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Cyngor Sir
CEREDIGION
County Council

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

7 March 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, 13 March 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 14 February 2024 (Pages 3 - 6)**
5. **To consider planning applications deferred at previous Meetings of the Committee (Pages 7 - 18)**
6. **Development, Advertisement, Local Authority and Statutory Applications (Pages 19 - 40)**
7. **Planning applications dealt with by way of delegated authority (Pages 41 - 50)**
8. **Appeals (Pages 51 - 60)**
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, 14 February 2024

Present: Councillor Ifan Davies (Chair) Councillors, Marc Davies, Meirion Davies, Gethin Davies, Raymond Evans, Rhodri Evans, Hugh Hughes, Maldwyn Lewis, Gareth Lloyd, Chris James, Sian Maehrlein and Carl Worrall

Also in attendance: Mr. Russell Hughes-Pickering – Corporate Lead Officer for Economy & Regeneration, Mrs Catrin Newbold – Service Manager (Development Management), Mr Jonathan Eirug- Development Management Team Leader – North, Mrs Sian Holder- Development Management Team Leader – South, Ms Elin Prysor, Monitoring Officer, Ms Nia Jones, Corporate Manager – Democratic Services, Mrs Dana Jones, Democratic and Standards Officer

(10:00am-11:30am)

1 Apologies

Councillor Rhodri Davies, Ceris Jones and Mark Strong apologised for their inability to attend the meeting.

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

2 Disclosure of Personal and/or Prejudicial Interest

Mrs Sian Holder, Development Management Team Leader – South declared a personal and prejudicial interest in Application A230893 and A230898 and vacated the Chamber during consideration of this item.

3 Minutes of a Meeting of the Committee held on the 17 January 2024

It was RESOLVED to confirm as a true record the Minutes of the Meeting of 17 January 2024

Matters arising

None.

5 Planning applications deferred at previous Meetings of the Committee

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

A220711 Full application for residential development comprising 5 x 2-bedroom self-contained apartments, Land adjacent to the Marina, Aberystwyth

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 was complete and to also provide a report to the Council on the stability of the land before and during construction.

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

To **APPROVE** subject to conditions

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:-

Mrs Gwennan Jenkins (Agent) and Mr C Harries (Applicant) addressed the Committee in accordance with the Operational procedure for Members of the Public addressing the Development Management Committee

A230293 Erection of a rural enterprise dwelling (TAN 6) and shed, Land Adj. Maespwll, Talgarreg, Llandysul

To **DEFER** the application to the Cooling Off Group for further consideration to the points raised in the meeting and to also **REFER** the application to the Site Inspection Panel in accordance with Paragraph 2 and 5 of the Council's adopted criteria.

A230893 Non Material Amendment of Condition 2 - Approved Plans, Aberaeron Harbour & South Beach, Aberaeron

To **APPROVE** consent for a non-material amendment to Condition 2 of A211019 as follows:

- Approved drawing 5182114-ATK-MAR-GEN-DR-L-5003-C03 be replaced by 182114-ATK-MAR-GEN-DR-L-5003-C05; and
 - Drawings 5182114-ATK-MAR-GEN-SK-C-0060-C03 (Quay Parade) and 5182114 ATK-MAR-GEN-SK-C-0061-C02 (Pwll Cam) be added to the approved plan
-

A230898 Variation of condition 2 of A211020 - Approved Plans, Aberaeron Harbour & South Beach, Aberaeron

To **APPROVE** that Condition 2 of A211020 be revised as follows:

- Approved drawing 5182114-ATK-MAR-GEN-DR-L-5003-C03 be replaced by 5182114-ATK-MAR-GEN-DR-L-5003-C05; and
 - Drawings 5182114-ATK-MAR-GEN-SK-C-0060-C03 (Quay Parade) and 5182114-ATK-MAR-GEN-SK-C-0061-C02 (Pwll Cam) be added to the approved plans
-

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

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

8 Planning Appeals

It was AGREED to note the planning appeals received. Members were informed of the reasoning behind the approval by the Inspector on CAS-02678-N1G3P1 by the Service Manager (Development Management). It was agreed to note the information presented.

Confirmed at the meeting of the Committee held on the 13 March 2024

Chairman:- _____

Date: _____

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1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A230265	11-04-2023	Mr R Rees (D A Rees Welding)	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, SY25 6LQ	Refuse

1.1. A230265



Rhif y Cais	A230265
Derbyniwyd	11-04-2023
Y Bwriad	Annedd menter wledig yn cynnwys addasiadau i gât fynedfa bresennol y cae a chyfleuster trin carthion ar safle hen annedd a oedd yn dwyn yr enw 'Tŷ Newydd'.
Lleoliad Safle	Tir ger Tŷ Newydd, Tregaron, SY25 6LQ
Math o Gais	Cais Cynllunio Llawn
Ymgeisydd	Mr R Rees (D A Rees Welding), Maesglas, Tregaron, SY25 6LQ
Asiant	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan y Dderwen, Llanrhystud, Aberystwyth, SY23 5ED

Y SAFLE A HANES PERTHNASOL

Tir amaethyddol yw safle'r cais ar hyn o bryd, rhyw 1 cilometr i'r de-ddwyrain o Dynreithin a 1.5 cilometr i'r gogledd-orllewin o Dregaron. Mae Cors Caron tua 0.5 cilometr i'r dwyrain. Ar y safle o'r blaen yr oedd annedd o'r enw Tynewydd ond ar wahân i ambell i garreg nid oes dim yn weddill o'r hen annedd. Saif y safle ychydig fetrau i'r dwyrain o is-ffordd sy'n arwain i dai Maesglas a Fullbrook Mill. Mae'r safle ei hun yn lefel gyda choed aeddfed i'r de.

Gwrthodwyd cais cynllunio llawn am yr un datblygiad ym mis Ionawr 2023 ar ddwy sail - nad oedd cyfiawnhad dros yr annedd yn y cefn gwlad agored ac felly ei bod yn groes i TAN6 a pholisïau S01 ac S04 y Cynllun Datblygu Lleol. Yn ail, y byddai'r datblygiad yn arwain at gynnydd net yn lefelau ffosffadau yn Ardal Cadwraeth Arbennig Afon Teifi, yn groes i Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017.

MANYLION Y DATBLYGIAD

Mae'r cais yn un llawn ac yn gofyn am ganiatâd cynllunio i godi annedd menter wledig mewn cysylltiad â busnes weldio sy'n cael ei redeg gan deulu'r ymgeisydd ym Maesglas, tua 350m i fwrdd o safle'r cais. Mae Maesglas yn fferm fawr ond mae'r fferm yn cael ei rhentu allan i fusnes fferm arall gan adael yr ymgeisydd a'i dad (sy'n byw ym Maesglas) i redeg y busnes weldio yn un o'r tai mas ym Maesglas ei hun.

Mae'r cynlluniau yn darparu ar gyfer tŷ pedair ystafell wely ynghyd â llety yn y to yn mesur tua 12m wrth 8.5m, a garej ar wahân yn mesur 7.2m wrth 7.2m. Mae gan yr annedd arfaethedig arwynebedd llawr o tua 236m² y tu mewn. Bwriedir hefyd greu pwll o fewn y llain o dir a darparu cyfleuster trin carthion ar gyfer dŵr budr o'r eiddo. Darperir lôn hir hefyd a fydd yn cysylltu â'r is-ffordd i'r de-orllewin o'r plot.

Mae gofyn cael yr annedd arfaethedig mewn perthynas â'r busnes weldio sy'n gweithredu ym Maesglas. Mae D A Rees Welding yn dylunio, gweithgynhyrchu a chyfanwerthu amryw drelyrs ar gyfer amaethwyr, adeiladwyr a dibenion cyffredinol. Ar hyn o bryd mae'r tad a'r ymgeisydd yn gweithio ar y cyd yn y busnes ond bwriedir i'r ymgeisydd a'i bartner symud allan o gartref y teulu (ym Maesglas) ac adeiladu tŷ ar dir Maesglas o achos anghenion y busnes. Bwriad y cynllun busnes yw cynyddu cynhyrchiant ac ehangu, ond er mwyn gwneud hyn mae angen sicrhau bod y ddau yn gallu byw ar y safle i alluogi'r busnes i fod yn gwbl weithredol. Maes o law bydd y tad yn cymryd cam yn ôl o'r busnes weldio ac yn raddol yn gadael i'r ymgeisydd gymryd drosodd y busnes.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

DM06 Dylunio a Chreu Lle o Safon Uchel

DM13 Systemau Draenio Cynaliadwy

DM14 Cadwraeth Natur a Chysylltedd Ecolegol

DM15 Cadw Bioamrywiaeth Leol

DM17 Y Dirwedd yn Gyffredinol

DM18 Ardaloedd Tirwedd Arbennig

LU09 Aildefnyddio Hen Anheddau/Murddunod

S01 Twf Cynaliadwy

S04 Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)

TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)

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 YR YMGYNGHORI

Cyngor Tref Tregaron - Dim gwrthwynebiad

Ecoleg Ceredigion - Dim gwrthwynebiad, yn ddibynnol ar amodau.

Cyfoeth Naturiol Cymru - Sylwadau. Gwrthwynebu os yw'n cael effaith niweidiol ar Ardal Cadwraeth Arbennig Afon Teifi.

Archaeoleg Dyfed - Dim gwrthwynebiad, yn ddibynnol ar amodau.

Dŵr Cymru - Sylwadau

Ceredigion HPW - Dim gwrthwynebiad, yn ddibynnol ar amodau.

Draenio Ceredigion - Sylwadau.

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."

Dyma gais ar gyfer codi annedd fawr, bedair ystafell wely, a gyflwynwyd fel annedd menter wledig mewn cysylltiad â'r busnes weldio a gweithgynhyrchu trelyrs gerllaw, a hynny ar dir lle safai Tynewydd gynt, ar dir amaethyddol tua hanner ffordd rhwng Tynreithin a Thregaron. Gan mai ond ambell i garreg sydd yn weddill o hen annedd Tynewydd, ni ellir ystyried y cais o dan bolisi LU09 Aildefnyddio Hen Anheddau/Murddunod.

O ran y cynllun datblygu, oherwydd ystyrir bod y safle mewn 'lleoliad arall', caiff y cais ei ystyried o dan bolisi S04 o'r Cynllun Datblygu Lleol. Mae Polisi S04 yn ymwneud â datblygiadau preswyl mewn lleoliadau eraill ac yn ceisio rheoli gormodedd o ddatblygiadau preswyl yn y cefn gwlad agored, gan ganiatáu anheddau newydd mewn lleoliadau eraill dim ond lle mae angen y gellir ei gyfiawnhau am fenter wledig (TAN6) neu fod gofyn amdano ar sail fforddiadwy.

Cyflwynir cais ar gyfer annedd menter wledig mewn cysylltiad â busnes weldio teulu'r ymgeisydd, sydd wedi'i leoli tua 350m i ffwrdd o safle'r cais. Mae gwybodaeth wedi'i chyflwyno ar ffurf cynllun busnes a chyfrifon yn bennaf ac mae'r cyfiawnhad dros y cais yn seiliedig ar ddatblygu'r cwmni yn y dyfodol ac yn seiliedig ar fod yr ymgeisydd yn byw mor agos â phosib i'r fenter.

Er mwyn bod yn gymwys i'w ystyried fel annedd menter wledig, dywed y canllawiau yn TAN6 mai "*busnesau sy'n gysylltiedig â thir yw mentrau gwledig cymwys. Mae'r rhain yn cynnwys busnesau amaethyddol, coedwigol a gweithgareddau eraill y mae eu mewnbynnau sylfaenol yn deillio o'r safle, fel prosesu cynhyrchion amaethyddol, coedwigol a mwynol, ynghyd â gweithgareddau rheoli tir a gwasanaethau cymorth (gan gynnwys contractio amaethyddol), twristiaeth a mentrau hamdden.*"

Yn y bôn, i fod yn gymwys i'w ystyried fel annedd menter wledig, rhaid bod mewnbwn sylfaenol y busnes yn deillio o safle'r cais. Mae safle'r cais ar hyn o bryd yn dir amaethyddol agored ac nid yw'n gysylltiedig â'r busnes weldio sydd gryn bellter i ffwrdd. Gan nad yw'r annedd arfaethedig ar sail amaethyddol, bernir nad yw'n gymwys i gael ei ystyried yn fusnes sy'n ymwneud â'r tir ac sy'n cael ei brif fewnbwn o safle'r cais.

Mae canllawiau ategol TAN6 yn nodi fod prif sectorau'r economi wledig yn dibynnu ar rwydwaith eang o wasanaethau cymorth er mwyn iddynt weithredu'n effeithiol. Mae'r rhain yn cynnwys gwasanaethau megis llafur wrth gefn a gwasanaethau mwy cyffredinol yn ymwneud â chynnal a chadw adeiladau, neu wasanaethau proffesiynol megis cyfrifeg, ac ati. Ar hyn o bryd darperir y rhan fwyaf o'r gwasanaethau hyn o'r aneddiadau sy'n bod eisoes. I gyfiawnhau lleoliad cefn gwlad byddai'n rhaid bod gofynion o ran y tir, natur y gwasanaeth a ddarperir a diffyg dewisiadau addas eraill.

Yn ogystal â bod diffyg cyfiawnhad ar sail defnydd tir, nodir bod annedd eisoes man lle mae'r busnes a bod hon yn darparu goruchwyliaeth 24 awr ar y safle ac yn diwallu'r angen pe bai argyfwng yn codi y tu allan i oriau. Yn hynny o beth, pe bai'r busnes yn gymwys fel menter wledig - ac nid ydyw - ni fyddai angen gweithredol am annedd arall. Ni fydd cynigion sy'n codi o ddewisiadau neu amgylchiadau personol, neu er cyfleustra yn hytrach nag angen hanfodol - fel y cynnig presennol hwn - yn gymwys o fewn y polisi.

Bernir na fyddai'r cynnig yn gymwys fel annedd menter wledig ac yn ogystal, o ystyried na fyddai angen ymarferol am yr annedd, nid oes cyfiawnhad o gwbl dros ddarparu annedd menter wledig yn y lleoliad hwn. Felly mae'r cais yn mynd yn groes i TAN6 a pholisïau S01 ac S04 y Cynllun Datblygu Lleol.

Yn ogystal, saif y safle mewn man agored ac amlwg gerllaw Cors Caron ac o fewn Ardal Cadwraeth Arbennig Afon Teifi. Nodweddir safle'r cais gan gaeau glas agored ger Ardal Cadwraeth Arbennig Afon Teifi a Chors Caron. Byddai darparu tŷ heb unrhyw gyfiawnhad, sydd yn fawr a garej wrth ochr, ynghyd â'r ategolion sy'n cyd-fynd â datblygiad o'r fath, heb os yn oramlwg yn weledol ac yn cyflwyno elfen nad yw'n gweddu gyda'r cefn gwlad agored sydd - fel arall - heb ei ddatblygu. Dywed Polisi Cynllunio Cymru, paragraff 3.34, fod rhaid gwarchod y cefn gwlad yn unol ag egwyddorion cynllunio cenedlaethol, a'i wella er mwyn ei werth tirweddol. Mae adeiladu annedd newydd gyda llwybr mynediad mewn lleoliad gwledig agored i ffwrdd oddi wrth unrhyw adeiladau yn cael ei ystyried yn ddatblygiad 'hwnt ac yma' yn y cefn gwlad agored. Ni fyddai'n gwarchod nac yn gwella'r tirwedd a byddai'n cael effaith niweidiol ar gymeriad yr ardal. Felly, mae'r datblygiad yn mynd yn groes i amcanion y polisi cenedlaethol a pholisïau DM06 a DM17 o'r Cynllun Datblygu Lleol.

