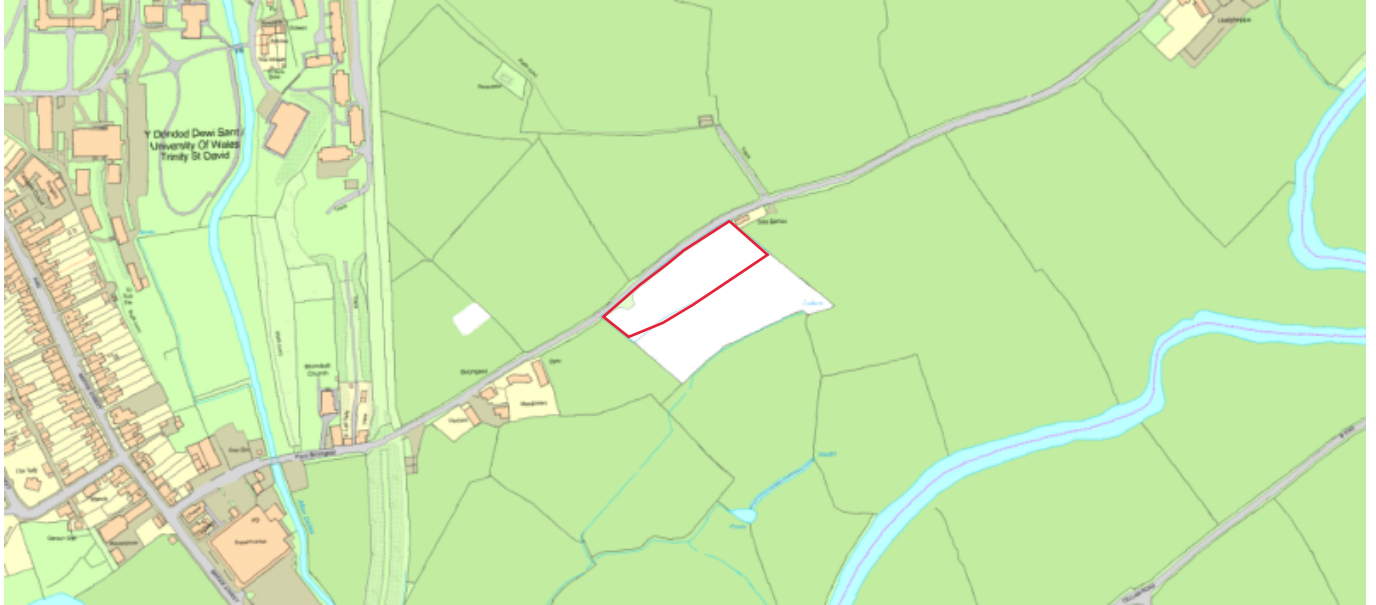


# 1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A201119	17-12-2020	Mr Meirion & Emyr Williams (Lampeter Tree Services Ltd)	Retention of Biomass Log Dryer Kiln, and two Chimneys and continued use of Boiler No. 1 only (within centre of building) following trial run relating to Temporary Planning Permission A190302	Cae Celyn, Llanfair Road, Lampeter, SA48 8JX	Refuse

# 1.1. A201119



<b>Rhif y Cais / Application Reference</b>	A201119
<b>Derbyniwyd / Received</b>	17-12-2020
<b>Y Bwriad / Proposal</b>	Retention of Biomass Log Dryer Kiln and two Chimneys and continued use of Boiler No.1 only (within centre of building) following trial run relating to Temporary Planning Permission A190302
<b>Lleoliad Safle / Site Location</b>	Cae Celyn, Llanfair Road, Lampeter, SA48 8JX
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr Meirion & Emyr Williams (Lampeter Tree Services Ltd), Lampeter Tree Services, Lampeter, Ceredigion, SA48 8JX
<b>Asiant / Agent</b>	Mr Phil Baxter (Asbri Planning), Asbri Planning, Suite D, 1st Floor 220 High Street, Swansea, SA1 1NW

### SAFLE'R CAIS A HANES CYNLLUNIO PERTHNASOL:

Lleolir safle'r cais rhyw 65m y tu draw i'r eiddo preswyl diwethaf i'r de o Lanbedr Pont Steffan ar hyd Ffordd Llanfair. Saif y safle y tu allan i ffin Canolfan Gwasanaethau Trefol Llanbedr Pont Steffan ac felly fe'i ystyrir yn "lleoliad arall" at ddibenion y Cynllun Datblygu Lleol.

O ran agosrwydd eiddo preswyl cyfagos, mae'r cymydog agosaf ar ffurf carafán sefydlog a leolir yn union i'r dwyrain o safle'r cais. Adwaenir y garafán fel 'Dolau Bachau'.

Lleolir clwstwr arall o eiddo preswyl i'r gorllewin, ac mae'r tŷ agosaf (Ty Hir) wedi'i leoli rhyw 65m o ffin safle'r cais. Mae ystad o dai newydd i'r gorllewin hefyd (ar ochr ogleddol Ffordd Llanfair).

Ar 28 Gorffennaf 2016, rhoddwyd caniatâd cynllunio llawn (cyfeirnod A160157) ar y safle i godi adeilad ffrâm porthol ar wahân gyda mynediad cysylltiedig, a gwaith cynllunio a thirweddu. Aelodau'r Pwyllgor Rheoli Datblygu wnaeth y penderfyniad i roi caniatâd cynllunio, yn groes i argymhelliad y swyddog i wrthod y cynnig. Mae'r caniatâd cynllunio wedi'i gyflawni ac mae'r adeilad wedi'i gwblhau ac yn weithredol. Caiff yr adeilad ei ddefnyddio yn rhan o bencadlys busnes Gwasanaethau Coed Llambod Cyf, sef gwasanaeth contractio coed. Caiff yr adeilad ei ddefnyddio yn bennaf i storio offer coedwigaeth a diogelwch ynghyd â'r defnydd o swyddfa ategol, ystafelloedd cyfarfod, toiledau a chegin fach.

Mae Amod 7 y caniatâd cynllunio hwnnw yn datgan:

*"Er gwaethaf darpariaethau Erthygl 3 Gorchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) 1995, ni chaiff mwy o offer neu beiriannau eu codi ar y safle o dan nac yn unol â rhan 8 atodlen 2 y Gorchymyn hwnnw heb ganiatâd cynllunio gan yr awdurdod cynllunio lleol."*

Gosodwyd Amod rhif 7 er budd amddiffyn amwynderau preswyl yr ardal.

O ganlyniad i amod rhif 7, mae caniatâd cynllunio yn ofynnol er mwyn gosod unrhyw offer neu beiriant arall ar y safle.

(Noder y cydnabyddir bod darparu peiriant mewn adeilad yn disgyn yn glir i gwmpas adran 55(2)(a) [Deddf 1990](#) (h.y. heb ymwneud â datblygu) a chefnogir hyn hefyd yn adran 336 sy'n datgan nad yw "adeilad" yn cynnwys offer neu beiriant mewn adeilad. Yn yr achos hwn, fodd bynnag, nid yw'r boeleri wedi'u cynnwys yn llawn yn yr adeilad, ac mae dwy simnai yn ymestyn o do'r adeilad. Yn ychwanegol at hyn, lleolir odyd sychu coed tân y tu allan i'r adeilad. Mae'r ychwanegiadau hyn wedi effeithio'n sylweddol ar olwg allanol yr adeilad. Mae angen caniatâd cynllunio ar y datblygiad cyfan, felly).

Yn 2018, gwnaed cais cynllunio ôl-weithredol (cyf: A180867) gan Wasanaethau Coed Llambod Cyf i gadw odyd sychu coed tân biomas, dau foeler biomas a dwy simnai, a chychwynnodd y gwaith ar 1 Mawrth 2018. Cyflwynwyd y cais mewn ymateb i ymchwiliad gorfodi cynllunio gan Awdurdod Cynllunio Lleol mewn perthynas â thorri amod rhif 7 y caniatâd.

