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**CEREDIGION**  
County Council

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

11 January 2024

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, 17 January 2024 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 13 December 2023 (Pages 3 - 6)**
5. **To consider planning applications deferred at previous Meetings of the Committee (Pages 7 - 8)**
6. **Development, Advertisement, Local Authority and Statutory Applications (Pages 9 - 44)**
7. **Planning applications dealt with by way of delegated authority (Pages 45 - 54)**
8. **Appeals (Pages 55 - 68)**
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, 13 December 2023**

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

**Also in attendance:** Mr Russell Hughes-Pickering, Corporate Lead Officer – Economy & Regeneration, Mrs Catrin Newbold – Service Manager (Development Management), Mr Jonathan Eirug- Development Management Team Leader – North, Mrs Patricia Armstrong- Corporate Manager-Legal Services, Mrs Sian Holder- Development Management Team Leader – South, Mr Sam Pugh- Development Management Team Leader – South, Ms Nia Jones, Corporate Manager – Democratic Services, Mrs Dana Jones, Democratic and Standards Officer and Mrs Dwynwen Jones, Scrutiny Support Officer

(10:00am-11:55pm)

### **1 Apologies**

Councillor Sian Maehrlein apologised for her inability to attend the meeting.

Councillor Rhodri Evans apologised for his inability to attend the meeting as he was on other Council duties; and would be joining the meeting once that meeting had ended.

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

Councillor Rhodri Davies declared a personal and prejudicial interest in Application A230390 and the item was chaired by the vice chairman, Councillor Ifan Davies.

Councillor Maldwyn Lewis declared a personal and prejudicial interest in Application A230474.

Mrs Dana Jones, Democratic and Standards Officer declared a personal and prejudicial interest in Applications A230434 and A210308 and Mrs Dwynwen Jones, Scrutiny Support Officer took the minutes for these items.

### **3 Minutes of a Meeting of the Committee held on the 08 November 2023**

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

### **Matters arising**

None.

**5 Planning applications deferred at previous Meetings of the Committee**  
None.

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

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

Mr Rhys ap Dylan (Agent) addressed the Committee in accordance with the Operational procedure for Members of the Public addressing the Development Management Committee

A230434 Erection of an affordable dwelling, Land at Allt y Bryn, Llanarth

To **APPROVE** the application subject to conditions and a Section 106 agreement for the Affordable dwelling.

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Mr Rhys ap Dylan (Agent) addressed the Committee in accordance with the Operational procedure for Members of the Public addressing the Development Management Committee

A210308 Residential development of 3no. dwellings, including the new Vicarage, Land adjacent to the Vicarage, Llanarth

To **APPROVE** the application subject to conditions and a Section 106 agreement for the provision for the bungalow approved in planning application A230434 to serve as an affordable unit in perpetuity, and for it to reach practical completion prior to the occupation of the open second open market dwelling.

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

A230223 Erection of Industrial Units with Trade Counter. B8 Use, Former Calor Gas Depot Glanrafon Industrial Estate, Llanbadarn Fawr, Aberystwyth

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

Members were of the opinion that the application could be approved for the following reasons:

- the probability of flooding on the site was low.
- there were defences in place, however, they needed to be updated, as the modelled data used by NRW was based on 2013 figures, which was inequitable
- NRW should improve the current flood defence.
- this was a brown field site.
- this site had accommodated before as an industrial unit.
- there was an balance economic benefit in approving the application after hearing all the evidence provided by the agent

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Mr Richard Rees (Applicant) addressed the Committee in accordance with the Operational procedure for Members of the Public addressing the Development Management Committee

A230265 Proposed rural enterprise dwelling to include alterations to existing field gate entrance and installation of package treatment plant on site of previous dwelling known as 'Ty Newydd'. Land At Ty Newydd Tregaron, Tregaron

To **REFER** the application to the Site Inspection Panel in accordance with Paragraph 1 and 5 of the Council's adopted Operational Procedure. The application also to be deferred for one month for a 'cooling off' period to allow further time to consider the points raised by Members.

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The Vice Chair, Councillor Ifan Davies chaired the meeting for the following item as the Chair had declared a personal and prejudicial interest in the application.

A230390 Demolish existing dilapidated buildings and structures,prepare site and replace with new steel framed building, Pwllperian Farm, Cwmystwyth, Aberystwyth

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

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A letter was read out on behalf of Councillor Elizabeth Evans as the Local Member who was unable to attend the meeting.

A230474 Extension to existing chapel of rest building to create larger working area and garage to locate company cars, Derek Jones Funeral Directors, Queen Street, Aberaeron

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

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A230561 Proposed demolition of existing dwelling and proposed new build of dwelling. And all associated works; The Beach House, Cae Dolwen, Aberporth, Cardigan

To note that the application had been **WITHDRAWN** from the agenda as further information had been presented by the applicant following publication of the agenda, which officers and objectors had not had adequate time to consider prior to the meeting.

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A230652 Refurbishment of a Multi Use Games Area(MUGA) with perimeter fencing and floodlights, Plascrug Leisure Centre, Plascrug Avenue, Llanbadarn Fawr, Aberystwyth

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

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

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

**8 Planning Appeals**

None received.

**Confirmed at the meeting of the Committee held on the 17 January 2024**

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

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

## 1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
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## 2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A220711	27-09-2022	Mr J Ellis-Jones	Full application for residential development comprising 5 x 2-bedroom self-contained apartments	Land adjacent to the Marina, Aberystwyth	Approve Subject to Conditions
2	A230527	21-07-2023	(TID Holdings Ltd)	Development of 18 flexible use commercial units (Uses B1, B2 and B8 of the Use Classes Order, including trade counters) in the form of two buildings.	Plot C2 Parc Teifi, Cardigan. SA43 1EW	Approve Subject to Conditions
3	A230561	02-08-2023	Mr P Hodgson	Proposed demolition of existing dwelling and proposed new build of dwelling. And all associated works.	The Beach House, Cae Dolwen, Aberporth, Cardigan. SA43 2DE	Approve Subject to Conditions

## 2.1. A220711



<b>Rhif y Cais / Application Reference</b>	A220711
<b>Derbyniwyd / Received</b>	27-09-2022
<b>Y Bwriad / Proposal</b>	Full application for residential development comprising 5 x 2-bedroom self-contained apartments
<b>Lleoliad Safle / Site Location</b>	Land adjacent to the Marina, Aberystwyth
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr J Ellis-Jones, Unit 8 Science Park (private), Llanbadarn Fawr, Aberystwyth, Ceredigion, SY23 3AH
<b>Asiant / Agent</b>	Mr Oliver Cooper (Geraint John Planning Ltd), Office 16 (house 1, 2nd Floor) The Maltings East Tyndall Street, Cardiff, CF24 5EA

## Y SAFLE A HANES PERTHNASOL

Parsel o dir llinellog yw safle'r cais, yn union rhwng Fflatiau'r Marina yn y Lanfa, Trefechan a Heol Pen yr Angor a datblygiad Maes y Môr. I'r de-orllewin y mae llety fflatiau Glanfa Dewi. Defnyddir y safle ar gyfer parcio yn bennaf, a nodwedd ohono yw'r bancyn serth o graig tua'r dwyrain. Blociau fflatiau dwysedd uchel yw'r datblygiadau preswyl cyfagos, o dri neu bedwar llawr yn bennaf. Mae parsel o dir ar wahân, wrth y man troi ger fflatiau'r Lanfa, hefyd yn rhan o safle'r cais.

Mae sawl caniatâd cynllunio yn perthyn i safle'r cais, fel a ganlyn:-

840624 Codi pont gerdded; gwesty; uned gwerthu offer hwylio; fflatiau; gweithdai a lle parcio (Amlinellol). 22/11/84  
 930475 Tafarn a bwyty; siopau, caffi a swyddfeydd; fflatiau; lleiniau adeiladu; lle parcio. (Amlinellol) 15/09/93  
 940385 65 o fflatiau ac 14 o dai (Materion a gadwyd yn ôl). 21/08/94  
 980994 16 o fflatiau (Llawn) 05/02/99

Cyflwynwyd cais cynllunio llawn ar gyfer datblygiad preswyl ar y safle i'r Awdurdod Cynllunio Lleol yn Chwefror 2021 (A210143). Gwrthodwyd y cais ym mis Medi 2021 ar ddwy sail, sef bod uchder y cynnig ddim yn cyd-fynd â chymeriad a strydlyn y cyffiniau ac felly'n gwrthdaro â pholisi DM06 o'r CDLI; a bod yr Awdurdod Cynllunio Lleol wedi methu ag asesu'r cais yn llawn mewn perthynas â'r trefniadau priffyrdd a pharcio, yr effaith bosib ar Ardal Cadwraeth Forol Gorllewin Cymru, ac o ran y pryderon am lifogydd.

## MANYLION Y DATBLYGIAD

Gofynnir am ganiatâd cynllunio llawn ar gyfer datblygiad preswyl o 5 fflat mewn un bloc, addasu'r mynediad presennol i gerbydau, a chyfleusterau parcio ceir cysylltiedig; gwelliannau i'r briffordd; lle i barcio beiciau a lle cymunedol ar y cyd.

Mae'r prif adeilad yn cynnwys strwythur o saith llawr fydd yn cynnwys pum fflat o ddwy ystafell wely. Bydd y llawr gwaelod yn darparu mynediad i'r adeilad a bydd y brif ddarpariaeth breswyl ar loriau 1 - 5. Bydd y chweched llawr yn cynnwys grisiau a lifft ac yn darparu mynediad i do fflat yr adeilad. O'r llawr i'r top, mae'r adeilad oddeutu 19.7m o uchder.

Ar wahân i'r fflat llawr cyntaf, mae cynllun mewnol fflatiau 2 i 5 yn union yr un fath â'i gilydd. Mae pob fflat yn darparu dwy ystafell wely, cegin, stydi, lolfa a lle bwyta ynghyd â balconi tua'r de-orllewin.

Mae'r adeilad o ddyluniad cyfoes ac mae'n defnyddio llawer o wydr, cladin metel, brics a rendro. Bwriedir codi murlun ar brif wyneb y llawr gwaelod.

Darperir y prif fynediad ar lefel y ddaear ar hyd Ffordd y Lanfa gan ddefnyddio man troi presennol ynghyd â phum lle parcio newydd a gynigir. Bydd y lle parcio presennol (ar hyd y Lanfa) yn parhau o dan yr adeilad arfaethedig, gan fod y strwythur wedi'i gantilefru ar lefel y llawr cyntaf dros ben y llyfdd parcio.

## POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

DM06 Dylunio a Chreu Lle o Safon Uchel  
 DM11 Dylunio ar gyfer y Newid yn yr Hinsawdd  
 DM13 Systemau Draenio Cynaliadwy

DM14 Cadwraeth Natur a Chysylltedd Ecolegol  
DM15 Cadw Bioamrywiaeth Leol  
DM17 Y Dirwedd yn Gyffredinol  
DM18 Ardaloedd Tirwedd Arbennig  
LU04 Diwallu Amrywiaeth o Anghenion Tai  
LU05 Sicrhau y Cyflenwir Datblygiadau Tai  
S01 Twf Cynaliadwy  
S02 Datblygu mewn Canolfannau Gwasanaethau Trefol  
S05 Tai Fforddiadwy  
Cymru'r Dyfodol: Y Cynllun Genedlaethol 2040  
Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)

## **YSTYRIAETHAU PERTHNASOL ERAILL**

### **DEDDF TROSEDD AC ANHREFN 1998**

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

### **DEDDF CYDRADDOLDEB 2010**

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

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

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

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

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

## **YMATEBION I'R YMGYNGHORI**

Cyfoeth Naturiol Cymru - Dim gwrthwynebiad, yn ddibynnol ar amodau.

Ceredigion HPW - Dim gwrthwynebiad, yn ddibynnol ar amodau.

Cyngor Tref Aberystwyth - Gwrthwynebu'r datblygiad yn gryf ar sail ei uchder a'i faint; ei fod yn fater o orddatblygu'r safle; bod y dyluniad ddim yn cyd-fynd ag adeiladau cyfagos; bod gwrthwynebiad cryf yn lleol; colli tir glas cymunedol; mater perchnogaeth tir; perygl llifogydd; adeilad anghynaliadwy; darpariaeth fforddiadwy ar gael mewn llefydd eraill.

Dŵr Cymru - Dim gwrthwynebiad, yn ddibynnol ar amodau.

Draenio Ceredigion - Sylwadau.

Cafwyd 54 o sylwadau gan drydydd partiön yn gwrthwynebu'r datblygiad ar y seiliau canlynol:-

- bydd y datblygiad yn difetha'r tirwedd, a digon o dai gwag yn y dref;
- colli llefydd parcio a phryder am ddiogelwch ar y ffordd;
- cais heb ei hysbysebu'n ddigonol;
- bydd yr adeilad yn rhy dal;
- bydd y datblygiad yn tanseilio'r clogwyn;

- dim angen am fflatiau moethus anfforddiadwy;
- gormod o ddatblygiadau tai yn digwydd yn gyfagos;
- bod y datblygiad arfaethedig ddim yn cyd-fynd â chymeriad yr ardal gyfagos;
- colli amwynder a materion preifatrwydd i'r adeiladau cyfagos;
- datblygu ar ben ei gilydd / gorddatblygu;
- carbwncl mawr o adeilad / dolur llygad / ddim yn gweddu â chymeriad yr ardal;
- amharu o achos y gwaith adeiladu;
- heb gyflwyno hysbysiad i'r perchnogion tir perthnasol;
- effaith wael ar dreftadaeth ac ecoleg;
- llefydd parcio ychwanegol yn mynd â'r gofod cymunedol ar gyfer y Lanfa;
- colli golygfeydd;
- pryder am lifogydd;
- colli golau;
- pryderon archeolegol;
- gormod o ddwyseidd tai yn Nhrefechan eisoes.

## CASGLIAD

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

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

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

Saif safle'r cais o fewn ffin ddiffiniedig anheddiad Aberystwyth, sy'n cael ei adnabod fel Canolfan Gwasanaethau Trefol yn y Cynllun Datblygu Lleol (CDLI).

Mae Polisi S02 y CDLI yn ymwneud â 'Datblygu mewn Canolfannau Gwasanaethau Trefol' ac mae hyn yn mynnu bod pob datblygiad o fewn terfynau diffiniedig y Canolfannau Gwasanaethau Trefol. Yn Aberystwyth, mae gofyn i ddatblygiad gyfrannu at arwyddocâd cenedlaethol y dref fel canolfan strategol Canolbarth Cymru, a chefnogi amcanion a chynlluniau gweithredu presennol parthed ei Statws Adfywio Strategol.

Yn ôl y CDLI, cyfanswm y gofyniad tai sydd angen eu cyflawni yn ardal Aberystwyth yw 1877. Mae ffigurau monitro tai diweddaraf (Ebrill 2023) y CDLI yn dangos mai dim ond 647 o anheddau sydd wedi'u cwblhau yn y Ganolfan Gwasanaethau Trefol gyda chaniatâd ar y gweill ar gyfer 230 o anheddau pellach. Felly, gan gyfrif am dai a ddymchwelir ac a addasir (-71), mae lle i 1071 o anheddau yn rhagor yn Aberystwyth. O'r herwydd, ystyrir y byddai'r cynigion yn cydymffurfio â Pholisïau S01 a S02 y CDLI a bod yr egwyddor o ddatblygu yn cael ei dderbyn.

Mae polisi DM01 - sy'n rheoli effeithiau Datblygu ar Gymunedau a'r Gymraeg - yn ei gwneud yn ofynnol darparu Asesiad Effaith Cymunedol ac Ieithyddol mewn perthynas â datblygiadau tai mewn canolfannau gwasanaethau lle byddai tai yn cael eu cyflawni yn gyflymach nag y nodir yn natganiad y Grŵp Anheddiad.

Ni fyddai'r ddarpariaeth tai arfaethedig yn cael ei chyflawni yn gyflymach nag y nodir yn natganiad y Grŵp Anheddiad, ac felly bernir 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 gyfrannu tuag at ddarpariaeth tai fforddiadwy. Er bod cais cysylltiedig mewn rhan arall o'r dref yn ceisio darparu'r holl ofynion tai fforddiadwy yn lle'r cynllun hwn, tynnwyd y cais yna yn ôl ac felly, er mwyn cydymffurfio â'r polisi, roedd angen darparu tai fforddiadwy fel rhan o'r cynllun hwn. Mae'r cynnig yn awr yn cynnig un fflat fel uned fforddiadwy ac yn bodloni'r gofyniad tai fforddiadwy i'r graddau bod 20% o'r cynllun arfaethedig yn fforddiadwy gan fodloni polisi S05.

Mae Polisi DM06 yn ceisio diogelu amwynder preswylwyr y tai cyfagos rhag niwed sylweddol mewn perthynas â phreifatrwydd, sŵn a golygon. Bydd yr adeilad arfaethedig yn sefyll y tu cefn i fflatiau'r Marina ac i'r gogledd o fflatiau Dewi, ond mewn llinell â'r unedau hynny. Ar dir uwch ac i'r dwyrain y mae adeilad newydd Maes y Môr. Nid yw'r adeilad arfaethedig yn edrych dros unrhyw adeilad cyfagos yn uniongyrchol ac mae'r ffenestri ar dalcen Fflatiau Dewi yn rhai eilaidd. Mae'r manau cyffredin ar ochr Fflatiau Dewi ac adeilad y Lanfa eisoes yn barth cyhoeddus. O'r herwydd, bernir na fyddai effaith ar amwynder yr adeiladau presennol sydd yn y cyffiniau.

DM06 yw polisi'r CDLI o ran 'creu lle' ac mae'n nodi y dylai Datblygiad ystyried yn llawn, a chyfrannu'n gadarnhaol, at gyd-destun ei leoliad a'i amgylchedd. Dylai'r datblygiad ddangos dealltwriaeth glir o egwyddorion dylunio a'r cyd-destun ffisegol, cymdeithasol, economaidd ac amgylcheddol yn lleol. Dylai hyrwyddo dylunio arloesol gan ystyried y cymeriad a'r dreftadaeth ddiwylliannol leol o ran ffurf, dyluniad a deunydd. Dylai cynigion datblygu hefyd ategu'r safle a'i amgylchedd o safbwynt y cyd-destun, a pharchu'r golygfeydd i mewn i'r safle ac allan ohono, a chreu ffurf sy'n cydweddu â graddfa, uchder a maintoli'r ffurf adeiledig sydd yno'n barod.

Mae canllaw cynllunio atodol mabwysiedig y cyngor, Dylunio a'r Amgylchedd Adeiledig, yn rhoi DM06 mewn grym ac yn rhoi arweiniad ar y materion y mae angen eu hystyried wrth ddatblygu amrywiol adeiladau. Mae Adran 2 o'r canllaw cynllunio atodol yn ystyried sut y dylai ceisiadau ymateb i gymeriad Ceredigion. Mae Ceredigion yn ffodus o gael hanes cyfoethog, sy'n aml yn cael ei adlewyrchu mewn nifer o'i adeiladau a'i leoedd. Er mwyn gwella ansawdd amgylchedd adeiledig Ceredigion, mae'n hanfodol bod datblygiad newydd yn seiliedig ar asesiad trylwyr o'r cymeriad lleol.

Mae'r Canllaw Cynllunio Atodol yn rhoi arweiniad ar yr elfennau perthnasol i'w hystyried wrth ddylunio cynnig sy'n ymateb i gymeriad lleol Ceredigion. Mae angen ystyried y cydweddu gyda dwy o'r pedair prif elfen.

