

1. Gohiriwyd/Deferred

| # | Cyfeirnod y Cais / Application Reference | Dyddiad y derbyniwyd / Received Date | Ymgeisydd / Applicant | Bwriad / Proposal | Lleoliad / Location | Argymhelliad / Recommendation |
|---|--|--------------------------------------|-----------------------|--|--|-------------------------------|
| 1 | A220711 | 27-09-2022 | Mr J Ellis-Jones | Full application for residential development comprising 5 x 2-bedroom self-contained apartments | Land adjacent to the Marina, Aberystwyth | Approve Subject to Conditions |
| 2 | A230561 | 02-08-2023 | Mr P Hodgson | Proposed demolition of existing dwelling and proposed new build of dwelling. And all associated works. | The Beach House, Cae Dolwen, Aberporth, Cardigan. SA43 2DE | Approve Subject to Conditions |

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

Y SAFLE A HANES PERTHNASOL

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

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

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

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

MANYLION Y DATBLYGIAD

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

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

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

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

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

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

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

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

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

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

DEDDF CYDRADDOLDEB 2010

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

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

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

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION I'R YMGYNGHORI

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

Ceredigion HPW - Dim gwrthwynebiad, yn ddibynnol ar amodau.

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

Dŵr Cymru - Dim gwrthwynebiad, yn ddibynnol ar amodau.

Draenio Ceredigion - Sylwadau.

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

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

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

CASGLIAD

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

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

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

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

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

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

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

Ni fyddai'r ddarpariaeth tai arfaethedig yn cael ei chyflawni yn gyflymach nag y nodir yn natganiad y Grŵp Anheddiad, ac felly bernir y gellir cyflawni'r datblygiad heb effeithio'n negyddol ar broffil Cymunedol ac Ieithyddol Aberystwyth.

Mae Polisi S05 y CDLI, sy'n ymdrin â Thai Fforddiadwy, yn ei gwneud yn ofynnol i bob datblygiad preswyl ddarparu tai fforddiadwy ar y safle neu gyfrannu tuag at ddarpariaeth tai fforddiadwy. Er bod cais cysylltiedig mewn rhan arall o'r dref yn ceisio darparu'r holl ofynion tai fforddiadwy yn lle'r cynllun hwn, tynnwyd y cais yna yn ôl ac felly, er mwyn cydymffurfio â'r polisi, roedd angen darparu tai fforddiadwy fel rhan o'r cynllun hwn. Mae'r cynnig yn awr yn cynnig un fflat fel uned fforddiadwy ac yn bodloni'r gofyniad tai fforddiadwy i'r graddau bod 20% o'r cynllun arfaethedig yn fforddiadwy gan fodloni polisi S05.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RHESWM AM EI GYFEIRIO I'R PWYLLGOR RHEOLI DATBLYGU:-

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

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

RHESWM DROS OHIRIO:

Penderfynodd aelodau'r Pwyllgor Rheoli Datblygu, yn ei gyfarfod ar 17 Ionawr, 2024 gyfeirio'r cais i'r Panel Ymweld (SIP) yn unol â pharagraff 4 o feini prawf mabwysiedig y Cyngor.

Cyfarfu'r Panel Ymweld ar ddydd Gwener, 2 Chwefror, 2024 ac roedd y Panel yn cynnwys y Cynghorwyr Rhodri Davies (Cadeirydd), Gethin Davies, Ifan Davies, Meirion Davies a Sian Maehrlein. Roedd y Cyng. Endaf Edwards hefyd yn bresennol fel yr aelod ward lleol, ynghyd â Mrs. Catrin Newbold a Mr. Jonathan Eirug o'r Awdurdod Cynllunio Lleol (ACLI).

Cyflwynodd Mr. Eirug y cais ac amlinellodd y rhesymau pam yr oedd swyddogion yr ACLI yn argymhell caniatáu'r cais.

Bu'r aelodau'n archwilio safle'r cais a'r ardal o'i gwmpas, ac wedi hynny gwnaed y prif sylwadau a ganlyn gan y Panel:

- Nododd y Panel safle'r tirlithriad a oedd ar dir i'r de o safle'r cais;
- Nododd y Panel safle ardal amwynder preifat Fflatiau Dewi Sant ynghyd â'r ffenestri ar ochr yr adeilad hwnnw a oedd yn ffenestri eilaidd;
- Nododd y Panel hefyd y man parcio arfaethedig ar gyfer y 5 lle parcio newydd i'r gogledd o'r man troi gan nodi bod y tir dan reolaeth yr ymgeisydd ac nad oedd wedi'i ddynodi'n ffurfiol fel man amwynder ar gyfer adeilad y Lanfa;
- Nododd y Panel hefyd gymeriad yr ardal a dyluniad arfaethedig yr adeilad a oedd yn cydymffurfio â'r strydlun uniongyrchol.