Mae'r offer a osodwyd yn yr adeilad heb ganiatâd yn cynnwys y canlynol:

- Odyd Sychu Coed Tân Biomas GlenFarrow;
- Dau foeler biomas GlenFarrow; a
- Dwy simnai yn ymestyn 1.7m uwchben arwynebedd to yr adeilad.

Mae'r ddau foeler biomas wedi'u gosod ym mhen pellaf dwyreiniol y prif adeilad (yn yr ardal storio offer gyffredol) a simnai yn gysylltiedig â phob un. Mae'r boeleri felly y tu mewn i'r adeilad yn llwyr, ac eithrio'r simneiau cysylltiedig, sy'n 1.7m o uchder.

Mae pob boeler yn mesur 2.75m (hyd) x 1.58m (lled) x 1.97m (uchder). Mae'r boeleri biomas yn llosgi pren gwastraff i wresogi'r olyn sychu coed tân hyd at 50 gradd celsius, gan ganiatáu i goed tân gael eu sychu.

Lleolir yr olyn sychu coed tân biomas ar hyd ochr ogleddol yr adeilad, rhwng y prif adeilad a Ffordd Llanfair. Mae'n mesur 12.19m (hyd) x 2.44m (lled) x 2.44m (uchder). Mae wal goncridd, rheiliau a chlawdd yn gwahanu'r olyn rhag y ffordd sirol.

Yn dilyn cwynion sylweddol trydydd parti, gwrthodwyd cais cynllunio A180867 dan bwerau dirprwyedig am y rhesymau a ganlyn:

*"1. Mae'r cais wedi arwain at niwed sylweddol i amwynderau preswyl y cymdogion, yn groes i ddarpariaethau Polisi Cynllunio Cymru (Argraffiad 10) ac i bolisiâu DM06, LU25 a DM22 Cynllun Datblygu Lleol mabwysiedig Ceredigion 2007-2022."*

Mae effaith yr allyriadau mwg wedi bod mor niweidiol i amwynderau preswyl yr ardal fel bod yr ymgeiswyr wedi cytuno i beidio â defnyddio'r boeleri biomas oni bai, a hyd nes y dynodir strategaeth liniaru addas.

Ar ôl i'r caniatâd cynllunio gael ei wrthod, os oedd yr ymgeiswyr am ailgyflwyno cais, fe'u cynghorwyd gan yr Awdurdod Cynllunio Lleol bod yn rhaid cael adroddiad manwl i gyd-fynd ag unrhyw gais o'r fath yn nodi'r hyn sy'n achosi'r allyriadau ynghyd â chynllun liniaru sydd wedi'i deilwra'n benodol i fynd i'r afael â'r broblem a bennir.

Yn 2019, derbyniwyd cais cynllunio arall gan yr Awdurdod Cynllunio Lleol a oedd yn ailgyflwyniad ar y cais cynllunio ôl-weithredol blaenorol a wrthodwyd (gweler cyf: A190302).

Yng nghais cynllunio A190302, argymhellodd swyddogion yr Awdurdod Cynllunio Lleol bod caniatâd cynllunio dros dro yn cael ei roi am fis yn unig fel y gellid cynnal cyfnod profi i gadarnhau a oedd y strategaeth liniaru a gyflwynwyd gan yr ymgeiswyr yn ddigonol i liniaru ac i fynd i'r afael â'r allyriadau mwg eithafol a brofwyd yn flaenorol ar y safle. Penderfynodd Aelodau'r Pwyllgor Rheoli Datblygu gefnogi cyfnod profi, a gwnaed y prawf hwnnw yn ystod Tachwedd a Rhagfyr 2020.

Mae'r caniatâd cynllunio dros dro a roddwyd dan A190302 wedi dod i ben yn awr; roedd yn para o 17 Tachwedd tan 17 Rhagfyr 2020.

## **MANYLION Y DATBLYGIAD**

Ar ôl y cyfnod profi a wnaed yn rhan o ganiatâd cynllunio dros dro A190302, mae Gwasanaethau Coed Llambod yn awr wedi ailgyflwyno cais i gadw boeler rhif 1 yn unig, sydd wedi'i leoli yn y rhan fwyaf canolog o'r adeilad.

Mae'r Strategaeth Liniaru a gyflwynwyd yn flaenorol yn rhan o gais cynllunio A190302 yn awr wedi'i hailgyflwyno yn rhan o'r cais cyfredol hwn ac mae'n nodi'r mesurau a ganlyn mewn ymgais i leihau a dileu'r allyriadau mwg eithafol a oedd yn codi o'r safle'n flaenorol:

- i. Gosod 3 ffan a fyddai'n gwresogi'r prif adeilad (gweithdy);
- ii. Glanhau a gwasanaethu'r boeleri a'r simneiau yn rheolaidd; a
- iii. Cyflogi peiriannydd GlenFarrow i fod ar y safle am 1-2 ddiwrnod i roi sylfaen hyfforddiant dda ar sut i redeg y boeleri yn y modd mwyaf effeithlon a sut i gadw'r mwg i'r lleiaf posibl.

Mae'r strategaeth liniaru yn dadlau y byddai faint o wres a ddefnyddir gan yr adeilad a'r ffaniau yn fwy na'r hyn y mae'r boeleri'n gallu ei gynhyrchu, ac felly'n atal y boeleri rhag troi i'r modd 'cysgu' ac aildanio wedi hynny.

Cyflwynwyd y canlynol hefyd i gyd-fynd â'r cais:

- Cynllun Gwasanaethu
- Manylion Powrmatic PZN/PZN X Gwresogydd Dŵr Twym (gwresogydd aer crog a gyflenwir gan ddŵr a all ryddhau aer yn llorweddol neu'n fertigol.
- GlenFarrow UK Cyf - Model Boeler Biomas GF210 - Llawlyfr Gweithredu a Chynnal a Chadw.
- Llythyr Liniaru
- Darlun Tirweddu
- Amserlen Danio Llosgyddion Biomas

ac;

- Asesiad Ansawdd Aer Biomas (Ebrill 2019) a baratowyd gan RH Environmental Cyf, gan gynnwys Cynllun Rheoli Allyriadau Biomas.

(I grynhoi, dengys yr asesiad sgrinio bod allyriadau cronol o nitrogen deuocsid a gronynnau anadladwy o'r ddau foeler yn is na'r trothwyon a allai arwain at groesi Gwerthoedd Terfyn Ansawdd Aer cyfartalog hirdymor a thymor byr. Mae'r asesiad

wedi'i seilio ar y senario gwaethaf posibl gan gymryd bod y ddau foeler yn gweithredu'n barhaus ac ar yr un pryd.

Mae'r asesiad yn cynnwys Cynllun Rheoli Allyriadau Biomaz arfaethedig 14 pwynt.

Dengys yr asesiad sgrinio bod y peiriant biomaz yn gallu gweithredu heb gael effaith annerbyniol ar yr ansawdd aer lleol).

Nid yw'r boeleri wedi cael eu defnyddio ers i'r cyfnod profi ddod i ben a'r caniatâd cynllunio dros dro derfynu ac eithrio ar nifer fach o ddiwrnodau (yn bennaf pan ragwelwyd tywydd rhewllyd).

Mae'r cynnig yn rhan o'r cynllun Cymhelliad Gwres Adnewyddadwy, sef cymhelliant ariannol gan y Llywodraeth i ddarparu'r defnydd o wres adnewyddadwy.

## **POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL**

### **POLISIÂU A CHANLLAWIAU CYNLLUNIO CENEDLAETHOL**

- Dyfodol Cymru: Y Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (Argraffiad 11) (Chwefror 2021)

### **NODIADAU CYNGOR TECHNEGOL (CYMRU) (TANS):**

Mae'r nodiadau cyngor technegol a ganlyn yn berthnasol wrth ystyried y cais.