Bernir bod maint a dyluniad y datblygiad arfaethedig yn cyd-fynd â ffurf adeiledig yr ardal. Yn groes i'r cais blaenorol, mae'r cynllun hwn wedi gweld yr adeilad yn gostwng uchder gan 9.2m ac mae'n llawer mwy cydnaws â'r strydun. Yn ogystal, nid yw'r deunyddiau a ddefnyddir yn niweidiol i gymeriad yr ardal.

Mae polisi DM03 yn cynghori y dylai datblygiad gael ei leoli mewn man sy'n lleihau'r angen i deithio'n ormodol. Hefyd mae polisi DM03 yn nodi y dylid darparu lle parcio fel rhan o'r cynigion datblygu, yn unol â chanllaw cynllunio atodol Safonau Parcio Ceredigion.

Byddai mynediad i gerbydau i'r datblygiad arfaethedig ar hyd y ffordd fynediad sy'n gwasanaethu adeiladau'r Lanfa. Darperir cyfanswm o 5 lle parcio newydd i wasanaethu'r datblygiad, sy'n cael ei ystyried yn unol â'r safonau parcio mabwysiedig fel y nodir yn y canllaw atodol, sef darparu rhwng 0.5 ac 1 lle parcio car i bob fflat. Derbyniwyd cadarnhad bod gan y datblygwyr fynediad i'r manau parcio arfaethedig ac nad yw'n effeithio ar y gofod amwynder a ddynodwyd ar gyfer adeiladau'r Lanfa.

Ymgynghorwyd â'r Awdurdod Priffyrdd Lleol ar y cais ac nid yw'n cynnig gwrthwynebiad i'r datblygiad arfaethedig, yn amodol.

Mae polisiâu DM14 a DM15 o'r Cynllun Datblygu Lleol yn ceisio cynnal a gwella bioamrywiaeth a diogelu safleoedd pwysig gwarchoddedig. Yn achos safleoedd, cynefinoedd neu rywogaethau a warchodir, naill ai'n uniongyrchol, yn anuniongyrchol neu ar y cyd, rhoddir caniatâd dim ond os gellir dangos bod y cynnig yn cyfrannu at amddiffyn, gwella neu reoli'r safle, cynefin neu rywogaethau, neu yn ôl amgylchiadau penodol eraill a nodir yn y polisi. Mae canllaw cynllunio atodol y Cyngor ar fioamrywiaeth yn darparu canllawiau ar asesu effaith datblygiad ar safleoedd dynodedig neu rywogaethau a warchodir.

Cynhaliwyd Arfarniad Ecologol Rhagarweiniol gan gynnwys arolwg estynedig o'r cynefin a oedd yn nodi bod y safle o werth ecologol isel ac yn cynnal ond ychydig o rywogaethau blodeuol. Er hynny, roedd yr Arfarniad yn argymhell mesurau lliniaru ac awgrymir bod y rhain yn amod fel rhan o unrhyw ganiatâd cynllunio.

Mae'r safle hefyd yn agos i Ardal Cadwraeth Forol Gorllewin Cymru. Er mwyn lliniaru unrhyw effaith bosib ar nodweddion dynodedig yr Ardal Gadwraeth, cyflwynwyd Cynllun Rheoli Amgylcheddol ar gyfer maes Adeiladu ac roedd Cyfoeth Naturiol Cymru o'r farn ei fod yn dderbyniol. Fodd bynnag, awgrymir y dylid gosod amod sy'n mynnu bod y datblygiad yn cael ei gyflawni yn unol yn llwyr â'r Cynllun Rheoli Amgylcheddol, os rhoddir caniatâd cynllunio.

Ystyrir bod safle'r cais ym mharth llifogydd A, fel y dangosir ar Fap Cyngor Datblygu Cyfoeth Naturiol Cymru, ond mae o fewn 4 metr o Barth C2 sydd o fewn amlinelliad perygl llifogydd eithafol, nad yw'n cael ei ddiogelu gan amddiffynfeydd llifogydd ac nad yw'n darparu ar gyfer newid hinsawdd a'r llanw yn y dyfodol.

Cyflwynwyd Asesiad Canlyniadau Llifogydd a chydnabu Cyfoeth Naturiol Cymru fod yr ardaloedd y gellir byw ynddynt yn cydymffurfio â TAN15 ond bod anhawster posib o ran mynd a dod o'r maes parcio ceir. O ystyried bod yr ardal parcio gan mwyaf yn estyniad i'r maes parcio presennol a bod y mynediad drwy'r un llwybr ag ar hyn o bryd, ystyrir na fyddai gwerth gwrthwynebu'r cynnig ar y sail honno.

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

I gloi, ystyrir bod y cynnig yn dderbyniol ac y gellir ei gefnogi. Nid oes gwrthwynebiadau perthnasol i'r cynllun cyffredinol ac argymhellir bod y cais yn cael ei gymeradwyo, yn ddibynnol ar amodau a chyhyd â bod cytundeb Adran 106 yn cael ei gwblhau parthed darparu tai fforddiadwy.

**RHESWM AM EI GYFEIRIO I'R PWYLLGOR:-**

Gofynnodd aelod lleol y ward, y Cynghorydd E Edwards, am i'r cais gael ei gyfeirio i'r Pwyllgor Rheoli Datblygu i'w ystyried am y rhesymau canlynol:

- Ei uchder a'i faint (ei uchder mewn perthynas â'r blociau sydd eisoes ar Y Lanfa yn ogystal â'r heol ym Mhen-yr-Angor);
- Hanes y safle o ran cynllunio – cafodd cais rhif A210143, am ddatblygiad tebyg yn yr ardal, ei wrthod gan y Cyngor;
- Ei fod yn gorddatblygu'r safle;
- Bod y dyluniad ddim yn gydnaws â'r adeiladau cyfagos;
- Gwrthwynebiad lleol cryf;
- Colli tir glas cymunedol (mae tir o'r fath yn brin yn Aberystwyth ac yn yr ardal benodol hon);
- Perygl llifogydd ar y safle.

**ARGYMHELLIAD:**

GOHIRIO'R cais hyd nes y cwblheir cytundeb Adran 106 ynghylch darparu tai fforddiadwy, a chymeradwyo'r cais yn ddibynnol ar amodau, unwaith y bydd cytundeb Adran 106 wedi'i wneud.

<b>Rhif y Cais / Application Reference</b>	A220711
<b>Derbyniwyd / Received</b>	27-09-2022
<b>Y Bwriad / Proposal</b>	Full application for residential development comprising 5 x 2-bedroom self-contained apartments
<b>Lleoliad Safle / Site Location</b>	Land adjacent to the Marina, Aberystwyth
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr J Ellis-Jones, Unit 8 Science Park (private), Llanbadarn Fawr, Aberystwyth, Ceredigion, SY23 3AH
<b>Asiant / Agent</b>	Mr Oliver Cooper (Geraint John Planning Ltd), Office 16 (house 1, 2nd Floor) The Maltings East Tyndall Street, Cardiff, CF24 5EA

## THE SITE AND RELEVANT PLANNING HISTORY

The application site is a linear parcel of land directly between the Marina Flats at the Lanfa, Trefechan and the Pen yr Angor Road and the Maes y Môr development. To the south-west is the flat accommodation of St David's Wharf Flats. The site is primarily used for parking and is characterised by a steep rock bank to the east. Residential development in the immediate area consist of high density apartment block predominantly of 3/4 storeys. A detached parcel of land directly adjoining the turning head by the Lanfa flats is also part of the application site.

There is a number of planning permissions relevant to the application site as follows:-

840624 Erection of footbridge; hotel; chandlery retail unit; apartments; workshops and parking (Outline). 22/11/84  
 930475 Public house and restaurant; shops, cafe and offices; apartments; building plots; parking. (Outline) 15/09/93  
 940385 65 Flats and 14 houses (Reserved Matters). 21/08/94  
 980994 16 flats (Full) 05/02/99

A full planning application for the residential development of this site was submitted to the LPA in February 2021 (A210143). The application was refused in September 2021 on two grounds, namely that the height of the proposal was out of character with its surroundings and the streetscene and in conflict with policy DM06 of the LDP; and that the LPA had been unable to fully assess the application in relation to highway and parking arrangements; the potential impact on the West Wales Marine SAC and in respect of flooding concerns.

## DETAILS OF DEVELOPMENT

Full planning permission is sought for the residential development of 5 flats in one block, the rationalisation of an existing vehicular access and associated car parking facilities; highway improvements; cycle parking provision and shared communal space.

The main building comprises of a seven storey structure which seeks to house five 2 bedroomed apartments. The ground floor will provide access to the building with the main residential provision being catered for on floors 1 - 5 with the sixth floor being the stairwell / lift area providing access to the flat roof area of the building. From ground to top, the building is approx 19.7m tall.

Apart from the first floor flat the internal layout of flats 2 - 5 are identical although all flats provide two bedrooms, kitchen, lounge and dining study together with a balcony area on the south-west elevation.

The building is of contemporary design and utilises a high area of glass, metal cladding, brickwork and render. A mural is proposed to be erected on the ground floor's main elevation.

Primary access is achieved at ground level along Y Lanfa Road which utilises an existing turning head along with 5 newly proposed parking spaces. The existing parking under the proposed building (along y Lanfa) will remain, as the structure is cantilevered over the spaces at first floor level.

## RELEVANT PLANNING POLICIES AND GUIDANCE

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



DM06 High Quality Design and Placemaking  
DM11 Designing for Climate Change  
DM13 Sustainable Drainage Systems  
DM14 Nature Conservation and Ecological Connectivity  
DM15 Local Biodiversity Conservation  
DM17 General Landscape  
DM18 Special Landscape Areas (SLAs)  
LU04 Meeting a Range of Housing Needs  
LU05 Securing the Delivery of Housing Development  
S01 Sustainable Growth  
S02 Development in Urban Service Centres (USCs)  
S05 Affordable Housing  
Future Wales: The National Plan 2040  
Planning Policy Wales (edition 11, February 2021)

## **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 - No objection STC

Ceredigion HPW - No objection STC

Cyngor Tref Aberystwyth Town Council - Strongly objects the development on grounds of its height and size; it represents over development of the site; the design is not in keeping with other neighbouring buildings; strong local objection; loss of green community land; the issue of land ownership; flood risk; unsustainable building; affordable provision located elsewhere.

DC/WW - No objection STC

Ceredigion Drainage - Comments

54 third party representations received objecting the proposal on the following grounds:-

- development will destroy landscape when there are plenty of empty dwellings in the town;
- loss of parking spaces and concern over highway safety;

- application not publicised adequately;
- building will be too tall;
- development will undermine cliff;
- no need for luxury unaffordable flats;
- too much housing development going on in immediate area;
- proposed development out of keeping and character with immediate area;
- loss of amenity and privacy issues to adjoining buildings;
- cramped development / over-development;
- giant carbuncle / eyesore / out of character with immediate area;
- construction disruption;
- no notice served on relevant landowners;
- detrimental impact on heritage and ecology;
- additional parking spaces will take up over communal space for Y Lanfa;
- loss of views;
- detrimental on impact;
- concern over flooding;
- loss of light;
- archaeological concerns;
- housing density in Trefechan already too high.

## **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".

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. Although an associated application in another part of the town was looking to provide all of the affordable housing requirement in lieu of this scheme, that application was withdrawn and as such, in order to comply with policy, an affordable housing provision was required as part of this scheme. The proposal now looks to accommodate one of the flats as an affordable unit which would meet the relevant affordable housing requirement to the tune of 20% of the proposed scheme and therefore satisfies policy S05.

Policy DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook. The proposed building is to be located to the rear of the Marina flats and to the north of the St Davids flats

albeit in line with those units. On higher ground and to the east is the newly constructed building of Maes y Môr. The proposed building does not directly overlook any neighbouring building and fenestration on the gable end of St Davids Flats are secondary windows. The communal areas to the side of St Davids Flats and the Lanfa building are already in the public domain. As such it is considered that there would not be any impact on the amenities of existing buildings in the vicinity.

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 be compliant with the built form in the area. Contrary to the previous application, this scheme has seen the building reduced in height by 9.2m and is much more in keeping with the streetscene. Additionally, the use of materials are not detrimental to the character of the immediate 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 the access road serving the Lanfa buildings and a total of 5 new car parking spaces will be provided to serve the development which is 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. Confirmation has been received that the developer has access to the proposed parking areas and does not impact designated amenity space reserved for the Lanfa buildings.

The Local Highway Authority have been consulted on the application and offer no objection to the proposed development subject to conditions.

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 which identified that the site was of low ecological value that support few floral species. Notwithstanding, the PEA did recommend mitigation measures and it is suggested that these are conditioned as part of any planning permission.

The site is also in close proximity to the West Wales Marine Special Area of Conservation. In order to mitigate against any potential impact on the designated features of the SAC a Construction Environmental Management Plan was submitted and deemed acceptable by NRW. However it is suggested that a condition be imposed requiring the development to be undertaken in strict accordance with the CEMP should permission be granted.

The application site is considered to be in flood zone A as shown on NRW's Development Advice Map but is within 4 metres from Zone C2 which is within the extreme flood risk outline, is not protected by flood defences, and does not account for future tidal climate change.

A Flood Consequence Assessment was submitted and NRW acknowledged that the habitable areas was compliant with TAN15 but that there was potentially an issue with the access and egress from the car parking area. Given that the parking area is primarily an extension to the existing parking area and accessed and egressed via the same existing route it is considered that there would be no merit in objecting the proposal on those specific grounds.

The councils 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 and subject to the completion of a S106 agreement regarding the provision of affordable housing.

**REASON FOR DEFERRAL:**

The application is referred to the Development Management Committee for consideration at the request of the local Ward Member, Cllr E Edwards for the following reasons:-

- Its height and size (both its height relative to the blocks which are already there at Y Lanfa and to the road at Penyrangor);
- The planning history of the site – application number A210143 for a similar development in the area was refused by the Council;
- It represents overdevelopment of the site;
- The design is not in keeping with neighbouring buildings;
- Strong local objection;
- Loss of green community land (such land is rare within Aberystwyth and within the particular area);
- The risk of flooding at the site.

**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.

## 2.2. A230527



<b>Rhif y Cais /</b> <b>Application Reference</b>	A230527
<b>Derbyniwyd / Received</b>	21-07-2023
<b>Y Bwriad / Proposal</b>	Development of 18 flexible use commercial units (Uses B1, B2 and B8 of the Use Classes Order, including trade counters) in the form of two buildings.
<b>Lleoliad Safle</b> <b>/ Site Location</b>	Plot C2 Parc Teifi, Cardigan. SA43 1EW
<b>Math o Gais /</b> <b>Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	(TID Holdings Ltd), 5 Maes Y Dderwen, Cardigan, Ceredigion, SA43 1PE
<b>Asiant / Agent</b>	Llyr Evans (Llyr Evans Planning Ltd), Llantood Farm, Cardigan, SA43 3NU

## Y SAFLE A'R HANES CYNLLUNIO PERTHNASOL

Mae safle'r cais yn cyfeirio at barsel gwag o dir yng nghanol Parc Busnes Parc Teifi, sydd ar ochr ddwyreiniol Aberteifi. Mae'r parc busnes yn cynnwys unedau busnes sydd wedi cysylltu â'i gilydd ynghyd â rhai sydd ar wahân, ac maent wedi'u lleoli ar hyd ffordd ystâd fewnol.

Saif safle'r cais o fewn ffin anheddiad Aberteifi ac o fewn safle cyflogaeth a neilltuwyd (E0201).

Nid oes unrhyw hanes cynllunio perthnasol.

## MANYLION Y DATBLYGIAD

Mae'r cais hwn yn gofyn am ganiatâd cynllunio llawn ar gyfer codi dau adeilad masnachol yn cynnwys 6 uned o fewn uned 1, a 12 uned o fewn uned 2, ynghyd â mynediad, parcio, a gwaith tirweddu cysylltiedig. Byddai'r adeiladau'n cael eu defnyddio ar gyfer defnyddiau B1 (Busnes), B2 (Diwydiannol Cyffredinol) a B8 (Storio a Dosbarthu) o'r Drefn Dosbarthiadau Defnydd, ac ar y cyfan byddant yn darparu arwynebedd llawr masnachol o 1,832 metr sgwâr.

Uned 1 yw'r adeilad mwyaf, ac mae'n 51.9 metr o hyd a 23.2 metr o led. Byddai'r adeilad yn un uchder dwbl, gyda tho talcen slip sy'n 5.5 metr hyd at y bondo ac 8.12 metr hyd at grib y to. Byddai'r adeilad yn cynnwys 6 uned a fyddai'n amrywio o ran maint rhwng 112 metr sgwâr a 223 metr sgwâr. Byddai'r adeilad hwn yn meddiannu mwyafrif o ganol y safle ac yn ymestyn tua'r de, gyda mynediad a pharcio i'r de a'r gorllewin.

Mae Uned 2 ychydig yn llai ac yn 36.9 metr o hyd a 10.7 metr o led. Byddai'r adeilad hwn yn un dau lawr, gyda tho talcen slip sy'n 5.5 metr hyd at y bondo a 7 metr hyd at grib y to. Byddai'r adeilad yn cynnwys 12 uned ar ddau lawr a fyddai'n amrywio o ran maint o 35 metr sgwâr i 70 metr sgwâr. Byddai'r adeilad i'r gogledd o Uned 1, gyda mynediad i'r gogledd, parcio i'r gorllewin ac ar hyd yr ochr ogleddol, ac yn ymestyn tua'r dwyrain.

Mae dyluniad y ddau adeilad yn debyg, ac yn cynnwys yr un deunyddiau sef -

- dalennau metel neu gyfansawdd
- waliau gyda chymysgedd o frics coch a melyn ar waelod y waliau a chladin ar dop y waliau
- ffenestri a drysau uPVC neu alwminiwm wedi'u paentio
- mae'r ddau adeilad yn cynnwys paneli solar ar y to ar yr ochr ddeheuol.

Byddai'r datblygiad yn darparu cyfanswm o 60 man i barcio ceir, gan gynnwys 3 man parcio ar gyfer pobl anabl a 6 phwynt gwefru cerbydau trydan. Mae lle i barcio beiciau yng nghornel de-orllewinol y safle.

Bydd y dull a ddefnyddir ar gyfer amgáu'r tir a thirweddu yn cynnwys cymysgedd o gloddiau isel ac ardaloedd wedi'u tirweddu, ffens atal anifeiliaid a ffens diogelwch ar gyfer rhai unedau. Byddai man amwynder gwyrdd yn cael ei ddarparu yng ngogledd-ddwyrain y safle.

Mae'r cais yn nodi y byddai dŵr wyneb yn cael ei waredu drwy system ddraenio gynaliadwy.

Byddai dŵr brwnt yn cael ei waredu drwy'r brif garthffos.

Mae'r cais, oherwydd ei faint, yn cael ei gyfrif fel Datblygiad Mawr, ac mae adroddiad Ymgynghori Cyn Gwneud Cais wedi'i gyflwyno.

Cyflwynwyd cynlluniau diwygiedig ar 13-11-2023 a oedd yn newid y mynediad at Uned 2 fel bod y mynedfeydd yn wynebu'r gogledd, ac roedd y cynlluniau diwygiedig yn cynnwys cyflwyno llwybr troed cyswllt ar ochr ddwyreiniol yr unedau i wella cysylltedd â'r ardal amwynder.

