Caniatawyd gydag Amodau / Approved Subject to Conditions	13-10-2023
52	A230586	Mr Tim Wyatt	Parcau Isaf, Llanarth SA47 0QW occupied in breach of occupancy condition on planning permission D1/806/78 for more than 10 years.	Parcau Isaf, Llanarth. SA47 0QW	Tynnwyd yn ôl / Withdrawn	09-10-2023
53	A230587	J Jones (Natural Resources Wales)	Extension to existing visitors centre to create additional kitchen storage space.	Bwlch Nant Yr Arian Visitor Centre Ponterwyd, SY23 3AD	Caniatawyd gydag Amodau / Approved Subject to Conditions	05-10-2023
54	A230588	(DB & DR Jones)	Erection of portal framed building for a biomass boiler and associated works	Llanfair Fach, Lampeter. SA48 8JZ	Caniatawyd gydag Amodau / Approved Subject to Conditions	10-10-2023
55	A230600	Mr and Mrs A and S Walton (Tynrhos Camping and Fishing Limited)	Use of outbuilding as holiday let (Retrospective)	Tynrhos, Cilcennin, Lampeter. SA48 8RP	Caniatawyd gydag Amodau / Approved Subject to Conditions	06-10-2023
56	A230606	Mr and Mrs John Barry	Proposed change of use of redundant chapel into a gymnasium. Works to include formation of a new car park along with a new entrance foyer and sanitary accommodation within a single storey extension.	Gosen Chapel, Rhydyfelin, Aberystwyth. SY23 4PY	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-10-2023
57	A230610	Mrs Jayne Jones	Proposed replacement dwelling to include demolition of existing dwelling and installation of package treatment plant	Penybanc, Llandre, Bow Street, SY24 5AQ	Gwrthodwyd / Refused	19-10-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
58	A230613	Miss Meleri Morgan	Proposed renovation of existing dwelling and extension to side by change of use of existing attached outbuilding, as well as replacement front porch.	Brynawel, B4576 Bwlchllan, Lampeter, Ceredigion, SA48 8QQ	Caniatawyd gydag Amodau / Approved Subject to Conditions	13-10-2023
59	A230615	(Freshwave Facilities Limited)	Erection of a 22.5m monopole supporting 6 no. antenna apertures reaching a maximum height of 23.14m, with ancillary development thereto.	Quay West Holiday Park Holiday Camp (private), New Quay, Ceredigion, SA45 9SE	Tynnwyd yn ôl / Withdrawn	18-10-2023
60	A230616	Colin Owen	Demolition of existing garage, erection of ground floor granny annex with first floor bedroom, bathroom, and study above and associated works.	Hafan Cnwc Y Dintir, Cardigan, Ceredigion, SA43 1AW	Caniatawyd gydag Amodau / Approved Subject to Conditions	31-10-2023
61	A230620	(British Telecom plc)	Creation of secure storage compound to the yard of Cardigan Telephone exchange site. The compound will include 2Nr 3m storage containers that will house equipment and materials in support of the local telecoms infrastructure network.	Cardigan Telephone Exchange Finch Square, Pont Y Cleifion, Cardigan, SA43 1BS	Caniatawyd gydag Amodau / Approved Subject to Conditions	18-10-2023
62	A230625	Mary-Ellen Harvey	Householder planning application for re-arrangement of existing ground floor plan and enlargement of roof to existing side and rear extension and associated landscape works.	Station House, B4340 Ystrad Meurig, Ystrad Meurig, Ceredigion, SY25 6AX	Caniatawyd gydag Amodau / Approved Subject to Conditions	24-10-2023
63	A230627	Mr W Jones	Conversion of Agricultural Barn to a TAN 6 Dwelling (Barn 1)	Maesglas, Soar y Mynydd, Tregaron. SY25 6NP	Tynnwyd yn ôl / Withdrawn	17-10-2023
64	A230630	Mr & Mrs Davies	Retrospective approval for conversion of adjoining building to additional living accommodation at Bwlchyblaen.	Bwlchyblaen U1352 From The Junction Of The U1377 To The Junction Of The U1375, Ponrhydygroes, Ystrad Meurig, Ceredigion, SY25 6DP	Caniatawyd gydag Amodau / Approved Subject to Conditions	25-10-2023
65	A230633	(Wales and West Housing Association)	Replacement windows and glazed screens, minor alteration to roof and provision of external insulation and render to Cysgod y Llan.	Cysgod y Llan, Church Street, Llandysul, SA44 4QS	Tynnwyd yn ôl / Withdrawn	18-10-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