- TAN5 Cynllunio a Chadwraeth Natur (2009)
- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)
- TAN11 - Sŵn (1997)
- TAN12 - Dylunio (2016)
- TAN23 - Datblygu Economaidd (2014)

### **Y CYNLLUN DATBLYGU - CYNLLUN DATBLYGU LLEOL CEREDIGION 2007-2022**

Mae polisïau'r Cynllun Datblygu Lleol yn berthnasol wrth ystyried y cais:

- S01 - Twf Cynaliadwy
- SO4 - Datblygu Mewn "Aneddiadau Cyswllt a Lleoliadau Eraill"
- LU12 - Cynigion Cyflogaeth ar Safleoedd sydd heb eu Neilltuo
- LU25 - Cynhyrchu Ynni Adnewyddadwy
- DM06: Dylunio a Chreu Lle o Safon Uchel
- DM10 - Dylunio a Thirwedd
- DM17 - Y Dirwedd yn Gyffredinol
- DM18 - Ardaloedd Tirwedd Arbennig
- DM22 - Gwarchod a Gwella'r Amgylchedd yn Gyffredinol

### **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. Rhoddwyd ystyriaeth i'r ddyletswydd hon wrth werthuso'r cais hwn. Ystyrir na fyddai cynnydd mawr neu 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 Cyfodol (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 I'R YMGYNGHORIAD**

### **YMGYNGHOREION STATUDOL**

- Cyfoeth Naturiol Cymru - Dim gwrthwynebiad
- Dwr Cymru Welsh Water - Dim sylwadau
- Priffyrdd a Gwasanaethau Amgylcheddol Cyngor Sir Ceredigion (Draenio Tir) - Sylwadau / dim gwrthwynebiad
- Cyngor Tref Llanbedr Pont Steffan - Dim sylwadau
- Mr Geraint Lewis - Iechyd yr Amgylchedd Cyngor Sir Ceredigion -

*"Rydym wedi cwblhau ein hymchwiliadau i'r mater hwn. Ymwelodd fy nghydwethiwr, Cara, ar 9 Rhagfyr, 15 Rhagfyr ac 17 Rhagfyr ac ymwelais i ar 16 Rhagfyr. Ni wnaed sylwadau ar 15 Rhagfyr gan nad oedd y gosodiadau yn weithredol adeg yr ymweliad.*

*O ran allyriadau mwg, roedd peth mwg i'w weld y tu draw i ffin y safle ar 9 Rhagfyr; fodd bynnag roedd yr amodau'n gyffredinol wyntog ar y diwrnod hwn. Roedd y mwg yn wyn clir bob dydd sy'n awgrymu bod yr allyriadau o'r simneiau yn lân.*

*O ran sŵn, dim ond ar 16 Rhagfyr yr oedd yr uned sychu coed tân yn weithredol a chanfuwyd nad oedd y sŵn yn uwch na'r lefel sŵn cefndirol cyffredinol ar y safle.*

*O ran yr arogl, roeddwn i a Cara yn gallu arogl sylwedd ag arogl cryf y tu draw i ffin y safle ar bob ymweliad, ar wahân i'r 15<sup>fed</sup>. Byddwn yn disgrifio'r arogl fel un prenaidd, nid yn arbennig o annymunol neu gryf, ond yn amlwg iawn.*

*Nid oedd yr arogl yn barhaus a dim ond yn awr ac yn y man y gellid ei arogl. Byddai'r arogl y tystiom ni iddo yn disgyn ymhell islaw'r prawf am niwsans statudol gan na fyddai'n ymyrryd yn sylweddol â mwynhad neu gysur unrhyw un yn yr ardal ond pe byddai modd ei arogl am gyfnodau hir ar y rhan fwyaf o ddiwrnodau'r wythnos, byddem yn penderfynu bod ei bresenoldeb yn debygol o achosi rhywfaint o niwed i hyfydwch yr ardal.*

*Yn ein barn ni, byddai cau'r drws rholio ar yr ochr ddwyreiniol yn lliniaru'n sylweddol ac yn rhwystr ffisegol i ledaeniad yr arogl, a dylid ei gau bob amser wrth ddefnyddio'r boeleri biomas."*

### **YMGYNGHOREION ANSTATUDOL**

Cyflwynwyd degau o lythyron o gefnogaeth a gwrthwynebiad mewn cysylltiad â'r cais.

Mae prif sail y gefnogaeth fel a ganlyn:

- Mae Gwasanaethau Coed Llambod yn rhoi gwasanaeth pwysig ac yn gyflogwr mawr yn yr ardal.
- Mae'n rhesymegol i'r cwmni ddefnyddio pren gwastraff yn ffynhonnell gwres adnewyddadwy.
- Dim effaith negyddol ar ddefnyddwyr Ffordd Llanfair.
- Bach iawn o fwg a ryddheir o'r safle.
- Dim arogl.
- Defnyddir nifer o foeleri biomas eraill yn yr ardal heb gwynion.

Mae prif sail y gwrthwynebiad fel a ganlyn:

- Mae'r biomas yn cynhyrchu allyriadau mwg amlwg, ynghyd ag arogl cryf y mae'n rhaid i drigolion cyfagos fyw ag ef. Mae hyn yn arwain at amodau byw annerbyniol.
- Mae'n achosi straen ar drigolion lleol ac mae'n cael effaith andwyol ar iechyd trigolion.

- o Nid yw'r problemau wedi'u datrys ers i'r ffaniau gael eu gosod.
- o Mae'n rhaid i'r teulu yn y garafán gyfagos drefnu eu bywydau o gwmpas cyfeiriad y gwynt, hyd yn oed pryd i olchi eu dillad.
- o Mae plentyn ifanc yn byw yn y garafán. Nid oes pryderon sylweddol mewn perthynas â'r effaith ar ei hiechyd a'i rhyddid i chwarae yn yr awyr agored.
- o Mae'n ffynhonnell llygredd.
- o Mae Gwasanaethau Coed Llambod yn fusnes ag iddo enw da sy'n cynnig cyflogaeth, ond nid dyma'r mater dan sylw.
- o Mae'r gwrthwynebwyr yn gofyn pam bod boeleri wedi'u gosod os yw'r gwres a gynhyrchir ganddynt yn cael ei golli ar raddfa mor eithafol?
- o Mae sŵn yn dod o'r odyd sychu coed tân.
- o Mae'r odyd sychu coed tân yn edrych allan o le.
- o Mae angen cynnal cyfarfod safle.

### **ASESIAD SWYDDOG:**

Mae Adran 38(6) Deddf Cynllunio a Phrynu Gorfodol 2004 yn datgan:

*"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material consideration indicate otherwise".*

### **Y PRIF FATERION SY'N BERTHNASOL WRTH YSTYRIED Y CAIS:**

Er bod yr Awdurdod Cynllunio Lleol yn cydnabod y dylid rhoi cryn dipyn o werth ar dargedau Llywodraeth Cymru i gynyddu cynhyrchiant ynni carbon isel ac adnewyddadwy, ni ellir gwneud penderfyniad ffafriol ar gais cynllunio pan fo niwed clir a sylweddol yn digwydd i amwynderau preswyl o ganlyniad i'r cais.

Yr effaith ar amwynderau preswyl y trigolion cyfagos felly yw'r brif ystyriaeth wrth asesu'r cais hwn ac yn benodol ar drigolion y garafán sydd wedi'i lleoli yn union gerllaw'r safle.

### **CEFNDIR YR ACHOS:**

Er 2018, drwy broses ddileu, mae'r Awdurdod Cynllunio Lleol wedi bod yn ceisio sefydlu yr achos dros yr allyriadau mwg eithafol o'r boeleri.

Roedd yr Awdurdod Cynllunio Lleol wedi meddwl, i ddechrau, bod cynnwys lleithedd y coed tân a oedd yn cael eu llosgi yn y boeleri yn rhy uchel. (Mae pren gwlyb yn gyffredinol yn cynhyrchu mwy o fwg na phren sych, a gall hefyd ryddhau mwy o lygryddion a gronnau bach i'r aer. Mae llosgi pren gwlyb, a elwir hefyd yn bren gwyrdd, hefyd yn llai effeithlon a llai diogel na defnyddio coed tân sydd wedi'i sychu'n iawn. Bernir yn gyffredinol felly y dylai coed tân gael cynnwys lleithedd o 20 y cant neu lai).