## Y POLISIÂU A'R CANLLAWIAU CYNLLUNIO PERTHNASOL

### Y Polisiâu Cynllunio Cenedlaethol Perthnasol

- Cymru'r Dyfodol: Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (Argraffiad 11, Chwefror 2021)
- Nodyn Cyngor Technegol 4: Datblygiad Manwerthu a Masnachol (2016)
- Nodyn Cyngor Technegol 5: Cynllunio a Chadwraeth Natur (2009)
- Nodyn Cyngor Technegol 11: Sŵn (1997)
- Nodyn Cyngor Technegol 12: Dylunio (2016)
- Nodyn Cyngor Technegol 18: Trafnidiaeth (2007)
- Nodyn Cyngor Technegol 23: Datblygu Economaidd (2014)
- Deddf Teithio Llesol (Cymru) 2013
- Cylchlythyr 008/2018 Llywodraeth Cymru – Gofnion cynllunio mewn perthynas â defnyddio systemau carthffosiaeth preifat mewn datblygiadau newydd, gan gynnwys tanciau carthion a gweithfeydd bach trin carthion. Gorffennaf 2018

### Y Polisiâu Cynllunio Lleol Perthnasol

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

- S01 Twf Cynaliadwy
- S02 Datblygu mewn Canolfannau Gwasanaethau Trefol
- LU11 Cynigion Cyflogaeth ar Safleoedd wedi'u Neilltuo
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM09 Dylunio a Symud
- DM10 Dylunio a Thirweddu
- DM11 Dylunio ar gyfer Newid yn yr Hinsawdd
- DM12 Seilwaith Cyfleustodau
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol
- DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd
- DM22 Gwarchod a Gwella'r Amgylchedd yn Gyffredinol

Y Canllawiau Cynllunio Atodol Perthnasol:

- Canllawiau Cynllunio Atodol: Safonau Parcio Cyngor Sir Ceredigion
- Canllawiau Cynllunio Atodol: Asesiad Trafnidiaeth
- Canllawiau Cynllunio Atodol: Amgylchedd Adeiledig a Dylunio
- Canllawiau Cynllunio Atodol: Cadwraeth Natur 2015

## YSTYRIAETHAU PERTHNASOL ERAILL

### DEDDF TROSEDD AC ANHREFN 1998

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

### DEDDF CYDRADDOLDEB 2010

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

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

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

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

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

## YMATEBION YMGYNGHORI

- **Cyngor Tref Aberteifi** - Mae'r Cynghorwyr yn cefnogi'r cais hwn ar yr amod bod yr unedau'n cael eu meddiannu gan fusnesau lleol.
- **Priffyrdd** – Dim gwrthwynebiad, yn ddibynol ar amodau.
- **Draenio Tir** – Byddai angen cymeradwyaeth ar gyfer y System Ddraenio Gynaliadwy.
- **Ecoleg** – I'w gadarnhau.
- **Cyfoeth Naturiol Cymru** – Dim gwrthwynebiad.
- **Dŵr Cymru** – Argymhellwyd amodau.
- **Ymddiriedolaeth Archeolegol Dyfed** – Ni chafwyd ymateb.
- **Gwasanaeth Tân ac Achub Canolbarth a Gorllewin Cymru** – Dim gwrthwynebiad.
- **Gwasanaethau Masnachol** – Argymhellwyd amodau.

Derbyniwyd sylwadau oddi wrth un trydydd parti, a oedd yn nodi'r canlynol -

- Dylai'r adeiladau hyn fod ar gyfer busnesau annibynnol lleol ac ni ddylid caniatáu i gwmnïau rhyngwladol eu meddiannu.

## CASGLIAD

Mae Adran 38 (6) Deddf Cynllunio a Phrynu Gorfodol 2004 yn datgan: "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise".

## Egwyddor y Datblygiad

Mae Strategaeth Ofodol Cymru'r Dyfodol yn nodi bod Aberteifi yn rhan o Ardal Dwf Ranbarthol Dyffryn Teifi. Mae Ardaloedd Twf Rhanbarthol yn cael eu hystyried yn ganolbwyntiau ar gyfer gweithgareddau cymdeithasol ac economaidd y rhanbarth. Ystyrir y byddai'r ddarpariaeth o unedau cyflogaeth ychwanegol yn Aberteifi'n cefnogi ei sylfaen o wasanaethau masnachol ac yn ei dro rôl Aberteifi yn y rhanbarth a'r is-ranbarth.

Saif safle'r cais o fewn ffin anheddiad Canolfan Gwasanaethau Trefol Aberteifi. Mae Polisi S01 y Cynllun Datblygu Lleol yn cyfeirio mwyaf i'r Canolfannau Gwasanaethau Trefol gan eu bod yn lleoliadau mwy cynaliadwy ar gyfer datblygu. Mae'r polisi'n anelu at ddarparu ar gyfer 4000 o swyddi ledled y sir mewn modd cynaliadwy, gyda 16ha o'r 39ha o dir a neilltuwyd ar gyfer cyflogaeth yn ardal Aberteifi. Mae hyn yn cynnwys y safle arfaethedig sy'n rhan o'r dyraniad ehangach ym Mharc Teifi. Mae'r safle hwn wedi'i neilltuo ar gyfer defnyddiau B1, B2 a B8 yn benodol. Mae Polisi S02 yn nodi y byddai datblygu'n cael ei ganiatáu o fewn Canolfan Gwasanaethau Trefol Aberteifi lle byddai'n cyfrannu at ei rôl isranbarthol gyffredinol fel y nodir yn y Datganiad Grŵp Aneddiadau ynghyd â chyfrannu at strategaethau adfywio, lle mae'r rhain yn bodoli. Mae Aberteifi yn brif ganolfan gwasanaethau ac mae'n darparu ystod eang o wasanaethau a chyfleusterau ar gyfer y grŵp anheddiad ynghyd â rhai swyddogaethau is-sirol ac ar draws y sir. Credir y byddai unedau cyflogaeth ychwanegol yn Aberteifi'n debygol o gefnogi rôl y dref fel prif ganolfan gwasanaethau. Ar hyn o bryd nid oes strategaeth adfywio o fewn Canolfan Gwasanaethau Trefol Aberteifi.

Mae safle'r cais ym Mharc Busnes Parc Teifi sy'n ganolfan gyflogaeth wedi'i neilltuo (E0201). Mae Polisi LU11 y Cynllun Datblygu Lleol yn nodi y byddai cynigion mewn perthynas â safleoedd cyflogaeth wedi'u neilltuo yn cael eu caniatáu gyda'r amodau canlynol:

1. Byddant yn adlewyrchu ac yn ychwanegu at rôl gydnabyddedig y safle a'u bod yn unol â'r Rhestr Safleoedd wedi'u Neilltuo berthnasol;
2. Byddant yn amddiffyn ac yn ychwanegu at y defnyddiau B1, B2, N8 a defnydd sui generis ategol ar y safle;
3. Byddant yn darparu seilwaith cynnal priodol.

Mae gan Barc Teifi rôl 'ansawdd uchel' sy'n golygu ei fod yn cael ei ystyried yn safle llai sydd o bwys yn rhanbarthol ac sy'n



cynnwys cyfleoedd cyflogaeth bach neu ganolig eu maint mewn amgylchiadau deniadol sydd mewn lleoliad da o ran prif rwydwaith ffyrdd y sir. Gan fod y cynnig eisiau datblygu nifer o unedau bychain ar gyfer defnyddiau B1, B2 a B8, bernir y byddai'r datblygiad arfaethedig yn addas ar gyfer safle Parc Teifi. Caiff materion yn ymwneud â seilwaith eu trafod isod.

Felly, i grynhoi, byddai'r datblygiad arfaethedig yn cefnogi'r sylfaen o wasanaethau cyhoeddus a masnachol yn Aberteifi a fyddai yn ei dro'n cyfrannu at rôl y dref fel prif ganolfan gwasanaethau ar gyfer yr ardal. O ran y safle arfaethedig, mae'r polisi cynllunio lleol yn nodi bod egwyddor y datblygiad at ddefnyddiau B1, B2 a B8 ym Mharc Teifi yn dderbyniol.

### **Cynllun, Maint, Dyluniad a'r Effaith Gweledol**

Mae Polisi DM06 y Cynllun Datblygu Lleol yn ei gwneud hi'n ofynnol i ddatblygiad fod o safon uchel a dylai gyfrannu'n gadarnhaol at gyd-destun ei leoliad, drwy adlewyrchu dealltwriaeth glir o egwyddorion dylunio, a'r cyd-destun ffisegol, cymdeithasol, economaidd ac amgylcheddol lleol. Noda Polisi DM09 y dylid dylunio datblygiadau fel eu bod yn sicrhau amgylchedd croesawgar sy'n annog symud drwedd priodol, drwy ddarparu ymdeimlad o le, adlewyrchu swyddogaeth y safle ac annog ffyrntiadau gweithredol ar lefel y ddaear. Mae Polisi DM17 yn ceisio diogelu'r dirwedd yn gyffredinol rhag dioddef effeithiau niweidiol sylweddol oherwydd datblygiadau newydd.

Dyluniwyd y cynnig mewn dwy ran, mae Uned 1 yn meddiannu mwyafrif o ganol y safle ac yn wynebu'r gogledd, ac mae Uned 2 yn wynebu'r ffordd ystâd ogleddol. Golyga hyn fod y cynnig yn darparu dau ffyrntiad gweithredol ar hyd y ffordd ystâd fewnol, gyda mynediad i gerbydau a cherddwyr yn cael ei ddarparu gan y ffordd a'r palmant presennol.

O ran eu maint a'u dyluniad, bernir bod y ddau adeilad yn dderbyniol gan eu bod yn debyg i adeiladau presennol y parc busnes ac felly byddant yn gydnaws ag edrychiad presennol y parc busnes. Ni fyddai'r datblygiad arfaethedig i'w weld yn amlwg yn y dirwedd ehangach a byddai'n cael ei weld yng nghyd-destun y parc busnes presennol ta beth.

O ganlyniad, mae'r cynnig yn dderbyniol ac yn cyd-fynd â Pholisïau DM06, DM09 a DM17 y Cynllun Datblygu Lleol.

### **Tirwedd**

Mae Polisi DM10 y Cynllun Datblygu Lleol yn ei gwneud hi'n ofynnol i ddatblygiadau gael eu cefnogi gan gynllun tirwedd. Mae Polisi DM20 yn cydnabod bod coetiroedd, coed a gwrychoedd yn cyfrannu'n sylweddol at ansawdd gweledol a bioamrywiaeth y sir, ac mae'n mabwysiadu rhagdybiaeth o blaid cadw'r coed, y gwrychoedd a'r coetiroedd presennol, yn ogystal â phlannu rhai newydd.

Porfa sydd ar y safle ar hyn o bryd gyda sribyn o goed yn rhedeg o'r dwyrain i'r gorllewin, tuag at ran ogleddol y safle. Cyflwynwyd adroddiad ecolegol fel rhan o'r cais sy'n nodi'r gwelliannau i fioamrywiaeth, gan gynnwys plannu clawdd a choed newydd. Mae'r gwaith tirwedd arfaethedig hefyd yn cael ei ddangos ar gynllun.

Credir bod y gwaith tirwedd arfaethedig yn dderbyniol yn unol â Pholisïau DM10 a DM20 y Cynllun Datblygu Lleol.

### **Amwynder**

Saif y datblygiad arfaethedig yng nghanol parc busnes presennol ac mae'r defnyddiau arfaethedig yn cydweddu ac yn addas, ac maent yn cydymffurfio â'r gofynion a nodwyd ar gyfer y safle sydd wedi'i neilltuo. Felly, ni fyddai unrhyw effaith andwyol ar amwynder. Mae Swyddog Diogelu'r Cyhoedd y Cyngor hefyd wedi argymhell nifer o amodau i sicrhau nad yw'r datblygiad arfaethedig yn cael effaith andwyol ar amwynder.

### **Priffyrdd a Pharcio**

Cyflwynwyd Asesiad Trafnidiaeth gyda'r cais sy'n nodi bod y safle'n cynnig mynediad diogel i gerbydau, digon o lefydd parcio, a'i fod mewn lleoliad cynaliadwy sy'n hygyrch i gerddwyr, seiclwyr a defnyddwyr trafndiaeth gyhoeddus.

Byddai'r mynediad at y datblygiad o'r ffordd ystâd fewnol, gyda dwy fynedfa – un i'r gogledd ac un i'r de a fydd yn darparu mynediad uniongyrchol i bob uned. Hefyd, byddai gan yr unedau manau parcio uniongyrchol ar hyd y ffin orllewinol, a'r ffin ogleddol yn ymestyn tuag at y dwyrain.

Yn seiliedig ar safonau parcio'r Cyngor, byddai'r gofyniad o ran parcio'n amrywio o 15 man parcio pe bai 100% o'r unedau'n cael eu defnyddio ar gyfer defnydd B8 Dosbarthu i 73 man parcio pe bai 100% o'r unedau'n cael eu defnyddio fel swyddfeydd B1. Byddai'r datblygiad yn darparu cyfanswm o 60 man i barcio ceir, gan gynnwys tri man parcio ar gyfer pobl anabl. Darperir man i barcio beiciau yng nghornel de-orllewinol y safle. Noda'r Asesiad Trafnidiaeth fod hyn tuag at ben uchaf yr ystod o fannau parcio sy'n angenrheidiol (15 i 73 man parcio) lle mae 100% o unedau defnydd B8 yn cael ei gymryd ar gyfer y nifer isaf a 100% o unedau defnydd B1 yn cael ei gymryd ar gyfer y nifer uchaf, oherwydd mewn gwirionedd byddai'r adeiladau'n cynnwys cymysgedd o ddefnyddiau B1, B2 a B8. Mae'r ffordd ystâd bresennol yn cynnwys llwybr troed, ac mae llwybrau ar gyfer cerddwyr a beicwyr i fynd i ganol y dref, gan ddarparu cysylltiadau da ar gyfer cerddwyr.

Mae'r Asesiad Trafnidiaeth yn cyfrifo nifer y teithiau fyddai'n debygol o gael eu creu ac mae'n awgrymu y byddai tua 31 i 33

o symudiadau gan gerbydau yn ystod yr oriau brig, sy'n golygu un symudiad ychwanegol gan gerbyd bob rhyw 2 funud yn ystod yr oriau prysuraf. Creda'r Asesiad Trafnidiaeth nad ydy hyn yn sylweddol ac ni fyddai'n cael effaith sylweddol ar y rhwydwaith o briffyrdd o amgylch y safle.

Ar ôl derbyn cynlluniau diwygiedig sy'n dangos cyfanswm o 6 man i wefru cerbydau trydan, nid oes gan yr awdurdod priffyrdd lleol unrhyw wrthwynebiad yn ddibynnol ar amodau.

## Ecoleg

Mae'r safle'n cynnwys dwy ardal o dir sydd wedi'u gwahanu gan glawdd sy'n rhedeg o'r gorllewin i'r dwyrain. Mae'r plot gogleddol yn cynnwys tir pori yn bennaf, gyda phant bach, llaith sydd ar hyn o bryd wedi'i orchuddio â llystyfiant. Tir pori yw'r plot deheuol hefyd. Yn bennaf, mae'r clawdd sydd wedi gor-dyfu'n cynnwys coed derw Twrci gyda rhywfaint o goed ynn, drain gwynion a drain duon lled-aeddfed ac un goeden aethnen lled-aeddfed. Mae'n amlwg nad ydy'r clawdd wedi cael llonydd gan fod ardaloedd o dir moel a thystiolaeth bod cwningod wedi bod yn ei ddefnyddio. Wrth gynnal arolwg o botensial y coed ar gyfer ystlumod sy'n clwydo, canfuwyd bod dim neu braidd dim potensial yno. Dylai unrhyw waith i symud y coed o linell y clawdd ac unrhyw waith i glirio llystyfiant gael ei wneud y tu allan i'r tymor nythu – gellir gosod amodau er mwyn sicrhau hyn.

Mae'r adroddiad ecolegol yn nodi gwelliannau, gan gynnwys -

- plannu clawdd newydd o amgylch ffin y safle a fydd yn cynnwys cyfanswm o tua 100m o rywogaethau cynhenid, a hynny mewn tair rhan;
- plannu coed newydd, gyda chymhareb o dair coeden newydd yn cael eu plannu am bob un a waredwyd, yn unol â'r fersiwn ddiweddaraf o Bolisi Cynllunio Cymru;
- tri blwch adar;
- dau flwch ystlumod;
- glaswelltir amwynder.

Saif y safle o fewn Ardal Cadwraeth Arbennig Afon Teifi, fodd bynnag yn ôl Cyfoeth Naturiol Cymru nid oes angen Asesiad Rheoliadau Cynefinoedd llawn oherwydd ni fyddai unrhyw ffoffadau sy'n mynd i estyniadau llanw Ardal Cadwraeth Arbennig Afon Teifi yn cael yr un effaith ag y byddai mewn rhannau o'r Ardal Cadwraeth Arbennig lan yr afon sy'n cynnwys dŵr croyw.

Mae posibilrwydd y gallai llygredd o gam adeiladu'r datblygiad fynd i mewn i'r dŵr wyneb ffo ac i'r safle dynodedig. Mae'r ffyrdd mynediad o fewn y parc busnes a'r gefnffordd yn creu byffer o amgylch y safle. Cyflwynwyd Cynllun Atal Llygredd sy'n nodi'r mesurau lliniaru ar gyfer rheoli dŵr ffo llygredig, yr effaith ar ansawdd yr aer, llygredd swm a rhywogaethau estron goresgynnol.

O ystyried yr uchod, mae'r Ecolegydd Cynllunio'n fodlon â'r datblygiad arfaethedig yn ddibynnol ar osod amodau i sicrhau'r gwelliannau a nodwyd yn yr adroddiad ecolegol, cydymffurfiaeth â'r Cynllun Atal Llygredd, a bod manylion unrhyw oleuadau allanol yn cael eu cyflwyno a'u cymeradwyo gan yr Awdurdod Cynllunio Lleol, os bwriedir cynnwys rhai yn y datblygiad.

## Dŵr wyneb

Noda'r cais y byddai'r dŵr wyneb yn cael ei waredu drwy system ddraenio gynaliadwy. Cyflwynwyd cynllun draenio. Mae Adran Draenio Tir y Cyngor wedi cynghori y byddai angen cymeradwyaeth ar gyfer System Ddraenio Gynaliadwy, felly byddai Bwrdd Cymeradwyo Systemau Draenio Cynaliadwy'r Cyngor yn gallu delio â'r dŵr wyneb mewn modd digonol fel rhan o'r broses ar gyfer cymeradwyo'r system ddraenio gynaliadwy.

## Draenio dŵr brwnt

Byddai dŵr brwnt yn cael ei waredu drwy'r brif garthffos. Mae Dŵr Cymru wedi cynghori y byddai'r datblygiad arfaethedig yn gorlenwi'r Gwaith Trin Dŵr Gwastraff presennol yn Aberteifi sydd eisoes wedi cyrraedd ei gapasiti. Mae gwaith uwchraddio wedi'i gynllunio a bydd yn cael ei gwblhau erbyn 31 Mawrth 2027. O ganlyniad, mae Dŵr Cymru'n argymhell y dylid gosod amod fel rhan o unrhyw ganiatâd a roddir sy'n nodi na ddylid defnyddio'r datblygiad cyn 31 Mawrth 2027, oni bai bod y gwaith uwchraddio wedi'i gwblhau a bod cadarnhad ysgrifenedig yn nodi hyn wedi'i gyflwyno gan yr Awdurdod Cynllunio Lleol.