66	A230634	A James and L Davies	Manege, stables and associated works to be used for hobby purposes only	Maes Y Dderwen, Penbontthydybeddau, Aberystwyth, Ceredigion, SY23 3EZ	Caniatawyd gydag Amodau / Approved Subject to Conditions	24-10-2023
67	A230635	A James and L Davies	Proposed garage	Maes Y Dderwen, Penbontthydybeddau, Aberystwyth, Ceredigion, SY23 3EZ	Dychwelwyd yn annilys / Returned Invalid	05-10-2023
68	A230639	Mr John Pearson (National Trust)	Display of signage	Hafod House, Pontrhydygroes, Ystrad Meurig, SY25 6DX	Caniatâd wedi ei roi / Consent Granted	24-10-2023
69	A230641	Ms Carolyn Merrifield (Purple Plaques)	Placing of an external ceramic purple plaque to commemorate Annie Hughes Griffiths on the front elevation	4 Laura Place, Aberystwyth. SY23 2AU	Caniatâd wedi ei roi / Consent Granted	24-10-2023
70	A230643	Mr Matthew Salter	Proposed Extension & Alterations to dwelling to include the demolition to the flat roof extension and installation of package treatment plant.	Glandwr, U1065 From The Junction Of The C1010 To The End Of The Road At A Property Known As Fron Deg, Penrhyncoch, Aberystwyth, Ceredigion, SY23 3EF	Caniatawyd gydag Amodau / Approved Subject to Conditions	25-10-2023
71	A230644	Darrel Jones	Discharge of condition 3 of planning permission - A230297 - Windows	Courtlands, 25 Queen's Road, Aberystwyth, Ceredigion, SY23 2HJ	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	01-11-2023
72	A230645	Mr L & L Wyatt	Discharge of condition 5 of planning permission - A230123 - Samples of brick & slate	Pantmochbach, Maesymeillion, Llandysul, Ceredigion, SA44 4NH	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	31-10-2023
73	A230646	Mr L & L Wyatt	Discharge of condition 6 of planning permission - A230123 - Photographic survey	Pantmochbach, Maesymeillion, Llandysul, Ceredigion, SA44 4NH	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	31-10-2023
74	A230659	Mr D Little (TJ Morris Limited)	Display of signage	Land At Bath House Road, Cardigan, Ceredigion, SA43 1JY	Caniatâd wedi ei roi / Consent Granted	31-10-2023
75	A230672	Mr Ben Hampton	Non material amendment to planning permission - A190692 - Landscape scheme	Zefyr House, C1105 From The Junctions Of The A487t To The Junction Of The U5120, Plwmp, Llandysul, Ceredigion, SA44 6HS	Caniatawyd / Approved	06-10-2023
76	A230678	E Jones-Bright (Natural Resources Wales)	A new top shelf stacking ramp adjacent to an existing forest road to allow for safe stacking of felled timber, off the forest track	Commercial forest block located to the East of Furnace, off A487 Machynlleth - Aberystwyth Road	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	13-10-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
77	A230679	RJ, LH & RJ Edwards (R J Edwards a'i Fab)	Extension to agricultural shed erected in 2021	Land at Banc Tynpynfarch, Bontgoch, Aberystwyth, SY23 3JG	Tynnwyd yn ôl / Withdrawn	20-10-2023
78	A230687	Mr J Owen	Erection of agricultural shed	Dinas Farm, Ponterwyd, Aberystwyth. SY23 3JY	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	13-10-2023
79	A230692	Mrs Karen Brooks	Discharge condition 4 of listed building consent A180604 - Method Statement and Scope of Works	Rhydyfelen, Llanarth. SA47 0QS	Gwrthodwyd / Refused	09-10-2023
80	A230698	Mr Daniel Phillips (Avison Young)	The demolition of the existing storage building and the change of use of land for the siting of two residential caravans.	Schooner Park, New Quay, SA45 9SG	Dychwelwyd yn annilys / Returned Invalid	25-10-2023
81	A230700	Mr Luke Baker (LEB Construction Ltd)	Amended Design with Smaller Footprint & Mono Pitch Roof.	Vacant Industrial Plot Glanyrafon Industrial Estate, Aberystwyth, SY23 3JQ	Caniatawyd / Approved	13-10-2023
82	A230702	Mr J O'Rourke (Prifysgol Aberystwyth University)	Discharge of Condition 15 of Planning Application A220924 - Sample of Materials.	Old College, King St, Aberystwyth & 1 & 2 New Promenade, Aberystwyth, Ceredigion, SY23 2BH	Amod(au) wedi'u rhyddhau yn rhannol / Condition(s) Partially Discharged	31-10-2023
83	A230734	Mr Ian Roberts	Proposed conversion of garage into dwelling and to connect to existing mains sewerage	Felincwm, Pennant, Llanon. SY23 5JW	Dychwelwyd / Returned	31-10-2023