O ran ystyriaethau perthnasol eraill, ni dderbyniwyd gwrthwynebiadau i'r cais o safbwynt priffyrdd, archaeoleg, draenio nac ecoleg. O ystyried bod y safle yn agos i Ardal Cadwraeth Arbennig Afon Teifi cafodd y cais, gan gynnwys ei drefniadau ar gyfer gwaredu â dŵr budr, ei sgrinio mewn perthynas â chynnydd posib mewn allyriadau ffosffadau i'r ACA. Yn wahanol i'r cais gwreiddiol, darparwyd gwybodaeth ychwanegol mewn perthynas â'r cynlluniau trin dŵr preifat arfaethedig, a daeth y TLSE i'r casgliad na fyddai effaith debygol ar integriti'r ACA o ganlyniad i'r cais a gynigir.

I gloi, gan nad yw'r cynnig yn ddatblygiad sy'n cydymffurfio â'r meini prawf i fod yn gymwys ar gyfer annedd menter wledig o

dan ddarpariaethau TAN6, mae'r cynllun yn ddatblygiad na ellir ei gyfiawnhau yn y cefn gwlad agored. Byddai darparu annedd yn y lleoliad hwn hefyd yn cael effaith niweidiol ar gymeriad yr ardal.

RHESWM DROS OHIRIO:

Penderfynodd Aelodau'r Pwyllgor Rheoli Datblygu, yn ei gyfarfod ar 13 Rhagfyr, 2023, gyfeirio'r cais at y Panel Arolygu Safle (SIP) yn unol â pharagraffau 1 a 5 o feini prawf mabwysiedig y Cyngor ac i'r Grŵp Oeri / Ailfeddwl ar gyfer ystyriaeth pellach cyn gwneud penderfyniad terfynol ar y cais.

Cyfarfu'r SIP ddydd Gwener, 12 Ionawr, 2024 ac roedd y panel yn cynnwys y Cynghorwyr Rhodri Davies (Cadeirydd), Gethin Davies, Gareth Lloyd, Raymond Evans a Ceris Jones.

Roedd y Cynghorydd Ifan Davies hefyd yn bresennol fel aelod o'r ward lleol, ynghyd â Mrs Catrin Newbold a Mr. Jonathan Eirug o'r Awdurdod Cynllunio Lleol (LPA).

Cyflwynodd Mr Eirug y cais ac amlinellodd y rhesymau pam fod swyddogion yr LPA yn argymhell gwrthod y cais.

Arolygodd yr Aelodau'r safle busnes a safle'r cais, ac ar ôl hynny gwnaed yr arsylwadau canlynol gan aelodau'r panel:

- Mae safle'r cais yn gorwedd ar ôl troed adfail presennol, lle mae'n dal yn bosibl gweld amlinelliad o'r mynediad a'r cwrtill blaenorol ar y llawr;
- Mae safle'r cais yn agos iawn ac o fewn pellter cerdded i safle'r busnes;
- Roedd y ffermdy yn ymddangos yn rhy fach i letya'r ymgeisydd a'i deulu, ynghyd â rhieni'r ymgeisydd;
- Mae lleoliad safle'r cais yn caniatáu elfen o breifatrwydd, i ffwrdd o'r prif ffermdy;
- Byddai'r cais yn defnyddio mynedfa a thrac mynediad presennol;
- Dim ond o nifer cyfyngedig o eiddo cyfagos y gellir gweld yr annedd arfaethedig, gyda'r agosaf tua hanner milltir i ffwrdd;
- Ni ystyriwyd bod maint yr annedd arfaethedig yn amharu â'r ardal nac yn ymddangos yn anghyson;
- Roedd yr annedd yn ymddangos yn draddodiadol o ran ei ymddangosiad ac yn cyd-fynd â chymeriad gwledig yr ardal;
- Byddai unrhyw effaith weledol yn cael ei lliniaru gan y sgrinio naturiol presennol ger y safle a'r ffaith y byddai'r annedd yn cael ei hail-adeiladu ar ôl troed y tŷ blaenorol.

Cafodd y cyfarfod SIP ei gau.

Cynhaliwyd cyfarfod o'r Grŵp Oeri / Ailfeddwl ar 7 Chwefror, 2024 ac ystyriwyd rhinweddau'r cais ynghyd â chanfyddiadau'r SIP.

Roedd y Grŵp o'r farn bod y SIP wedi dod i'r casgliad ffafriol pam y dylid lleoli annedd ar safle'r cais a'u bod o'r farn bod y busnes weldio yn cynrychioli math o weithgaredd derbyniol a oedd yn cwrdd â'r meini prawf cymhwys o ran unedau preswyl TAN6.

Fodd bynnag, roedd y Grŵp yn cydnabod bod geiriad TAN6 mewn perthynas â mentrau gwledig cymwys yn rhy gyfyngol ond roedd o'r farn, er nad oedd y cynnig yn cael ei brif fewnbwn o safle'r cais ei hun, ei fod yn cynrychioli cynllun arallgyfeirio ar ffermydd ac yn darparu gwasanaeth a oedd yn cefnogi gweithgareddau amaethyddol yn yr ardal gyfagos a lleol. Daeth y Grŵp i'r casgliad y byddai'r cais yn bodloni'r ffactorau cymhwys ar gyfer annedd TAN6.

Yn ogystal, nododd y Panel fod yr ymgeiswyr eu hunain wedi ymchwilio i anheddau posibl yn Nhregaron ei hun ond oherwydd diffyg eiddo priodol a fyddai'n diwallu anghenion yr ymgeisydd penderfynwyd bwrw ymlaen â'r cais ar safle'r cais gan mai dyma'r lleoliad gorau i ddiwallu'r anghenion. o'r busnes weldio ym Maesglas.

Atgoffodd y swyddogion y Grŵp fod y cynnig fel ag y mae yn cynrychioli gwyriad sylweddol oddi wrth y polisi gyda risg uchel o alw'r cais i mewn petai'r Pwyllgor yn penderfynu cefnogi'r cais. Hysbyswyd y Grŵp bod annedd eisoes ar y safle i ddiwallu anghenion y busnes weldio ac nad oedd y busnes yn cyfiawnhau lleoli ail annedd ar safle'r cais.

Yn olaf, dywedodd y Swyddogion pe bai'r Pwyllgor yn cefnogi'r egwyddor o ddatblygu yna byddai'n rhaid cryfhau'r cyfiawnhad dros yr annedd arfaethedig gan gynnwys nodi rhesymau swyddogaethol pam y dylid lleoli'r cais ar y safle penodol hwn.

Er gwaethaf canfyddiadau'r SIP a'r Grŵp Oeri / Ailfeddwl, mae argymhelliad yr ACLI i wrthod y cais yn sefyll.

RHESWM AM ADRODD:-

Gofynnodd aelod lleol y ward, y Cynghorydd Ifan Davies, am i'r cais gael ei gyfeirio i'r Pwyllgor Rheoli Datblygu i'w ystyried am y rheswm bod y cynnig, yn ei farn ef, yn cydymffurfio â pholisi a chanllawiau TAN6.

ARGYMHELLIAD:

GWRTHOD y cais.

Application Reference A230265
Received 11-04-2023
Proposal 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'.
Site Location Land At Ty Newydd Tregaron, Tregaron, SY25 6LQ
Application Type Full Planning
Applicant Mr R Rees (D A Rees Welding), Maesglas Tregaron, Tregaron, SY25 6LQ
Agent Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen Llanrhystud, Aberystwyth, SY23 5ED

THE SITE AND RELEVANT PLANNING HISTORY

The application site is currently agricultural land some 1km to the south east of Tynreithin and 1.5km to the northwest of Tregaron. Some 0.5km to the east is Cors Caron. The site is on the former siting of a dwelling known as Tynewydd, however, apart from a few stones nothing of the former dwelling remains. The site is a few metres to the east of a minor road which leads on to the properties of Maesglas and Fullbrook Mill. The site itself is level with mature trees to the south.

A full planning application for the same development was refused planning permission in January 2023 on two grounds - that there was no justification for the dwelling in an open countryside location and was therefore contrary to TAN6 and policies S01 and S04 of the Ceredigion Local Development Plan, and secondly, that the development would result in a net increase in phosphates levels within the river Teifi SAC in contravention of the Conservation of Habitats and Species Regulations 2017.

DETAILS OF DEVELOPMENT

The application is in full and seeks planning permission for the erection of a rural enterprise dwelling in association with the welding business which is operated by the applicant's family at Maesglas some 350m away from the application site. Maesglas itself is a large farm but the farming business is rented out to another farm business leaving the applicant and his father (who resides at Maesglas) to operate the welding business at one of the outbuildings at Maesglas complex itself.

The plans show the provision of a providing of a four bedroomed house together with roof accommodation measuring approx. 12m x 8.5m and a 7.2m x 7.2m detached garage. The proposed dwelling has an approx internal floorspace of 236m². It is also intended to create a pond within the plot and provide a package treatment plant to cater for foul water from the property. A long drive will also be provided before connecting to the minor road to the southwest of the plot.

The proposed dwelling is required in association with the welding business which operates at Maesglas. D A Rees Welding designs, manufactures and wholesales a range of agricultural, builders and general purpose trailers. At present, the father and applicant work together in the business, however, it is intended for the applicant and his partner to move out from the family home (at Maesglas) and to build a house to be located on the land at Maesglas due to the needs of the business. The intention of the business plan is to increase productivity and expand, however to do this they need to ensure that both can live on site to enable the business to be fully operational. In the coming years the father will take a step back from the business and slowly allow the applicant to take over the welding business.

RELEVANT PLANNING POLICIES AND GUIDANCE

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

- DM06 High Quality Design and Placemaking
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape

DM18 Special Landscape Areas (SLAs)

LU09 The Re-use of Former/Abandoned Dwellings

S01 Sustainable Growth

S04 Development in Linked Settlements and Other Locations

Future Wales: The National Plan 2040

Planning Policy Wales (edition 11, February 2021)

TAN6 Planning for Sustainable Rural Communities (2010)

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 Tregaron Town Council - No objection

Ceredigion Ecology - No objection STC

NRW - Comments. Object if it detrimentally impacts river Teifi SAC

Dyfed Archaeology - No objection STC

DC/WW - Comments

Ceredigion HPW - No objection STC

Ceredigion Drainage - Comments

CONCLUSION

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

This application is for the erection of a large four bedroomed dwelling submitted as a rural enterprise dwelling in association with the nearby welding and trailer manufacturing business on land which formerly housed the property of Tynewydd on agricultural land some halfway between Tynreithin and Tregaron. As only a few stones is evident of the former dwelling of Tynewydd then the application cannot be considered under policy LU09 The Reuse of Former / Abandoned Dwellings.

In terms of the development plan, as the site is considered to be located in an 'other location' the proposal is to be considered under policy S04 of the LDP. Policy S04 which deals with residential development in other locations seeks to control the proliferation of residential development in the open countryside, permitting new dwelling in other locations only where there is a justifiable rural enterprise need (TAN6) or is required on an affordable basis.

The application has been submitted as a rural enterprise dwelling in association with the applicants family's welding business which is located some 380m from the application site. Information has been submitted in the form of mainly a business plan and accounts and the justification for the proposal is based on future progression of the company and for the applicant to reside as close as possible to the enterprise.

In order to qualify for the consideration of a rural enterprise dwelling, guidance in TAN6 states that "*qualifying rural enterprises comprise land related businesses including agriculture, forestry and other activities that obtain their primary inputs from the site, such as the processing of agricultural, forestry and mineral products together with land management activities and support services (including agricultural contracting), tourism and leisure enterprises.*" .

In essence to qualify for consideration of a rural enterprise dwelling the proposal must obtain their primary input from the application site. The application site is currently open agricultural land and unrelated to the welding business which is a fair distance away. As the proposed dwelling is not based on agricultural grounds it is considered that it does not qualify as a land related business obtaining their primary input from the application site.

Supporting guidance to TAN6 states that the primary sectors of the rural economy depend upon a wide-ranging network of support services for their effective functioning which include services such as relief labour and more general services relating to the maintenance of buildings or professional services in terms of accountancy etc. The majority of these services are currently provided from locations in existing settlements. Qualifying circumstances will require a countryside location to be justified as being necessary in terms of their land requirements, the nature of the service provided and the absence of suitable alternatives.

Notwithstanding that there is a lack of justification on a land use basis, it is noted that there already is a dwelling where the business is located which provides 24 hour on site supervision and meets the need for any out-of hours emergency that arises. From that if the business had qualified as a rural enterprise, which for clarity it does not, in that respect the functional need for a further dwelling is not present. Proposals arising from personal preferences or circumstances, or for conditions of convenience rather than essential need, such as the current proposal will not qualify within the policy.

It is considered that the proposal would not qualify as a rural enterprise dwelling and additionally given that there would not be any functional need for the dwelling there is no justification whatsoever for the provision of a rural enterprise dwelling at this location. As such the proposal is contrary to TAN6 and policies S01 and S04 of the Ceredigion LDP.

Additionally, the application site is located in an open visually prominent location close to Cors Caron and is within the Teifi Valley Special Landscape Area. The application site is characterised by open greenfields near to the Afon Teifi Special Area of Conservation and the Cors Caron SAC. The provision of an unjustified large dwelling and adjoining garage together with any associated paraphernalia which accompanies such development would undoubtedly be visually obtrusive and will present an uncharacteristic element in an otherwise undeveloped open countryside location. Planning Policy Wales paragraph 3.34 states, "*The countryside in line with sustainable development and national planning principles must be conserved, and enhanced for its landscape value*". Constructing a new dwelling with an access path in an exposed rural location away from any built form is considered sporadic development in the open countryside and would fail to conserve or enhance the landscape and detrimentally impact the character of the area. The development is therefore in conflict with national policy aims and policies DM06 and DM17 of the LDP.

With regard to other material considerations, no objections were received to the proposal from a highway, archaeological, drainage or ecological perspective. In view of the site's proximity to the River Teifi SAC the proposal including its foul water disposal arrangements were screened in respect of potential increase in phosphates into the SAC. Contrary to the original application additional information was provided in relation the proposed private treatment plans and the TLSE concluded that there would not likely be an impact on the integrity of the SAC as a result of the proposal.

In conclusion as the proposal does not represent a development which is compliant with the qualifying criteria for a rural enterprise dwelling under the provisions of TAN6 the scheme constitutes unjustified development in an open countryside

location. The provision of a dwelling at this location would also detrimentally impact the character of the area.

REASON FOR DEFERRAL:

The Development Management Committee at its meeting on December 13th, 2023 resolved to refer the application to the Site Inspection Panel in accordance with Paragraphs 1 and 5 of the Council's adopted criteria and to the Cooling Off Group for further consideration before a final decision was taken on the application.

The Site Inspection Panel met on Friday, 12th January, 2024 and the panel comprised of Cllr's Rhodri Davies (Chair), Gethin Davies, Gareth Lloyd, Raymond Evans and Ceris Jones.