Gofynnodd yr asiant am osod carthbwl dros dro i ddelio â dŵr brwnt nes bydd y gwelliannau wedi'u cwblhau. Fodd bynnag, cafodd hyn ei wrthod gan yr Awdurdod Cynllunio Lleol yn unol â chyngor Llywodraeth Cymru yng Nghylchlythyr 008/2018 sy'n ei gwneud hi'n ofynnol i ddatblygiad sy'n cael ei wasanaethu gan garthffos gyhoeddus gysylltu â'r garthffos honno. Mae'r Cylchlythyr yn cynghori mai dim ond os gellir dangos er bodd yr awdurdod cynllunio lleol nad yw'n ymarferol cysylltu â charthffos gyhoeddus ar ôl ystyried y gost a / neu'r ymarferoldeb, y dylid ystyried gosod system breifat. O ran system breifat, mae'r Cylchlythyr yn cynghori mai cyfleuster parod i drin carthion dylai fod y flaenoriaeth gyntaf, ac yna tanc carthion. Nid oes unrhyw ddarpariaethau yn y Cylchlythyr ar gyfer carthbwl ac mae'n cydnabod bod defnydd amhriodol o systemau

carthffosiaeth nad ydynt yn gysylltiedig â'r prif rwydwaith, yn enwedig y rheini sy'n cynnwys carthbyllau, yn gallu achosi problemau o ran iechyd y cyhoedd, amwynder neu'r amgylchedd.

### **Cyfyngu meddiannaeth yr unedau**

Ymatebodd y Cyngor Tref gan nodi bod y Cynghorwyr yn cefnogi'r cais ar yr amod y byddai'r unedau'n cael eu meddiannu gan fusnesau lleol. Cyflwynodd trydydd parti yr un sylwadau hefyd.

Mae Cylchlythyr (Defnyddio Amodau Cynllunio i Reoli Datblygu, Hydref 2014) Llywodraeth Cymru'n pwysleisio y dylid gosod amodau dim ond os ydynt yn angenrheidiol ac yn rhesymol, yn orfodadwy, yn fanwl gywir ac yn berthnasol i'r gwaith cynllunio a'r datblygiad sydd i'w ganiatáu. Mae amod nad yw'n berthnasol i gynllunio yn ultra vires h.y. mae y tu hwnt i bwerau'r awdurdod cynllunio lleol ac, o bosibl, yn ddiangen ac yn afresymol. Noda'r Cylchlythyr y canlynol: "*Gan fod rheolaethau cynllunio yn ymwneud â defnyddio tir yn hytrach na phwy yw'r defnyddiwr, fel arfer bydd pwy fydd yn meddiannu'r safle y bydd caniatâd yn cael ei roi ar ei gyfer yn amherthnasol*".

Mae'r datblygiad arfaethedig yn cydymffurfio â'r polisïau cynllunio cenedlaethol a lleol a nodwyd uchod, ac nid yw'r datblygiad yn dod yn fwy derbyniol, o safbwynt cynllunio, os ydy'r feddiannaeth yn cael ei chyfyngu i fusnesau lleol yn unig. Byddai defnyddio amod o'r fath yn afresymol o gyfyngol, a byddai'n cyfyngu'r datblygiad yn ddifrifol. Er enghraifft, byddai'n atal busnesau o'r tu allan rhag adleoli / sefydlu yn Aberteifi, gan arwain at effaith negyddol posib ar economi'r dref. Gallai hefyd fod yn broblematig ceisio diffinio'r hyn a ystyrir yn lleol.

Felly, nid yw amod o'r fath yn angenrheidiol ar gyfer gwneud y datblygiad yn dderbyniol, nid yw'n rhesymol, a byddai'n anodd iawn i'w orfodi. Ni ddylid gosod unrhyw amod sy'n methu unrhyw un o'r chwe phrawf.

### **Y rhesymau dros gyfeirio'r cais at y Pwyllgor Rheoli Datblygu**

Caiff y cais ei gyflwyno i'r Pwyllgor Rheoli Datblygu gan ei fod yn ddatblygiad mawr.

#### **ARGYMHELLIAD:**

Argymhellir y dylid cymeradwyo'r cais gydag amodau.

<b>Rhif y Cais /</b>	A230527
<b>Application Reference</b>	
<b>Derbyniwyd / Received</b>	21-07-2023
<b>Y Bwriad / Proposal</b>	Development of 18 flexible use commercial units (Uses B1, B2 and B8 of the Use Classes Order, including trade counters) in the form of two buildings.
<b>Lleoliad Safle / Site Location</b>	Plot C2 Parc Teifi, Cardigan. SA43 1EW
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	(TID Holdings Ltd), 5 Maes Y Dderwen, Cardigan, Ceredigion, SA43 1PE
<b>Asiant / Agent</b>	Llyr Evans (Llyr Evans Planning Ltd), Llantoed Farm, Cardigan, SA43 3NU

## THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to a parcel of vacant land within the centre of Parc Teifi Business Park, which lies on the eastern edge of Cardigan. The business park consists of detached and linked business units set around an internal estate road.

The application site lies within the settlement boundary of Cardigan and within an allocated employment site (E0201).

No relevant planning history.

## DETAILS OF DEVELOPMENT

The application seeks full planning permission for the erection of two commercial buildings consisting of 6 units within unit 1, and 12 units within unit 2, together with access, parking, and associated landscaping works. The buildings would be used for B1 (Business), B2 (General Industrial) and B8 (Storage & Distribution) uses of the Use Class Order, and overall would provide a total commercial floor area of 1,832 square metres.

Unit 1 is the larger building, measuring 51.9 metres long by 23.2 metres wide. The building will be of double height, with a hipped roof measuring 5.5 metres to eaves and 8.12 metres to ridge. The building will accommodate 6 units ranging in size of between 122 sq.m and 223 sq.m. This building will occupy the majority of the centre of the site extending southwards, with access and parking to the south and to the west.

Unit 2, is slightly smaller in scale measuring 36.9 metres long by 10.7 metres wide. The building will be two storey, with a hipped roof measuring 5.5 metres to eaves and 7 metres to ridge. The building will accommodate 12 units over two floors ranging in size between 35 sq.m and 70 sq.m. The building will sit to the north of Unit 1, with access to the north, parking to the west and along the site's northern frontage, extending to the east.

Both buildings are of a similar design, and incorporate the same materials being -

- metal or composite sheeting
- walls are a mixture of red brick and yellow lower walls and cladding upper walls
- painted aluminium or uPVC windows and doors
- both buildings includes solar panels on the south facing roof pane.

The development will provide a total of 60 car parking spaces, including three disabled spaces and 6 EV charging points. Cycle parking is provided at the south west corner of the site.

The means of enclosure and landscaping are a mixture of low hedging and landscaped areas, stock proof fencing and security style fencing for certain units. A green amenity space is provided within the north-east area of the site.

The application states that surface water will be disposed of via a sustainable drainage system.

Foul sewage will be disposed of via the mains sewer.

The application, due to its scale, constitutes Major Development, and a PAC report has been submitted.

Amended plans were submitted on 13-11-2023 amending the access to Unit 2 so that the entrances face north, and to include the introduction of a footpath link on the east side of the units to improve connectivity with the amenity area.

## RELEVANT PLANNING POLICIES AND GUIDANCE

### Relevant National Planning Policy

- Future Wales: The National Plan 2040
- Planning Policy Wales (edition 11, February 2021)
- TAN4 Retail and Commercial Development (2016)
- TAN5 Nature Conservation and Planning (2009)
- TAN11 Noise (1997)
- TAN12 Design (2016)
- TAN18 Transport (2007)
- TAN23 Economic Development (2014)
- Active Travel (Wales) Act 2013
- WG Circular 008/2018 - Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants, July 2018

### **Relevant Local Planning Policy**

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

- S01 Sustainable Development
- S02 Development within Urban Service Centres
- LU11 Employment Allocated Sites
- DM03 Sustainable Travel
- DM04 Travel Infrastructure Material Consideration
- DM06 Design and Placemaking
- DM09 Design & Movement
- DM10 Design and Landscaping
- DM11 Design & Climate Change
- DM12 Utility Infrastructure
- DM13 SUDS
- DM14 Nature Conservation / Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape
- DM20 Protection of Trees / Hedgerows
- DM22 Environmental Protection

Relevant adopted Supplementary Planning Guidances:

- CCC Parking Standards SPG
- Transport Assessment SPG
- Built Environment and Design SPG
- Nature Conservation SPG 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**

- **Cyngor Tref Aberteifi Town Council** - Councillors support this application with the condition that they are occupied by local businesses.
- **Highways** - No objection subject to conditions
- **Land Drainage** - SuDS Approval required
- **Ecology** - Recommended conditions
- **Natural Resources Wales** - No objection
- **Dwr Cymru Welsh Water** - Recommended conditions
- **Dyfed Archaeological Trust** - No response received
- **Mid and West Wales Fires and Rescue Service** - No objection
- **Commercial Services** - Recommended conditions

One representation received from third party, noting the following -

- These buildings should be for local independent businesses and not be allowed for occupancy by multi national companies

## **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**

Future Wales' Spatial Strategy identifies Cardigan as part of the Teifi Valley Regional Growth Area. Regional Growth Areas are considered focal points for the region's social and economic activity. It is considered that the provision of additional employment units in Cardigan would support its commercial service base and in turn Cardigan's sub-regional and regional role.

The application site lies within the settlement boundary of Cardigan Urban Service Centre (USC). LDP Policy S01 directs the majority of growth to the USCs as they represent the most sustainable locations for development. The policy seeks to provide for 4000 jobs across the County in a sustainable manner, with 16ha out of the 39 ha allocated land for employment, within the Cardigan Area. This includes the proposed site which forms part of the larger Parc Teifi allocation. This site has been designated for B1, B2 and B8 uses specifically. Policy S02 states that development will be permitted within Cardigan USC where it contributes to its overall sub-regional role as set out in the Settlement Group Statement and contributes to regeneration strategies, where these exist. Cardigan is a primary service hub and provides a large range of services and facilities to its settlement group as well as some county-wide and sub-county functions. It is considered that additional employment units in Cardigan would likely support the town's role as a primary service hub. There is no current regeneration strategy within Cardigan USC.

The application site is located within Parc Teifi Business Park which is an allocated employment site (E0201). LDP Policy LU11 states that proposal in relation to employment allocated sites will be permitted provided that:

1. It reflects and enhances the recognised role of the site and is in line with relevant Allocated Sites Schedule
2. It protects and enhances the existing B1, B2, B8 and complementary sui generis of the site
3. It provides appropriate supportive infrastructure

Parc Teifi has a 'high quality' role meaning it is considered a smaller site of regional significance which offers small or medium scale employment opportunities in attractive surroundings that are well positioned in relation to the County's main road network. Given the proposal seeks to develop a number of small scale units for B1, B2 and B8 uses, it is deemed that

the proposed development would suit the Parc Teifi site. Matters relating to infrastructure are discussed below.

Therefore, in summary, the proposed development would support Cardigan's commercial and public service base and in turn contribute towards the town's role as a primary service hub for the area. In terms of the proposed site, local planning policy establishes that the principle of development for B1, B2 and B8 uses on Parc Teifi is acceptable.

### **Layout, Scale, Design and Visual Impact**

LDP Policy DM06 requires development to be of a high quality design that contributes positively to the context of the site, by reflecting a clear understanding of design principles, the local physical, social, economic and environmental context. Policy DM09 states that development should be designed to secure a welcoming environment which encourages appropriate through movement, by providing a sense of place, reflect site function and encourage active frontages at ground level. Policy DM17 seeks to protect the general landscape from significant adverse effect caused by new development.

The proposal has been designed in two parts, where Unit 1 occupies the majority of the centre of the site and fronts the north, and Unit 2 fronts onto northern estate road. This results in the proposal providing two active frontages along the internal estate road, with vehicular and pedestrian access being achieved from the existing road and pavement.

The two buildings in terms of their scale and design is considered to be acceptable as they are similar to the existing buildings within the business park and would therefore be inkeeping with the existing appearance of the business park. The proposed development would not be prominently visible within the wider landscape and would in any case be read in the context of the existing business park.

As a result, the proposal is acceptable in line with LDP Policies DM06, DM09, and DM17.

### **Landscaping**

LDP Policy DM10 requires development to be supported by a landscaping scheme. Policy DM20 recognises that woodlands, trees and hedgerows contribute significantly to the visual quality and biodiversity of the County, and adopts a presumption in favour of the retention of existing trees, hedgerows and woodlands, in addition, to new planting.

The existing site is laid with grass with a tree belt running from east to west, towards the northern part of the site. An ecology report has been submitted as part of the application which sets out biodiversity enhancement which includes the planting of a new hedge and trees. The proposed landscaping is also shown on a plan.

The proposed landscaping is considered to be acceptable in line with LDP Policies DM10 and DM20.

### **Amenity**

The proposed development lies within the centre of an existing established business park and the proposed uses are compatible and appropriate and in line with the requirements set out for the allocated site. Therefore there will be no adverse impact on amenity. The Council's Public Protection Officer has also recommended a number of conditions to ensure that the proposed development does not have an adverse impact on amenity.

### **Highways and Parking**

The application is accompanied by a Transport Assessment which states that the site provides safe vehicular access, adequate parking provision, and is within a sustainable location being accessible to pedestrians, cyclist and by public transport users.

The development will be accessed via the existing internal estate road, with two entrances - one to the north and one to the south providing direct access to each of the units. The units will also have direct parking spaces along the west boundary, and the north boundary extending towards east.

Based on the Council's parking standards, the parking requirement ranges between 15 spaces if 100% of the units were to be used for B8 Distribution to 73 spaces if 100% of the units were to be as B1 offices. The development will provide a total of 60 car parking spaces, including three disabled spaces. Cycle parking is provided at the south west corner of the site. The Transport Assessment notes that this lies towards the upper end of the range of parking spaces (15 to 73) spaces where 100% B8 uses is assumed for the lower number and 100% B1 office use is assumed for the higher number, as in reality the buildings will be used for a mix of b1, B2 and B8 uses. The existing estate road includes a footpath, and there are also a pedestrian and cyclist routes to the town centre, therefore providing good pedestrian connectivity.

The Transport Assessment calculates the likely trip generation which suggests some 31 to 33 peak hour vehicle movements, which represents an average of only one additional vehicle movement every 2 minutes or so during the busiest hours. The TA considers this to be insignificant and will have no material impact on the surrounding highway network.

Following the receipt of amended plans showing a total of 6 E.V Charging Points, the local highway authority has raised no objection subject to conditions.

## **Ecology**

The site comprises two areas of land separated by a hedgerow running west to east. The northern plot is predominantly grazed grassland with a small damp hollow currently vegetated. The southern plot is also grazed grassland. The overgrown hedgerow comprises mainly of Trukey Oak with some semi-mature Ash, hawthorn, blackthorn and a single specimen of semi-mature aspen. The hedgerow is very disturbed with areas of bare ground and evidence of rabbit use. The tree survey for potential for hosting roosting bats found no or negligible potential for roosting bat features. Removal of the rees within the hedgeline and further vegetation clearance should be undertaken outside of the nesting season - this can be conditioned.

The ecology report sets out enhancement, which include -

- planting of new hedgerow around the boundary of the site which will comprise approximately 100m of native planting in total, spread across three sections.
- new tree planting, which shall be taken at a ratio of three trees planted for every one tree removed, in line with updated PPW.
- three bird boxes
- two bat boxes
- amenity grassland

The site is located within the Afon Teifi SAC catchment area, however it has been screened out from requiring a full HRA under guidance from NRW as any phosphates that enters the tidal reaches of the Afon Teifi SAC is not considered to have the same impact as it would in truly freshwater parts of the SAC, upstream.

There is potential for pollution from the construction phase of the development to enter surface water runoff and onto the designated site. The site is buffered by access roads within the business park and the main trunk road. A Pollution Prevention Plan has been submitted detailing mitigation measures to control pollutant runoff, air quality impacts, noise pollution and INNS.

In view of the above, the Planning Ecologist is satisfied with the proposed development subject to conditions securing the enhancement set out within the ecology report, compliance with the Pollution Prevention Plan, and that details of any external lighting are first submitted and approved by the LPA if any are proposed.

## **Surface Water**

The application states that surface water will be disposed of via sustainable drainage system. A drainage layout plan has been submitted. The Council's Land Drainage has advised that SuDS approval is required, therefore, surface water can be adequately dealt with by the Council's SAB, as part of the SuDS approval process.

## **Foul Drainage**

Foul sewage will be disposed of via main sewer. Dwr Cymru has advised that the proposed development would overload the existing Cardigan Waste Water Treatment Works which has reached it's capacity. Upgrading works are planned for completion by 31 March 2027. As a result, Dwr Cymru recommends that a condition is imposed as part of any permission noting that the development shall not be brought into use earlier than 31st March 2027, unless the upgrading of Cardigan WWTW has been completed and written confirmation of this has been issued by the LPA.

The agent requested that they install a temporary cesspool to deal with foul sewerage up until the improvements works have been completed. However this has been rejected by the LPA, in line with Welsh Government's advice within Circular 008/2018 which requires development that are served by a public sewer, to be connected to it. The Circular advises that only if it can be shown to satisfaction of the LPA that a connection to the public sewer is not feasible taking into account the cost and /or practicability, would a private system be considered. In terms of a private system, the Circular advises that a package treatment plant should be the first priority, and then a septic tank. It does not make provision for a cesspool and recognises that inappropriate use of non-mains sewerage systems, particularly those incorporating cesspools can give rise to public health, amenity of environmental problems.

## **Restricting the occupancy of the units**

The Town Council has responded saying that councillors support the application with the condition that they are occupied by local businesses. A third party has also submitted the same comments.

Welsh Government Circular (The Use of Planning Conditions for Development Management, October 2014) stresses that conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and



relevant both to planning and to the development to be permitted. A condition which has no relevance to planning is ultra vires i.e. beyond the powers of the local planning authority, and potentially both unnecessary and unreasonable. The Circular states that *"Since planning controls are concerned with the use of land rather than the identity of the user, the question of who is to occupy the premises for which permission is to be granted will normally be irrelevant."*

The proposed development complies with relevant national and local planning policies as noted above, and the development does not become more acceptable, in planning terms, if its occupancy is restricted to local businesses only. The use of such condition would be unduly restrictive, and would put severe limitation on the development. For example, it would prevent incoming businesses from relocating/establishing in Cardigan, resulting in potential negative impact to the town's economy. Defining local could also be problematic.

Therefore, such a condition is not necessary to make the development acceptable, nor it is reasonable, and would also be difficult to enforce. A condition which fails any of the six tests should not be imposed.

**Reasons for referral to the Development Management Committee**

The application is reported to the Development Management Committee as it constitutes major development.

**RECOMMENDATION:**

Approve subject to conditions

## 2.3. A230561



<b>Rhif y Cais / Application Reference</b>	A230561
<b>Derbyniwyd / Received</b>	02-08-2023
<b>Y Bwriad / Proposal</b>	Proposed demolition of existing dwelling and proposed new build of dwelling. And all associated works.
<b>Lleoliad Safle / Site Location</b>	The Beach House, Cae Dolwen, Aberporth, Cardigan. SA43 2DE
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr P Hodgson, Gilwendeg Cae Dolwen, Aberporth, Ceredigion, SA43 2DE
<b>Asiant / Agent</b>	Mr Stewart Corbett (Archi-Tech), Unit 3 Canolfan Teifi Pendre, Cardigan, Ceredigion, SA43 1JL

## Y SAFLE A HANES PERTHNASOL

Mae'r cais yn ymwneud â byngalo sengl sy'n cael ei adnabod fel The Beach House, sydd wedi'i leoli yng nghornel gogledd-ddwyreiniol ystâd Cae Dolwen o fewn terfynau anheddiad Aberporth. Mae gan y brif annedd do sydd ar oledf a gardd gefn sy'n ffinio â Heol Pentraeth i'r gogledd ac mae'n edrych allan dros Draeth Dolwen.