## 4. Penderfyniadau Apeliadau/Appeal Decisions

05-10-2023 - 01-11-2023

#	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-02502-Z9G7N6	A211098	Mr and Mrs P Cowton	Against refusal of planning permission.	Dol Aur, Beulah, Newcastle Emlyn, SA38 9QB	Dismissed	16-10-2023

## 5. Apeliadau a Dderbyniwyd/Appeals Received

05-10-2023 - 01-11-2023

#	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-02820-T8L2Q9	A220511	Miss G Phillips	Called in	Lleine, Ferwig, Cardigan, SA43 1RU		



## Appeal Decision

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by Iwan Lloyd BA BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 16/10/2023

Appeal reference: CAS-02502-Z9G7N6

Site address: Dol Aur, Beulah Road, Beulah, SA38 9QB

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- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs Paul Cowton against the decision of Ceredigion County Council.
  - The application Ref A211098, dated 15 November 2021, was refused by notice dated 16 September 2022.
  - The development proposed is 'retrospective application for the change of use of first floor store to one holiday letting unit & surfacing of accessway'.
  - A site visit was made on 29 August 2023.
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### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs has been made by Mr & Mrs Paul Cowton against Ceredigion County Council. This application is the subject of a separate decision.

### Preliminary Matters

3. A preceding planning appeal under reference APP/D6820/A/20/3262380 was dismissed in July 2021. This was for 'a change of use from garage to a one-bedroom holiday flat'. The appeal was turned down because of the adverse effect of the development on the integrity of a European Site, namely the Afon Teifi Special Area of Conservation (SAC).
4. The previous Inspector as part of the assessment undertook a Habitats Regulations Assessment (HRA) under the Conservation of Habitats and Species Regulations 2017. The preceding appeal development connected the holiday unit to the public sewer system. It was considered that the appeal development would increase the volume of foul wastewater. This in turn would connect to the Beulah waste-water treatment works (WWTW). It was confirmed that Beulah WWTW was not meeting the environmental permit issued to it and would not have the required phosphate conditions in place. It was confirmed in the preceding appeal decision that there was no capacity to treat the additional wastewater and the additional phosphate from the appeal development. The sewerage undertaker confirmed that the necessary treatment capacity to remain within

existing discharge permit limits would not be delivered within the current Asset Management Plan (AMP) period. Natural Resources Wales (NRW) published the results of its Compliance Assessment of Welsh River Special Areas of Conservation against Phosphorus Targets. The Afon Teifi SAC was failing to meet phosphates targets.

5. Consequently, the preceding appeal development was turned down because it was a source of additional phosphorus and a pathway for adverse impacts on the integrity of the Afon Teifi SAC and its features, alone or in combination with other plans and projects. Furthermore, it was considered that the appellants' proposed mitigation measures would not address those impacts as set out in the preceding appeal HRA.
6. This appeal is submitted to seek to address and overcome the previous appeal decision and the Council's refusal of planning permission. It would change the current arrangement of foul water disposal from a public sewer connection to a private treatment plant (three options of mitigation are offered).
7. The Council refused the application the subject of this appeal because the 'provision of a private sewer arrangement where a connection to a public sewer is feasible is considered contrary to Welsh Government circular 008/2018, as such, the proposed development by virtue of the resultant increase in the occupancy of the site would result in a net increase in phosphate levels within the Afon Teifi SAC and in contravention of the Conservation of Habitats and Species Regulations 2017, as amended'.
8. The appellants would utilise a field to the south-east of the appeal building. This is within the appellants ownership and control and is identified as land outlined in blue on the submitted plans. Option 1 is to allow drainage and phosphates mitigation in the adjoining field. Through its Ecological Assessment it seeks to achieve 'phosphates neutrality'. The assessment advocates that the field is managed so it provides a species-rich lowland neutral grassland, woodland planting, and a seasonal restriction on the occupancy of the holiday let unit. Option 2 would be to connect to a private treatment plant with drainage field. This would be treated by either anaerobic and/or chemical dosing and discharged to a drainage field via reed bed if required. The appellants have opted for Private Treatment Plant Manufacture Graf 'One2Clean P+', with or without chemical dosing. A third possible solution would have been a cesspool, but the appellants have now discounted this alternative.
9. The appeal considers the application for a change of use. I conclude as did the previous Inspector that the 'holiday let (the project) provides tourist accommodation which would (or does) increase the occupancy of the site. This has increased the volume of wastewater emanating from the site'. I cannot accept the appellants contention that the phosphates loading would have already been accounted for in the WWTW permit since 2010 and no additional loading would then occur, because of this appeal development.
10. The appellants' advocate that the change of use application has no bearing on increased phosphates loading. This cannot be a tenable argument as the development has already taken place and seeks to regularise it. The change of use and the additional phosphates loading are intrinsically linked since the development facilitates that outcome, and the fact there has been an established connection does not alter the requirement to assess the impact of the development seeking planning permission and its foul drainage implications. This planning appeal seeks to regularise an unauthorised use not one which already exists as an authorised or lawful use.