Cllr. Ifan Davies was also in attendance as the local ward member, along with Mrs. Catrin Newbold and Mr. Jonathan Eirug from the Local Planning Authority (LPA).

Mr. Eirug introduced the application and outlined the reasons why officers of the LPA were recommending the refusal of the application.

Members inspected both the business premises and the application site, after which the following observations were made by members of the panel:

- The application site lies on the footprint of an existing ruin, where it is still possible to see an outline of the previous access and curtilage on the ground;
- The application site lies in close proximity and within walking distance to the business premises;
- The farmhouse appeared too small to accommodate the applicant and his family, along with the applicant's parents;
- The location of the application site allows for an element of privacy, away from the main farmhouse;
- The proposal would make use of an existing entrance and access track;
- The proposed dwelling can only be seen from a limited number of neighbouring properties, with the nearest being approximately half a mile away;
- The size of the proposed dwelling was not considered to be out of keeping with the area or appear incongruous;
- The dwelling appeared traditional in its appearance and in keeping with the rural character of the area;
- Any visual impact would be mitigated against by the existing natural screening close to the site and by the fact that the dwelling would be re-built on the footprint of the previous house.

The SIP meeting was subsequently closed.

A meeting of the Cooling Off Panel followed on the 7th February, 2024 and considered the merits of the application together with the findings of the SIP.

The Panel were of the opinion that the SIP had concluded favourably why a dwelling should be located at the application site and that in their opinion that the welding business represented a form of acceptable activity which met the qualifying criteria with regards to TAN6 residential units.

However, the Panel did acknowledge that the wording in TAN6 in relation to qualifying rural enterprises was too restrictive but were of the opinion that whilst the proposal did not obtain its primary input from the application site itself it did represent a farm diversification scheme and provided a service which supported agricultural activities in the immediate and local area. The Panel concluded that the application would meet the qualifying factors for a TAN6 dwelling.

Additionally, the Panel noted that the applicants themselves had investigated potential dwellings in Tregaron itself but due to the lack of appropriate properties which would meet the applicant's needs decided to proceed with the application at the application site as it was the best location to meet the needs of the welding business at Maesglas.

Officers reminded the Panel that the proposal as it stood represented a significant departure from the policy with a high risk of the application being called in if the Committee resolved to support the application. The Panel were informed that a dwelling was already on site to be meet the needs of the welding business and that the business did not justify a second dwelling to be located at the application site.

Finally, Officers stated that if the Committee were minded to support the principle of development then the justification for the proposed dwelling would have to be strengthened including the identification of functional reasons why the application should be located at this particular site.

Notwithstanding the findings of the SIP and the Cooling Off Panel, the recommendation of the LPA to refuse the application remains.

REASON FOR REPORTING:-

The local ward member, Cllr Ifan Davies, requested the application be referred to the Development Management Committee for consideration for the reason that in his opinion the proposal is compliant with TAN6 policy and guidance.

RECOMMENDATION:

REFUSE the application.

2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A220738	05-10-2022	Mrs Enfys Davies	Proposed open market dwelling to include installation of vehicular access	Pencoed, Pentrer Bryn, Llandysul, SA44 6NN	Refuse
2	A230750	18-10-2023	Mr William Gareth Jones	Removal of condition 4 of planning permission - D1.980.90 - Occupancy	Werna, C1240 From Tregaron To Pont Nanstalwen, Tregaron, Ceredigion, SY25 6NG	Refuse

2.1. A220738



Rhif y Cais / Application Reference	A220738
Derbyniwyd / Received	05-10-2022
Y Bwriad / Proposal	Annedd marchnad agored arfaethedig a fydd yn cynnwys mynediad i gerbydau
Lleoliad Safle / Site Location	Pencoed, Pentre'r Bryn, Llandysul, SA44 6NN
Math o Gais / Application Type	Caniatâd cynllunio amlinellol - Cedwir pob mater/ rhai o'r materion yn ôl
Ymgeisydd / Applicant	Mrs Enfys Davies, Gofynach Fach, Llanarth, Ceredigion, SA47 0PE
Asiant / Agent	Mr Gareth Flynn (Gwasanaethau Pensaernïol Morgan & Flynn), Tan y Dderwen, Llanrhystud, Aberystwyth, SY23 5ED

Y SAFLE A HANES PERTHNASOL

Saif y safle oddi ar Lôn Penrhiwgaled, ffordd fach sy'n ymestyn oddi ar yr A486 i gyfeiriad y gogledd-ddwyrain. Mae'r plot dan sylw yn gorwedd ar hyd rhes o ddatblygiad hirgul dros 0.5km o ganol Pentre'r Bryn. Mae'r anheddiad yn gorwedd ymhellach i'r de ar hyd yr A486.

Ar hyn o bryd mae'r safle ar laswelltir wedi'i wella gyda pherth yn ffinio'r safle i'r cefn. Mae perthi aeddfed yn gwahanu'r safle o'r ffordd gyfagos. Mae ffensys rheilffordd yn dynodi'r ffin rhwng y safleoedd cyfagos i'r gogledd a'r de.

Mae'r tai ar hyd y lôn gan mwyaf yn cynnwys anheddau 1 i 1.5 llawr, mae'r drychiadau allanol yn cynnwys rendro golau, carreg neu frics. Saif gwrychoedd aeddfed i'r gorllewin o'r lôn gyda chaeau a chefn gwlad agored wrth gefn yr anheddau tua'r dwyrain.

Hanes Perthnasol y Safle o ran Cynllunio

- A090264 - Amlinelliad - Codi Annedd – Cymeradwywyd yn ddibynnol ar amodau, 2 Mehefin 2009
- A120077 - Codi annedd - Cymeradwywyd yn ddibynnol ar amodau, 15 Mawrth 2012

MANYLION Y DATBLYGIAD

Mae'r cais ar gyfer un annedd sengl ar dir ger Pentre'r Bryn. Mae garej ar wahân hefyd yn cael ei gynig ar y safle. Byddai creu llain welededd newydd yn golygu trawsleoli rhan o'r clawdd a chael gwared ar ddarn byr o wal. Byddai carthffosiaeth yn cael ei hymdrin trwy gysylltu â'r prif gyflenwad.

Mae hwn yn ganiatâd cynllunio amlinellol gyda rhai materion wedi'u cadw yn ôl. Mae graddfa, tirlunio a mynediad wedi'u cynnwys yn yr asesiad hwn. Byddai materion sy'n ymwneud ag ymddangosiad a chynllun yn cael eu penderfynu ar adeg ystyried materion a gedwir yn ôl.

Er nad oes cynlluniau adeiladu wedi'u cyflwyno fel rhan o'r cais hwn, cafodd y paramedrau canlynol eu tynnu o'r cynllun dangosol a ddarperir:

Annedd:

- Lled yr annedd: Hyd at 12 metr
- Hyd yr annedd: Hyd at 20 metr
- Uchder i'r bondo: Hyd at 6 metr
- Uchder i'r grib: Hyd at 10m
- Cyfanswm Ôl Troed yr Annedd: Hyd at 250m²

Garej ar wahân:

- Lled y garej: Tua 4.8 metr
- Hyd y garej: Tua 6.6 metr
- Uchder heb ei ddatgan

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNSAOL

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

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

- CCA Y Gymuned a'r Iaith Gymraeg 2015
- Taflen Gymorth CCA Y Gymuned a'r Iaith Gymraeg 2015
- CCA Safonau Parcio CSC 2015
- CCA Asesiad Trafnidiaeth CSC 2015
- CCA Dylunio'r Amgylchedd Adeiledig 2015
- CCA Cadwraeth Natur 2015
- Cymru'r Dyfodol: y Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)
- Dylunio TAN12 (2016)
- Trafnidiaeth TAN18 (2007)
- TAN5 Cadwraeth Natur a Chynllunio (2009)

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae Adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol 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; aibennu 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; 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 LLESANT 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

Cyngor Cymuned Llanllwchaearn - Dim gwrthwynebiad

Priffyrdd - Dim gwrthwynebiad, yn ddibynnol ar amodau

Draenio Tir - Dim gwrthwynebiad, yn ddibynnol ar amodau

Dŵr Cymru - Dim gwrthwynebiad, yn ddibynnol ar amodau

Cyfoeth Naturiol Cymru - Dim gwrthwynebiad, nid oedd Cyfoeth Naturiol Cymru yn ystyried y datblygiad arfaethedig fel mater a restrir ar eu pynciau ymgynghori

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 ystyriaeth perthnasol yn awgrymu fel arall".

Egwyddor y Datblygiad

Mae paragraff 1.18 o Bolisi Cynllunio Cymru yn datgan "mae deddfwriaeth yn sicrhau rhagdybiaeth o blaid datblygu cynaliadwy yn unol â'r cynllun datblygu oni bai bod ystyriaethau perthnasol yn nodi fel arall i sicrhau bod materion cymdeithasol, economaidd, diwylliannol ac amgylcheddol yn gytbwys ac integredig."

Mae Polisi S01 y Cynllun Datblygu Lleol yn cyfeirio datblygiadau preswyl tuag at aneddiadau cynaliadwy. Strategaeth y Cynllun Datblygu Lleol yw y bydd 51% o ddatblygiadau tai newydd ar draws y Sir yn digwydd yn y Canolfannau Gwasanaethau Trefol, 24% yn y Canolfannau Gwasanaethau Gwledig a 25% mewn aneddiadau a lleoliadau eraill (gan gynnwys aneddiadau cysylltiedig).

Mae ffigurau tai mis Mawrth 2023 yn dangos bod 43% o gyfanswm yr ymrwymadau ar gyfer tai yng Ngheredigion wedi bod o fewn 'Aneddiadau Cysylltiedig â Lleoliadau Eraill', ac mae hyn yn groes i'r targed uchod o 25% mewn lleoliad o'r fath. Mae safle'r cais o fewn 'Lleoliad Arall' fel y nodwyd gan y Cynllun Datblygu Lleol. Y polisi lleol perthnasol, felly, yw Polisi S04. Mae Polisi S04 yn nodi'r canlynol mewn perthynas â thai:

2. Yn achos datblygu tai:

a. Dim ond yn yr 'Aneddiadau Cysylltiedig' y caniateir darparu tai cyffredinol. Mae'r holl 'leoliadau eraill' yn amhriodol ar gyfer datblygu tai oni bai y gellir cyfiawnhau hynny ar y sail ei fod yn cwrdd ag:

i. angen amlwg am dai fforddiadwy sydd heb ei ddiwallu yn yr ardal leol, ac yn unol â Pholisi S05; neu

ii. angen am fenter wledig yn unol â TAN 6.

Ni ystyrir bod y cynnig yn elwa o'r naill eithriad angenrheidiol ar gyfer datblygiad preswyl mewn 'Lleoliad Arall', sef bod yr annedd yn fforddiadwy neu'n Annedd Menter Wledig yn unol â TAN 6.

Ystyrir Awdurdod Cynllunio Lleol fod anheddau mewn 'Lleoliad Arall' yn anghynaliadwy ac mae angen cyfyngu ar ddatblygiadau o'r fath yn unol â pholisïau CDLI S01 ac S04. Ceir cefnogaeth bellach o fewn polisi cenedlaethol fel Polisi Cynllunio Cymru a Chymru'r Dyfodol 2040.

Ni ystyrir bod ffactorau lliniaru yn ymwneud â chynaliadwyedd oherwydd diffyg trafnidiaeth gyhoeddus, gyda bysiau i Aberteifi, Aberystwyth a Phenglais yn gweithredu bob awr drwy gydol y dydd. Er y gallai hyn alluogi trigolion Pentre'r Bryn i deithio i ganolfannau Gwasanaeth Trefol, nid oes llwybr troed parhaus naill ai o flaen safle'r cais nac ar hyd yr A486 i'r aros fannau bysiau dywededig. Felly, byddai trigolion y datblygiad arfaethedig yn y dyfodol yn dibynnu i raddau helaeth ar ddefnyddio car preifat i ddiwallu eu hanghenion o ddydd i ddydd mewn canolfannau gwasanaethau trefol a gwledig cyfagos. Yn unol â Pholisi 12 Cymru'r Dyfodol, rhaid i deithio llesol fod yn elfen hanfodol ac annatod o'r holl ddatblygiadau newydd. Dylid integreiddio datblygiadau newydd â rhwydweithiau teithio llesol a, lle bo hynny'n briodol, bod y datblygiadau yn cyfrannu at eu hehangu a'u gwella.

Yn ogystal, nid oes siop gyfleus, meddygfa nac ysgol o fewn 2 filltir gyda phalmant. Fodd bynnag, mae yna neuadd gymunedol a hefyd Parc Gwyliau Brownhill. Nid yw'r cyfleusterau hyn yn cael eu hystyried yn ddigonol i negyddu'r angen i deithio y tu allan i'r anheddiad ar gyfer llawer o amwynderau dyddiol.

Felly, ni ystyrir bod y cynigion yn cyd-fynd â dyheadau Cymru'r Dyfodol 2040 na Pholisi Cynllunio Cymru (Rhifyn 11, 2011). At hynny, ni ystyrir bod y cynigion yn cydymffurfio â Pholisïau'r CDLI DM04 ac S04 mewn perthynas â datblygu cynaliadwy a mynediad digonol at ddulliau teithio llesol.

Felly, nid yw'r egwyddor y ceisir amdani yn dderbyniol.

Dyluniad

Mae Polisi DM06 yn ei gwneud yn ofynnol i ddatblygiad fod o ddyluniad ac ansawdd da a chyfrannu'n gadarnhaol at ei gyd-destun; a Pholisi DM17 yn ceisio diogelu rhinweddau arbennig y dirwedd. Caiff y cynnig ei gyflwyno yn amlinellol ac, felly, byddai materion yn ymwneud ag ymddangosiad yr annedd yn cael eu trin yn fanwl fel rhan o gais Materion Neilltuedig dilynol. Gwnaed cais am faterion yn ymwneud â graddfa.

Darn gwag o dir yw safle'r cynnig, rhwng anheddau presennol sy'n ffurfio datblygiad hirgul. Fe'i hystyried yn ddatblygiad mewnlenwi sy'n ategu'r patrwm presennol o ddatblygiad preswyl yn yr ardal. Mae'r ardal gyfagos yn cynnwys anheddau o wahanol feintiau. Ni theimlir bod mesuriadau'r annedd yn amhriodol o'u cymharu â'r ardal gyfagos. Yn ogystal, ystyrir maint dangosol yr annedd yn gymesur o ystyried maint y plot. Mae'r annedd wedi'i gosod yn ôl o'r briffordd i radd sy'n gymesur â'r anheddau yn yr ardal gyfagos.

Felly, mae'r cynnig yn gyson â Pholisi DM06 yn amodol ar fanylion llawn a ddarperir yn ystod y cam materion a gedwir yn ôl.

Amwynder

Yn ôl Polisi DM06 o'r CLDP, dylai datblygiad ddiogelu amwynder deiliaid yr eiddo cyfagos rhag niwed sylweddol mewn perthynas â phreifatrwydd, sŵn a golygon.