### Hanes cynllunio perthnasol

A211058 – Y bwriad i ddymchwel y tŷ presennol a'r bwriad i adeiladu annedd newydd gan gynnwys wal gynnal gaergawell hyd at y man parcio ceir a'r holl waith cysylltiedig. Gwrthodwyd – 28/10/2022.

## MANYLION Y DATBLYGIAD

Mae'r cais arfaethedig yn gofyn am ganiatâd cynllunio llawn i ddymchwel y byngalochalet pedair ystafell wely gan godi annedd dau lawr yn ei le a fydd yn cynnwys tair ystafell wely.

Mae mesuriadau'r annedd bresennol fel a ganlyn: 15 metr o led, 7.4 metr o hyd a 5.6 metr o uchder i fyny at y grib.

Mae mesuriadau'r annedd arfaethedig newydd fel a ganlyn: 15.17 metr o led ar hyd y gweddllun blaen, 15.38 metr o led ar hyd y gweddllun cefn, 12.46 metr o hyd gan leihau i 7.9 metr ar hyd y gweddllun ochr, 5.42 metr hyd at y bondo a 7.47 metr i fyny at y grib (cynnydd o 1.87 metr). Mae'r deunyddiau a gynigir ar gyfer y gorffeniad ar y tu allan yn cynnwys – teils crib i gyd-fynd â'r llechi ar y to presennol sydd wedi'u gosod â llaw, ffasgia a bondoeau alwminiwm, ffenestri a drysau wedi'u gwneud o alwminiwm llwyd, waliau plinth cerrig wedi'u rendro'n llyfn.

## POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

- S01 Twf Cynaliadwy
- S03 Datblygu mewn Canolfannau Gwasanaethau Gwledig
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM12 Seilwaith Cyfleustodau
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol
- DM18 Ardaloedd Tirwedd Arbennig
- LU08 Anheddau Newydd yn Lle'r Rhai Presennol
- Canllawiau Cynllunio Atodol 6: Amgylchedd Adeiledig a Dylunio (2015)
- FW21: Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

- PPW21: Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)

## **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; ac
- 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 YMGYNGHORI**

**Cyngor Cymuned Aberporth** - Gwrthwynebiad

**Priffyrdd** – Dim gwrthwynebiad, yn ddibynol ar amodau

**Gwasanaethau Draenio Tir** – Dim gwrthwynebiad, yn ddibynol ar amodau. Angen cymeradwyaeth ar gyfer System Ddraenio Cynaliadwy.

**Ecoleg** – Dim gwrthwynebiad, yn ddibynol ar amodau. Asesiad Rheoliadau Cynefinoedd wedi'i gynnal.

**Cyfoeth Naturiol Cymru** – Dim gwrthwynebiad

**Dŵr Cymru**– gwnaeth Dŵr Cymru argymhell amod ynglŷn â dŵr wyneb

**Cafwyd 14 o lythyron yn gwrthwynebu. Roedd y rhain yn codi pryderon ynghylch y canlynol:**

- Uchder yr annedd arfaethedig (byddai'n anghydnaws o ran graddfa / byddai'n tra-arglwyddiaethu dros yr ardal, byddai'n uwch na'r eiddo cyfagos)
- Nid yw'n gydnaws â'r gymdogaeth.
- Mae'n fwy na'r ôl troed presennol.
- Mae'n effeithio'n andwyol ar yr amwynder preswyl
- Bod lefelau'r tir wedi'u codi.
- Cynlluniau camarweiniol
- Bydd y gwaith dymchwel arfaethedig a'r traffig sy'n gysylltiedig â'r gwaith adeiladu y amharu ar yr ardal.
- Effaith ar y strydlyn

## **CASGLIAD**

Mae Adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn nodi'r canlynol: "Os rhoddir ystyriaeth i'r cynllun datblygu

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

## **Egwyddor Datblygu**

Mae'r cynnig wedi'i gyflwyno'n llawn a'r bwriad yw dymchwel yr annedd presennol sy'n cynnwys pedwar ystafell wely a chodi annedd newydd yn ei le a fydd yn cynnwys tair ystafell wely.

Mae polisi S01 y Cynllun Datblygu Lleol yn nodi'r ardaloedd ar gyfer twf yng Ngheredigion. Mae safle'r cais wedi'i leoli o fewn ffin anheddiad Aberporth/Parclyn sydd wedi'i nodi fel Canolfan Gwasanaethau Gwledig yn y Cynllun Datblygu Lleol.

Felly, mae Polisi S03 y Cynllun Datblygu Lleol yn berthnasol. Mae'r polisi hwn yn nodi y bydd ffocysu datblygu yn y Canolfannau Gwasanaethau Gwledig, yn fodd i wella cynaliadwyedd yr ardaloedd gwledig ac felly caniateir datblygu, cyn belled ag y bodlonir meini prawf penodol.

Gan fod y cais arfaethedig yn ymwneud ag adeiladu annedd newydd o fewn Canolfan Gwasanaethau Gwledig yn lle annedd sydd yno'n barod, ystyrir bod yr egwyddor datblygu yn dderbyniol yn unol â Pholisi S01 a S03 y Cynllun Datblygu Lleol.

## **LU08 – Anheddau Newydd yn Lle'r Rhai Presennol**

Mae codi anheddau newydd yn lle'r rhai presennol yn dod o dan Bolisi LU08 y Cynllun Datblygu Lleol sy'n nodi:

*1. Ni ddylai'r annedd bresennol fod yn furddun ac mae modd ei hadnabod o hyd fel annedd barhaol o dan Ddosbarth C3 Gorchymyn Dosbarthiadau Defnydd 1987 (fel y'i diwygiwyd);*

*2. O godi annedd newydd yn lle hen un*

*i) dylid ei lleoli o fewn neu gerllaw ôl troed yr annedd wreiddiol a dylai adlewyrchu ffurf, swmp, maint a graddfa'r annedd wreiddiol onid oes manteision clir o newid cyfeiriadedd, safle a maint yr un wreiddiol.*

*ii) dylai barchu neu wella ar ddyluniad yr annedd wreiddiol, eiddo cyfagos a'r gymdogaeth*

*3. Bydd y datblygiad arfaethedig yn amodol ar ddymchwel yr annedd wreiddiol ar yr adeg briodol*

O ran Maen Prawf 1, mae'r Awdurdod Cynllunio Lleol yn fodlon bod rhywun yn byw yn yr annedd ar hyn o bryd ac felly nad ydyw'n furddun.

O ran Maen Prawf 2:

- **Lleoliad --**

- Cynigir y bydd yr annedd newydd yn cael ei leoli dros ôl-troed yr annedd bresennol. Serch hynny, gan fod yr annedd arfaethedig yn fwy o faint a bod ei siâp yn wahanol, derbynnir bod rhan o ôl-troed yr annedd newydd y tu allan i ôl troed yr annedd wreiddiol.

- **Ffurf, swmp, maint, a graddfa --**

- Cydnabyddir bod yr annedd arfaethedig yn ehangach, yn hirach ac yn uwch na'r eiddo presennol ac felly mae'r ardal fewnol gros yn fwy ac felly mae'r ôl-troed yn fwy. Serch hynny, mae'r gofod ychwanegol ar gyfer y llawr wedi'i sicrhau gan ystyried yr annedd bresennol a'r lleoliad. Dim ond cynnydd bach sydd wedi bod o ran y lled ac nid oes cynnydd mawr wedi bod i'r hyd a'r uchder. Y bwriad yw gwneud y defnydd gorau o'r llain.
- Mae'r annedd arfaethedig yn gyfforddus o fewn ffin bresennol yr eiddo. Er bod dau lawr i'r annedd arfaethedig o gymharu â'r byngalo *chalet*, ystyrir bod hyn wedi'i wneud mewn modd sensitif drwy godi'r grib 1.87 metr a gwneud y defnydd gorau o'r gofod yn y to a'r talcenni sydd wedi'u hymgorffori. Bydd hyn yn sicrhau nad yw'r hyn a gynigir yn uwch na'r eiddo cyfagos sy'n cael ei adnabod fel Camara.

- **Parchu neu wella'r annedd wreiddiol --**

- Er mai byngalos oedd nifer o'r tai ar yr ystâd yn wreiddiol, ers hynny maent wedi cael eu haddasu ac maent bellach yn darparu lle i fyw ar y llawr cyntaf. Ystyrir erbyn hyn nad oes yna arddull / math penodol o eiddo ac y ceir cymysgedd eang wrth ystyried cymeriad yr ystâd.
- Ystyrir bod ffurf yr annedd arfaethedig o ran y dyluniad a'r deunydd a ddefnyddir yn well na'r annedd bresennol.
- Nid oes dim byd penodol i'w nodi am ddyluniad yr annedd bresennol ac nid oes gwerth pensaernïol iddo. Bernir bod dyluniad arloesol i'r annedd arfaethedig a bod y datblygiad yn un o ansawdd uchel yn unol â Maen Prawf 2(ii).

Er mwyn caniatáu i'r annedd arfaethedig gael ei hadeiladu, bydd angen i'r annedd bresennol gael ei dymchwel. Felly, bydd maen prawf 3 wedi'i fodloni.

O ystyried yr uchod, ystyrir bod y datblygiad arfaethedig yn cydymffurfio â Pholisi LU08 y Cynllun Datblygu Lleol.

## Dyluniad ac Effaith Weledol

Mae polisi DM06 yn gofyn bod datblygiad yn rhoi sylw llawn, ac yn cyfrannu'n bositif at gyd-destun ei leoliad a'i amgylchedd. Mae'n hyrwyddo dylunio arloesol sy'n rhoi sylw ar yr un pryd i hynodrwydd lleol yn nhermau ffurf, dyluniad a deunyddiau, ac mae'n gofyn am gynhyrchu ffurf gydlynol o ran graddfa, uchder a maintiol'r ffurf adeiledig sydd yno'n barod.

Yn ogystal, mae Polisi DM17 yn nodi na ddylai datblygiad gael effaith andwyol sylweddol ar ansawdd a chymeriad tirwedd, boed trwy ymyrraeth weledol, lleoliad anystyriol, defnyddiau anghydnaws, methiant i gysoni neu wella tiffurf, neu golli nodweddion a phatrymau traddodiadol pwysig.

Er bod yr annedd arfaethedig yn uwch na'r annedd bresennol, caiff hyn ei wneud mewn modd sensitif er mwyn caniatáu ail lawr drwy ymgorffori'r ddau dalcen a'r to gwastad i sicrhau nad yw'r to ar oledf ar y tu blaen yn rhy uchel o gymharu â gweddill adeiladau'r ystâd. Mae hyn hefyd wedi sicrhau nad yw'r eiddo yn uwch na Camara gerllaw. Hefyd, mae lefelau'r safle drwy'r ystâd yn parhau i godi oherwydd natur y tir. Wrth reswm, mae'r adeiladau wedi'u lleoli ar wahanol lefelau tir ac maent yn uwch na'r safle sydd wedi'i nodi yn y cais. Felly, ystyrir na fydd yr uchder arfaethedig yn golygu y bydd yr annedd yn anghydnaws â'r adeiladau eraill ac na fydd ychwaith yn tra-arglwyddiaethu dros yr ardal.

Ar ben hynny, ystyrir bod graddfa'r annedd arfaethedig newydd yn dderbyniol a bod y datblygiad yn parchu cyd-destun yr ardal, ond ei fod hefyd yn dod â phensaernïaeth fodern i'r ystâd. Mae Polisi DM06 y Cynllun Datblygu Lleol yn nodi bod dylunio arloesol yn cael ei annog ac y gall defnyddio pensaernïaeth fodern fod yn llwyddiant os adlewyrchir y ffurf adeiledig bresennol ynddi. Mae'r Canllawiau Cynllunio Atodol o ran yr Amgylchedd Adeiledig a Dylunio yn nodi'r canlynol:

*"Yn aml, ceir canfyddiad na all dyluniad arloesol fodoli o fewn patrymau sefydledig neu anheddiad ac y gallai wrthdaro â phensaernïaeth sydd ag arddulliau traddodiadol. Y gwirionedd amdani yw bod arddulliau pensaernïol wedi esblygu dros gannoedd o flynyddoedd a'u bod wedi newid nifer o weithiau yn y gorffennol gan ymateb i amodau cymdeithasol, economaidd ac amgylcheddol sy'n newid. Felly, nid oes dim rheswm paham na ddylai dyluniad sy'n defnyddio deunyddiau modern ac sy'n ymateb i estheteg gyfoes fod yn gydnaws â ffurfiau mwy traddodiadol o ddatblygu, cyn belled â bod hyn yn cael ei wneud yn gywir".*

Yn yr achos hwn, ystyrir bod hyn wedi'i wneud yn gywir. Er bod dyluniad modern i'r datblygiad arfaethedig, mae wedi parchu'r patrymau sefydledig, gan gyfyngu ar uchder arfaethedig yr eiddo ac ystyrir bod dyluniad modern yn perthyn i'r tu blaen (a fydd yn wynebu'r ystâd) ond ei fod yn gymharol gyffredin ac yn parchu'r ardal. Er mai byngalos oedd nifer o'r tai ar yr ystâd yn wreiddiol, ers hynny maent wedi cael eu haddasu ac maent bellach yn darparu lle i fyw ar y llawr cyntaf. Ystyrir erbyn hyn nad oes yna arddull / math penodol o eiddo ac y ceir cymysgedd eang wrth ystyried cymeriad yr ystâd.

Hefyd, gwnaed sylwadau ynglŷn â'r eiddo o ran ei leoliad a sut y bydd yn edrych o ben y clogwyn uwchben Nant Howni ger y toiledau cyhoeddus. Mae hyn wedi'i ystyried a bernir na fydd yn achosi amhariad gweledol nac yn amharu ar y strydlun. Byddai modd gweld yr eiddo o'r B4333, ger yr hen swyddfa bost hyd at ddiwedd Heol Pentraeth sy'n cynnwys nifer o adeiladau mawr a modern, gan gynnwys Y Ship, yr adeiladau modern ar hyd Heol Pentraeth ac annedd fawr Pentraeth. Gan ei fod yn cyd-fynd ag uchder presennol yr adeilad drws nesaf, ni fydd yn sefyll yn uwch na gweddill adeiladau'r ystâd, ac ni fydd yn anghydnaws â'r strydlun. Felly, ystyrir na fydd yn creu amhariad gweledol.

O'r herwydd, ni fydd newid yn y cyd-destun preswyl presennol. Mae lleoliad yr annedd yn briodol, ac nid yw dyluniad a swmp yr annedd yn peri unrhyw niwed uniongyrchol nac ehangach i'r tirlun.

## Amwynder Preswyl

Mae Maen Prawf 7, Polisi DM06 yn nodi y dylai'r datblygiad amddiffyn amwynderau deiliaid eiddo cyfagos rhag niwed arwyddocaol o safbwynt preifatrwydd, sŵn a golygon.

Mae nifer o lythyron yn gwrthwynebu wedi dod i law ynglŷn â'r datblygiad hwn ac maent wedi cael eu hasesu isod. Cododd yr eiddo mwyaf cyfagos sy'n cael ei adnabod fel 'Camara' bryderon ynghylch yr effaith ar amwynder preswyl. Mae'r pryderon hyn yn ymwneud â pha mor agos yw'r datblygiad i ffin yr eiddo. Byddai dau lawr i'r datblygiad yn ogystal â tho a byddai'r balconi arfaethedig yn edrych yn syth i mewn i'w hystafell fyw.

Serch hynny, fel yr aseswyd uchod, ystyrir bod uchder arfaethedig yr annedd yn dderbyniol ac mae wedi'i ddylunio yn y fath fodd fel ei fod yn lleihau maint y to drwy ymgorffori dau dalcen ac mae'r to gwastad yn dal i barchu'r eiddo cyfagos. Mae'r adeiladau eisoes wedi'u lleoli'n agos at y ffin ac nid yw'r datblygiad arfaethedig wedi'i lleoli'n agosach na'r un presennol. O ran y balconi, mae'r cynnig wedi cynnwys sgrîn farugog 1.8m o uchder er mwyn atal unrhyw broblemau o ran edrych drosodd ac amddiffyn preifatrwydd y ddwy ochr.

## Ymgynghoreion

Priffyrdd – Ymgynghorwyd â'r awdurdod priffyrdd lleol a bu iddo argymhell pedwar amod i'w rhoi ynghlwm wrth unrhyw gais cynllunio. Roedd yr amodau hyn yn ymwneud â chyfleusterau parcio, dŵr wyneb a suddfannau dŵr, a hynny er mwyn

sicrhau diogelwch ar y ffyrdd.

**Draenio Tir** – Ymgynghorwyd â thîm draenio tir yr Awdurdod Cynllunio Lleol a bu iddo argymhell nifer o amodau i'w rhoi ynghlwm wrth unrhyw gais cynllunio. Roedd yr amodau hyn yn ymwneud â dŵr wyneb a suddfannau dŵr er mwyn sicrhau na fydd y datblygiad yn achosi llifogydd ac er mwyn lleihau effaith hyn ar yr amgylchedd naturiol. Byddai angen cymeradwyaeth ar gyfer System Ddraenio Cynaliadwy.

**Ecoleg** – Ymgynghorwyd ag Ecolegydd yr Awdurdod Cynllunio Lleol a bu i'r Ecolegydd argymhell y dylai'r datblygiad gael ei gyflawni yn unol â'r argymhelliad yn y Gwerthusiad a wnaed o'r Arfarniad Ecolegol Rhagarweiniol a'r Asesiad Rhagarweiniol o Glwydfannau Ystlumod a gyflwynwyd, a hynny er mwyn gwella bioamrywiaeth ac osgoi effeithiau andwyol ar Rywogaethau a Warchodir gan Ewrop (Ystlumod). Lleolir y safle o fewn 30m o Ardal Gadwraeth Arbennig Bae Ceredigion a Safle o Ddiddordeb Gwyddonol Arbennig Aberarth-Carreg-Wylan a 110m o Ardal Gadwraeth Arbennig Forol Gorllewin Cymru. Ceir posibilrwydd y gall llygredd o gam adeiladu'r datblygiad fynd i mewn i'r safleoedd dynodedig o ganlyniad i ddŵr ffo. Felly, mae posibilrwydd y gallai'r datblygiad arfaethedig gael effaith andwyol ar integreidd yr Ardaloedd Cadwraeth Arbennig.

O ganlyniad i hynny, cynhaliwyd Asesiad Rheoliadau Cynefinoedd o dan reoliad 63 Rheoliadau Gwarchod Cynefinoedd a Rhywogaethau 2017. Canfu'r Asesiad bod posibilrwydd y gallai llygredd (H1) ac argaeledd ysglyfaeth (H2) gael effaith sylweddol ar Nodweddion Dynodedig yr Ardaloedd Cadwraeth Arbennig yn ystod cyfnod adeiladu'r datblygiad. Felly, roedd angen symud ymlaen i gam yr Asesiad Priodol.

Er mwyn osgoi effeithiau andwyol ar yr Ardal Cadwraeth Arbennig, daeth yr Asesiad Priodol i'r casgliad y byddai angen Cynllun Atal Llygredd. Byddai modd sicrhau hyn drwy osod amod a fyddai wedi'i geirio'n briodol.