## **Main Issue**

11. The main issue in this appeal is whether the development makes suitable provision for foul water drainage in a sewered area having regard to national planning policy guidance that seeks to safeguard the local environment from pollution.
12. Planning Policy Wales Edition 11 (PPW) indicates that development proposals in sewered areas must connect foul drainage to the main sewer (paragraph 6.6.20). Development proposing the use of non mains drainage schemes will only be considered acceptable where connection to the main sewer is not feasible.

## **Reasons**

13. PPW notes that the installation of private sewage treatment facilities within publicly sewered areas is not considered acceptable because of the greater risk of failures leading to pollution when compared to public sewers.
14. Welsh Government Circular 008/2018 (the Circular), which sets out the planning requirements for the use of private sewerage in new development, also reiterates that the first presumption must always be to provide a system of foul drainage discharging into a public sewer. If, by taking account of the cost and/or practicability, it can be shown a connection is not feasible, a private sewage treatment plant should be considered.
15. The appeal development is already connected to the public sewer. There is no impediment for the development to continue to be connected on costs or practicality grounds. The issue is that the continued connection is unacceptable on environmental grounds because the WWTW it connects to is failing to meet its permit requirements unless and until it is upgraded to deal with phosphate loading from the development. This is a capacity issue and not a feasibility matter and is not a cost impediment having regard to a situation where the means of connection is too far away from the WWTW concerned. This first presumption that development proposals in sewered areas must connect foul drainage to the main sewer as set out in the Circular and PPW has not been met.
16. The sequential approach for connecting to a public sewer in a sewered area is fundamental to ensuring that public health, amenity, and environmental problems are not encountered during the lifetime of the development. This is notwithstanding that connection at this present time causes other environmental issues due to factors which are largely outside the appellants' control. This does not mean that the situation would persist in perpetuity to the extent that the development could not be authorised in the future, as the circumstances pertaining to the WWTW may well be upgraded. However, this is not the current situation, and to concede on this matter would result in an unacceptable position whereby other similar developments would follow, circumventing the first presumption of connecting to a main sewer in a sewered area, leading to potentially unacceptable effects on public health, amenity, and the local environment.
17. Noting the appellants' considerable efforts in supplying the justification for the alternative options of foul drainage for the development other than to a sewer connection, these are not considered in detail since they do not overcome the main objection, I have set out above in the determining issue. Given that this issue alone is sufficient to refuse planning permission, the alternative options do not address the significant concern on compliance with policy in relation to the Circular and PPW.
18. It is noted that various options for non-sewer connection disposal of foul water drainage have been put forward, but this provides no certainty which the appellants preferred alternative for consideration might be on an application which is submitted in full. Given my conclusion on the main determining issue the implications of the alternative means of foul drainage are not for me to address. I would therefore not be undertaking a HRA in the

circumstances because the plan or project would not be given consent, permission or authorisation under Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017, given the objection I have set out on policy grounds.

19. I note the appellants' examples of other developments in the area and cases where a phosphates credit scheme is being applied. No credit scheme is applied in this area and the circumstances are not similar. No framework exists that would bring about mitigation through this method, and the absence of such an approach does not provide any degree of certainty that would resolve the concern in relation to the integrity of the SAC. I note the suggestion in the appeal reference APP/L2630/W/21/3289198 that a negatively worded condition to prevent commencement until a water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency is provided, and a mitigation package addressing the additional nutrient input arising from the development is submitted. However, no agreed methodology is in place here, and it is unclear in the cited appeal decision the full details of any agreed mitigation measures that exist to enable a negatively worded condition in relation to water neutrality to be satisfactorily discharged.
20. In this case the discussion in relation to the appropriateness of a planning condition for the disposal of foul drainage to a non-sewer connection is not material when the policy concern as identified in the main issue must first be addressed.
21. I do not have the information pertaining to the Powys Hobbit Home and Wellness Retreat development, although, I doubt that the circumstances are the same in terms of the proposed development, history of the site or the context of the development plan as to be directly comparable to the appeal development.
22. It is not within my remit in this appeal to address any alleged discharge to the river catchment this matter is not before me. I do not have the background information in relation to other cited examples to make a comparison with this appeal. It appears that if an existing property has an established connection and works relating to it do not constitute development then that would not come within the ambit of the planning process.
23. I conclude that the development does not make suitable provision for foul water drainage in a sewered area contrary to national planning policy guidance that seeks to safeguard the local environment from pollution.