ARGYMHELLIAD:

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

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

THE SITE AND RELEVANT PLANNING HISTORY

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

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

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

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

DETAILS OF DEVELOPMENT

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

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

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

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

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

RELEVANT PLANNING POLICIES AND GUIDANCE

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

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

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

NRW - No objection STC

Ceredigion HPW - No objection STC

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

DC/WW - No objection STC

Ceredigion Drainage - Comments

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

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

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

CONCLUSION

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

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

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

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

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

The total requirement for housing delivery within the Aberystwyth as set out in the LDP is 1877. The latest LDP housing monitoring figures (April 2023) shows that only 647 dwellings have been completed in the Urban Service Centre with extant permission for a further 230 dwellings. Therefore, accounting for demolitions and conversions (-71) there is capacity for a further 1071 dwellings in Aberystwyth. As such, it is considered that the proposals would comply with Policies S01 and S02 of the LDP and the principle of development is accepted.

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

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

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

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

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

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

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

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

The scale and design of the proposed development is considered to be compliant with the built form in the area. Contrary to the previous application, this scheme has seen the building reduced in height by 9.2m and is much more in keeping with the streetscene. Additionally, the use of materials are not detrimental to the character of the immediate area.

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

Vehicular access to the proposed development would be via the access road serving the Lanfa buildings and a total of 5 new car parking spaces will be provided to serve the development which is considered to accord with the adopted parking standards as set out in the SPG of providing between 0.5 and 1 car parking space per apartment. Confirmation has been received that the developer has access to the proposed parking areas and does not impact designated amenity space reserved for the Lanfa buildings.

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

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

A Preliminary Ecological Appraisal including extended habitat survey was carried out which identified that the site was of low ecological value that support few floral species. Notwithstanding, the PEA did recommend mitigation measures and it is suggested that these are conditioned as part of any planning permission.

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

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

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

The councils own technical services department have advised SUDs approval is required and provide details of how to minimize the risk of surface water flooding. It is therefore considered that surface water disposal could be appropriately

managed by way of the SUDs approval process, as such the proposed development is not considered to increase the risk of flooding.

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

REASON FOR REFERRAL TO THE DEVELOPMENT MANAGEMENT COMMITTEE:

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

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

REASON FOR DEFERRAL:

Members of the Development Management Committee, at its meeting on the 17th January, 2024 resolved to refer the application to the Site Inspection Panel (SIP) in accordance with paragraphs 4 of the Council's adopted criteria.

The SIP met on Friday, 2nd February, 2024 and the panel comprised of Cllr's Rhodri Davies (Chair), Gethin Davies, Ifan Davies, Meirion Davies and Sian Maehrlein. Cllr. Endaf Edwards 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 approval of the application.

Members inspected the application site and the surrounding area, after which the following main observations were made by Panel:

- The Panel noted the site of the landslip which was on land to the south of application site;
- The Panel noted the site of the private amenity area of St Davids Flats together with the fenestration on the side of that building which were secondary windows;
- The Panel also noted the proposed parking area for the 5 new parking spaces to the north of the turning head and noted that the land was in the control of the applicant and not formally designated as amenity space for the Lanfa building;
- The Panel also noted the character of the area and proposed design of the building which was in compliance with the immediate street scene.

RECOMMENDATION:

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

1.2. A230561



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

Y SAFLE A HANES PERTHNASOL

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

Hanes cynllunio perthnasol

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

MANYLION Y DATBLYGIAD

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

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

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

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

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

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

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

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

DEDDF CYDRADDOLDEB 2010

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

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

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

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION YMGYNGHORI

Cyngor Cymuned Aberporth - Gwrthwynebiad

Priffyrdd – Dim gwrthwynebiad, yn ddibynol ar amodau

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

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

Cyfoeth Naturiol Cymru – Dim gwrthwynebiad

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

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

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

CASGLIAD

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

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

Egwyddor Datblygu

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

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

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

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

LU08 – Anheddau Newydd yn Lle'r Rhai Presennol

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

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

2. O godi annedd newydd yn lle hen un

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

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

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

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

O ran Maen Prawf 2:

• Lleoliad --

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

• Ffurf, swmp, maint, a graddfa --

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

• Parchu neu wella'r annedd wreiddiol --

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

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

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

Dyluniad ac Effaith Weledol

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

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

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

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

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

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

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

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

Amwynder Preswyl

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

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

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

Ymgynghoreion

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

sicrhau diogelwch ar y ffyrdd.