#### Ymatebion y cyhoedd

Cafwyd 14 o lythyron yn gwrthwynebu'r annedd arfaethedig newydd ac roedd y materion a godwyd fel a ganlyn:

- Uchder yr annedd arfaethedig (byddai'n anghydnaws o ran graddfa / byddai'n tra-arglwyddiaethu dros yr ardal, byddai'n uwch na'r eiddo cyfagos)
- Nid yw'n gydnaws â'r gymdogaeth.
- Mae'n fwy na'r ôl troed presennol.
- Mae'n effeithio'n andwyol ar yr amwynder preswyl
- Bod lefelau'r tir wedi'u codi.
- Cynlluniau camarweiniol
- Bydd y gwaith dymchwel arfaethedig a'r traffig sy'n gysylltiedig â'r gwaith adeiladu y amharu ar yr ardal.
- Effaith ar y strydlyn

Cyflwynwyd cynlluniau diwygiedig i roi eglurhad ynghylch y datblygiad, y lefelau ar y safle a lleoliad y datblygiad hwn yng nghyd-destun yr eiddo cyfagos. Mae hyn yn dangos nad oes cynnydd yn y lefelau ar y safle, bod safle'r cais wedi'i leoli yn is na'r eiddo cyfagos a bod uchder y datblygiad a gynigir yr un uchder â'r adeilad drws nesaf.

Yn ogystal â'r sylwadau sydd wedi'u crynhoi uchod, mae nifer o'r gwrthwynebiadau yn nodi bod y cais arfaethedig yn mynd yn groes i bolisiau LU08, DM06 a DM17. Bernir bod sylw pellach wedi'i roi i hyn ac ni ystyrir bod y cais yn mynd yn groes i'r polisi.

#### **ARGYMHELLIAD:**

Cymeradwyo gydag amodau

#### **RHESYMAU DROS GYFEIRIO'R CAIS I'R PWYLLGOR RHEOLI DATBLYGU: -**

Mae'r Cynghorydd Gethin Davies wedi gofyn i'r Pwyllgor Rheoli Datblygu ystyried y cais am y rhesymau canlynol:

- Dros Ddatblygu'r safle
- Effaith weledol ar y dirwedd
- Pryderon ynghylch y deunyddiau e.e. gwydr

<b>Rhif y Cais / Application Reference</b>	A230561
<b>Derbyniwyd / Received</b>	02-08-2023
<b>Y Bwriad / Proposal</b>	Proposed demolition of existing dwelling and proposed new build of dwelling. And all associated works.
<b>Lleoliad Safle / Site Location</b>	The Beach House, Cae Dolwen, Aberporth, Cardigan. SA43 2DE
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr P Hodgson, Gilwendeg Cae Dolwen, Aberporth, Ceredigion, SA43 2DE
<b>Asiant / Agent</b>	Mr Stewart Corbett (Archi-Tech), Unit 3 Canolfan Teifi Pendre, Cardigan, Ceredigion, SA43 1JL

## THE SITE AND RELEVANT PLANNING HISTORY

The application site relates to a detached bungalow known as The Beach House, located to the north eastern corner of Cae Dolwen estate within the settlement limits of Aberporth. The host dwelling features a gable pitched roof with a rear garden that borders Heol Penraeth to the north and outlooks across Traeth Dolwen.

### Relevant Planning History

A211058 – Proposed demolition of existing house and proposed new build of a dwelling inc gabion retaining walls to carparking area and all associated works. Refused – 28/10/2022.

## DETAILS OF DEVELOPMENT

The proposed application seeks full planning permission for the demolition of the existing four bedroomed chalet bungalow and replacement with a three bedroomed two-storey dwelling.

The existing dwelling measures ~15 meters in width, by a length of ~7.4 meters with a ridge height of ~5.6 meters.

The proposed replacement dwelling measures ~15.17 meters in width to the front elevation, with a width of 15.38 meters to the rear elevation by a length of 12.46 meters in length reducing to 7.9 meters at the side elevation with an eaves height of 5.42 meters and a height to ridge of 7.47 meters (an increase of ~1.87 meters). The proposed external material finishes include - Ridge tiles to match existing, man-made slate roofing, Aluminium Fascias and Soffits, Grey Aluminium Windows and Doors, smooth rendered walls with stone plinth.

## RELEVANT PLANNING POLICIES AND GUIDANCE

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

- S01 Sustainable Growth
- S03 Development in Rural Service Centres (RSCs)
- DM06 High Quality Design and Placemaking
- DM12 Utility Infrastructure
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape
- DM18 Special Landscape Areas (SLAs)
- LU08 Replacement of Existing Dwellings
- SPG6 Built Environment and Design SPG 2015
- FW21 Future Wales: The National Plan 2040



- PPW21 Planning Policy Wales (edition 11, February 2021)

## **OTHER MATERIAL CONSIDERATIONS**

### **CRIME AND DISORDER ACT 1998**

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

### **EQUALITY ACT 2010**

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

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

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

### **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

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

## **CONSULTATION RESPONSES**

**Cyngor Cymuned Aberporth Community Council - Objection**

**Highways** – No Objection STC

**Land Drainage** – No Objection STC. SuDS Approval required.

**Ecology** – No Objection STC. HRA Undertaken

**Natural Resources Wales** – No Objection

**Dwr Cymru Welsh Water** – Recommended condition relating to Surface Water

### ***14 Letters of Objection received which raised concerns regarding:***

- Height of the proposed dwelling (Out of scale/would dominate the area, higher than neighbouring property)
- Not in keeping with the neighbourhood.
- Exceeds existing footprint.
- Adversely affect residential amenity
- Raised ground levels.
- Misleading Plans
- Disruption caused by proposed demolition and building traffic.
- Impact Upon Street Scene

## **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 proposal has been submitted in full and looks to demolish the existing 4 bedrooled dwelling and erect a new three bedrooled dwelling in its place.

Policy S01 of the LDP identifies the areas for growth within Ceredigion. The application site lies within the settlement boundary of Aberporth/Parcllyn which is identified as a Rural Service Centre (RSC) within the LDP.

Therefore, Policy S03 of the LDP is of relevance. Which states that focusing development in Rural Service Centres will improve the sustainability of rural areas and therefore development will be permitted as long as it meets certain criteria.

As the proposed application comprises replacement of an existing dwelling within a Rural Service Centre the principle of development is considered acceptable inline with Policy S01 and S03 of the LDP.

### **LU08 – Replacement of Existing Dwelling**

The replacement of existing dwellings is controlled by policy LU08 of the Local Development Plan which states:

1. *The existing dwelling should not have been abandoned and remains clearly recognisable as a permanent dwelling under Class C3 of the Use Class Order 1987 (as amended);*
2. *The replacement dwelling should:*
  - i) *be located within or adjacent to the footprint of the original dwelling and reflect the form, bulk, size and scale of the original dwelling unless there are demonstrable planning advantages to be gained from deviating from the original orientation, position or size.*
  - ii) *respect or enhance the design of the original dwelling, that of surrounding properties and the locality;*
3. *The proposed development will be subject to the demolition of the original dwelling at an appropriate time.*

With regards to Criterion 1, the LPA is satisfied that the dwelling is currently occupied and thus is not abandoned.

With regards to Criterion 2:

- **Siting --**
  - The dwelling is proposed to be located over the existing footprint. However, as the proposed dwelling is larger and shaped differently, it is accepted that part of the footprint is located outside the original.
- **Form, Bulk, Size, and Scale --**
  - The proposed dwelling is acknowledged as being wider, longer and higher than that of the existing and therefore providing a greater gross internal area across a larger footprint. However, the additional floorspace has been achieved with the existing dwelling and setting in consideration, such as only marginally increasing the width and no drastic changes to the length and height, in order to make best use of the existing size of the plot.
  - The proposed dwelling sits comfortably within the existing property boundary. Whilst the proposed dwelling is two-storeys in height compared to the chalet bungalow, it is considered that this has been achieved sympathetically by raising the ridgeline by ~1.87 meter making the best use of the roof space and incorporated gable ends. This ensures that the proposed is no higher than the immediate neighbouring property known as Camara.
- **Respect or enhance the original dwelling --**
  - Whilst many of the properties in the estate were originally bungalows, they have since been altered to provide first floor accommodation and it is considered there is now no specific style/type of property with a wide mixture of character.
  - The form of the proposed dwelling is deemed to be enhanced compared to that of the existing in terms of the design and use of material.
  - The existing dwelling does not hold specific interest in its design and is of no architectural value. The proposed dwelling is adjudged to be of innovative design and achieves a high-quality development in accordance with Criterion 2(ii).

To enable the build of the proposed dwelling, the existing dwelling will need to be demolished. Therefore, criterion 3 will be satisfied.

With the above in mind, the proposed development is considered to be in compliance with Policy LU08 of the LDP.

### **Design and Visual Impact**

Policy DM06 requires development to have full regard and positively contribute to the context of its location and surroundings. It promotes innovative design whilst having regard for local distinctiveness in terms of form, design and material and requires consideration of the cohesiveness of the built form in terms of scale, height and proportion in reference

to existing layout patterns.

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

Whilst the proposed dwelling does increase in height compared to the existing, it is considered to do this sympathetically to allow for a second storey by incorporating two gable end and a flat roof to ensure the pitched roof on the front elevation is not excessively high compared to that of the estate. This has also ensured the property does not exceed the height of the neighbouring property Camara. Additionally, the site levels throughout the estate continue to rise due to the nature of the land. Naturally the properties are located on differing ground levels and sit higher than that of the application site. Therefore, the proposed height is considered to not be out of scale nor dominate the area.

Furthermore, the proposed replacement dwelling is deemed to be of an acceptable scale that has respected the context of its existing setting, whilst introducing modern architecture to the estate. Policy DM06 of the LDP states that innovatively designed development is encouraged and the use of modern architecture can be successful if the relationship between the existing built form is reflected. Whilst The Built Environment design SPG states:

*"It is often perceived that innovative design cannot exist within established patterns or a settlement and that it conflicts with traditional styles of architecture. The reality is that architectural styles have evolved over hundreds of years and have changed numerous times in the past in response to changing social, economic and environmental conditions. Therefore, there is no reason why design which uses modern materials and responds to contemporary aesthetics should not fit in with the context of more traditional forms of development if done correctly".*

In this instance, it is considered that it has been done correctly. The proposed development whilst being of modern design has respected the established patterns, limited the proposed height of the property and the front elevation which faces the estate is considered to be of modern design but relatively modest and respect the area. Whilst many of the properties in the estate were originally bungalows, they have since been altered to provide first floor accommodation and it is considered there is now no specific style/type of property with a wide mixture of character.

In addition, comments were received regarding how the property will sit within the street scene from the top of the cliff above Nant Howni by the public toilets. This has been considered and deemed to not cause a visual intrusion or disrupt the street scene. From this viewpoint, the property would be viewed in the context from the B4333, by the old post office along to the end of Heol Pentraeth which includes many large and modern properties. Including The Ship, the modern properties along Heol Pentraeth and the large dwelling of Pentraeth. As it matches the existing height of the next door property it will not tower above the estate, nor the street scene. Therefore, considered to not create a visual intrusion.

As such, the existing residential context will be retained, the siting of the dwelling is appropriate, and the design and bulk of the dwelling raises no immediate nor wider landscape harm, in accordance with DM06 and DM17 of the LDP.

## **Residential Amenity**

Criterion 7 of Policy DM06 states that the development should protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook.

Several letters of objection have been received in relation to this development which have been assessed below. The immediate neighbouring property known as 'Camara' raised concerns regarding impact upon residential amenity. These concerns relate to the proximity of the development to the property boundary, the development being two storeys plus roof and the proposed balcony would look directly into their living room.

However, as assessed above, the proposed height of the dwelling is considered to be acceptable and has been designed in such a way as to minimize the height of the roof by incorporating two gable ends and the flat roof still respect the neighbouring property. The properties already sit close to boundary and the proposed development is located no closer than the existing. With regards to the balcony, the proposal has included a 1.8m high frosted screen in order to prevent overlooking and protect privacy for both parties.

## **Consultees**

Highways – The local highway authority were consulted and recommended four conditions to be applied to any planning permission relating to parking facilities, surface water and soakaways in the interest of road safety.

Land Drainage – The LPA land drainage team were consulted and recommended several conditions to be applied to any planning permission related to surface water and soakaways to ensure the development does not cause flooding and reduce the impact on the natural environment. SuDS Approval is required.

Ecology - The LPA Ecologist was consulted and recommended that the development shall be carried out in strict accordance with the recommendations made in the Evaluation of the Preliminary Ecological appraisal and Preliminary Roost Assessment submitted, in order to enhance biodiversity and avoid adverse effects on European protected species (Bats). The site is located within 30m of Cardigan Bay SAC and Aberarth-Carreg-Wylan SSSI and 110m of West Wales Marine SAC, and there is the potential for pollution from the construction phase of the development to enter the designated sites via surface water run-off. There is therefore the potential for an adverse effect from the proposed development on the integrity of the Special Conservation Areas.

A Habitats Regulations Assessment has consequently been carried out under regulation 63 of the Conservation of Habitats and Species Regulations 2017, which found that it is possible that there could be a significant effect on Designated Features of the SACs from H1 pollution and H2 Prey Availability during the construction phase of development. Therefore, it needed to be carried forward to the Appropriate Assessment stage.

The AA concluded that in order to avoid adverse impacts on the SAC a Pollution Prevention plan would be necessary, which will be secured by an appropriately worded condition.

#### Public Responses

14 Letters of objection were received regarding the proposed replacement dwelling relating to the following:

- Height of the proposed dwelling (Out of scale/would dominate the area, higher than neighbouring property)
- Not in keeping with the neighbourhood.
- Exceeds existing footprint.
- Adversely affect residential amenity
- Raised ground levels.
- Misleading Plans
- Disruption caused by proposed demolition and building traffic.
- Impact Upon Street Scene

Amended plans were submitted to provide clarification on the development, the site levels and how the development compared to the neighbouring property. This shows that the site levels are not increasing, the application site sits lower than the neighbouring property and the height of the proposed matching that of next door.

In addition to the comments summarised above, many of the objections referenced the proposed application being contrary to LU08, DM06 and DM17. This is deemed to have been addressed further above and is not considered to be contrary to policy.

#### **RECOMMENDATION:**

Approve Subject to Conditions

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

Cllr. Gethin Davies has requested that the application be considered by the Development Management Committee for the following reasons:

- Over Development of the Site
- Impact on Visual landscape
- Material concerns e.g. Glass