Felly, ymwelodd Swyddogion yr Awdurdod Cynllunio Lleol â'r safle er mwyn cynnal gwiriadau ar hap ar gynnwys lleithedd y coed tân a oedd ar y safle.

Dangosodd y canlyniadau bod cynnwys lleithedd y coed tân yn llai nag 20%. Penderfynwyd gan yr Awdurdod Cynllunio Lleol, felly, bod cynnwys lleithedd y coed tân yn annhebygol o fod wrth wraidd yr allyriadau mwg eithafol.

Cyn hyn, dangosodd ymweliad ar wahân â'r safle gan swyddogion yr Awdurdod Cynllunio Lleol ei bod yn ymddangos bod y boeleri yn cynhyrchu mwy o wres na'r hyn sy'n angenrheidiol ar y busnes neu'n cael ei ddefnyddio ganddo, oherwydd y galw isel gan y sefydliad am wres, mae'n debyg. Pan fyddai'r boeleri wedi cyrraedd tymheredd penodol ac nad oedd y gwres hwnnw'n cael ei ddefnyddio, mae'n ymddangos bod y tân yn y boeleri yn diffodd neu'r boeleri'n cael eu troi i'r "modd cysgu" a byddent ond yn aildanio pan fyddai tymheredd y boeleri wedi gostwng i lefel a sbardunai iddynt danio unwaith eto. Mae'n ymddangos bod hwn yn un o achosion y mwg eithafol gan fod y boeleri yn diffodd ac aildanio'n barhaus ac nad oeddent yn gweithredu dan yr amodau gorau a chyson posibl. Roedd yr Awdurdod Cynllunio Lleol o'r farn bod y boeleri yn gordwymo gan fod methiant i dynnu gwres ohonynt. Os yw boeler yn rhy fawr neu os oes methiant i dynnu'r gwres a gynhyrchir, yna bydd boeleri biomas yn tueddu i danio a diffodd yn aml mewn proses a elwir yn gylchredu. Mae hyn yn ddrwg am nifer o resymau a gall arwain at allyriadau uwch.

Cynigiodd yr ymgeiswyr fynd i'r afael â'r broblem drwy osod tri gwresogydd aer crog a all ryddhau aer yn llosweddol neu fertigol i brif ran yr adeilad lle cedwir yr offer coedwigaeth a pheiriannau. Y theori oedd y byddai'r ffaniau yn defnyddio neu'n 'gwaredu' y gwres gan osgoi gadael i'r boeleri ddisgyn i'r modd 'cysgu' ac yna aildanio yn barhaus.

Fel rhan o gais cynllunio A190302, cyflwynwyd strategaeth liniaru fanwl i leihau'r allyriadau mwg i'w hystyried er mwyn caniatáu cyfnod profi cychwynnol. Nodai'r strategaeth bod boeleri biomas, yn hanesyddol, yn cael eu tanio yn anghywir ac arweinai hyn at ryddhau mwg o'r simneiau am rhyw 10-15 munud. Nodai'r strategaeth bod gan y boeleri botensial i stopio

gan nad oedd digon o wres yn cael ei ryddhau yn ystod y broses.

Ar ôl cysylltu â GlenFarrow (Cynhyrchydd Boileri), roedd y strategaeth liniaru a gyflwynwyd yn dadlau y byddai gosod 3 ffan yn rhwystro hyn rhag digwydd eto.

Roedd y strategaeth arfaethedig a gyflwynwyd yn cynnig y canlynol yn benodol:

1. Gosod 3 ffan a fyddai'n gwresogi'r prif adeilad (gweithdy);
2. Glanhau a gwasanaethu'r boeleri a'r simneiau yn rheolaidd; a
3. Cyflogi peiriannydd GlenFarrow i fod ar y safle am 1-2 ddiwrnod i roi sylfaen hyfforddiant dda ar sut i redeg y boeleri ar eu mwyaf effeithlon a sut i gadw'r mwg i'r lleiaf posibl.

Pan fyddai'r 3 ffan wedi'u gosod yn yr adeilad, nodai'r strategaeth y byddai hyn wedyn yn golygu bod y boeler yn gweithio'n galetach i ymdopi â'r colli gwres.

Roedd y strategaeth yn cyfiawnhau'r defnydd o 3 ffan fel a ganlyn:

- Mae boeler GlenFarrow yn cynhyrchu 210kw

Byddai'r gwres/ygni a gynhyrchir yna'n cael ei ddefnyddio fel a ganlyn yn yr adeilad:

- Defnydd Swyddfa - 20-30kw
- (Odyn) Sychu Coed Tân - 100-140kw
- Ffaniau x 3 (105-120kw)

Byddai hyn yn ei gyfanrwydd yn arwain at golli gwres o 225-290kw yn y broses/system. Roedd y strategaeth yn dadlau, felly, bod faint o wres a ddefnyddid gan yr adeilad a'r ffaniau yn fwy na'r hyn y gallai'r boeleri ei gynhyrchu, felly'n rhwystro'r boeleri rhag troi i'r modd cysgu ac aildanio yn sgil hynny.

Mewn theori, mae hyn yn ymddangos fel petai'n cynnwys strategaeth liniaru addas; fodd bynnag, roedd yr Awdurdod Cynllunio Lleol yn cadw mewn cof y gallai ffactorau anhysbys eraill fod yn cyfrannu at yr allyriadau mwg eithafol yma. Felly, roedd yr Awdurdod Cynllunio Lleol yn gyndyn o argymhell rhoi caniatâd cynllunio parhaol oni bai, ac hyd nes y gellid dangos bod y strategaeth liniaru a gyflwynwyd yn gallu mynd i'r afael â'r allyriadau mwg yn ddigonol.

O'r herwydd, rhoddwyd caniatâd cynllunio dros dro yn unig i A190302 gan ganiatáu cyfnod profi a fyddai, gobeithio, yn sefydlu a oedd y strategaeth liniaru a gyflwynwyd gan yr ymgeiswyr yn ddigonol i fynd i'r afael â'r allyriadau mwg eithafol a brofwyd ar y safle cyn hyn.

Cytunodd Aelodau'r Pwyllgor Rheoli Datblygu ag argymhelliad y Swyddogion i gyfnod profi a chafodd hwn ei gyflawni wedi hynny rhwng Tachwedd a Rhagfyr 2020 am gyfnod o fis.

### **CANLYNIAD Y CYFNOD PRAWF:**

Yn ystod y cyfnod profi, gwnaed naw ymweliad safle gan yr Awdurdod Cynllunio Lleol a gwnaed pedwar ymweliad ar wahân gan Dîm Iechyd yr Amgylchedd y Cyngor. Cadarnhaodd yr ymweliad cyntaf a wnaed gan yr Awdurdod Cynllunio Lleol bod y tri ffan crog wedi'u gosod yn yr adeilad.

Yn ystod ymweliadau safle swyddogion yr Awdurdod Cynllunio Lleol, gwnaed arsylwadau ar y safle yn ogystal ag mewn tri lleoliad gwahanol yng nghyffiniau agos y safle. At ddibenion yr adroddiad hwn, mae boeler/simnai 1 wedi'u lleoli i'r dde wrth edrych ar yr adeilad o'r ffordd gyfagos, ac mae boeler/simnai 2 wedi'u lleoli i'r chwith. Yn ystod pob ymweliad, nododd Swyddogion y dyddiad a'r amser, amodau'r tywydd, cadarnhad bod y boeler ynghyn, y ffynhonnell danwydd, disgrifiad o'r allyriadau ac unrhyw sylw perthnasol arall.

O 20 Tachwedd 2020 hyd at 15 Rhagfyr 2020, roedd boeler/simnai 1 yn weithredol. Gwnaed saith ymweliad i gyd.