### **Other matters**

24. In the preceding appeal decision, the Inspector considered the impact of the development on living conditions and the access and highway implications and concluded that neither issue merited the dismissal of the appeal. I would concur with that assessment and this appeal development is no different in detail from the previous scheme. These issues were not identified as reasons for refusal by the Council and I consider they are not main determining issues in this appeal.

### **Conclusions**

25. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.
26. For the reasons I have outlined and having regard to all matters raised, I conclude that the appeal is dismissed. *Iwan Llloyd* INSPECTOR



## Costs Decision

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by Iwan Lloyd BA BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 16/10/2023

Costs application in relation to CAS-02502-Z9G7N6

Site address: Dol Aur, Beulah Road, Beulah, SA38 9QB

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- The application is made under the Town and Country Planning Act 1990, sections 78, 322C and Schedule 6.
  - The application is made by Mr & Mrs Paul Cowton for a full award of costs against Ceredigion County Council.
  - The appeal is against the refusal of planning permission for 'retrospective application for the change of use of first floor store to one holiday letting unit & surfacing of accessway'.
  - A site visit was made on 29 August 2023.
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### Decision

1. The application for an award of costs is refused.

### The submissions

2. The costs application was made in writing by Mr & Mrs Paul Cowton (the applicants) and relates to a full award. The Council (the respondent) has provided its response in writing and the applicants have also provided their final comments. These submissions which have been tendered in writing have been considered in the substance of this decision.

### Reasons

3. 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. It also explains that applications for costs must clearly demonstrate how any unreasonable behaviour has resulted in unnecessary or wasted expense.
4. The applicants' submissions relate to the conduct of the local planning authority, the processing and determination of the application, time failures in validating the application, the public disclosure of information and representations which should have been vetted and redacted, inconsistent approaches for information, extending the timeframe to consider the required information, a failure to engage with the applicants and to adequately deal with statutory consultees advice on the application. There is a criticism of the officers ignoring requests for clarification, issues with case management of the application, a failure to visit the site, a failure to provide the officer's report with the decision of the Council, concern in relation to the manner of handling complaints and the

resulting harm to the applicants from this process through worry and financial loss, and that the applicants have to resort to pursuing an unnecessary appeal.

5. The applicants have stated that they have reported the charge of mishandling information and representations on the planning application consultation to the Information Commissioner's Office. The applicants contend that the handling of their case contravenes the Code of Conduct for Local Government Employees in Wales. They have also referred their concerns to the Public Services Ombudsman.
6. The list of examples of unreasonable behaviour on behalf of a local planning authority in the Annex is not exhaustive and may not cover each example of such behaviour. However, it provides examples where unreasonable behaviour would lead to an award of costs. One such example which may be regarded as relevant to the applicants' case is the failure to determine an application within the statutory time limits where there was no substantive reason to justify delaying the determination of the application. However, conversely, the applicants contend that the planning application should have been held in abeyance to investigate the phosphates issue and to consider the applicants application with due regard to the solutions they have put forward to overcome this phosphates concern.
7. I decided the appeal on one main determining issue and as set out in my decision the policy objection to seek an alternative means of foul water disposal to a non-sewer connection in a sewered area is not overcome, and the Council was not unreasonable in deciding the application this way. My conclusions on the appeal concur with the Council's approach and that was consistent with national planning policy guidance. The Annex notes that there should be no grounds for an award in those circumstances where a local planning authority has refused an application that is not in accordance with national planning policy guidance, as set out in paragraph 3.8.
8. In all there is no evidence that the local planning authority has demonstrated a lack of co-operation by refusing to provide requested information or has deliberately concealed relevant evidence. None of the circumstances listed in the Annex for unreasonable behaviour has been demonstrated, and there is no substantive case being made that this has resulted in unnecessary or wasted expense incurred in the appeal process. In my view the appeal was unavoidable.
9. Whilst the applicants have complained to the local planning authority, the Ombudsman, and to the Information Commissioner's Office, these processes are outside the remit of my jurisdiction.

## **Conclusion**

10. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Annex, has not been demonstrated. The application for an award of costs is refused. A partial or full award of costs is therefore not justified in this case.

*Iwan Lloyd*

INSPECTOR