## 3. Diprwydedig/Delegated

07-12-2023 - 10-01-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
1	A150078	Mr John Edwards	The erection of 2 single storey sheds with lean-to roofs for the storage of both agricultural and non-agricultural items in connection with the applicants business as a general builder, and the existing use of the site for keeping animals.	Cae Bach, New Inn, Llanddewi Brefi, SY25 6RX	Gwrthodwyd / Refused	21-12-2023
2	A210158	Mrs Sue Kemp	Proposed no.5 glamping pods to include installation of package treatment plant, retention of yurt and change of use of land	Riverbank Cafe Glanbrenig, Tregaron, SY25 6QS	Gwrthodwyd / Refused	14-12-2023
3	A211095	Mr and Mrs P & L Adams	Change of use to convert 2no. agricultural buildings into 4no. holiday lets with external alterations to fenestration and works to existing hardstanding.	Faedre Fawr, Llandysul, Ceredigion, SA44 4PB	Caniatawyd gydag Amodau / Approved Subject to Conditions	04-01-2024
4	A220181	Mr D Phillips	Removal of flat roof to provide first floor extension and change of use of betting shop into dwelling.	Aberaeron Betting Shop, Castle Lane, Aberaeron, SA46 0AB	Gwrthodwyd / Refused	03-01-2024
5	A220354	J Brook	Proposed replacement of existing timber sash windows with new timber sash windows	Ardwyn Hall, Llanarth. SA47 0NJ	Tynnwyd yn ôl / Withdrawn	07-12-2023
6	A220731	Mrs M Thomas	Proposed conversion of outbuilding into holiday unit to include ground floor extension, remove external steps and new vehicular access.	Llys y Dail, Llanddewi Brefi, Tregaron. SY25 6PE	Caniatawyd gydag Amodau / Approved Subject to Conditions	13-12-2023
7	A230017	Mr Endaf Jenkins	Conversion of Barn to Holiday Let	Pantycamddwr, Bronant, SY23 4JD	Gwrthodwyd / Refused	04-01-2024
8	A230019	Mr Wells Jones	Proposed conversion of two dwellings into eight flats and all associated works.	Highbury House Hotel, Pendre, Cardigan, SA43 1JU	Gwrthodwyd / Refused	21-12-2023
9	A230020	Mr Wells Jones	Proposed conversion of two dwellings into eight flats and all associated works.	Highbury House Hotel, Pendre, Cardigan, SA43 1JU	Gwrthodwyd / Refused	21-12-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
10	A230094	Mr Tim Percival	Full Planning Application for the development of three holiday lodges, replacement garage and associated works	Fronteifi, Cardigan, Ceredigion, SA43 2LD	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-12-2023
11	A230254	Mr Endaf Jenkins	Partial conversion of barn to 2-bedroom holiday let	Bronwenllwyd, Swyddffynnon, SY25 6AP	Gwrthodwyd / Refused	02-01-2024
12	A230345	Mr and Mrs E & C Evans	Proposed erection of an agricultural building for the storage of cattle feed/fodder, straw and machinery & equipment.	Land at Blaenffynnon Farm, Bryngwyn/Cwmcou, Newcastle Emlyn, SA38 9PZ	Caniatawyd gydag Amodau / Approved Subject to Conditions	07-12-2023
13	A230381	Will & Henrietta Delve & Painting-Robinson	Proposed erection of a new dwelling to form managers accommodation, and change of use of land for siting of 4 holiday pods (ancillary serviced accommodation to the guest house and all associated works.	Land at Brynberwyn Guest House, Tresaith, SA43 2JG	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	21-12-2023
14	A230413	Mr S Spooner	Conversion of existing outbuilding to holiday let and associated works.	Ffynnon Grog, Mwnt, SA43 1QH	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-12-2023
15	A230430	Mr Pete Flanagan	Proposed removal of existing roof to main dwelling and replaced with a steeper pitched roof with a pitched roof dormer to the front and flat roof dormer window to the rear.	Maxwell, 1 Park Street, New Quay. SA45 9QG	Caniatawyd gydag Amodau / Approved Subject to Conditions	22-12-2023
16	A230433	Mrs J Francis	Demolition of chimney stack on wall between 57 and 59 North Parade.	57 North Parade, Aberystwyth. SY23 2JN	Tynnwyd yn ôl / Withdrawn	22-12-2023
17	A230446	Lt-Col and the Honourable Mrs Elmhirst	Replacement of existing windows and elongation of existing door by lowering threshold	Glanmedeni Manor, Betws Ifan, Beulah, Newcastle Emlyn. SA38 9QJ	Caniatâd wedi ei roi / Consent Granted	03-01-2024
18	A230449	Mr Martin Beazer	Proposed single storey rear extension and replacement roof over main dwelling to include demolition of rear single storey extension.	2 Park Street, New Quay, SA45 9QG	Caniatawyd gydag Amodau / Approved Subject to Conditions	22-12-2023
19	A230475	Mrs Donia Richards	Proposed Extension and to connect into existing foul drainage system.	Werncoli, Llanfair Clydogau, Lampeter, SA48 8LH	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-12-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
20	A230477	Mr and Mrs Haydon	Discharge of S106 agreement to planning permission A080567 and A090378 so that the dwelling is not restricted to an affordable dwelling	Bay Tree House, Capel Dewi, Maesycrugiau, Llandysul, SA39 9NA	Gwrthodwyd / Refused	15-12-2023
21	A230508	Dwynwen Huws	Proposed first floor rear extension and porch extension to front elevation	1 Glanseilo, Penrhyncoch, Aberystwyth, Ceredigion, SY23 3TW	Caniatawyd gydag Amodau / Approved Subject to Conditions	12-12-2023
22	A230532	Mr Michael Bolwell	Alterations and extension to main house plus new garage/workshop with loft above	Llysteg Gwbert Road, Cardigan, Ceredigion, SA43 1AF	Caniatawyd gydag Amodau / Approved Subject to Conditions	02-01-2024
23	A230601	Mr and Miss C and T Davies and Evans	Proposed demolition of existing dwelling to construct replacement dwelling.	Brebast, Talgarreg, Llandysul. SA44 4EP	Caniatawyd gydag Amodau / Approved Subject to Conditions	22-12-2023
24	A230608	Sion Griffiths	Dymchwel estyniad cefn presennol ac adeiladu estyniad newydd tua'r cefn a thua ochr y tŷ gwreiddiol; hefyd tynnu'r to gwreiddiol a chodi'r walblad a'r crib 400mm yn uwch.	Blaenwaun, C1279 From The Junction Of The B4338 To The Junction Of The C1060, Llanwenog, Llanybydder, Ceredigion, SA40 9UP	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-12-2023
25	A230614	Mr D Bowen	Discharge of condition 10 of planning permission A041583 - Stone walling	Plots 3 & 4 Land Adjacent To Sarnau Church, Penbryn Beach Road, Llandysul, SA44 6QS	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	11-12-2023
26	A230618	Mr and Mrs John and Toni Lewis	Change of use of the upper floors (currently guest bedrooms) into 2 flats; also introduction of solar panels to south (rear) facing roofs.	Castle Hotel, 8 High Street, Lampeter. SA48 7BG	Tynnwyd yn ôl / Withdrawn	07-12-2023
27	A230649	Ms Cerian Screen	Retention of a new stable block	Mount Hope, Cilcennin, Lampeter. SA48 8RR	Caniatawyd gydag Amodau / Approved Subject to Conditions	15-12-2023
28	A230703	Mr J O'Rourke (Prifysgol Aberystwyth University)	Discharge of Condition 18 of Planning Application A220924 - Stone Samples.	Old College, King St, Aberystwyth & 1 & 2 New Promenade, Aberystwyth, Ceredigion, SY23 2BH	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	07-12-2023
29	A230707	Mr Iwan Thomas (Menter Tafarn Dyffryn Aeron)	Arddangos arwyddion - Display of signage	Vale of Aeron Inn, Ystrad Aeron, Felinfach, Lampeter. SA48 8AE	Caniatawyd gydag Amodau / Approved Subject to Conditions	22-12-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
30	A230708	Mr Iwan Thomas (Menter Tafarn Dyffryn Aeron)	Rhan-ddymchwel ac estynnu, newid defnydd fflat sengl, a gwaith cysylltiedig i dafarn presennol	Vale Of Aeron Inn, Ystrad Aeron, Felinfach, Lampeter, Ceredigion, SA48 8AE	Caniatawyd gydag Amodau / Approved Subject to Conditions	22-12-2023
31	A230709	Mrs Jeni Bryant	Proposal to convert existing single dwelling back into two separate terraced dwellings with separate gardens.	3 Moelifor Terrace, Llanrhystud. SY23 5AB	Gwrthodwyd / Refused	21-12-2023
32	A230715	Mr and Ms D and S Stephens and Phillips	Retrospective application for an existing (as built) external covered shelter and seating area and associated works to the existing public house	Tafarn-y-Maes, (formerly Maes Bangor Arms) Capel Bangor, Aberystwyth. SY23 3LT	Gwrthodwyd / Refused	21-12-2023
33	A230720	Mr J O'Rourke (Prifysgol Aberystwyth University)	Variation of Condition no. 2 of listed building consent - A210459 (amended plans)	Old College, King St, Aberystwyth & 1 & 2 New Promenade, Aberystwyth, Ceredigion, SY23 2BH	Caniatawyd gydag Amodau / Approved Subject to Conditions	04-01-2024
34	A230730	Mr M Rowlands	The construction and operation of a single Glamping Unit	Brynllys Farm, Dol-y-Bont, Borth. SY24 5LZ	Caniatawyd gydag Amodau / Approved Subject to Conditions	18-12-2023
35	A230732	Mr Paul Anslow	Erection of a 2 bed dwelling with associated parking and landscaping	Land adjacent to Bryn Morgan, Llanarth. SA47 0NN	Gwrthodwyd / Refused	22-12-2023
36	A230733	(Aberystwyth University)	Erection of roof mounted solar arrays	William Davies Hall Building Aberystwyth University, Plas Gogerddan, Aberystwyth, SY23 3EB	Caniatawyd y Tystysgrif / Certificate Granted	21-12-2023
37	A230738	Mr Andrew Thomas Clemas	CERTIFICATE OF LAWFULNESS FOR USE OF GOETRE SHEDS AND YARD FOR DOMESTIC & B8 STORAGE & DISTRIBUTION (10 YEARS PLUS USE)	Goetre Sheds Bwlch Y Groes, Llandysul Road, Llandysul, SA44 4TA	Gwrthodwyd / Refused	12-12-2023
38	A230744	Mr J O'Rourke (Prifysgol Aberystwyth University)	Discharge of condition 3 of planning permission - A210576 - Written scheme of investigation	St Michael's Church Car Park Laura Place, Aberystwyth, Ceredigion, SY23 2AU	Amod(au) wedi'u rhyddhau yn rhannol / Condition(s) Partially Discharged	09-01-2024
39	A230745	Mr J O'Rourke (Prifysgol Aberystwyth University)	Discharge of condition 3 of planning permission - A210575 - Written scheme of investigation	St Michael's Church Car Park Laura Place, Aberystwyth, Ceredigion, SY23 2AU	Amod(au) wedi'u rhyddhau yn rhannol / Condition(s) Partially Discharged	09-01-2024



#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
40	A230747	Mr Owen	Farm office together with welfare and storage facilities and associated works.	Nanrhydd, Capel Seion, Aberystwyth, Ceredigion, SY23 4EE	Caniatawyd / Approved	21-12-2023
41	A230749	Mr A Ballard	Installation of four glamping pods approved under planning permission A180598 dated 23-11-2018	Conrah Country Hotel, Llanfarian, Aberystwyth, Ceredigion, SY23 4DF	Caniatawyd y Tystysgrif / Certificate Granted	18-12-2023
42	A230752	(Penrhyncoch Investments Ltd)	Erection of single storey storage units.	Land Adj. To 29 Y Ddol Fach Penrhyncoch, Aberystwyth, SY23 3NJ	Gwrthodwyd / Refused	21-12-2023
43	A230753	Mr and Mrs D & C Jenkins	Demolition of existing conservatory, erection of an extension and front porch.	Fronwen, Sarnau, Llandysul, Ceredigion, SA44 6QD	Caniatawyd gydag Amodau / Approved Subject to Conditions	21-12-2023
44	A230756	Mr Frank Reynolds (Frank Reynolds Architects)	Discharge of condition 3 of listed building consent - A230366 - Masonry works	Drefaes Uchaf, B4577a From The Entrance To The Forestry Commission To The Junction Of The B4576, Bethania, Llanon, Ceredigion, SY23 5NJ	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	22-12-2023
45	A230757	Mr Alex Crowley	Reserved Matters application for the erection of a dwelling with integral garage	Plot Adj. To Llys Wen, Bethania, Llanon, SY23 5NJ	Caniatawyd gydag Amodau / Approved Subject to Conditions	19-12-2023
46	A230765	Mr Stuart Stephens	Change of Use and alterations to provide residential bedsit/apartment on part of the ground floor together with associated works (Managers bedsit/apartment)	Bar46, 46 Bridge Street, Aberystwyth, Ceredigion, SY23 1QB	Caniatawyd gydag Amodau / Approved Subject to Conditions	20-12-2023
47	A230768	Mr J Turner (Delineate.AI)	Display of signage to East gable end and North facing faced	Block 4, Dyffryn Teifi Secondary School Heol Llyn Y Fran, Llandysul, Ceredigion, SA44 4HP	Caniatawyd gydag Amodau / Approved Subject to Conditions	03-01-2024
48	A230775	Mr Carwyn Jones	Proposed first floor extension to dwelling, rear extension and replacement garage.	Haulwen, B4577a From The Junction Of The U1419 To The Junction Of The U1416, Pennant, Llanon, Ceredigion, SY23 5PD	Caniatawyd gydag Amodau / Approved Subject to Conditions	02-01-2024
49	A230778	(Evans Bros)	Erection of portal framed commercial building and associated works for use as storage and assembly of agricultural machinery.	Workshop, Cefn Mabws, Llanrhystud. SY23 5BD	Caniatawyd gydag Amodau / Approved Subject to Conditions	03-01-2024
50	A230781	Mr Wells Jones	Proposed Affordable dwelling	Plot 1c Towyn, Gwbert, Cardigan, Ceredigion, SA43 1PP	Gwrthodwyd / Refused	04-01-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
51	A230784	Mr R Llwyd	Discharge condition 4 of planning permission A211020 - Written Scheme of Investigation	Aberaeron Harbour & South Beach Aberaeron,	Amod(au) wedi'u rhyddhau yn rhannol / Condition(s) Partially Discharged	13-12-2023
52	A230787	Joe Hope	Discharge of condition 4 of planning permission - A210189 - Photographic survey	Cefn Coch, From The Junction Of The C1139 To Cefn Coch Farm (private), Glas Pwll, Machynlleth, Ceredigion, SY20 8UA	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	20-12-2023
53	A230788	Mr A Evans	Discharge of condition 5 of planning permission - A230224 - Written scheme of investigation	Rhysais, Talgarreg, Llandysul, Ceredigion, SA44 4HH	Amod(au) wedi'u rhyddhau yn rhannol / Condition(s) Partially Discharged	19-12-2023
54	A230789	Mr Wells Jones	Discharge Condition 3 of A220814 - Proposed Extension to side of existing hotel to include bar / lounge area with bathrooms, 5 additional bedrooms and managers accommodation. Proposed entrance lobby / reception area and all associated works	The Gwbert Hotel Coronation Drive, Gwbert, Cardigan, Ceredigion, SA43 1PP	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	18-12-2023
55	A230790	Mr Andrew Davies (Wales & West Housing Association )	Non material amendment to planning permission A181165 & A210342 - change of design of dwellings and estate layout	Site of Former Tollgate Inn, Piercefield Lane, Penparcau, Aberystwyth, Ceredigion, SY23 1RX	Caniatawyd / Approved	14-12-2023
56	A230802	Mr Brian MacGiollabhain	Internal modifications and raising of roof level to provide adequate internal head height.	Trecwn, Ponthirwaun, Cardigan. SA43 2RF	Dychwelwyd yn annilys / Returned Invalid	11-12-2023
57	A230803	Mr Harold Powles (Catley Building Conservation Ltd)	Demolition of existing dwelling and erection of a replacement dwelling and all associated works	Brynhyfryd Ffordd Newydd, Aberporth, Cardigan, Ceredigion, SA43 2EW	Caniatawyd gydag Amodau / Approved Subject to Conditions	04-01-2024
58	A230804	(Enfys Developments Ltd)	Confirmation that the demolition of existing on-site structures comprise development	Cardigan and District Hospital, Pont-y-Cleifion, Cardigan. SA43 1DP	Caniatawyd / Approved	02-01-2024
59	A230806	Ms Gayle Waterhouse	Proposed retrospective application for partially built replacement porch extension to front elevation of dwelling	Tan Eglwys, U1401 From Church Street To A Property Known As Pengarreg, Ceredigion, SY23 5DH	Caniatawyd gydag Amodau / Approved Subject to Conditions	04-01-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
60	A230810	Mr Andrew Davies (Wales & West Housing Association )	Discharge of condition 9 of planning permission - A181165 - ecological enhancements	Site Of Former Tollgate Inn Public House Piercefield Lane, Penparcau, Aberystwyth, Ceredigion, SY23 1RX	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	18-12-2023
61	A230812	Mr Andrew Davies (Wales & West Housing Association )	Discharge of condition 8 of planning permission - A200440 - Ecological enhancements	The Tollgate Piercefield Lane, Penparcau, Aberystwyth, Ceredigion, SY23 1RX	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	18-12-2023
62	A230815	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, C1107 From Dihewyd to the junction of the U5179, Dihewyd, Lampeter, Ceredigion, SA48 7PZ	Gwrthodwyd / Refused	10-01-2024
63	A230817	Mrs Jane O'Brien (Ynniteg Community Energy)	Discharge of condition 6 of planning permission - A140413 - Access points	Land West Of Penrhiw Fach, Henfynyw, Aberaeron, SA47 0HP	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	10-01-2024
64	A230818	Mrs Jane O'Brien (Ynniteg Community Energy)	Discharge of condition 8 of planning permission - A140413 - CTMP	Land West Of Penrhiw Fach, Henfynyw, Aberaeron, SA47 0HP	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	09-01-2024
65	A230826	Mr Richard H T Gipps	Lawful development certificate for use of land (residential caravan and associated curtilage)	Caravan, B4353 From Ynyslas Beach Road To Holiday Park, Aberleri Boat Yard, Ynyslas, Borth, Ceredigion, SY24 5LB	Gwrthodwyd / Refused	21-12-2023
66	A230836	Mr Gerwyn Evans	Discharge of condition 11 of planning permission - A230377 - Reptile method statement	Land Adjacent To Ynys Goch Fach, Bronant, Aberystwyth, SY23 4TQ	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	11-12-2023
67	A230841	Mrs Ozcan	Discharge of condition 3 of Planning Permission A220881 - eradication of Japanese Knotweed	15 Pendre, Cardigan, SA43 1JL	Dychwelwyd yn annilys / Returned Invalid	28-12-2023
68	A230842	Mrs Ozcan	Discharge condition 4 of Planning Permission A220881 - Air Extraction	15 Pendre, Cardigan, SA43 1JL	Dychwelwyd yn annilys / Returned Invalid	28-12-2023
69	A230843	Mrs Ozcan	Discharge condition 5 of Planning Permission A220881 - Waste Disposal & Storage	15 Pendre, Cardigan, SA43 1JL	Dychwelwyd yn annilys / Returned Invalid	28-12-2023
70	A230844	Mrs Ozcan	Discharge condition 6 of Planning Permission A220881 - Grease Trap	15 Pendre, Cardigan, SA43 1JL	Dychwelwyd yn annilys / Returned Invalid	28-12-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
71	A230848	Mr D. Edwards & Miss C. Hughes	Discahrge of condition 3 of planning permission - A210829 - materials	Tynant, Bronant, Aberystwyth, SY23 4JA	Dychwelwyd yn annilys / Returned Invalid	05-01-2024
72	A230849	Mr D. Edwards & Miss C. Hughes	Discharge of condition 7 of planning permission - A210829 - Pollution prevention plan	Tynant, Bronant, Aberystwyth, SY23 4JA	Dychwelwyd yn annilys / Returned Invalid	05-01-2024
73	A230850	Mr D. Edwards & Miss C. Hughes	Discharge of condition 8 of planning permission - A210829 - bird survey	Tynant, Bronant, Aberystwyth, SY23 4JA	Dychwelwyd yn annilys / Returned Invalid	05-01-2024
74	A230851	Mr D. Edwards & Miss C. Hughes	Discharge of condition 9 of planning permission - A210829 - ecological enhancements	Tynant, Bronant, Aberystwyth, SY23 4JA	Dychwelwyd yn annilys / Returned Invalid	05-01-2024
75	A230856	Mr Rhys Gronow	wooden cabins to be used for air b and b	Llwyniwan, C1132 From The Junction Of The B4334 To The Private Road Leading To Brynbedw, Rhydlewis, Llandysul, Ceredigion, SA44 5PE	Dychwelwyd yn annilys / Returned Invalid	02-01-2024
76	A230861	Mr Tim Pink	Proposed lawful development certificate for extension to Mingwynion, and connection to existing sewerage system.	Meinigwynion, C1149 From Sisillt To Llangeitho, Llangeitho, Tregaron, Ceredigion, SY25 6QH	Gwrthodwyd / Refused	21-12-2023

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
77	A230866	Colin Hurley	There are five windows at the front of the house, all sash windows with glazing bars and small panes. The downstairs window and two first floor bedroom windows have six panes in each sash and the two 2nd floor windows have three panes in each sash. See attached picture. The application is to replace the windows with new wood windows to the exact same exterior design as the existing windows, the only difference would be the windows will be double glazed with 4mm glass in the format 4-8-4 with Heritage glass. These windows would need to be specifically made by the skilled craftsmen at J&E windows to fit the non-standard window openings. The appearance of the exterior of the house would not change.	Eryl, 3 High Street, New Quay, Ceredigion, SA45 9NY	Dychwelwyd yn annilys / Returned Invalid	02-01-2024
78	A230867	Mr and Mrs Gary Turner	Non material minor amendment to planning Decision A220648 - angle of roof to be raised to allow for natural slate roof covering and installation of treatment plant.	Rhydowen, Llanarth, Ceredigion, SA47 0PF	Gwrthodwyd / Refused	04-01-2024
79	A230875	Mr and Mrs D & G Thomas	Amendment to planning permission A220464 - change to roof finishes.	Plot 4a Hafod Y Mor, Tresaith, Cardigan, SA43 2JQ	Caniatawyd / Approved	03-01-2024
80	A230886	Mr Anthony Smee	The incorrect drawings have been referenced on the decision notice. We also wish to confirm alterations to roofing and wall cladding	Brynheulog, U1518 From Llanddewi Brefi To The Entrance Of The Esgair Goch Forestry, Llanddewi Brefi, Tregaron, Ceredigion, SY25 6PE	Caniatawyd / Approved	22-12-2023
81	A230892	Mr T Davies (Ffarm Caradog)	Erection of an agricultural shed	Ffarm Caradog (next To Rhydcaradog) Maesycrugiau, Pencader, SA39 9LN	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	10-01-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
82	A230900	Mr Aled Morris	Variation of Condition 2 of A180029 - Change of Design	Llwynpiod, C1001b From The Junction Of The B4548 To The Junction Of The C1078, Cardigan, Ceredigion, SA43 1PJ	Dychwelwyd / Returned	20-12-2023
83	A230917	Ms Bronwen Williams	Complete demolition of the Mill House and its Rebuild like-for like with a modern ground floor extension, as per the approved planning application submitted by Downs Merrifield Architects in September 2021, ref. A210927.	The Mill House, Sarnau, Llandysul, Ceredigion, SA44 6QL	Dychwelwyd yn annilys / Returned Invalid	04-01-2024
84	A230918	Khadeja Butul (Openreach )	BT intends to install fixed line broadband electronic communications apparatus RLITIIG	Neuadd Mansion, Oakford, Llanarth, Ceredigion, SA47 0RL	Dychwelwyd / Returned	04-01-2024

## 4. Penderfyniadau Apeliadau/Appeal Decisions

07-12-2023 - 10-01-2024

#	Cyfeirnod yr Apel / Appeal Reference	Cais / Gorfodaeth / Linked Application / Enforcement	Apeliwr / Appellant	Rhesymau dros apelio / Grounds for Appeal	Lleoliad / Location	Penderfyniad Allanol / External Decision	Dyddiad Penderfyniad Allanol / External Decision Date
1	CAS-02396-K1Z5R3	A211183	Mr Gary Fryar	Refuse planning permission for the proposed development	The Island Site, Beach Parade, Aberaeron. SA46 0BE	Dismissed	07-12-2023
2	CAS-02693-L5G4X5	A220077	Mr C Scragg	Against refusal	Brynawel, Llaingarreglwyd, Llanarth, SA47 0QA	Dismissed	21-12-2023
3	CAS-02740-B1K5J5	A220031	Mr Paul Christopher	Refusal of permission	Ty Gwyn, Cei Bach, New Quay. SA45 9SL	Dismissed	12-12-2023

## 5. Apeliadau a Dderbyniwyd/Appeals Received

07-12-2023 - 10-01-2024

#	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
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## Appeal Decision

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by Iwan Lloyd BA BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 07/12/2023

Appeal reference: CAS-02396-K1Z5R3

Site address: The Island Site, Beach Parade, Aberaeron SA46 0BE

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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 Gary Fryer against the decision of Ceredigion County Council.
  - The application Ref A211183, dated 9 December 2021, was refused by notice dated 22 June 2022.
  - The development proposed is a new boat house/store.
  - A site visit was made on 29 August 2023.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The Council considered the application against the initial submitted plans RJ01-09. The appellant's illustrative alternative design was not pursued by him during the application process in preference for the initial submitted plans. I have considered this appeal based on the Council's refused plans RJ01-09.