Ar y diwrnodau hyn, roedd yr allyriadau yn gyffredinol glir neu'r isaf posibl a nododd y Swyddog mai ychydig iawn o arogl mwg oedd ar y safle wrth ymyl yr adeilad neu yn yr iard gyfagos i'r de. Yn ystod y diwrnodau hyn, roedd ychydig iawn o fwg neu ddim mwg o gwbl ac ymddangosai cyfeiriad y gwynt fel pe bai o'r gogledd/gogledd-ddwyrain. Eithriad bach i hyn oedd ar 15 Rhagfyr pan ymddangosai fel pe bai cyfeiriad y gwynt o'r de-orllewin (h.y. tuag at y garafán) er yn ysgafn. Yn ystod yr ymweliad hwn, nododd y Swyddog ychydig o arogl mwg wrth ymyl y garafán, ond nid oedd hwn yn llethol.

Yn ystod 16 ac 17 Rhagfyr 2020, roedd boeler/simnai rhif 2 ynghyn. Yn ystod y ddau ddiwrnod hwn, nododd y Swyddog bod allyriadau mwg yn lledu tuag at y garafán ac roedd mwg i'w weld yn amlwg yn yr aer wrth ymyl y garafán; ymddangosai fel petai'n amrywio o ran cryfder yn ôl y chwythymau gwynt.



Yn sgil y sylwadau negyddol a nodir gan yr Awdurdod Cynllunio Lleol a'r ymgeiswyr yn ystod 16 ac 17 Rhagfyr, mae boeler/simnai rhif 2 wedi'u heithrio'n fwrriadol o'r cais cyfredol hwn. Mae'r ymgeiswyr felly wedi gwneud cais i gadw boeler/simnai 1 yn unig, sef yr un bellaf o'r garafán.

#### **CASGLIAD:**

Ers y cyfnod profi, mae'r Awdurdod Cynllunio Lleol wedi bod yn pendroni a ellir cefnogi caniatâd cynllunio parhaol yma. Daethpwyd i'r casgliad, fodd bynnag, nad yw'r gefnogaeth hon ar ddod.

Er bod Swyddog lechyd yr Amgylchedd yn nodi y byddai'r arogl yn disgyn ymhell islaw'r prawf ar gyfer niwsans cyhoeddus, mae'r Awdurdod Cynllunio Lleol wedi casglu bod yr effaith ar amwynderau preswyl yr ardal yn debygol o fod yn annymunol, yn enwedig i breswylwyr y garafán gyfagos. Lleolir y garafán hon yn agos iawn i'r safle ac mae'r Awdurdod Cynllunio Lleol yn bryderus y bydd gwyntoedd de-orllewinol yn benodol yn cario mwg ac arogl i safle'r garafán. Yn wir, ar yr ychydig ddiwrnodau y bu'r boeler yn weithredol ers y cyfnod profi, derbyniodd yr Awdurdod Cynllunio Lleol adroddiadau am arogl mwg cryf gan breswylwyr y garafán.

Ni all yr Awdurdod Cynllunio Lleol ganiatáu amodau byw annymunol a pharhaol ar gyfer y preswylwyr ac felly mae'n rhaid iddo wrthod yr argymhelliad.

Buwyd yn pwysu a mesur y canlyniadau i'r busnes yn rhan o'r ystyriaethau, ond ni ddaethpwyd i argymhelliad gwahanol. Gallai'r busnes wresogi'r swyddfa fach yn ddigon rhwydd drwy ddull arall, a gellid dadlau na fyddai angen gwresogi ardal y gweithdy, sef mwyafrif yr adeilad, o gwbl.

Argymhellir, felly, bod y cais yn cael ei wrthod.

**ENW'R AELOD LLEOL:** Y Cynghorydd Hag Harries (Ward Llanbedr Pont Steffan)

#### **RHESYMAU A RODDWDYD GAN YR AELOD LLEOL DROS OFYN AR I'R CAIS GAEL EI YSTYRIED GAN Y PWYLLGOR RHEOLI DATBLYGU:**

Mae'r Cynghorydd Harris wedi gofyn ar i'r cais gael ei glywed gan y Pwyllgor Rheoli Datblygu.

#### **ARGYMHELLIAD:**

**GWARTHOD CANIATÂD CYNLLUNIO** ar y sail bod cadw'r cynnig yn debygol o arwain at niwed i amwynderau preswyl y trigolion cyfagos, yn groes i ddarpariaethau Dyfodol Cymru, Polisi Cynllunio Cymru a pholisïau DM06, LU25 a DM22 Cynllun Datblygu Lleol Ceredigion mabwysiedig 2007-2022.

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

Yng nghyfarfod y Pwyllgor Rheoli Datblygu ar yr 8fed o Fehefin, 2022, penderfynodd yr Aelodau gyfeirio'r cais i'r Panel Archwilio Safle (SIP), yn unol â phwynt 4,5 a 7 o'r Gweithdrefnau Gweithredol.

Cyfarfu'r SIP ar ddydd Mawrth, 28ain o Fehefin, 2022 ac yn bresennol oedd y Cynghorwyr Rhodri Davies (Cadeirydd), Gethin Davies, Marc Davies, Meirion Davies a Gareth Lloyd. Ymddiheurodd y Cynghorydd Ifan Davies gan nad oedd yn gallu fod yn bresennol.

Roedd yr ymgeisydd ond yn bresennol er mwyn rhoi mynediad i'r adeilad ac nid oedd yn bresennol yn ystod yr archwiliad nag yn ystod y trafodaethau.

Archwiliwyd y safle'n drylwyr gan yr aelodau, gan gynnwys lleoliad y boeleri biomas a'r ffliwiau cysylltiedig, ynghyd â lleoliad yr odyn sychu coed a'r tri ffan mewnol. Ymwelodd yr aelodau hefyd â chwrtil Dolau Bachau (h.y. y garafan gyfagos), lle rhoddwyd sylw arbennig i'r berthynas a'r agosrwydd rhwng y garafan a safle'r cais. Bu aelodau hefyd yn archwilio'r ardal tua'r dref, cyn belled â Thŷ Hir.

Ar ôl yr arolygiad, daeth yr Aelodau ynghyd i drafod eu canfyddiadau, lle mynegwyd cymysgedd o safbwyntiau.

Yn gyntaf, roedd yr Aelodau'n dymuno canmol yr ymgeiswyr am weithio gyda'r ACLI yn ystod y cais, wrth geisio ddod o hyd i fesurau lliniaru addas. Roedd yn gysur i'r aelodau glywed nad oedd y boeler sydd agosaf at y garafan yn rhan o'r cais presennol a bod yr ymgeiswyr wedi datgan eu bwriad i werthu'r ail foeler hwn. Nododd yr aelodau hefyd mai dim ond yn ystod oriau gwaith y byddai'r boeler yn cael ei oleuo. Nododd yr aelodau ymhellach bwysigrwydd y busnes i'r economi leol.

O ran y gwrthwynebiadau yn ymwneud â'r pryderon sŵn, (sy'n deillio o'r odyn sychu coed), awgrymodd yr Aelodau y bosiblirwydd o ofyn i'r ymgeisydd godi panel lliniaru sŵn wrth ymyl yr odyn. Fodd bynnag, ar ôl trafodaeth bellach ar y mater, daeth yr Aelodau i'r casgliad nad oedd angen gosod panel o'r fath, oherwydd nad oedd y sŵn yn sylweddol uchel (yn enwedig o'i gymharu â'r gweithgareddau busnes sydd eisioes yn cael eu cynnal ar y safle) ac oherwydd nad oedd y sŵn yn gyson. Petai'n cael tyfu, byddai'r clawdd ar hyd ffin y safle yn ateb yr un diben.