Byddai materion manwl sy'n ymwneud â'r effaith ar amwynder y trigolion cyfagos, megis edrych drosto, yn cael eu trin ymhellach fel rhan o gais materion a gedwir yn ôl. Fodd bynnag, yn seiliedig ar y cynllun dangosol, ystyrir y gellir cyflawni math derbyniol o ddatblygiad ar y safle heb gael effaith andwyol sylweddol ar amwynder preswylwyr cyfagos. Mae pellter gwahanu helaeth o oddeutu 33 metr rhwng yr annedd arfaethedig a'i chymydog i'r de-orllewin, a phellter gwahanu helaeth o oddeutu 10 metr rhwng yr annedd arfaethedig a'i chymydog i'r gogledd-ddwyrain. Ni ddisgwylir effeithiau amwynder niweidiol sylweddol o ganlyniad i'r cynnig.

Ecoleg

Mae'r ymgeisydd wedi cyflwyno Aseiad Ecolegol Rhagarweiniol (PEA) i gefnogi'r datblygiad. Yn ôl y PEA, mae'r safleoedd gwarchoddedig agosaf, Ardaloedd Cadwraeth Arbennig Gorllewin Cymru Morol a Bae Ceredigion yn gorwedd tua 4km i ffwrdd. Nid yw'r cynnig wedi'i gysylltu'n hydrolegol. Yn ôl arolwg o lystyfiant a chynefinoedd y PEA, mae'r safle'n cynnwys un prif fath o gynefin, sef glaswelltiroedd wedi'u gwella. Yn ôl y PEA, mae'r cynefin glaswelltir hwn yn dlawd o ran rhywogaethau ac nid oes unrhyw arwyddocâd ecolegol iddo. Mae'r gwrychoedd oedd yn amgylchynu'r safle o ddiddordeb ecolegol lleol neu fychan. Yn ôl y manylion a gyflwynwyd, ni fyddai'r un ohonynt yn cael eu hystyried yn wrychoedd pwysig fel y'u diffinnir gan y Ddeddf Perthi. Ystyrir bod y datblygiad yn unol â Pholisi CDLI DM20 sy'n nodi na ddylai datblygiad gael gwared ar goed, difrodi neu ddinistrio coed, gwrychoedd na choetiroedd o werth gweledol, ecolegol, hanesyddol,

diwylliannol neu amwynderol.

Yn ôl y PEA, ni chafwyd hyd i unrhyw arwyddion o foch daear ar y safle. Ar ben hynny, nid yw'r safle yn addas iawn ar gyfer amffibiaid ac ymlusgiaid, ond gallai'r cloddiau gefnogi'r madfall gyffredin. Ar ben hynny, mae'r PEA yn nodi nad yw'r safle o fawr o werth i adar sy'n nythu. Er na chynhaliwyd arolwg o weithgaredd ystlumod, nid oes unrhyw adeiladau na choed ar y safle felly does dim potensial ar gyfer ystlumod clwydo. Mae'r PEA hefyd yn dweud nad yw'r maes yn debygol o fod yn arwyddocaol ar gyfer ystlumod sy'n chwilota am fwyd. Nid oes unrhyw rywogaethau estron ymledol yn bresennol ar y safle.

Cynigir codi gwrych rhywogaethau cymysg newydd ar gyfer ffin ddeheuol y llain. Byddai hyn yn darparu elw net o ran bioamrywiaeth, yn enwedig os na chaiff ei docio mwy na phob yn ail flwyddyn. Mae'r datblygiad yn cyd-fynd â pholisi DM20 yn ddarostyngedig i amodau.

Dewisodd Cyfoeth Naturiol Cymru beidio â gwneud sylw ar y cais gan nad oeddent yn ystyried y datblygiad arfaethedig fel mater a restrir ar eu pynciau ymgynghori.

Tai Fforddiadwy

Polisi SO5 Cynllun Datblygu Lleol Ceredigion 2013 a fabwysiadwyd (CDLI yn ceisio negodi cyfran o 20% o dai fforddiadwy ar bob datblygiad tai yn unol â'r Asesiad o Anghenion Tai Lleol.)

Mae ail ran Polisi SO5 yn ei gwneud yn ofynnol, o ganlyniad i faen prawf 1, fod cynigion yn esgor ar ofyniad tai fforddiadwy nad yw'n uned gyfan neu le na ellir darparu'r cymysgedd fel unedau cyfan. Yna bydd cynllun o werth cyfatebol yn cael ei bennu er boddhad yr Awdurdod Cynllunio Lleol neu yn ôl disgrisiwn yr Awdurdod Cynllunio Lleol, sef swm cymudedig yn cyfateb i 10% o werth marchnad agored y datblygiad.

Nid yw'r cynnig yn cynnwys darparu unrhyw dai fforddiadwy gan mai un annedd marchnad agored sy'n cael ei gynnig, mae angen gwneud cyfraniad at dai fforddiadwy ar ffurf swm cymudedig, a sicrhair gan Adran 106 yn unol â Pholisi SO5.

Mae Polisi SO5 y CDLI hefyd yn nodi y bydd angen i ddatblygwyr sy'n ceisio negodi gostyngiad yn y ddarpariaeth tai fforddiadwy gyflwyno manylion i ddangos diffyg hyfywedd y safle penodol.

Ni chyflwynir unrhyw ymrwymiad i dalu'r swm cymudedig na her hyfywedd i gefnogi'r cais i ddangos pam y byddai darparu tai fforddiadwy yn tansellio hyfywedd y cynllun yn ei gyfanrwydd yn yr achos hwn. Yn absenoldeb cytundeb cyfreithiol S106 i ddarparu cyfraniad mewn perthynas â'r ddarpariaeth tai fforddiadwy o fewn y sir, ystyrir y datblygiad arfaethedig yn groes i bolisi SO5 y CDLI a Pholisi 7 Cymru'r Dyfodol.

Parcio a Mynediad

Nid yw'r Swyddog Prifffyrdd wedi gwrthwynebu'r cais sy'n cynnwys mynediad newydd a darpariaeth parcio ar gyfer yr annedd. Mae cynllun dangosol y bloc yn dangos lle i o leiaf ddau gar i barcio. Felly, gellir derbyn y cais fel un sy'n cydymffurfio â Pholisi DM03 mewn perthynas â darpariaeth parcio fel sy'n ofynnol gan Ganllawiau Cynllunio Atodol Cyngor Sir Ceredigion 2015 ynghylch Parcio.

Ni ystyrir bod y cais yn cydymffurfio â maen prawf cyntaf Polisi DM03 sy'n gofyn am i ddatblygiad leihau'r angen i deithio a'i fod yn hybu a rhoi cyfle i ddulliau cynaliadwy o drafnidiaeth yng Ngheredigion. Mae hyn oherwydd ei leoliad y tu allan i ffin anheddiad, diffyg palmant a digon o opsiynau trafnidiaeth gynaliadwy gerllaw.

ARGYMHELLIAD:

Gwrthodir y cynnig am y rhesymau canlynol:

1. Nid yw'r cynnig yn cydymffurfio â Pholisi SO4 y CDLI sy'n ei gwneud yn ofynnol i gynigion ar gyfer anheddau mewn 'Lleoliadau Eraill' fod yn fforddiadwy neu gydymffurfio â Nodyn Cyngor Technegol 6. Felly, mae'r datblygiad arfaethedig yn annerbyniol mewn egwyddor ac ni fyddai'n gyfystyr â datblygu cynaliadwy, yn groes i Bolisi SO4, Cymru'r Dyfodol 2040 a Pholisi Cynllunio Cymru (Rhifyn 11, 2011).
2. Nid yw'n gwneud darpariaeth ar gyfer cyfraniad drwy swm cymudedig tuag at dai fforddiadwy yn y sir, yn groes i Bolisi SO5 y CDLI
3. Ni fyddai'r cynnig yn cydymffurfio â Pholisi DM03 o'r CDLI oherwydd y diffyg opsiynau sydd ar gael o ran trafnidiaeth gynaliadwy a dim palmant parhaus i anheddiad cyfagos Pentre'r Bryn gyda'i amwynderau cyfyngedig.

Rhesymau dros Gyfeirio:

Mae Aelod Lleol y ward wedi cyfeirio'r cais i'r pwyllgor rheoli datblygu am y rhesymau a ganlyn:

Mae angen tai yn y sir (marchnad agored a fforddiadwy) a

Mae'r plot yn cynrychioli mewnlenni rhesymegol o fewn y ffurf adeiledig bresennol.

Rhif y Cais / Application Reference	A220738
Derbyniwyd / Received	05-10-2022
Y Bwriad / Proposal	Proposed open market dwelling to include installation of vehicular access
Lleoliad Safle / Site Location	Pencoed, Pentrer Bryn, Llandysul, SA44 6NN
Math o Gais / Application Type	Outline Planning Permission - All/Some Matters Reserved
Ymgeisydd / Applicant	Mrs Enfys Davies, Gofynach Fach, Llanarth, Ceredigion, SA47 0PE
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen Llanrhystud, Aberystwyth, SY23 5ED

THE SITE AND RELEVANT PLANNING HISTORY

The site sits off Penrhiwgaled Lane, a small road that radiates off the A486 in a north-eastern direction. The plot in question sits along a row of ribbon development over 0.5km from the centre of Pentre'r Bryn, the settlement sits further to the south along the A486.

The site is currently improved grassland with a hedge bounding the site to the rear. There is mature hedging that separates the site from the adjacent road. Split rail fences demarcate the boundary between the neighbouring sites to the north and south.

The houses along the lane largely consist of 1 to 1.5 storey dwellings, the external elevations consist of light render, stone or brick. Mature hedging sits to the west of the lane with fields and open countryside to the rear of the dwellings to the east.

Relevant Planning History

- A090264 - Outline - Erection of a Dwelling - Approved subject to conditions, 2nd June 2009
- A120077 - Erection of a Dwelling - Approved subject to conditions, 15th March 2012

DETAILS OF DEVELOPMENT

The proposal is for a single detached dwelling on land near Pentre'r Bryn. A detached garage is also proposed on site. Creation of a new visibility splay would entail the translocation of a section of hedgerow and removal of a short-section of wall. Sewerage would be dealt with via a mains connection.

This is an outline planning permission with some matters reserved. Scale, landscaping and access are included within this assessment. Matters relating to appearance and layout would be decided at a reserved matters stage.

While building plans have not been submitted as part of this application, the following indicative parameters were extrapolated from the indicative block plan provided:

Dwelling:

- Width of dwelling: Max 12 meters
- Length of dwelling: Max 20 meters
- Height to Eaves: Max 6 meters
- Height to Ridge: Max 10m
- Total Dwelling Footprint: Max 250m²

Detached Garage:

- Width of garage: Approximately 4.8 meters
- Length of garage: Approximately 6.6 meters
- Height not stated

RELEVANT PLANNING POLICIES AND GUIDANCE

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

- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- DM03 Sustainable Travel

- DM04 Sustainable Travel Infrastructure as a Material Consideration
- DM05 Sustainable Development and Planning Gain
- DM06 High Quality Design and Placemaking
- DM09 Design and Movement
- DM10 Design and Landscaping
- DM12 Utility Infrastructure
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape
- DM20 Protection of Trees, Hedgerows and Woodlands
- LU02 Requirements Regarding All Residential Developments
- LU04 Meeting a Range of Housing Needs
- LU05 Securing the Delivery of Housing Development
- LU06 Housing Density

- Community and the Welsh Language SPG 2015
- Community and the Welsh Language SPG Help Sheet 2015
- CCC Parking Standards SPG 2015
- Transport Assessment SPG 2015
- Built Environment and Design SPG 2015
- Nature Conservation SPG 2015
- Future Wales: The National Plan 2040
- Planning Policy Wales (edition 11, February 2021)
- TAN12 Design (2016)
- TAN18 Transport (2007)
- TAN5 Nature Conservation and Planning (2009)

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

Cyngor Cymuned Llanllwchaearn - No objection

Highways - No objection, subject to conditions

Land Drainage - No objection, subject to conditions

Dwr Cymru Welsh Water - No objection, subject to conditions

Natural Resources Wales - No objection, commented that NRW did not consider the proposed development as a matter listed on their consultation topics

CONCLUSION

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

Principle of Development

Paragraph 1.18 of Planning Policy Wales (PPW) states that "Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated."

Policy S01 of the Local Development Plan (LDP) directs residential development towards sustainable settlements. 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 March 2023 housing figures show that 43% of total commitments for housing in Ceredigion have been within 'Linked Settlements and Other Locations', this is at odds with the aforementioned target of 25% in such a location. The application site lies within an 'Other Location' as identified by the Local Development Plan (LDP). The relevant local policy, therefore, is Policy S04. Policy S04 notes the following in relation to housing:

2. In the case of housing development:

- a. General housing provision will only be permitted in the 'Linked Settlements'. All 'Other Locations' are inappropriate for housing development unless justified on the basis that it meets a demonstrated:
 - i. unmet affordable housing need in the locality and accords with Policy S05; or
 - ii. need for a rural enterprise dwelling in line with TAN 6.

The proposal is not considered to benefit from either of the necessary exemptions for residential development in an 'Other Location', those exemptions being an affordable dwelling or a Rural Enterprise Dwelling in line with TAN 6.

Dwellings in an 'Other Location' are considered unsustainable by the LPA and there is a need to restrict such development as per LDP policies S01 and S04, there is further support found within national policy such as PPW and Future Wales 2040.

There are not considered to be mitigating factors relating to sustainability owing to the lack of public transport provision, with busses to Cardigan, Aberystwyth and Penglais operating only hourly throughout the day. While this could enable residents of Pentre'r Bryn to commute to Urban Service centres, there is no continuous footpath either in front of the application site nor along the A486 to said bus stops. Therefore, future inhabitants of the proposed development would be largely reliant on the use of a private car to meet their day-to-day needs in adjacent urban and rural service centres. In accordance with Future Wales Policy 12, active travel must be an essential and integral component of all new development. New developments should be integrated with active travel networks and, where appropriate, contribute towards their expansion and improvement.

Additionally, there is no convenience store, GP surgery or school within 2 miles with a pavement. There is, however, a community hall and the Brownhill Holiday Park. These amenities are not considered sufficient to negate the need to travel outside of the settlement for many daily amenities.

The proposals are therefore not considered to align with the aspirations of Future Wales 2040 nor Planning Policy Wales (Edition 11, 2011). Furthermore, the proposals are not considered to comply with LDP Policies DM04 and S04 in relation to sustainable development and sufficient access to active travel methods.

The principle as applied for is therefore not acceptable.

Design

Policy DM06 requires development to be of a high-quality design and contribute positively to its context; and Policy DM17 seeks to protect the special qualities of the landscape. The proposal is submitted in outline and, therefore, matters relating to the dwelling's appearance would be dealt with in detail as part of a subsequent Reserved Matters application. Matters relating to scale have been applied for.

The proposal site is a vacant piece of land in between existing dwellings which form a 'ribbon' of development. As such, it is considered infill development which complements the existing pattern of residential development in the area. The surrounding area features dwellings of varying sizes. As such, it is not felt that the dimensions of the dwelling are inappropriate when compared to the surrounding area. Additionally, the indicative size of the dwelling is considered proportionate to the size of the plot. The dwelling is set back from the highway to a degree that is commensurate with the dwellings in the surrounding area.

The proposal is thus consistent with Policy DM06 subject to full details provided at reserved matters stage.

Amenity

According to Policy DM06 of the CLDP, development should protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook.