### Main issues

3. The main issues are:
  - The effect of the proposed development on the setting of nearby listed buildings, and
  - The effect of the proposed development on character and appearance of the area, including the setting of the adjacent Aberaeron Conservation Area (CA).

### Reasons

4. The appeal site is a small green space surrounded by Beach Parade and access roads leading to South Beach car park. On the eastern side of this island site is a Grade II listed building The Weigh House. Adjoining this island site is another green mound which includes the remnants of a lime kiln. These two island sites are separated and surrounded by small roads leading to the car park, the slipway of the harbour basin and the North-West Quay (Grade II listed) which also links to the South-West Pier (Grade II listed). The CA is situated close-by to the south-east of the appeal site at Harbour Lane where this

joins Wellington Street. The appeal site is owned by the appellant, but it is also Common Land. The appellant's property lies opposite the Weigh House. The proposed development is situated on the island site of the Weigh House on the north-west side with the listed Weigh House situated on the south-east side of the island.

5. The appellant has provided an Impact Assessment to accompany the application. CADW consider that the assessment process of the Welsh Government Setting of Historic Assets in Wales May 2017 (SHA) has not been followed. The significance of the Weigh House, and other listed buildings mentioned above including the adjacent CA has not been addressed, and therefore the understanding of the contribution the setting makes to the significance of the asset has not been appropriately explored so to fully appreciate the impact of the proposed development on the setting of the asset and the surrounding built and marine environment.

#### *Listed Buildings*

6. Section 16(2) and 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require the decision maker, in considering whether to grant listed building consent, for any works, or development, affecting a listed building, or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Planning Policy Wales Edition 11 (PPW) and Technical Advice Note 24: The Historic Environment (TAN 24), and the SHA provides guidance and reinforces this stance. TAN 24 defines the setting of an historic asset as including the surroundings in which it is understood, experienced, and appreciated, embracing present and past relationships to the surrounding landscape.
7. Setting often extends beyond the property boundary of an individual historic asset into a broader landscape context. Intangible as well as physical factors can be important to understanding the setting of a historic asset. These may include function, sensory perceptions, or historical, artistic, literary, and scenic associations. Setting is not itself a historic asset, though land within a setting may contain other historic assets. The importance of setting lies in what it contributes to the significance of a historic asset.
8. The Weigh House is believed to have been constructed between 1820 to 1830 and was used for weighing lime brought into the harbour and burnt in the adjacent lime kilns. It is a small rectangular building, single storey in height and constructed of colour washed rubble with a hipped slate roof and brick chimney stack. Twelve pane sash windows are located on the east and south elevations with a recessed boarded door on the south side of the building.
9. There is a strong and continued relationship between the Weigh House and the adjacent remnant of the lime kilns. The decline of the lime kiln structure, its amalgamation with the reformed island mound following the construction of the internal road between the kiln and the Weigh House has diminished and eroded to some degree the setting around these linked structures. The lime kiln walls are used to prop-up and store small boats from the adjoining harbour basin. The Weigh House has been intentionally designed to relate to the existing townscape which is evident through the CA as a planned grid-like layout with buildings displaying architectural unity and consistency in appearance and chosen materials. The Weigh House derives its significance from these described values and has a functional connection with the past which is still evident. The Weigh House has therefore evidential, historical, aesthetic, and communal value as all these features are evident, and the association with the adjoining CA which exhibit these aesthetic features on a larger scale. The appeal island site is devoid of buildings apart from a sign, streetlamp, wood posts and a picnic table, it is relatively open to all sides with the level falling to the surrounding roads, with shrubs planted on its roadside edges.

10. The setting of the island site formed by the road layout allowing access to the car park to the north is in probability not as it was laid out when the Weigh House was constructed, but I would concur with CADW's comments that the isolated island location affords the Weigh House protection from the larger domestic and maritime buildings that lie to the south, west and north of it. The small area of the island and its open setting are contributing elements in the experience, appreciation and understanding of the Weigh House and the associated structure of the lime kiln. In combination these elements of the setting contribute considerably to the significance of the Weigh House as an historic asset.
11. The Weigh House is a small-scale building, but formed from architectural features that prevail in the CA. The proposed development is larger with an extruded hipped roof to create an elongated sloping roof on the south-west elevation. The hipped roof design would reflect the Weigh House and the use of black cedar shingles cladding the external walls of the proposed building would reflect the pattern on the Weigh House roof. However, the proposed development would utilise rose coloured zinc cladding to the roof of the building.
12. The proposed development by virtue of its contemporary design, size, scale, and location would diminish the setting of the Weigh House detracting from its significance because it would draw the eye of the observer from all around the island dominating the view away from the Weigh House and therefore lessening its value within its own discreet setting. The proposal due to its larger form and modern finish of zinc cladding would significantly detract from the significance of the Weigh House competing with the way this listed building is presently understood, experienced, and appreciated. The Weigh House is visible from Quay Parade and the proposal with its dominating form behind it in this angle of view would result in undervaluing the significance of the heritage asset. The asymmetrical roof design and modern materials of the building would be at odds with the prevailing appearance of roof designs and materials found on the Weigh House and in the context of the surrounding built environment.
13. I therefore concur with the Council and CADW's view on this proposal. I consider the proposed development would conflict with the Act, PPW, TAN 24 and SHA. The proposed development would adversely affect the setting of nearby listed buildings to the detriment of their significance and in particular the setting and significance of the Weigh House.

*Character and Appearance/Conservation Area*

14. The immediate area to the south-east of the appeal site comprises the CA which is characterised by many notable historic period buildings which have a definitive townscape character of a planned grid-like layout with buildings displaying architectural unity and consistency in appearance, materials and vibrant colour finishes centred around the harbour quays, piers, and earlier roads. Collectively, these buildings arranged on terrace squares, facing the harbour and some green spaces provide cohesion of architectural appearance, style and materials and general unity. These features of the built environment and the spaces between them around the harbour, the river, and open green spaces like Alban Square contribute positively to the character and appearance of the CA, and to its significance as a heritage asset.
15. The Act requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of CAs. PPW states there will be a strong presumption against the granting of planning permission for development that would damage the character or appearance of the CA or its setting. Setting can extend beyond the curtilage of an asset as set in SHA.

16. TAN 24 refers to conservation area designation providing the basis for policies designed to preserve or enhance all the aspects of character or appearance that define an area's special interest. This might include the pattern of settlement and the organisation of space and routes as well as the style and type of building, and the use of materials and detail. Ceredigion Local Development Plan 2007-2022 (LDP) Policy DM06 (High Quality Design and Placemaking) states that regard should be had to whether a site is located within or near a conservation area, whilst LDP policy DM07 refers to development having regard to national guidance.
17. Although the site is outside the CA planning policy has long established the relevance of CAs to schemes outside of their boundaries. The appeal site makes a positive contribution to the setting of the CA due to views of the site from the CA and vice-versa predominantly looking across the harbour from Quay Parade and from Harbour Lane. Whilst recent developments around the car park and Aberaeron Yacht Club relating to storage sheds are seen in some viewpoints these are not as evident from the CA due to their location. These developments are not as open and prominent as is the view of the appeal site from aspects within the CA. Bearing in mind my findings on the first main issue, then it must follow that the proposal would be detrimental to the historic character and appearance of the CA and its significance as a heritage asset. The proposal would fail to preserve the setting of the adjacent CA.
18. I note the appellant's submissions that the proposal would promote a greater appreciation of the listed building the Weigh House and the CA generally because it incorporates a communal seating area and possibly a space for children to play on the island site. However, this element of the design whilst it has a community benefit does not outweigh the harm to the setting of the listed building I have identified above. I also note the criticism in relation to the impact of the Harbour Masters' Office on nearby listed buildings. I have no information relating to the history of this site and the planning context to which it was considered, but this does not alter my assessment of the appeal development in relation to issue of setting nor does it justify the proposal which is viewed in a different context having regard to the values of significance and setting I have outlined above.
19. The site is also situated in the Special Landscape Area (SLA). I do not consider that the development of the site would erode the qualities of the SLA since the SLA designation covers a large area and does not prevent or prohibit development. However, I consider that the proposed development would not have due regard to the distinctiveness of the built environment due to its form, design, and materials as outlined above in the assessment on the setting of the listed building. Whilst not contrary to LDP Policy DM18 (Special Landscape Areas), I do consider that the proposal is contrary to the Act in relation to the setting of the CA, TAN 24, SHA, and LDP Policy DM06 (High Quality Design and Placemaking) criteria 1 and 2.
20. I conclude that the proposed development would harm the character and appearance of the area, and would harm the setting of the adjacent CA.

## **Conclusions**

21. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. 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.
22. For the reasons I have outlined and having regard to all matters raised, I conclude that the appeal should be dismissed.

*Iwan Lloyd* INSPECTOR



## Appeal Decision

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by [NAME]

an Inspector appointed by the Welsh Ministers

Decision date: 12/12/2023

Appeal reference: CAS-02740-B1K5J5

Site address: Ty Gwyn, Cei Bach, New Quay, Ceredigion, SA45 9SL

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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 Paul Christopher against the decision of Ceredigion County Council.
  - The application Ref A220031 dated 7 January 2022, was refused by notice dated 4 January 2023.
  - The development proposed is 1 No. shepherd's hut.
  - A site visit was made on 21 November 2023.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. It is evident from the submissions and my site visit that the development has already taken place. As such I have determined the appeal on the basis that it seeks retrospective consent under the terms of Section 73(A)(2)(a) of the 1990 Act.

### Main Issue

3. The main issue is whether the proposal provides an appropriate site for holiday accommodation having regard to planning policies relating to the location of such development.

### Reasons

4. The subject shepherd's hut is located on a small strip of land to the fore of the dwelling Ty Gwyn and adjacent to the access drive that serves it. A caravan site is located a short distance to the south-west and several other dwellings and caravan sites are located within the vicinity. Nonetheless, the area has a rural character with development being dispersed and segregated by mature planting. Whilst I did not have access to the inside of the hut, the evidence before me suggests it has all the facilities rendering it capable of independent occupation.

5. The site is located outside any settlement area defined in the adopted Ceredigion Local Development Plan (the LDP). It lies within an area defined as the coastal area where housing development falls to be considered against policy S04 which is concerned with development in linked settlements and other locations. As the site falls within an “other location” for the purposes of the policy, housing development is only exceptionally allowed to either meet unmet affordable housing needs or for rural enterprise dwellings. No case has been made in respect of either. An unfettered dwelling fails to comply with policy S04 of the LDP.
6. The appellant’s case is that the hut is used as a secondary holiday let to the main house Ty Gywn which is also used as a holiday let. Whilst the appellant states a shepherd’s hut is different to other holiday accommodation types, I am satisfied that it falls under the same category of development as caravans, cabins or chalets.
7. As such policy LU14 relating to tourism development is of relevance. Under the policy, no additional units relating to static caravans, touring caravans, cabins and chalets will be permitted in the coastal area. The reasoned justification for the policy is that provision of such accommodation is already high in the coastal area and has a significant impact on the landscape. Whilst Future Wales provides the national policy framework and postdates the LDP, policy LU14 accords with its support of tourism development in appropriate locations as defined in LDPs.
8. The hut is an additional unit of holiday accommodation within the countryside. Despite it being of a relatively small scale, of an agricultural design and located adjacent to a caravan site, and taking account of other development in the vicinity, it adds further sporadic and unjustified development outside any settlement area. Despite the appellant’s contention to the contrary, given the need to walk for 20 minutes to access the bus, and the position of the site away from the village, I do not find the location to be a sustainable one. I find it is highly likely that occupants use the private car for accessing services and facilities in the surrounding area.
9. I note the appellant’s contention that the main dwelling is rarely occupied at full capacity and thus adding the hut does not result in any additional impact to the surroundings or local services. However, the hut is a separate building to the dwelling and occupied independently from it. Both the dwelling and hut are capable of being occupied at their full capacities, and the independent use of both will generate additional vehicular movements and activity. Whilst the guests may provide some additional income for local services and amenities, this will be very minor in nature.
10. Decisions are required to be made in accordance with the development plan unless other material considerations indicate otherwise. In this instance, I do not find that there any other such considerations which outweigh the harm that arises from allowing this development. It would be harmful to the adopted approach to providing further tourist accommodation. As such the site does not provide an appropriate location for holiday accommodation having regard to planning policies relating to the location of such development.

## **Conclusion**

11. I have taken into account all other matters including the appellant’s contention that the hut offers a different holiday experience to other accommodation and the reference to other similar developments that have been granted planning permission. I do not have the full details of the circumstances relating to those cases, but I have reached my decision on the individual merits of the particular proposal before me. I do not find the provision of a shepherd’s hut as a holiday let to be materially different to other types of

Ref: CAS-02740-B1K5J5

caravans, chalets and cabins that offer the same or a similar holiday experience. For the above reasons I dismiss the appeal.

12. 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.

*VK Hirst*

INSPECTOR

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## Appeal Decision

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by Richard James Bsc (Hons) Msc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 21.12.2023

Appeal reference: CAS-02693-L5G4X5

Site address: Brynhawel, Llaingarreglwyd, Llanarth, Ceredigion, SA47 0QA

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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 Clive Scragg against the decision of Ceredigion County Council.
  - The application Ref. A220077, dated 31 January 2022, was refused by notice dated 30 January 2023.
  - The development proposed is demolition of existing cottage and construction of replacement dwelling. Relocation of existing garage/store, improved entrance and parking for Isfryn and removal of ancillary sheds and stores.
  - A site visit was made on 21 November 2023.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. For conciseness, I have taken the description of development from the Appeal Form and Council's Decision Notice.

### Main Issue

3. This is the effect of the proposal on the character and appearance of the area.

### Reasons

4. The appeal site comprises a single storey, two-bed detached clom cottage of very modest size and proportions, currently in a dilapidated condition. It forms part of Llaingarreglwyd's developed residential frontage, which comprises a small linear grouping of dwellings surrounded by fields and open countryside. Indeed, for the purposes of the settlement hierarchy of the Ceredigion Local Development Plan (LDP), the appeal site is in an 'other location' which is mainly open countryside. There is no defined settlement boundary, and the area has a strong rural character. The cottage fronts onto the roadside and is neighboured by a pair of semi-detached houses of simple appearance and form to the east and further modest dwellings to the west. Together with the existing dwelling on the appeal site, these have a muted visual impact that is commensurate with the prevailing rural character of their setting.
5. The proposed replacement dwelling would be set centrally within the appeal site with an angled orientation from the roadside. It would be one and a half storeys with a hipped roof, a front stone gable that would include a glazed apex screen, a front triangular

dormer window and a lean-to canopy roof. Existing outbuildings would be replaced with a new detached garage, located in the appeal site's front corner. Isfryn's access and parking area would also be widened as part of the proposal.

6. LDP Policy LU08 relates to replacement dwellings and there is no dispute between the parties that the proposal would comply with criteria 1 and 3. In the context of that policy, there is also nothing to indicate that the existing dwelling has local significance either visually, culturally or historically. Indeed, the Council does not object to its demolition, and I have no reason to disagree. Criterion 2i states that proposals to replace existing dwellings should be located within or adjacent to the footprint of the original dwelling and reflect the form, bulk and size of the original dwelling unless there are demonstrable planning advantages to be gained from deviating from the original orientation, position or size. The supporting text to Policy LU08 clarifies that often proposals involve a replacement that is larger than the previous dwelling and thus reduces the stock of smaller dwellings in that area. In this case however, the Council provides no evidence that the proposal would have any significant impact on the variety of housing stock within the County or the local area. Given that the existing dwelling is very small with a severely limited internal floorspace for modern family accommodation, and that the appeal site forms an infill plot within an existing developed road frontage, I consider that there is scope for a larger dwelling than exists. Even so, the appeal site is in a sensitive rural location where new development is subject to strict control. In this regard, criterion 2ii of Policy LU08 says that replacement dwellings should respect or enhance the design of surrounding properties and the locality. Policy DM06 also advocates high quality design and amongst other things says that development should have full regard, and positively contribute to the context of its location. In the countryside, small, scattered settlements such as Llaingarreglwyd are an intrinsic part of the rural landscape. Whilst the proposal relates to an infill plot, Policy DM17 seeks to prevent significant adverse effects on the general qualities of the landscape and is relevant in this case.
7. The proposal, despite overlapping the cottage's footprint, would approximately double its area, with a different orientation, roof form and fenestration style also. Much of the proposal's additional footprint and these differing characteristics, by virtue of the elevated roof and wider principal elevation, would be clearly visible from the public facing frontage. The introduction of hipped roofs would not effectively minimise the principal elevation's significantly elongated size. The front lean-to canopy section, whilst comprising a traditional feature and remaining below the cottage's eave height, would only appear as an ancillary element to the proposal's more expansive frontage appearance. Furthermore, the proposal's large gable apex screen would be a particularly prominent and deviating feature on the principal elevation, which would appear at odds with the modest window proportions of the neighbouring dwelling frontages. As such, despite the presence of larger dwellings within the area and the similar external materials proposed, the replacement dwelling would not respect the design of surrounding properties and the locality. The proposal has sought to incorporate window features used elsewhere, and a cat slide roof that is intended to reflect a 'cottage' scale. Nonetheless, the combination of these features would result in a dwelling of incoherent design. As a consequence of its orientation and design, the proposal would introduce a substantially more visually complex form of development that would fail to respect the linear pattern and modest character of neighbouring dwellings. It would therefore have a harmful urbanising effect on the rural character and appearance of its immediate locality. Despite its infill nature, the proposal would be a visually detracting feature of this rural hamlet and would as such, harm the hamlet's positive contribution to the attractive rural landscape.
8. Little evidence has been submitted to demonstrate that the proposal would offer significant benefits to highway safety or offer levels of biodiversity enhancement that

would go above and beyond normal planning policy requirements. Neither has it been adequately demonstrated that a more reflective fenestration design would fail to meet Building Regulation requirements. In addition, other schemes approved by the Council are unlikely to share the same circumstances as the appeal proposal which I have determined on its own merits. As such, I find nothing of substance to justify the above identified harm.

9. I conclude that the proposal would be harmful to the character and appearance of the area, contrary to LDP Policies LU08, DM06 and DM17.

### **Other Matters**

10. I note the engineers' report which identifies the extremely dangerous structural condition of the existing building. Nonetheless, making the building safe is not necessarily dependant on a grant of planning permission. I have also had regard to the appellant's requirements to accommodate visiting family. However, there is little evidence that the appeal proposal is the only realistic means of securing the identified benefits, and the harm I have identified would be significant. Consequently, it would be proportionate to withhold planning permission in the circumstances. That the proposal would provide adequate amenity space for its occupants is of neutral weight.

### **Conclusion**

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal is dismissed.
12. 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.

*Richard James*

INSPECTOR

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