Mewn perthynas â'r arogleuon mwg, sef prif bryder y Swyddogion, cydnabu'r Aelodau yn ystod y SIP fod arogleuon mwg yn bresennol ar safle'r cais ac yn cwrtil y garafan. (Roedd yn ymddangos bod y gwynt yn chwythu o gyfeiriad y de-orllewin ar y diwrnod, felly ni chanfuwyd unrhyw arogleuon yn Nhŷ Hir yn ystod yr arolygiad). Fodd bynnag, roedd yr aelodau o'r farn nad

oedd yr arogleuon yn llethol ar y diwrnod nac yn niweidiol i'r fath raddau fel y gellid cyfiawnhau gwrthod caniatâd cynllunio ar sail amwynder. Fodd bynnag, cydnabu'r Aelodau y gallai amodau atmosfferig gwahanol arwain at amodau gwaeth neu gwell ar ddiwrnodau eraill.

Awgrymodd un Aelod y posibilrwydd o gynyddu uchder y simnai er mwyn lleihau effaith yr arogleuon.

Dywedodd yr Aelodau hefyd fod y teulu a oedd yn arfer byw yn y garafan, bellach wedi symud i rywle arall, a bod y garafan yn mynd i gael ei rhentu. Roeddent yn dadlau y byddai unrhyw feddianwyr yn y dyfodol yn ymwybodol o bresenoldeb y boeleri biomas cyn eu meddiannu.

I gloi, daeth yr Aelodau i gonsensws nad oedd yr arogleuon a brofwyd ar y diwrnod yn ddigon niweidiol i gyfiawnhau gwrthod y cais ond cydnabu'r Panel hefyd fod eu sylwadau yn seiliedig ar yr amodau a brofwyd ar y diwrnod penodol hwnnw yn unig.

<b>Rhif y Cais / Application Reference</b>	A201119
<b>Derbyniwyd / Received</b>	17-12-2020
<b>Y Bwriad / Proposal</b>	Retention of Biomass Log Dryer Kiln and two Chimneys and continued use of Boiler No.1 only (within centre of building) following trial run relating to Temporary Planning Permission A190302
<b>Lleoliad Safle / Site Location</b>	Cae Celyn, Llanfair Road, Lampeter, SA48 8JX
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr Meirion & Emyr Williams (Lampeter Tree Services Ltd), Lampeter Tree Services, Lampeter, Ceredigion, SA48 8JX
<b>Asiant / Agent</b>	Mr Phil Baxter (Asbri Planning), Asbri Planning, Suite D, 1st Floor 220 High Street, Swansea, SA1 1NW

#### THE APPLICATION SITE AND RELEVANT PLANNING HISTORY:

The application site is located approximately 65m beyond the last residential property to the east of Lampeter along Llanfair Road. The site sits outside the boundary of the Urban Service Centre of Lampeter and is therefore classed as an "other location" for the purposes of the LDP.

In terms of the proximity of neighbouring residential properties, the closest neighbour is in the form of a static caravan, which is positioned immediately to the east of the application site. The caravan is known as "Dolau Bachau".

There is a further cluster of existing residential properties located to the west, the closest of which (Ty Hir) is located some 65m from the boundary of the application site. There is also a new housing estate to the west, (on the northern side of Llanfair Road).

On the 28<sup>th</sup> July, 2016, full planning permission (reference A160157) was granted at the site for the erection of a detached, portal frame building with associated access, engineering and landscaping works. The decision to grant planning permission was made by Members of the Development Control Committee, contrary to the officer recommendation to refuse. The planning permission has been implemented, with the building having been completed and operational. The building is utilised as part of the business headquarters for Lampeter Tree Services Ltd, which is a tree contracting service. The building is primarily used for the storage of forestry and safety equipment, along with ancillary office use, meeting rooms, toilet and kitchenette.

Condition no.7 of that planning permission states that:

*"Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, no further plant or machinery shall be erected on the site under or in accordance with part 8 of schedule 2 to that Order without planning permission from the local planning authority".*

Condition no.7 was imposed in the interest of protecting the residential amenity of the area.

As a result of condition no.7, planning permission is required for the installation of any further plant or machinery at the premises.

(Note that it is acknowledged that the provision of plant within a building clearly falls within the ambit of sec.55(2)(a) of the [1990 Act](#) (i.e. not to involve development) and this is also given support by the sec.336 which states that a "building" does not include plant or machinery comprised within a building. In this case however, the boilers are not wholly contained within the building, with two chimneys protruding out of the building's roof. In addition, a log drying kiln is situated to the exterior of the building. These additions have materially affected the building's external appearance. The whole development therefore needs planning permission).

In 2018, a retrospective planning application (ref: A180867) was made by Lampeter Tree Services Ltd for the retention of a biomass log dryer kiln, two biomass boilers and two chimneys, with the work having commenced on the 1<sup>st</sup> March, 2018. The submission of the application was in response to a planning enforcement investigation carried out by the Local Planning Authority, in relation to the breach of condition no.7 of the consent.

The equipment which has been installed within the building without consent includes the following:

- GlenFarrow Biomass Log Dryer Kiln;
- Two GlenFarrow biomass boilers; and
- Two chimneys protruding 1.7m above the roof surface of the building.

The two biomass boilers have been installed within the eastern extremity of the main building (within the existing equipment storage area), each with an associated chimney. The boilers are therefore wholly internal to the building, with the exception of the associated chimneys, which have a height of 1.7m. Each boiler has dimensions of 2.75m (length) x 1.58m (width) x 1.97m (height). The biomass boilers burn waste wood to heat the log drying kiln up to 50 degrees celsius, allowing logs to be dried.

The biomass log dryer kiln is located along the northern elevation of the building, sandwiched in-between the main building and Llanfair Road. It has dimensions of 12.19m (length) x 2.44m (width) x 2.44m (height). A concrete wall, railings and a hedgebank separates the kiln from the county road.

Following significant complaints from third parties, planning application A180867 was refused under delegated powers for the following reasons:

*"1. The proposal has resulted in significant harm to the residential amenity of the neighbouring occupiers, contrary to the provisions of Planning Policy Wales (Edition 10) and to policies DM06, LU25 and DM22 of the adopted Ceredigion Local Development Plan 2007-2022".*

The impact of the smoke emissions had been so detrimental to the residential amenity of the area, that the applicants agreed to discontinue the use of the biomass boilers unless and until a suitable mitigation strategy had been identified.

Following the refusal of planning permission, the applicants were subsequently advised by the Local Planning Authority that should they re-apply, that any such application must be accompanied by a detailed report outlining what the causes of the emissions are, along with a mitigation plan specifically tailored at addressing the identified problem.

In 2019, a further planning application was received by the LPA which was a re-submission of the previously refused retrospective planning application (See ref: A190302).

Under planning application A190302, officers of the Local Planning Authority recommended that a temporary planning permission be granted for one month only, so that a trial run could take place to verify whether or not the mitigation strategy put forward by the applicants was sufficient to address and mitigate against the excessive smoke emissions previously experienced at the site. Members of the Development Control Committee resolved to support a trial run, which subsequently took place during November and December, 2020.

The temporary planning permission granted under A190302 has now expired and lasted from the 1<sup>st</sup> November to 17<sup>th</sup> December, 2020.

## **DETAILS OF DEVELOPMENT**

Following the trial run which took place under temporary planning permission A190302, Lampeter Tree Services has now re-applied for the retention of boiler no.1 only, which is positioned within the most central part of the building.

The Mitigation Strategy as previously put forward under planning application A190302 has been re-submitted as part of this current application and outlines the following measures in an attempt to reduce and eliminate excessive smoke emissions which have previously emanated from the site:

- i. The installation of 3 fans that would heat the main building (workshop);
- ii. The regular sweeping and servicing of the boilers and chimneys; And
- iii. Employing a Glen Farrow engineer to be on site for 1-2 days to give a good training base of how to run the boilers to their most efficient and how to keep smoke to an absolute minimum.

The mitigation strategy argues that the amount of heat used by the building and the fans would exceed what the boilers are able to generate, thereby avoiding the boilers switching to slumber mode and subsequently re-igniting.

The application has also been accompanied by a:

- Servicing Scheme
- Details of a Powrmatic PZN / PZN X Hot Water Heater (a water-supplied suspended air heater which can discharge air horizontally or vertically).
- GlenFarrow UK Ltd – Biomass Boiler Model GF210 – Operation and Maintenance Manual.
- Mitigation Letter
- Landscaping Drawing
- Biomass Burners Lighting Schedule

And;

- Biomass Air Quality Assessment (April 2019) prepared by RH Environmental Limited, including a Biomass Emissions Control Plan.