Detailed matters relating to impact on the amenity of the nearby occupiers such as overlooking would be dealt with further as part of a Reserved Matters application, however, based on the indicative layout it is considered that an acceptable form of development can be achieved on the site without having a significant adverse impact on the amenity of nearby occupiers. There is a generous separation distance between the proposed dwelling and its neighbour to the south-west of approximately 33 meters, and a generous separation distance between the proposed dwelling and its neighbour to the north-east of approximately 10 meters. As such, significant adverse amenity impacts are not anticipated as a result of the proposal.

Ecology

The applicant has submitted a Preliminary Ecological Assessment (PEA) in support of the development. According to the PEA, the nearest protected sites, the West Wales Marine and Cardigan Bay SACs, lie approximately 4km away. The proposal is not hydrologically connected. According to the vegetation and habitat survey within the PEA, the site comprises of one main habitat type, improved grasslands. According to the PEA, this grassland habitat is species-poor and of no ecological significance. The hedgerows which bound the site are of some minor or local ecological interest. According to the details submitted, none would class as important hedgerows as defined by the Hedgerows Act. As such, the development is considered to be in accordance with CLDP Policy DM20 which states that development should not remove, damage or destroy trees, hedgerows or woodlands of visual, ecological, historic, cultural or amenity value.

According to the PEA, no signs of badgers were found on site. Furthermore, the site is of low suitability for amphibians and reptiles, but the hedge-banks could conceivably support common lizard. Furthermore, the PEA states that the site is of little value for nesting birds. Whilst no bat activity survey was carried out, there are no buildings or trees on site so no potential for

roosting bats. The PEA also states that the field is unlikely to be significant for foraging bats. No invasive non-native species are present on site.

A new mixed species hedge is proposed for the southern boundary of the plot. This would provide a biodiversity net gain, particularly if it is trimmed no more than every other year. As such, the development accords with policy DM20 subject to conditions.

NRW chose not to comment on the application as they did not consider the proposed development as a matter listed on their consultation topics.

Affordable Housing

Policy SO5 of the adopted Ceredigion Local Development Plan 2013 (LDP) seeks to negotiate a proportion of 20% affordable housing on all housing development in accordance with the Local Housing Needs Assessment.

The second part of Policy SO5 requires that where, as a result of criterion 1, proposals yield an affordable housing requirement which is not a whole unit or where the mix cannot be provided as whole units then a scheme of equivalent value shall be determined to the satisfaction of the Local Planning Authority (LPA) or at the discretion of the LPA, a commuted sum at the equivalent value of 10% of the open market value of the development.

The proposal does not include the provision of any affordable housing and by virtue of one open-market dwelling being proposed, a contribution to affordable housing in the form of a commuted sum, secured by Section 106 is required in accordance with Policy SO5.

Policy SO5 of the LDP also states that developers seeking to negotiate a reduction in affordable housing provision will need to submit detail to show lack of viability of the specific site.

No commitment to pay the commuted sum nor a viability challenge is submitted in support of the application to demonstrate why the provision of affordable housing would undermine the viability of the scheme as a whole in this instance. In the absence of a S106 legal agreement to provide a contribution in respect of the affordable housing provision within the county the proposed development is considered contrary to policy SO5 of the LDP and Policy 7 of Future Wales.

Parking and Access

The Highways Officer has not objected to the application that includes new access and parking provision for the dwelling. The indicative block plan shows space for at least two cars to park. The application can, therefore, be accepted as being compliant with Policy DM03 in relation to parking provision as required by the CCC Parking SPG 2015.

The application is not considered to comply with the first criterion of Policy DM03 which requires development to minimize the need to travel and provide opportunity for and promote sustainable modes of transport in Ceredigion owing to its location outside of a settlement boundary, lack of pavement and sufficient sustainable transport options nearby.

ARGYMHELLIAD / RECOMMENDATION:

The proposal is **REFUSED** for the following reasons:

1. The proposal does not comply with LDP Policy S04 requiring proposals for dwellings in 'Other Locations' to be affordable or comply with Technical Advice Note 6. The proposed development is, therefore, unacceptable in principle and would not constitute sustainable development contrary to Policy S04, Future Wales 2040 and Planning Policy Wales (Edition 11, 2011).
2. Fails to make provision for a contribution by way of a commuted sum towards affordable housing in the county contrary with Policy SO5 of the LDP
3. The proposal would not comply with Policy DM03 of the LDP owing to the lack of sustainable transport options available and no continuous pavement to the nearby settlement of Pentre'r Bryn with its limited amenities.

Reasons For Referral:

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

- There is a need for housing in the county (both open market and affordable) and
- The plot represents logical infilling within the existing built form.

2.2. A230750



Rhif y Cais / Application Reference	A230750
Derbyniwyd / Received	18-10-2023
Y Bwriad / Proposal	Removal of condition 4 of planning permission - D1.980.90 - Occupancy
Lleoliad Safle / Site Location	Werna, C1240 From Tregaron To Pont Nanstalwen, Tregaron, Ceredigion, SY25 6NG
Math o Gais / Application Type	Removal/Variation of Condition(s)
Ymgeisydd / Applicant	Mr William Gareth Jones, Werna, Tregaron, Ceredigion, SY25 6NG
Asiant / Agent	,

Y SAFLE A HANES PERTHNASOL

Byngalo yw'r Werna, wedi'i leoli mewn lleoliad cefn gwlad agored tua 400m i'r dwyrain o anheddiad Tregaron ac yn wynebu ffordd y Sir sy'n arwain ymlaen at Fynyddoedd Cambria. Mae adeilad mawr o fath amaethyddol wedi'i leoli tua 25m i'r gogledd o'r annedd a ddefnyddiwyd fel depo ar gyfer busnes cludo nwyddau ar y ffyrdd.

Rhodddwyd caniatâd cynllunio amlinellol ar gyfer codi annedd ar 26 Medi, 1990. Cymeradwywyd y cais fel eithriad, yn bennaf gan fod y cais wedi derbyn ystyriaeth sympathetig oherwydd amgylchiadau'r preswylwyr. Gosodwyd amod yn cyfyngu ar ddeiliadaeth yr annedd i bersonau a gyflogir mewn cysylltiad â rheoli'r busnes cludo nwyddau cyfagos.

Rhodddwyd caniatâd i'r cais cysylltiedig i gymeradwyo materion neilltuedig ar 28/06/1993.

MANYLION Y DATBLYGIAD

Mae'r cais hwn yn ceisio dileu'r amod meddiannaeth a osodwyd ar ganiatâd cynllunio D1.980.90.

Mae amod 4 o D1.980.90 yn datgan fel a ganlyn:-

Caiff deiliadaeth yr annedd ei meddiannu gan bersonau a gyflogir mewn cysylltiad â rheoli'r busnes cludo cyfagos (gan gynnwys unrhyw ddibynyddion i bersonau o'r fath) neu i wŷr neu wraig weddw person o'r fath.

Gosodwyd yr amod am y rheswm bod y cais wedi derbyn ystyriaeth sympathetig oherwydd amgylchiadau'r meddianwyr.

Y rheswm a roddir gan yr ymgeisydd dros ddileu'r amod yw ei fod bellach wedi ymddeol o'r busnes cludo nwyddau ac wedi rhoi'r gorau i fasnachu ac felly nid oes busnes cludo bellach yn gysylltiedig â'r annedd.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

S04 Twf Cynaliadwy

S04 Datblygu Mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill

S05 Tai Fforddiadwy

Dyfodol Cymru: Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru (Rhifyn 12, Chwefror 2024)

Nodyn Cyngor Technegol 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae adran 17(1) Deddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol gweithredu'r swyddogaethau hynny ar droseddau ac anhrefn yn ei ardal, ac i wneud popeth y gall, yn rhesymol, i atal troseddau ac anhrefn. Rhodddwyd ystyriaeth i'r ddyletswydd hon wrth werthuso'r cais hwn. Ystyrir na fyddai cynnydd mawr nac annerbyniol mewn troseddau ac anhrefn o ganlyniad i'r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

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

- dileu neu leihau'r anfanteision y mae pobl yn eu dioddef yn sgil eu nodweddion gwarchoddedig;
- cymryd camau i gwrdd ag anghenion pobl o grwpiau gwarchoddedig lle bo'r rhain yn wahanol i anghenion pobl eraill;
- ac annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghymesur o isel.

Rhodddwyd ystyriaeth briodol i'r uchod wrth wneud penderfyniad ynghylch y cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol i bobl â nodweddion gwarchoddedig nac yn cael effaith arnynt yn fwy nag ar unrhyw un arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION YMGYNGHORI

Cyngor Tref Tregaron - Dim sylwadau / gwrthwynebiadau i'r cais hwn.

CASGLIAD

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

Mae'r cais yn ceisio cael gwared ar amod meddiannaeth a osodwyd ar yr eiddo a elwir yn Werna sydd wedi'i leoli yng nghefn gwlad agored i'r dwyrain o anheddiad Tregaron.

Rhodddwyd caniatâd cynllunio ar gyfer eiddo Werna ar sail eithriad, yn bennaf gan fod y cais wedi cael ystyriaeth sympathetig oherwydd amgylchiadau'r meddianwyr. Mae amod 4 yn datgan y bydd yr annedd yn cael ei meddiannu gan bersonau a gyflogir mewn cysylltiad â rheoli'r busnes cludo cyfagos (gan gynnwys unrhyw ddibynyddion i bersonau o'r fath) neu i ŵr neu wraig weddw person o'r fath.

Mae'r Awdurdod Cynllunio Lleol yn cydnabod nad yw geiriad yr amod yn caniatáu i unrhyw berson(au) nad ydynt yn cael eu cyflogi mewn cysylltiad â rheoli'r busnes cludo breswyllo yn yr eiddo gan gynnwys unrhyw un a oedd wedi ymddeol a oedd yn gysylltiedig â'r busnes hwnnw. Byddai dileu'r amod hwn yn caniatáu i'r ymgeisydd, ac unrhyw berson nad yw'n gysylltiedig â'r busnes cludo sydd wedi dod i ben, breswyllo yn yr eiddo heb unrhyw ganlyniadau.

Nodyn Cyngor Technegol 6: Mae Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy yn darparu polisi ac arweiniad mewn perthynas â datblygu mewn ardaloedd gwledig y tu allan i aneddiadau dynodedig. Fel y nodwyd uchod, rhodddwyd caniatâd i'r annedd, sydd y tu allan i unrhyw anheddiad, am reswm penodol a gosodwyd amod meddiannaeth.

Mae'r polisi cynllunio presennol, yn genedlaethol ac yn lleol, ond yn caniatáu datblygiad preswyl y tu allan i aneddiadau ar sail bodloni meini prawf TAN6 h.y. ar dir menter wledig a lle ceir mewnbyn sylfaenol o'r tir; neu fel annedd fforddiadwy.

Mae canllawiau TAN6 yn nodi, pan dderbynnir ceisiadau i ddileu'r amodau meddiannaeth bresennol, dylai'r awdurdod cynllunio ystyried rhoi amod menter wledig yn lle'r amod meddiannaeth bresennol fel y nodir isod. Yn aml, bydd hyn yn cael ei gyfiawnhau i sicrhau bod yr annedd yn cael ei chadw i ddiwallu anghenion tai gweithwyr gwledig a phobl leol sydd angen tai fforddiadwy.

Mae'r amod a awgrymir fel a ganlyn:-

Bydd meddiannaeth yr annedd yn cael ei gyfyngu i:

a) person sy'n gweithio'n bennaf neu'n gyfan gwbl, neu a oedd yn gweithio ddiwethaf, ar fenter wledig yn yr ardal, neu gweddwon, gŵr gweddw neu bartneriaid sifil sydd wedi goroesi person o'r fath, ac i unrhyw ddibynyddion preswyl; neu os gellir dangos nad oes unigolyn yn gymwys ar gyfer meddiannaeth o'r fath,

b) person neu bersonau a fyddai'n gymwys i'w hystyried ar gyfer tai fforddiadwy o dan bolisiau tai yr awdurdod lleol, neu gweddwon, gŵr gweddw neu bartneriaid sifil sydd wedi goroesi person o'r fath, ac i unrhyw ddibynnyddion preswyl.

Gofynnwyd i'r ymgeisydd a fyddai'n fodlon diwygio'r amod i adlewyrchu'r geiriad a awgrymir yn TAN6 ond gwrthododd y cynnig gan ofyn i'r Awdurdod benderfynu ar y cais fel y mae.

Gan ystyried rhinweddau'r cynnig, barn yr Awdurdod Cynllunio Lleol yw os yw'r ymgeisydd yn bwriadu cael gwared ar yr eiddo ac os caiff yr amod ei ddiwygio, gellir sicrhau bod yr annedd ar gael i bobl sy'n cael eu cyflogi mewn swyddogaeth menter wledig. Rhoddwyd caniatâd cynllunio ar gyfer yr annedd hon yng nghefn gwlad agored fel eithriad a dylid parhau i'w drin fel eithriad. Ystyrir bod angen anheddau menter wledig ac anheddau tai fforddiadwy yn yr ardal o hyd ac mae'r Cyngor wedi ystyried a chymeradwyo nifer o anheddau o'r fath yn yr ardal am y rheswm penodol hwnnw sy'n nodi bod angen a galw parhaus am anheddau menter wledig yn yr ardal.

O'r herwydd mae'r Awdurdod Cynllunio Lleol o'r farn nad yw'r achos nad oes galw nac angen am fenter wledig neu anheddau fforddiadwy yn yr ardal gyfagos a'r ardal gyfagos wedi ei wneud.

Yn ogystal gan fod yr eiddo wedi'i leoli mewn lleoliad cefn gwlad agored, mae'n berthnasol i bolisi S04 y Cynllun Datblygu Lleol sy'n ymdrin â Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill. Mae'r polisi hwnnw ond yn ceisio cefnogi datblygiad preswyl mewn 'lleoliadau eraill' os ydynt yn eiddo y gellir ei gyfiawnhau fel datblygiad TAN6 neu fel uned fforddiadwy.

Rhaid rhoi sylw i'r cyngor yn TAN6 ac ystyrir yn yr achos hwn fod y cais i godi'r amod yn cael ei wrthod. Os yw'r Aelodau'n bwriadu cefnogi'r cynnig, awgrymir bod yr amod perthnasol yn cael ei ddiwygio yn unol â'r geiriad a awgrymir yn TAN6 gan sicrhau ei fod ar gael i bersonau sy'n gweithio'n bennaf neu'n gyfan gwbl neu a oedd yn gweithi ddiweddaraf ar fenter wledig neu i'r rhai a fyddai'n gymwys i'w hystyried ar gyfer tai fforddiadwy o dan bolisiau tai'r awdurdod lleol.

Argymhellir gwrthod y cais yn unol â pholisiau cynllunio cenedlaethol sydd wedi'u cynnwys ym Mholisi Cynllunio Cymru a Nodyn Cyngor Technegol 6.

RHESWM DROS ADRODD I BWYLLGOR:

Gofynnodd yr Aelod Ward lleol, y Cynghorydd Ifan Davies i'r cais gael ei adrodd i'r Pwyllgor Rheoli Datblygu i'w ystyried am y rhesymau a ganlyn:-

- Bod yr amod wedi ateb ei ddiben;
- Nad oes llawer o fusnesau cludo yn yr ardal leol;
- Nid yw'r farchnad wedi'i phrofi gan nad yw'r eiddo wedi'i roi ar werth.

ARGYMHELLIAD:

Gwrthod y cais.

Rhif y Cais / Application Reference	A230750
Derbyniwyd / Received	18-10-2023
Y Bwriad / Proposal	Removal of condition 4 of planning permission - D1.980.90 - Occupancy
Lleoliad Safle / Site Location	Werna, C1240 From Tregaron To Pont Nanstalwen, Tregaron, Ceredigion, SY25 6NG
Math o Gais / Application Type	Removal/Variation of Condition(s)
Ymgeisydd / Applicant	Mr William Gareth Jones, Werna, Tregaron, Ceredigion, SY25 6NG
Asiant / Agent	,

THE SITE AND RELEVANT PLANNING HISTORY

Werna is a bungalow located in an open countryside location some 400m to the east of the settlement of Tregaron and fronting onto the County road which leads on to the Cambrian Mountains. A large agricultural type building is located some 25m to the north of the dwelling which was used as a depot for a road haulage operator.

Outline planning permission was granted for the erection of a dwelling on 26th September, 1990. The application was approved on exception grounds, primarily that the application had been given sympathetic consideration due to the occupants circumstances. A condition was imposed restricting occupancy of the dwelling to persons employed in connection with the management of the adjoining haulage business.

Permission was granted for the associated application for approval of reserved matters on 28/06/1993.

DETAILS OF DEVELOPMENT

This application seeks to remove the occupancy condition imposed on planning permission D1.980.90.

Condition 4 of D1.980.90 states as follows:-

The dwelling hereby granted outline planning permission shall be occupied only by persons employed in connection with the management of the adjoining haulage business (including any dependants of such persons) or a widow or widower of such a person.

The condition was imposed for the reason that the application had been given sympathetic consideration due to the occupants circumstances.

The reason given for the removal of the condition by the applicant is that he is now retired from the haulage business and has ceased trading and as such there is no longer a haulage business associated with the dwelling.

RELEVANT PLANNING POLICIES AND GUIDANCE

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

S01 Sustainable Growth

S04 Development in Linked Settlements and Other Locations

S05 Affordable Housing

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12, February 2024)

Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)

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 Tregaron Town Council - No comments / objections to this application.

CONCLUSION

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

The application seeks to remove an occupancy condition imposed on the property known as Werna which is located in open countryside to the east of the settlement of Tregaron.

Planning permission was granted for the property of Werna on exception grounds, primarily that the application had been given sympathetic consideration due to the occupants circumstances. Condition 4 states that the dwelling shall be occupied only by persons employed in connection with the management of the adjoining haulage business (including any dependants of such persons) or a widow or widower of such a person.

The Local Planning Authority acknowledges that the wording of the condition does not allow any person(s) not employed in connection with the management of the haulage business to reside at the property including any retiree who was associated with the said business. The removal of this condition would allow the applicant, and any person unrelated to the ceased haulage business, to reside at the property without any recourse.

Technical Advice Note 6: Planning for Sustainable Rural Communities provides policy and guidance in respect of development in rural areas outside of designated settlements. As stated above, permission for the dwelling, which is outside of any settlement, was granted for a specific reason and an occupancy condition was applied.

Current planning policy, both national and local, only allows residential development outside of settlements on grounds of meeting TAN6 criteria i.e. on rural enterprise grounds and where there is a primary input from the land; or as an affordable dwelling.

TAN6 guidance states that where applications are received to lift existing occupancy conditions the planning authority should consider replacing the existing occupancy condition with the rural enterprise dwelling condition as set out below. This will often be justified to ensure that the dwelling is kept available to meet the housing needs of rural workers and local people in need of affordable housing.

The suggested condition is as follows:-

The occupancy of the dwelling shall be restricted to:

- a) a person solely or mainly working, or last working on a rural enterprise in the locality, or a widow, widower or surviving civil partner of such a person, and to any resident dependants;*
- or if it can be demonstrated that there are no such eligible occupiers,*
- b) a person or persons who would be eligible for consideration for affordable housing under the local authority's housing policies, or a widow, widower or surviving civil partner of such a person, and to any resident dependants.*

The applicant was asked as to whether he would be amenable to amend the condition to reflect the suggested wording in TAN6 but declined the offer and requested the Authority determine the application as it stands.

Turning to the merits of the proposal, it is the opinion of the LPA that if the applicant is looking to dispose of the property and if the condition is amended, the dwelling can be made available to persons who are employed in a rural enterprise capacity. Planning permission was granted for this dwelling in open countryside as an exception and it should still be treated as an exception. It is considered that there is still a need for rural enterprise dwellings and affordable housing dwellings in the area and the Council has considered and approved a number of such dwellings in the area for that specific reason which indicates that there is a continuing need and demand for rural enterprise dwellings in the locality.

As such the LPA is of the opinion that the case that there is no longer a demand or need for a rural enterprise or affordable dwellings in the immediate and surrounding area has not been made.

Additionally as the property is located in an open countryside location it is applicable to policy S04 of the Local Development Plan which deals with Development in Linked Settlements and Other Locations. That policy only looks to support residential development in 'other locations' if they are properties justified as TAN6 development or as an affordable unit.

Regard must be given to the advice in TAN6 and it is considered that in this instance that the application for the removal of the condition be rejected. If Members are minded to support the proposal it is suggested that the relevant condition be amended in compliant with the suggested wording in TAN6 making it available to persons solely or mainly working or last working on a rural enterprise or to those who would be eligible for consideration for affordable housing under the local authority's housing policies.

It is recommended that the application be rejected in line with national planning policies contained in Planning Policy Wales and Technical Advice Note 6.

REASON FOR REFERRAL TO COMMITTEE

The local Ward Member, Cllr Ifan Davies requested the application be reported to the Development Management Committee for consideration for the following reasons:-

- That the condition has served its purpose;
- That there are not many haulage businesses in the local area;
- The market has not been tested as the property has not been put on sale.

RECOMMENDATION:

REFUSE the application.