(In summary, the screening assessment shows that cumulative emissions of nitrogen dioxide and respirable particulate from both boilers are below thresholds which could lead to exceedances of short and long-term average Air Quality Limit Values. The assessment is based on a worst-case scenario assumption of both boilers operating simultaneously and continuously.

The assessment contains a 14 point proposed Biomass Emissions Control Plan.

The screening assessment shows that the biomass plant is capable of being operated without any unacceptable impact on local air quality).

The boilers have not been in use since the cessation of the trial run and the associated expiration of the temporary planning permission, with the exception of a small number of days (primarily when freezing temperatures are forecast).

The proposal is part of the Renewable Heat Incentive (RHI), which is a government financial incentive to provide the use of renewable heat.

## **RELEVANT PLANNING POLICIES AND GUIDANCE**

### **NATIONAL PLANNING POLICIES AND GUIDANCE**

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

### **TECHNICAL ADVICE NOTES (WALES) (TAN'S):**

The following technical advice notes are relevant to the consideration of the application:

- TAN5 – Nature Conservation and Planning (2009)
- TAN6 – Planning for Sustainable Rural Communities (2010)
- TAN11 – Noise (1997)
- TAN12 – Design (2016)
- TAN23 – Economic Development (2014)

### **THE DEVELOPMENT PLAN - CEREDIGION LOCAL DEVELOPMENT PLAN (LDP) 2007 – 2022**

The following LDP policies are relevant to the consideration of the application:

- S01 – Sustainable Growth
- S04 – Development in “Linked Settlements and Other Locations”
- LU12 – Employment Proposals on Non-Allocated Sites
- LU25 – Renewable Energy Generation
- DM06 – High Quality Design and Placemaking
- DM10 – Design and Landscaping
- DM17 – General Landscape
- DM18 – Special Landscape Areas (SLAs)
- DM22 – General Environmental Protection and Enhancement

## **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**

### **STATUTORY CONSULTEES**

- Natural Resources Wales (NRW) – No objection.
- Dwr Cymru / Welsh Water – No comments.
- CCC Highways & Environmental Services (Land Drainage) – Comments / no objection.
- Lampeter Town Council – No comment.
- Mr. Geraint Lewis - CCC Environmental Health –

*"We have completed our investigations into this matter. My colleague, Cara visited on 9<sup>th</sup> December, 15<sup>th</sup> December and 17<sup>th</sup> December and I visited on 16<sup>th</sup> December. No observations were made on 15<sup>th</sup> December as the installation was not operational at the time of the visit.*

*In terms of smoke emission, some smoke was visible beyond the site boundary on the 9<sup>th</sup> December however the prevailing conditions were gusty on this day. On all days the smoke was clear white suggesting that stack emission is clean.*

*In terms of noise the timber drying unit was operational only on the 16<sup>th</sup> December but found not to be causing noise above the prevailing background noise level on site.*

*In terms of odour both myself and Cara were able to detect an odorous substance beyond the site boundary on each visit apart from the 15<sup>th</sup>. We would describe the odour as woody, not particularly offensive or intense but clearly apparent.*

*The odour was not continuous and could only be detected now and again. The odour that we witnessed would fall far below the test for statutory nuisance as it would not substantially interfere with the enjoyment or comfort of anyone in the vicinity but if perceptible for long periods, most days of the week, we would determine that it's presence likely cause some detriment to the pleasantness of the area.*

*In our opinion the closing of the roller door on the eastern elevation would provide significant mitigation and a physical barrier to the dispersal of the odour and should be closed at all times during use of the biomass boilers".*

### **NON-STATUTORY CONSULTEES**

Tens of letters of support and objection have been submitted in connection with this application.

The main grounds of support are as follows:

- Lampeter Tree Services provides a key service and is a large employer in the area.
- It is logical for the company to use waste timber as a renewable heat source.
- No negative impact upon the users of Llanfair Road.
- Very little smoke being emitted from the site.
- No odours
- Several other biomass boilers are being used in the area with no complaints.

The main grounds of objection are as follows:

- o The biomass produces noticeable smoke emissions, accompanied by strong smells, which neighbouring residents have to live with. This is resulting in unacceptable living conditions.
- o It is causing stress to local residents and is having a detrimental effect on residents' health.
- o The issues have not been resolved since the fans were installed.
- o The family in the adjacent caravan have to revolve their lives around the direction of the wind, even when to wash their clothes.
- o A young child lives in the caravan. There are significant concerns in relation to the impact upon her health and freedom to play outside.
- o It is a source of pollution.
- o Lampeter Tree Services is a reputable business which offers employment, but that is not the issue at hand.
- o Objectors are asking why such large boilers were installed if they produce such an excessive amount of heat loss?
- o Noise is being emitted from the log drying kiln.
- o The log drying kiln looks out of place.
- o A site meeting is required.

#### **OFFICER ASSESSMENT:**

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

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

#### **THE KEY ISSUE RELEVANT TO THE CONSIDERATION OF THE APPLICATION:**

Whilst the Local Planning Authority acknowledges that significant weight should be given to the Welsh Government's targets to increase renewable and low carbon energy generation, a favourable decision cannot be reached on a planning application where clear and significant harm is occurring to residential amenity as a result of a proposal.

The impact upon the residential amenity of the neighbouring occupiers is therefore the key consideration in the assessment of this application and in particular upon the occupants of the caravan which is located immediately adjacent to the site.

#### **BACKGROUND TO THE CASE:**

Since 2018, the Local Planning Authority (LPA) have been trying to establish, through the process of elimination, the cause of the excessive smoke emissions from the boilers.

Originally, the LPA had thought that the logs that were being burnt in the boilers had a moisture content that was too high. (Wet wood generally produces more smoke than dry wood, which can also release more pollutants and small particles into the air. Burning from wet wood, also called green wood, is also less efficient and less safe than using properly dried or "seasoned" firewood. It is therefore generally held that firewood should have 20 percent moisture content or less).

Officers from the Local Planning Authority therefore visited the site in order to carry out random checks on the moisture content of the timber logs present at the site.

The results showed however that the moisture content of the logs was less than 20%. It was therefore determined by the Local Planning Authority that the moisture content of the logs was unlikely to be the root cause of the excessive smoke emissions.

A separate visit to the site by officers of the LPA had also previously revealed that the boilers were seemingly producing more heat than what is required or being used by the business, presumably due to the low heat demand of the establishment. Once the boilers reached a certain temperature and the resulting heat was not utilised, then it appeared as though the fire within the boilers died down or the boilers switched to "slumber mode" and they only reignited once the temperatures within the boilers had dropped to a level which triggered a re-start. This was apparently one of the causes of the excessive smoke, because the boilers were continuously shutting down and re-starting and were not operating under constant and optimum conditions. What the LPA believed was happening, is that the boilers were overheating because there was a failure to remove heat from them. If oversized or if there is a failure to remove the heat produced, then biomass boilers will tend to turn on and off frequently in a process known as cycling. This is bad for a number of reasons and can lead to higher emissions.

The applicants offered to address the problem through the installation of three suspended air heaters which can discharge air horizontally or vertically into the main part of the building where the forestry equipment and machinery is stored. The theory was that the fans would utilise or "dump" the heat, thereby avoiding the boilers from falling into a slumber mode and then re-igniting continuously.

As part of planning application A190302, a more detailed mitigation strategy to reduce the smoke emissions was submitted for consideration, in order to allow for an initial trial period. The strategy outlined that the biomass boilers were historically started up incorrectly, which resulted in approximately 10-15 minutes of smoke being emitted from the chimneys. The strategy advised that due to insufficient heat loss during the process, the boilers have the potential to stall.

Following contact with Glen Farrow (Boiler Manufacturer), the submitted mitigation strategy argued that the installation of 3 fans would prevent this from occurring again.