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3. Diprwydedig/Delegated

08-02-2024 - 06-03-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
1	A210238	Mr and Mrs V & P Edwards	Erection of a single affordable dwelling	Land adj to Tyddyn Gwyn, Rhydowen, SA44 4PX	Gwrthodwyd / Refused	29-02-2024
2	A220030	Mr P Lettington	Retrospective conversion to holiday let plus addition of balcony and steps.	Gardeners Cottage, The Walled Gardens, Llangoedmor, Cardigan. SA43 2LQ	Gwrthodwyd / Refused	06-03-2024
3	A220165	Ms K Price	Conversion of former chapel into dwelling	Capel Bethel, Frondeg, Aberarth, Aberaeron. SA46 0LN	Caniatâd wedi ei roi / Consent Granted	01-03-2024
4	A220334	Ms S Holgate	Newid defnydd rhan o adeilad o fasnachol i breswyl/Change of use of part of building from commercial to residential.	Storws Fawr, Drury Lane, Aberaeron, SA46 0BP	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	06-03-2024
5	A220765	M Sganga	Replacement of single glazing in all external windows (front and rear elevations) with sealed 18mm double glazed units.	7 New Street, Aberystwyth, SY23 2AT	Gwrthodwyd / Refused	01-03-2024
6	A220861	Mr I Griffiths	Proposed new dwelling.	Land to rear of Ucheldir, Talgarreg, Llandysul, SA44 4EP	Gwrthodwyd / Refused	15-02-2024
7	A220907	Mrs J Evans	Erection of 1No. affordable dwelling	Taliesin, Pontgarreg, Llandysul, SA44 6AT	Tynnwyd yn ôl / Withdrawn	06-03-2024
8	A230024	Miss Sioned Davies	erection of a single affordable dwelling	Plot adj. to Penrhiw Cerdin, Bwlch y Groes, SA44 5JX	Gwrthodwyd / Refused	06-03-2024
9	A230086	Mr M Stevens (National Library of Wales)	Installation of Photovoltaic Panel Arrays to roofs.	National Library of Wales, Penglais, Aberystwyth, SY23 3BU	Caniatawyd gydag Amodau / Approved Subject to Conditions	23-02-2024
10	A230087	Mr M Stevens (National Library of Wales)	Installation of Photovoltaic Panel Arrays to roofs.	National Library of Wales, Penglais, Aberystwyth, SY23 3BU	Caniatawyd gydag Amodau / Approved Subject to Conditions	23-02-2024
11	A230336	Mr and Mrs M Phillips	One new dwelling	Land adj to Plas Teifi, Spring Gardens, Cardigan	Caniatawyd gydag Amodau a Cytundeb S106 / Approved Subject to Conditions and S106 Agreement	05-03-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
12	A230460	Ms Sash Bennett (Beneath the Wood Animal Sanctuary)	Lawful development certificate for existing use for (I) The use of the land as an animal sanctuary for rescued pigs, sheep, horses, dogs and cats (started in 2009) (ii) The use of the static caravan as a dwelling house (since November 2009); (iii) the siting and use of one touring caravan (Caravan #1) for welfare, shelter facilities as well as occasional overnight accommodation for animal sanctuary volunteers; (iv) the siting of one stable for rescued ponies; (v) the siting of once rehabilitation dog kennels for rescued dogs with behavioural issues.	Tanrallt, Coxhead, Tregaron, SY25 6PB	Gwrthodwyd / Refused	01-03-2024
13	A230567	Tony Upton	Proposed rear extension, demolition of existing garage, and associated works.	Dolawel Heol Yr Ogof, Aberporth, Cardigan, Ceredigion, SA43 2HH	Caniatawyd gydag Amodau / Approved Subject to Conditions	22-02-2024
14	A230628	Mr Dafydd Joseph Evans	The proposed works consist of a two storey extension to the existing building, all to provide additional accommodation (please refer to accompanying information for further detail of internal accommodation)	30 North Parade, Aberystwyth, Ceredigion, SY23 2NF	Tynnwyd yn ôl / Withdrawn	09-02-2024
15	A230693	Mr and Mrs John & Amanda Newman	Retention of the wooden cabin as ancillary/overflow accommodation to the main dwelling	Llwynfedw, Cellan, Lampeter. SA48 8JB	Caniatawyd gydag Amodau / Approved Subject to Conditions	27-02-2024
16	A230710	Mr D Stewart	Loft conversion to include replacing the hipped roof to side elevation with a full new gable end and all associated works.	Rhosgerdd Aberystwyth Road, Cardigan, Ceredigion, SA43 1LU	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-02-2024
17	A230725	Mr and Mrs D & C Gardener	Proposed erection of a single storey flat roofed extension to the rear of the dwelling	Plysyberllan, Tanygroes, Cardigan, Ceredigion, SA43 2HR	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-02-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
18	A230786	Mr J O'Rourke (Prifysgol Aberystwyth University)	Application for the variation of condition 2 of Listed Building Consent - A210459 - for the proposed redevelopment of the Old College (As Amended)	Old College, King St, Aberystwyth & 1 & 2 New Promenade, Aberystwyth, Ceredigion, SY23 2BH	Caniatawyd gydag Amodau / Approved Subject to Conditions	21-02-2024
19	A230816	Mrs J Ferguson	Proposed retention of extension to domestic curtilage to rear of dwelling, to include the proposed erection of a domestic storage building.	Cilmeri Beulah Road (bryngwyn), Bryngwyn, Newcastle Emlyn, Ceredigion, SA38 9QA	Caniatawyd / Approved	08-02-2024
20	A230824	Mr Marc Davies	Non material amendment to planning permission - A120564 - Amendments to site levels, compost pad and lagoon positions and geometries, and location of planting.	Crugmore Farm, Penparc, Cardigan, Ceredigion, SA43 1RD	Caniatawyd / Approved	15-02-2024
21	A230828	Mrs Angela M Procter	Discharge Planning Obligation within the Section 52 Agreement attached to planning permission D1/1846/88 relating to the occupancy of the dwelling.	Bryn Yr Awel, Llanwenog, Llanybydder, Ceredigion, SA40 9UT	Caniatawyd / Approved	08-02-2024
22	A230837	Mr Andrew Holt	New first-floor extension over existing single-storey extension. To include new bathroom and bedroom.	Gwelfryn, Penparcau Road, Penparcau, Aberystwyth. SY23 1RU	Gwrthodwyd / Refused	22-02-2024
23	A230855	Ms M Thomas (Autocraftarc)	Proposed 6 nr Industrial Units	Autocraftarc, Unit 8 & 9 Glanyrafon Industrial Estate, Ceredigion, Aberystwyth, SY23 3JQ	Caniatawyd gydag Amodau / Approved Subject to Conditions	08-02-2024
24	A230864	Mr Nick Dearden (Barcud Cyf)	Proposed Mobility Scooter Store.	Hafan yr Efail, Heol Hafan-yr-Efail, Llanon. SY23 5HL	Caniatawyd gydag Amodau / Approved Subject to Conditions	16-02-2024
25	A230869	Mr Dai & Dr Ali Wright	Proposed residential development to include affordable dwellings and open public space	Land Opposite Black Lion Llanrhystud, SY23 5DQ	Tynnwyd yn ôl / Withdrawn	22-02-2024
26	A230873	Mrs Tarrant	Erect a conservatory to front elevation of property	Llys Awel, Llwyncoed Road, Blaenannerch, Cardigan.	Gwrthodwyd / Refused	04-03-2024
27	A230874	Dr and Prof. C and G Wringe and Heathcote	Single storey rear extension, first floor rear extension and improvements	Ty Haf High Street, Borth, Ceredigion, SY24 5JE	Caniatawyd gydag Amodau / Approved Subject to Conditions	26-02-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
28	A230882	Mr R Pearce & Ms F Palmer	Change of Use of part stables to Holiday Cottage (tourism)	Rhosfach Felinwynt, Cardigan, SA43 1QG	Gwrthodwyd / Refused	16-02-2024
29	A230887	Mr B Davies	Proposed change of use of the property from Key Cutting Shop (A1) to Residential (C3)	Cardigan Key Cutting Service, 6 William Street, Cardigan. SA43 1EL	Caniatawyd / Approved	08-02-2024
30	A230890	Mr Mark Stevens (National Library of Wales)	Refurbishment of Car Park to South of Library including Resurfacing in tarmac, relining, new signage, additional lighting, additional drainage and extension of car park by approx 70sq m to accommodate new central walkway.	National Library Of Wales, National Library Access, Penglais, Aberystwyth, Ceredigion, SY23 3BU	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-02-2024
31	A230894	Mr and Mrs J & M Dunn	Replacement dwelling	Tyhana, Beach Parade, Aberaeron, Ceredigion, SA46 0BE	Caniatawyd gydag Amodau / Approved Subject to Conditions	27-02-2024
32	A230899	Tudor Rhys Jones	Storage buildings to be used in association with agricultural use of the land, creation of access and storage of logs for personal use (retrospective application)	Land Adjacent Talsarn, Tanygroes, Cardigan	Gwrthodwyd / Refused	28-02-2024
33	A230903	J Brennan	Conversion of existing guest house and public house to dwelling	Seven Stars Inn, Ux17 From The Junction Of The Ux07 To The Junction Of The A484 North Of Independent Chapel, Llechryd, Cardigan, Ceredigion, SA43 2NR	Gwrthodwyd / Refused	12-02-2024
34	A230906	Ms Louise Collins	Proposed demolition of the existing flat roof section of the property and it's replacement with a new extension	Hill View, C1016 From The Junction Of The U1061 To The Property Known As Cefn Meurig, Penrhiwnnewydd, Penrhyncoch, Aberystwyth, Ceredigion, SY23 3EY	Caniatawyd gydag Amodau / Approved Subject to Conditions	23-02-2024
35	A230910	Mr D Evans (Penygraig Caravan Park)	Proposed office and store and bin store	Caravan Park, Penygraig Farm, Borth, Ceredigion, SY24 5NR	Caniatawyd ar Apel gydag Amodau / Approved on Appeal with Conditions	08-02-2024
36	A230911	Mr and Mrs Freshwater	Proposed alterations to the existing dwelling including replacing and raising the level of the existing corrugated sheeted roof section over the existing dwelling.	Brynhafod, B4340 From The Entrance To Mynydd Bach Forestry To The Property Known As Penderlwynwen, Tynygraig, Ystrad Meurig, Ceredigion, SY25 6AE	Caniatawyd gydag Amodau / Approved Subject to Conditions	22-02-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
37	A230912	Mr and Mrs Lewis	Minor alterations to the external elevations, in particular: - the introduction of solar panels to the rear elevation - the introduction of a rooflight to the rear elevation - the introduction of a new drainage pipe to the side elevation	Castle Hotel, 8 High Street, Lampeter, Ceredigion, SA48 7BG	Caniatawyd gydag Amodau / Approved Subject to Conditions	15-02-2024
38	A230914	Mrs Claire Jones	Proposed New dog park with associated works and the siting of cladged Container unit with seating area within the park	Land Adjacent (South East) To Celfan Llandewi Brefi, SY25 6RS	Gwrthodwyd / Refused	15-02-2024
39	A230916	Dr H Nash (Rural Advisor Ltd)	Retrospective permission for the construction of: (i) the erection in 2019 of a livestock building for the housing of 60 rescued pigs; (ii) the construction in 2019 of a number of timber field shelters and stables used to accommodate rescued pigs; (iii) one touring caravan (Caravan #2) used for welfare, shelter and ad hoc overnight accommodation for animal sanctuary volunteers since 2019; and (iv) the siting of one holiday pod and separate toilet.	Tanyrallt Coxhead, Tregaron, Ceredigion, SY25 6PB	Gwrthodwyd / Refused	22-02-2024
40	A230921	Mr David Teifi Evans	Removal of the Section 106 Agreement (reference PL 9(1332)LEH, dated 31 July 2018) on land formerly part of Esgairgraig, Betws Ifan, Newcastle Emlyn	Land Formerly Part Of Esgairgraig, Betws Ifan, Newcastle Emlyn, SA38 9QJ	Gwrthodwyd / Refused	29-02-2024
41	A230922	Stuart Morgan (Nantygwait h)	Erection of a Fence	Nant Y Graith, Pontrhydygroes, Ystrad Meurig, Ceredigion, SY25 6DQ	Tynnwyd yn ôl / Withdrawn	15-02-2024
42	A240002	Ms Bronwen Williams	Retrospective Demolition of the Mill House and exact rebuild with a ground floor extension, as per the approved planning application, ref A210927	The Mill House, Sarnau, Llandysul, Ceredigion, SA44 6QL	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-02-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
43	A240004	Mr Richard Owens	Two Private Dwellings	Lluest, Talsarn, Lampeter, Ceredigion, SA48 8RE	Gwrthodwyd / Refused	23-02-2024
44	A240006	Mr Iolo Jones	Erection of new double garage with storage / games room over.	Gwynllidiart Cefnllan-, Llanbadarn Fawr, Aberystwyth, Ceredigion, SY23 3AP	Caniatawyd gydag Amodau / Approved Subject to Conditions	21-02-2024
45	A240007	Mr D Evans (Penygraig Caravan Park)	Replacement of dilapidated holiday cabins with new caravans/lodges.	Caravan Park, Penygraig Farm, Borth, Ceredigion, SY24 5NR	Tynnwyd yn ôl / Withdrawn	15-02-2024
46	A240009	Mr and Mrs Morris	New dormer to the front, north facing elevation, and new solar panels to flat roof. Additional minor changes to include extending the existing south facing dormer, extending the ground floor kitchen and replacing the existing car port with a smaller conservatory. The proposals include cladding the west facing gable-end elevation and refurbishment and alterations internally.	Crud Yr Awel, From The B4337 To The End Of The Road, Llanrhystud, Ceredigion, SY23 5AA	Caniatawyd gydag Amodau / Approved Subject to Conditions	08-02-2024
47	A240011	Mr Gary Turner	Non-Material Amendment of A220648 - Angle of roof to be raised & change roof covering material	Rhydowen, Llanarth, Ceredigion, SA47 0PF	Caniatawyd / Approved	08-02-2024
48	A240012	Mr Jac Evans	Proposed detached garage to existing dwelling	Ty Gwin, Ciliau Aeron, Lampeter. SA48 7RF	Caniatawyd gydag Amodau / Approved Subject to Conditions	05-03-2024
49	A240017	Mr Andrew Davies (Wales & West Housing Association)	Amendment to A181165 - A200440 - Amended plans	Brynhyfryd Piercefield Lane, Penparcau, Aberystwyth, Ceredigion, SY23 1RX	Caniatawyd / Approved	08-02-2024
50	A240030	Libby & Sharan Barber & Jones	Full planning application for the demolition of the existing dwelling and proposed replacement with a new dwelling and associated works	Hunters Lodge, Tanygroes, Cardigan, Ceredigion, SA43 2JT	Caniatawyd gydag Amodau / Approved Subject to Conditions	06-03-2024
51	A240034	(West Wales Airport Ltd)	Non Material Amendment of A230807 - Revise Condition 4, Remove Condition 6	West Wales Airport, Blaenannerch, Cardigan, Ceredigion, SA43 2DZ	Caniatawyd / Approved	15-02-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
52	A240040	Mr G Davies	Non-Material Amendment of A230181 for Plot 1 - Remove attic trusses to garage and other roof works	Land at Blaenhoffnant Uchaf, Brynhoffnant, Llandysul, Ceredigion, SA44 6ED	Caniatawyd / Approved	15-02-2024
53	A240041	Mr G Davies	Non-Material Amendment of A230181 - Plot 5 - Inclusion of rooflights and attic trusses	Land at Blaenhoffnant Uchaf, Brynhoffnant, Llandysul, Ceredigion, SA44 6ED	Caniatawyd / Approved	15-02-2024
54	A240044	Mr M Edwards (Teifi Developments Ltd)	Non material amendment to planning permission - A220454 - Amended plans	Land Adjacent To Ceiriosen Bren, Plwmp, Llandysul,	Caniatawyd / Approved	21-02-2024
55	A240050	Mr M Edwards (Teifi Developments Ltd)	Residential development of up to 3 dwellings.	Land Adjacent To Ceiriosen Bren, Plwmp, Llandysul,	Caniatawyd gydag Amodau / Approved Subject to Conditions	29-02-2024
56	A240051	Mr Tim Percival	Non-Material Amendment of A230094 - Condition 2 - Vary Approved Plans	Fronteifi, A484, Cardigan, Ceredigion, SA43 2LD	Caniatawyd / Approved	23-02-2024
57	A240053	Mr John Lloyd	Non material amendments to planning permission - A220082 - Remove conditions to outline planning	Street Record, Maes Yr Halen, Cross Inn, SA44 6NU	Caniatawyd / Approved	26-02-2024
58	A240057	Mr Ieuan Williams (Natural Resources Wales)	Alteration of an existing road	Woodland Mynydd Bach South East of Tynbedw, Llanafan, Aberystwyth,	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	09-02-2024
59	A240059	K Grimshaw	Change of Use of land for the siting of 3 cabins to form holiday accommodation (Farm Diversification Scheme) with associated storage shed & parking area	Tynrhelyg, Lon Ty Llwyd, Llanfarian, Aberystwyth, Ceredigion, SY23 4UJ	Dychwelwyd yn annilys / Returned Invalid	22-02-2024
60	A240062	Mr Huw Davies	Proposed single storey extension and conversion of garage into a utility room.	Pencae Llanbadarn Road, Aberystwyth, Ceredigion, SY23 1HB	Tynnwyd yn ôl / Withdrawn	23-02-2024
61	A240063	(Cornerstone)	Discharge of Condition 4 of A230132 - Methodology Statement	Woodland West Of Llethr Brith Rhosmaengwel, Upper Cwnnws, SY25 6BT	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	09-02-2024
62	A240068	Mr David Evans	Discharge of Condition 3: Biodiversity enhancement and landscaping of Application A230622.	Old market Site, Land Adjacent To Cefn Garsi,, New Quay, SA45 9SG	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	29-02-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
63	A240071	Mr David Evans	Discharge of Condition 6: Visibility splays of Application A230622.	Old market Site, Land Adjacent To Cefn Garsi,, New Quay, SA45 9SG	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	29-02-2024
64	A240073	Mr Ioan Morris (Jamson Ltd)	Discharge of Condition 14 of A200338 - Ecological Enhancement Scheme	Plot Adjacent To Pen-y-Marian, Spring Gardens, Cardigan, Ceredigion, SA43 5LB	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	13-02-2024
65	A240074	Mr Roderic Walker	Roof mounted solar panels preferably front and back - front receives most sun. The house further down on High Terrace has both front and back - so I assume it is permissible in a conservation area,	Mountain View Glanmor Terrace, New Quay, Ceredigion, SA45 9PS	Dychwelwyd yn annilys / Returned Invalid	22-02-2024
66	A240079	(Vodafone Ltd and Cornerstone)	Non material amendment to planning permission - A220404 - Site layout amendment	Telecommunications Radio Mast At Tymawr Farm Cilcennin, Lampeter, Ceredigion, SA48 8DB	Caniatawyd / Approved	15-02-2024
67	A240080	Mr Geoffrey Hardy	Lawful Development Certificate of Proposed Use for a single storey extension to the rear of the property	Ynyslas Cottage, Ynyslas, Borth, Ceredigion, SY24 5LB	Caniatawyd y Tystysgrif / Certificate Granted	13-02-2024
68	A240083	Mr D Little (TJ Morris Limited)	Discharge of condition 12 of planning permission - A230028 - External lighting	Land At Bath House Road, Cardigan, Ceredigion, SA43 1JY	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	29-02-2024
69	A240086	Christopher, Nicola and Suzannah Seal and Clarke	Re-build of front dormer with new window and pitched roof, new rear dormer and new conservation roof windows to front elevation	Mindraeth, 1 Rock Street, New Quay, Ceredigion, SA45 9PL	Dychwelwyd yn annilys / Returned Invalid	28-02-2024
70	A240087	Christopher, Nicola and Suzannah Seal and Clarke	Listed Building Consent for the re-build of front dormer with new window and pitched roof, new rear dormer and new conservation roof windows to front elevation	Mindraeth, 1 Rock Street, New Quay, Ceredigion, SA45 9PL	Dychwelwyd yn annilys / Returned Invalid	28-02-2024
71	A240089	Dr Adam Rae	Reinstatement of former outbuilding	Derry Ormond House, Betws Bledrws, Lampeter, Ceredigion, SA48 8PA	Caniatawyd y Tystysgrif / Certificate Granted	05-03-2024
72	A240091	Mr Clive Wychwood	Discharge of Condition 10 of A180212 - Access to the public highway.	Cwrcoed, Llangoedmor, Cardigan, Ceredigion, SA43 2LG	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	15-02-2024

#	Cyfeirnod y Cais / Application Reference	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Penderfyniad / Decision	Dyddiad Penderfyniad / Decision Issued Date
73	A240096	(Creuddyn Bridge Residential Park Limited)	managers bungalow and ancillary clubhouse building of caravan site	Bertheos Caravan Park, Creuddyn Bridge, Lampeter, Ceredigion, SA48 8PY	Gwrthod caniatâd ymlaen llaw / Prior Approval Refused	01-03-2024
74	A240099	Mr Stephen Magee	Discharge of Condition 6 of Application A230666.	Trewyddil Forge, Synod Inn, Llandysul, Ceredigion, SA44 6JJ	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	19-02-2024
75	A240103	Mr and Mrs Gwynnaf Evans	Discharge condition 3 of planning permission A230868 - Reptile Mitigation Method Statement	Hillcrest, Gwbert, Cardigan, Ceredigion, SA43 1PR	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	19-02-2024
76	A240104	Mr Mark Davies (Barcud)	Demolition of 7 no. redundant garages, brick/block construction on concrete slab.	Garages at 17-23 Maeshenffordd, Street Record Maes-henffordd, Cardigan, SA43 1NR	Caniatâd ymlaen llaw ddim ei angen / Prior Approval Not Required	15-02-2024
77	A240105	Mr Carwyn Jones	Discharge of Condition 7 of A230775 - External Lighting Plan	Haulwen, B4577a From The Junction Of The U1419 To The Junction Of The U1416, Pennant, Llanon, Ceredigion, SY23 5PD	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	29-02-2024
78	A240107	Mr Carwyn Jones	Discharge of Condition 8 of A230775 - Biodiversity Scheme	Haulwen, B4577a From The Junction Of The U1419 To The Junction Of The U1416, Pennant, Llanon, Ceredigion, SY23 5PD	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	23-02-2024
79	A240109	Mr Scott Isherwood	Discharge of Condition 22 of A220221 - Landscaping & Ecological Enhancements Scheme	Land Adjacent To Roland House, Llangeitho, Llangeitho, Tregaron, SY25 6SU	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	05-03-2024
80	A240110	Mr and Mrs P Davies	Proposed single storey extension (wc/shower)	Beryl House, 22 North Road, Aberaeron, Ceredigion, SA46 0JG	Tynnwyd yn ôl / Withdrawn	13-02-2024
81	A240111	Mr and Mrs P Davies	Listed Building Consent for Proposed Single Storey Extension (WC/Shower)	Beryl House, 22 North Road, Aberaeron, Ceredigion, SA46 0JG	Tynnwyd yn ôl / Withdrawn	13-02-2024
82	A240114	Mr Scott Isherwood	Discharge of Condition 24 of A220221 - Green Roof Planting	Land Adjacent To Roland House, Llangeitho, Llangeitho, Tregaron, SY25 6SU	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	05-03-2024
83	A240115	Mr Scott Isherwood	Discharge of Condition 25 of A220221 - Hedgerow Translocation Plan	Land Adjacent To Roland House, Llangeitho, Llangeitho, Tregaron, SY25 6SU	Amod(au) wedi'u rhyddhau yn llawn / Condition(s) Fully Discharged	05-03-2024

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4. Penderfyniadau Apeliadau/Appeal Decisions

08-02-2024 - 06-03-2024

#	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-02653-H7P4P4	A210091	Ms Jane C Morgan	Refuse planning permission for the proposed development	Land opposite Tan Yr Allt, Coxhead, Tregaron	Allowed with Conditions	14-02-2024

5. Apeliadau a Dderbyniwyd/Appeals Received

08-02-2024 - 06-03-2024

#	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-02999-R5J9C7	A211046	Mr and Mrs N & B Lewis and Price	Refusal of planning permission	Land adjacent to Whitehall, Pennant, Llanon. SY23 5PB		
2	CAS-03132-C4J3J6	A230318	Mr and Mrs A Lewis	Against refusal	Land/plot North of Trewern, Felinfach, Lampeter, SA48 7PG		



Appeal Decision

by N Jones BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 14/02/2024

Appeal reference: CAS-02653-H7P4P4

Site address: Land opposite Tan yr Allt, Coxhead, Tregaron, SY25 6PB

- 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 Ms Jane C Morgan against the decision of Ceredigion County Council.
 - The application Ref A210091, dated 28 January 2021, was refused by notice dated 12 October 2022.
 - The development proposed is described as a retrospective planning application for agricultural implement and storage shed and improvements to existing vehicular access.
 - A hearing was held on 16 January 2024.
 - A site visit was made on 16 January 2024.
-

Decision

1. The appeal is allowed, and planning permission is granted for an agricultural implement and storage shed and improvements to existing vehicular access at land opposite Tan yr Allt, Coxhead, Tregaron, SY25 6PB, in accordance with the terms of the application, Ref A210091, dated 28 January 2021, subject to the conditions set out in the schedule to this decision letter.

Procedural Matters

2. I have considered the appeal under section s73A (2)(a) of the Town and Country Planning Act 1990 as the development has already been carried out.
3. At the hearing the appellant clarified the use of the building as an implement and storage shed which is also used on a temporary seasonal basis during lambing. I have considered the appeal on this basis.
4. On 18 October 2023, the Welsh Government published changes to Chapter 6 of Planning Policy Wales (PPW) with immediate effect in relation to the incorporation of green infrastructure into development proposals, following a step-wise approach to demonstrate the steps which have been taken towards securing a net benefit for biodiversity and ecosystem reliance. Both parties have had the opportunity to comment on the changes to PPW. I have taken the changes into account in my decision.

Main Issues

5. The main issues are whether there is justification for the development in this location; the effect of the development on the future ability to provide for more sustainable travel, with particular regard to a disused railway route; and the effect of the development on the character and appearance of the area with particular regard to the Teifi Valley Special Landscape Area (SLA).

Reasons

Justification

6. The appeal site is a parcel of agricultural land to the east of the A485 between Tregaron and Lampeter. As well as improvements to visibility at an existing access, the development includes a shed which measures approximately 128m² on plan reached along a straight gravel track leading downhill from the A485. The shed lies on part of the track bed of the now disused Aberystwyth to Carmarthen railway line (the line). There is no dispute between the parties that the appeal site is within an 'other location' which includes areas of open countryside for the purposes of planning policy.
7. Paragraph 3.38 of PPW advises that the conservation and, where possible enhancement of the countryside should be balanced against, amongst other things, the economic needs of local communities. Ceredigion Local Development Plan (LDP) Policy S04 recognises that a degree of development to meet the needs of existing communities is required in 'other locations' and sets out the limited circumstances in which such development will be permitted. Criterion 4 and explanatory paragraph 6.161 identify, amongst other things, rural enterprises in accordance with advice within Technical Advice Note 6 'Planning for Sustainable Rural Communities' (TAN 6), could constitute such a circumstance.
8. Paragraph A23 of TAN 6 recognises that the scale, form and siting of new agricultural buildings are usually influenced by the operational needs of the enterprise. The Council is concerned that given what it considers to be the small scale of the owned holding, uncertainty regarding the availability of rented land, and extent of activities related to the small-scale enterprise, the scale of the shed is not justified. However, neither Policy S04 nor TAN 6 stipulate any minimum size for an agricultural enterprise, nor require a business plan to be submitted to support proposals or require that the person running that enterprise should live on the site.
9. It was confirmed at the hearing that the appellant has been actively involved in agriculture locally for many years. There is no indication that her current land rental arrangements are likely to cease but the building has been erected on owned land as the appellant does not reside at the appeal site and has no suitable storage facility available at her home. Cogent evidence was provided of the acquisition and need for, and the use, of the implements stored. The building is also used to store hay produced on the holding and I saw during my site visit that it is being used to capacity for storage purposes for implements, tools, equipment, and feed consistent with the agricultural activities being undertaken. Sheep were present on the land during my visit and there is a demonstrable need for the shed to house livestock during lambing to avoid losses due to circumstances such as illness or inclement weather. The appellant confirmed that concerns over security and deterioration or damage to implements would be secondary to animal welfare considerations when some implements would have to be stored outside to make space for lambing.
10. On the evidence before me, there is a justifiable need for a building of this scale in this location to support the agricultural activities being undertaken on the holding. The development therefore complies with LDP Policy S04 and TAN 6 advice.

Sustainable Travel

11. LDP Policy DM04 states that the protection, enhancement or complementary development of former or existing transport infrastructure with potential to provide for more sustainable travel will be a material consideration in all development. Its explanatory text draws the attention of applicants to the need to make the most of opportunities for walking, cycling and the use of public transport. The shed is sited on part of a disused railway line. However, the Council confirmed it has no current active travel proposals for the line at present and given the availability of residual land, it acknowledged it is unlikely that the development would compromise future ability to provide for such sustainable travel routes.
12. In terms of future rail use, whilst it seeks to protect amongst other things, former infrastructure, Policy DM04 is aspirational in nature. PPW (para. 5.3.8) seeks to safeguard disused railways and associated infrastructure only from development which could adversely affect them being brought back to rail use in the future. The Council drew my attention at the hearing to Technical Advice Note 18 'Transport' (TAN 18) which contains similar safeguarding advice.
13. Interested parties assert that a Feasibility Study funded by the Welsh Government in 2018 concluded there is no engineering obstacle to reopening the line and they also state that the anticipated build costs would be comparable to recent road schemes. Nevertheless, there are no proposals, funding, or landowner consents in place and there is no disagreement that proposals are unlikely to emerge in the short term.
14. Policies 11 and 12 of Future Wales The National Plan 2040 (FW) identify the importance of rail infrastructure and services to an effective and efficient transport network and to national connectivity across Wales and its regions. In relation to movement in Mid-Wales however, Policy 26 of FW states that it is recognised that travel by road and car is central to regional movement across this area, but investment to support increased use of public transport (including rail) is confirmed alongside investment in the region's road network. A Strategic Corridor Developments diagram in FW extracted from 'A Railway for Wales – Meeting the needs of future generations' (2019) (A Railway for Wales) (which sets out the Welsh Government's Strategic Railway Development Programme) indicates that north-south connectivity ambitions may include re-opened lines. Nevertheless, A Railway for Wales does not acknowledge or promote the re-opening of this particular line. Moreover, its proposals are aspirational as the appellant's evidence indicates that neither the UK nor Welsh Governments have plans to restore this line at present and that there are no proposals under consideration nor evidence of funding being available. From the evidence before me, there is no realistic potential for the reopening of the line within the foreseeable future.
15. Whilst 3% of the former line has been developed since its closure, the appeal shed occupies only a small area of the former track-bed. I acknowledge concerns regarding the cumulative effect of allowing piecemeal development on the track. However, much of the line is in a predominantly rural location where national planning policy requires development to be justified on its own merits. Although the appellant would be willing to move the shed to facilitate rail use, there is no certainty the land will remain in her ownership in the future. Paragraph 3.7 of PPW acknowledges that in some instances, to unlock the development potential of sites, the use of compulsory purchase powers should be used to secure better development outcomes where a compelling case in the public interest can be demonstrated which outweighs the loss of private interests. The Council expresses concerns that this would be a long and costly process, but the considerations

in this case are unlikely to be different to any other major infrastructure schemes.

Nevertheless, albeit there is no detailed scheme in place, there is no evidence that the development would have any adverse effect on or be incompatible with future rail use.

16. Whilst there is a minor breach of LDP Policy DM04, given the aspirational nature of the policy and that there is little evidence that the development would harm the future ability to provide for more sustainable travel, this would be insufficient to justify withholding planning permission.

Special Landscape Area

17. The SLA is a landscape of river valleys devoid of much development, with field boundaries denoted by hedges, rather than stone walls or other features, being a particular characteristic. To avoid the proliferation of buildings and the cumulative effects of piecemeal new development, TAN 6 (para. A14) advises that new buildings should normally form part of a group. Whilst the Council considers users of the A485 would expect rural vistas in the area from which the development detracts, it acknowledges, consistent with my observations, that views of the building would be localised, and that new planting undertaken by the appellant since the application was determined, which I saw currently reaches eaves height, ameliorates the visual effects of the shed.
18. The Council's principal concerns were related to the visual effects of the outdoor storage of machinery and paraphernalia at the appeal site and the loss of part of a characteristic hedge boundary feature as a result of the modified visibility splays at the access. However, the shed would provide a facility to store items out of sight, and there is no evidence that it would not be used for its intended purpose. It was being fully utilised for storage at the time of my visit. Moreover, compensatory hedge planting to the rear of the visibility splays would address its concern about the loss of this characteristic feature and would assist in screening the development. Whilst some outside storage of machinery and equipment would occur to allow sheep to be accommodated during lambing, this would be a short-term seasonal use and would have no long-term harmful effects.
19. I conclude that subject to compensatory hedgerow planting, the development would not harm the character and appearance of the area. It would therefore comply with LDP Policy DM18 which says that proposals for development within SLAs will be assessed in relation to scale and nature of development and their ability to be accommodated without significant damage to, and where possible the enhancement of, its valued visual, historic, geological, ecological and cultural characteristics.

Other Matters

20. There is no dispute between the parties in relation to the effect of the development on highway safety or the living conditions of neighbouring occupiers. From the evidence before me and my own observations, I do not disagree.
21. The appeal scheme pre-dates changes to Chapter 6 of PPW. However, a Green Infrastructure Statement provided in support of the appeal confirms that works such as the placing of nesting boxes and tree planting have already been undertaken and which I saw on my site visit. A planning condition would secure biodiversity enhancement.
22. The development sits outside but alongside the Rhosydd Bryn-Maen Site of Special Scientific Interest (SSSI). Natural Resources Wales (NRW) objected to an original proposal to discharge overflow from a roof water collection tank directly into the SSSI. The scheme was amended to discharge any overflow to a soakaway. Subject to implementation of this drainage scheme, and the management of manure in accordance with current legislative requirements, NRW confirmed it had no concerns in relation to the

effect of the development on the SSSI. From the evidence before me, I have no reason to reach a different conclusion.

23. The appeal site is also within the catchment of the Afon Teifi Special Area of Conservation (SAC). NRW confirms that the SAC is not compliant with the phosphate targets set for it. Accordingly, new development within any part of the catchment which will increase the amount or concentration of wastewater effluent or organic materials discharged directly or indirectly into the catchment's waterbodies has the potential to increase phosphate levels within those waterbodies, risking further failures. Paragraph 6.4.18 of PPW says that development can normally only be authorised if the planning authority ascertains that it will not adversely affect the integrity of the SAC site.
24. NRW advise is that it is possible that new developments can be authorised if it can be demonstrated they will not lead to further deterioration of water quality in the SAC and will not undermine the ability for the SAC to meet its conservation objectives. Sheep are already present on the holding and manure is already managed in accordance with other legislative requirements. The appellant confirmed no silage is stored within the building. Limiting the use of the building through a planning condition to that applied for as an integral part of the development would ensure that no increased volume of discharge would be produced and no new pathways for effects on the integrity of the SAC would be created. Accordingly, the development would not give rise to significant effects on the integrity of the SAC, and it can therefore be screened out of a requirement for appropriate assessment under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations).
25. I have had regard to the examples of other structures built on part of the disused railway line brought to my attention by the appellant and note the contended inconsistent application of Policy DM04. However, I am not aware of the full circumstances of housing development and the scheme at Ysgol Henry Richard was for a temporary consent. The Council states that it is not aware that permission has been sought for some of the sheds built on the line, whilst the existence of other buildings as part of a farm complex influenced its decision on an application for prior approval for an agricultural shed. These schemes are not therefore directly comparable to the appeal scheme which I have consequently considered on its own merits.
26. I have taken the appellant's personal circumstances into account, including the written submissions made regarding the benefits of the use of the shed for the wellbeing of her daughter. Because of these circumstances, the Human Rights Act 1998 (HRA) and the Public Sector Equality Duty (PSED) contained in the Equality Act 2010 are engaged. However, in view of my decision to allow the appeal, no harm would arise in relation to these considerations.

Conditions

27. The Council's suggested conditions were discussed during the hearing and I have had regard to advice in Welsh Government Circular 016/2014 – The Use of Planning Conditions for Development Management as to whether to impose them. A condition requiring the development to be carried out in accordance with the approved plan is unnecessary as the development has already been undertaken. However, it is necessary to limit the use of the building to that applied for and to ensure that the drainage scheme is completed in accordance with the approved plan in the interests of protecting the SSSI and SAC. There is no evidence to indicate that the appellant would not primarily use the building for its intended storage purpose and the Council agreed that a condition requiring indoor storage of equipment and paraphernalia was related to site management rather than directly related to the development. Moreover, some temporary outdoor storage

would occur during use of the building for lambing. The suggested condition is therefore unreasonable and unnecessary. Conditions requiring biodiversity enhancement and controlling future external lighting were considered necessary to meet PPW and FW Policy 9 objectives. A condition requiring compensatory hedgerow planting is also necessary to safeguard the visual qualities of the SLA.

Conclusion

28. For the reasons given above, and taking all other matters raised into account, including consideration of the development plan as a whole, I allow the appeal.
29. 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 this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's wellbeing objectives as required by section 8 of the Act.

N Jones

Inspector

SCHEDULE OF CONDITIONS

1. The building hereby approved shall only be used for storage purposes, excluding silage, and for lambing. No other livestock shall be housed within the building.
Reason: To safeguard the nearby Rhosydd Bryn-maen Site of Special Scientific and Afon Teifi Special Area of Conservation
2. Within 1 month of this decision the drainage scheme shall be implemented in accordance with the details shown on Proposed Block Plan, Drawing No.3 Rev A and shall thereafter be retained for the lifetime of the development. No other method of surface water drainage shall be permitted.
Reason: To safeguard the nearby Rhosydd Bryn-maen Site of Special Scientific and Afon Teifi SAC
3. Within 6 months of this decision a scheme of biodiversity enhancement shall be submitted to and agreed in writing by the local planning authority, including a timetable for the proposed scheme. The scheme shall be carried out, and thereafter retained, in accordance with the approved details.
Reason: In the interest of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.
4. Within 6 months of this decision details of compensatory hedgerow planting along the site frontage, but behind the required visibility splays (shown on Proposed Block Plan Drawing No.3 Revision A) shall be submitted to and approved in writing by the local planning authority. These details shall include planting plans; schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work and replacement planting where relevant). The landscaping works shall be carried out and thereafter retained, in accordance with the approved details.
Reason: To safeguard the visual amenities of the area, and to ensure compliance with LDP Policies DM14 & DM15.
5. Any exterior security or decorative lights shall be less than 3 m from the ground and fitted with hoods to direct the light below the horizontal plane, at an angle of less than seventy degrees from vertical, and shall not be fixed to or directed at, bat boxes or gables or eaves. Lighting must be less than 3 lux at ground level and there shall be no light splay exceeding 1 lux along buildings, eaves or roof or adjacent hedgerows or trees. Any lighting shall be Passive Infrared (PIR) triggered.
Reason: To safeguard protected species in accordance with LDP policies DM14, DM15 and TAN5.

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