Specifically, the submitted strategy proposed the following:

1. The installation of 3 fans that would heat the main building (workshop);
2. The regular sweeping and servicing of the boilers and chimneys; And;
3. Employing a Glen Farrow engineer to be on site for 1-2 days to give a good training base of how to run the boilers to their most efficient and how to keep smoke to an absolute minimum.

The strategy outlined that once the 3 fans had been installed within the building that this would then cause the boiler to work harder to keep up with the heat loss.

The strategy justified the use of 3 fans as follows:

- A Glen Farrow boiler produces 210kw

The heat / energy generated would then be used as follows within the building:

- Office Use – 20-30kw
- Log Dryer (Kiln) – 100-140kw
- Fans x 3 (105-120kw)

This would, in total, result in 225-290kw heat loss in the process / system. The strategy argued therefore that the amount of heat used by the building and the fans would exceed what the boilers are able to generate, thereby avoiding the boilers switching to slumber mode and subsequently re-igniting.

In theory, this appeared to comprise of a suitable mitigation strategy, however, the Local Planning Authority was mindful that there may also be other unknown factors contributing to the excessive smoke emissions here. As such, the Local Planning Authority was reluctant to recommend the grant of permanent planning permission unless and until it has been demonstrated that the submitted mitigation strategy was capable of adequately addressing the smoke emissions..

Consequently, application A190302 was granted as a temporary planning permission only, thereby allowing a trial run to take place, which would hopefully establish whether or not the mitigation strategy put forward by the applicants was sufficient to address the excessive smoke emissions previously experienced at the site.

Members of the Development Control Committee agreed with the recommendation of Officers to hold a trial run, and this subsequently took place during November and December, 2020, for a 1 month period.

## **RESULTS OF THE TRIAL PERIOD:**

During the trial run, nine site visits were undertaken by the LPA and four separate visits were made by the Council's Environmental Health Team. The first visit undertaken by the LPA confirmed that the three suspended fans have been installed within the building.

During the LPA's site visits, observations were taken within the site and also at three different positions within the immediate vicinity of the site. For the purpose of this report, boiler / chimney 1 is positioned to the right when viewing the building from the adjacent road, with boiler / chimney 2 positioned to the left. During all visits, Officers noted the date & time, weather conditions, confirmation that the boiler was lit, the fuel source, a description of the emissions and any other relevant observations.

From the 20<sup>th</sup> November, 2020 until the 15<sup>th</sup> December, 2020, boiler / chimney 1 was in operation. This comprised of seven visits in total.

On these days, emissions were generally clear or minimal, with the Officer noting only a slight smell of smoke at the site next to the building or down in the adjoining yard to the south. During these days, there was either no or little wind and the wind direction appeared to be northerly. / north-easterly. The slight exception to this was on the 15<sup>th</sup> December, when wind direction appeared to be south-westerly (i.e. heading towards the caravan), albeit light. During this visit, the Officer did note a slight smell of smoke next to the caravan, however this was not overwhelming.



During the 16<sup>th</sup> and 17<sup>th</sup> December, 2020, boiler / chimney no.2 was lit. During these two days, the Officer noted smoke emissions dispersing towards the caravan, along with the notable presence of smoke in the air next to the caravan, which appeared to vary in strength according to the wind gusts.

As a consequence of the negative observations noted by both the LPA and the applicants during the 16<sup>th</sup> and 17<sup>th</sup> December, boiler / chimney no.2 has purposely been excluded as part of this current application. The applicants have therefore applied only for the retention of boiler / chimney 1, which is the farthest from the caravan.

#### **CONCLUSION:**

Since the trial run, the LPA has been deliberating whether or not a permanent planning permission can be supported here. In conclusion however, it has been concluded that support cannot be forthcoming.

Whilst the Environmental Health Officer notes that the odours noted would fall far below the test for a statutory nuisance, the LPA has concluded that the likely impact upon the residential amenity of the area is likely to be undesirable, particularly to the occupiers of the adjacent caravan. This caravan is located in immediate proximity to the site and the LPA is concerned that south-westerly winds in particular will carry smoke and odours to the site of the caravan. Indeed, on the few days in which the boiler has been operational since the trial run, the LPA has received reports of strong smoke odours from the occupiers of the caravan.

The LPA cannot condone such undesirable and permanent living conditions for the occupiers and therefore the recommendation must be one of refusal.

The consequences upon the business has been considered as part of the deliberations, but this has not led to a different recommendation. The business could easily heat the small office by other means, with the majority of the building such as the workshop area arguably not requiring any heating at all.

It is therefore recommended that the application be refused.

**NAME OF LOCAL MEMBER:** Cllr. Hag Harries (Lampeter Ward)

#### **REASONS GIVEN BY THE LOCAL MEMBER FOR REQUESTING THAT THE APPLICATION BE CONSIDERED BY THE DEVELOPMENT MANAGEMENT COMMITTEE:**

Cllr. Harris has requested that the application be heard by the DM Committee.

#### **RECOMMENDATION:**

**REFUSE PLANNING PERMISSION** on the grounds that the retention of the proposal is likely to result in harm to the residential amenity of the neighbouring residents, contrary to the provisions of Future Wales, Planning Policy Wales and to policies DM06, LU25 & DM22 of the adopted Ceredigion Local Development Plan 2007-2022.

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

At the Development Management Committee meeting on the 8<sup>th</sup> June, 2022, Members resolved to refer the application to the Site Inspection Panel (SIP), in accordance with point 4, 5 and 7 of the Operational Procedure.

The SIP met on Tuesday, 28<sup>th</sup> June, 2022 and comprised of Cllr's Rhodri Davies (Chair), Gethin Davies, Marc Davies, Meirion Davies and Gareth Lloyd. Cllr. Ifan Davies apologised for his inability to attend the meeting.

The applicant was present only to afford access to the building and did not accompany members during their inspection and was not present during their deliberations.

Members thoroughly inspected the site, including the siting of the biomass boilers and the associated flues, along with the location of the log drying kiln and the three internal fans. Members also visited the curtilage of Dolau Bachau (i.e. the adjoining caravan), where particular attention was given to the relationship and proximity between the caravan and the application site. Members also inspected the area towards town, as far as Tŷ Hir.

After the inspection, Members congregated to discuss their findings, where a mixture of views were expressed.

Firstly, Members wished to commend the applicants for working with the LPA during the course of the application, in trying to find suitable mitigation. Members were comforted to hear that the boiler closest to the caravan did not form part of the current application and that the applicants had previously expressed their intention to sell this second boiler. Members also took note that the boiler would only be lit during working hours. Members further noted the importance of the business to the local economy.

In terms of the objections relating to the noise concerns, (which emanates from the log drying kiln), Members suggested the possibility of asking the applicant to erect a noise mitigating panel next to the kiln. However, after further discussion on the matter, Members concluded that because the noise was not significantly loud (particularly when compared with the business activities already being carried out on site) and because the noise was not constant, they considered that the installation of

the panel was not necessary. If allowed to grow, the hedge along the site boundary would serve the same purpose.

In relation to the smoke odours, which was the main concern of Officers, Members acknowledged during the SIP that there were smoke smells present, both at the application site and at the curtilage of the caravan. (The wind appeared to be blowing from a south-westerly direction on the day, so therefore no odours were detected at Tŷ Hir during the inspection). Members were of the view however that the odours were not overwhelming on the day or harmful to such an extent so as to justify the refusal of planning permission on amenity grounds. Members did acknowledge however that different atmospheric conditions could result in worse or better conditions on other days.

One Member suggested the possibility of increasing the height of the chimney to reduce the impact of the odours.

Members also commented that the family who were previously occupying the caravan had now moved elsewhere and that the caravan was now or shortly going to be rented out. They argued that any future occupiers would be aware of the presence of the biomass boilers prior to occupation.

In conclusion, Members formed a consensus that the odours experienced on the day were not harmful enough to justify refusing the application but the Panel also acknowledged that their observations were based only on the conditions experienced on that particular day.