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

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

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

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

Ymatebion y cyhoedd

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

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

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

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

ARGYMHELLIAD:

Cymeradwyo gydag amodau

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

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

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

Adroddiad y Panel Archwilio Safle

Yn y cyfarfod a gynhaliwyd ar 17 Ionawr 2024, penderfynodd Aelodau'r Pwyllgor Rheoli Datblygu i gyfeirio'r cais at y Panel Archwilio Safle er ystyriaeth yn unol â Pharagraff 4 y meini prawf a fabwysiadwyd gan y Cyngor.

Cyfarfu'r Panel ddydd Gwener, 2 Chwefror 2024 ac ar y panel roedd y Cynghorydd Rhodri Davies (Cadeirydd), y Cynghorydd Ifan Davies (Is-adeirydd), y Cynghorydd Hugh Hughes, y Cynghorydd Sian Mæhrlein a'r Cynghorydd Meirion Davies. Hefyd yn bresennol yr oedd y Cynghorydd Gethin Davies fel yr aelod lleol. Mrs Catrin Newbold, Rheolwr Gwasanaeth – Rheoli Datblygu, a Mrs Sian Holder, Arweinydd Tîm Rheoli Datblygu'r De.

Cyflwynodd Mrs Holder v cais ac esboniodd v prif bryderon a godwvd gan v cynnor cymuned, y trydydd partiön a'r aelod lleol, a'r rhesymau mae'r Awdurdod Cynllunio Lleol yn argymhell y dylid cymeradwyo'r cais.

Archwiliodd v Panel v safle o aefn vr annedd (ochr v traeth) gan edrvch ar v golvafevdd o Heol Pentraeth (ben uchaf v traeth) ac vn aqos o ardd vr eiddo presennol. Roedd vr vmaeisvdd wedi marcio'r tir i ddangoos llinell adeiladu arfaethedig vr annedd newydd, gan gynnwys lleoliad v balconi a'r sgrîn preifatrwydd. Dywedodd Mrs Newbold a Mrs Holder fod y marciau i weld yn cyd-fynd â'r cynlluniau a gyflwynwyd. O ran lleoliad v balconi a'r ffenest fyddai'n rhedeg o'r top i'r gwaelod ar v wal ochr, ystvriodd v panel hyn o safbwynt vr eiddo drws nesaf, sef Camara, gan roi sylw penodol i leoliad ffenestri Camara. Nodwyd v byddai'r ffenest hon vn edrvch vn unionavrchol i mewn i ffenest Camara ac v aellid osqoi hyn drwy barhau â'r wal solet hyd at ddiwedd v wal ochr er mwyn diogelu preifatrwydd vr eiddo cvfaqos. Opsiwn arall a drafodwyd oedd gwvdr aneqlur. Cerddodd v Panel ar hyd v ffin rhwng safle'r cais a Camara, a nodwyd lleoliad arfaethedig yr ochr uchaf a'r ffaith y byddai'n wynebu wal wag Camara.

Archwiliodd v Panel du blaen yr eiddo (yn yr vstâd) ac uchder Camara gan v byddai'r annedd newydd vr un uchder. Hefyd, edrvchodd v Panel ar vr eiddo arall vn vr vstâd a nodwyd bod gan un eiddo yn benodol lawer o wydr yn y tu blaen, er nad oedd yn gyfan gwbl o wydr, ac roedd gan eiddo arall falconi.

Cerddodd v Panel at fynedfa'r vstâd ac ar hyd Rhiw Roff a Heol Pentraeth er mwyn aweld v golvafevdd o'r onal hon. Gorffennodd v Panel drwy edrvch ar vr eiddo eto o Heol Pentraeth (ben uchaf v traeth) gan roi vstvriaeth benodol i uchder a ffenestri'r annedd newydd. Edrvchodd v Panel ar rai eiddo arall yn yr ardal hefyd, gan gynnwys yr eiddo mwy modern ar ochr arall y traeth a'r eiddo mwy a oedd ger safle'r cais.

Cytunodd y Panel eu bod wedi gweld y safle yn ei gyfanrwydd a daethpwyd â'r cyfarfod i ben.

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

THE SITE AND RELEVANT PLANNING HISTORY

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

Relevant Planning History

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

DETAILS OF DEVELOPMENT

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

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

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

RELEVANT PLANNING POLICIES AND GUIDANCE

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

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

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

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

Cyngor Cymuned Aberporth Community Council - Objection

Highways – No Objection STC

Land Drainage – No Objection STC. SuDS Approval required.

Ecology – No Objection STC. HRA Undertaken

Natural Resources Wales – No Objection

Dwr Cymru Welsh Water – Recommended condition relating to Surface Water

14 Letters of Objection received which raised concerns regarding:

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

CONCLUSION

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

Principle of Development

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

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

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

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

LU08 – Replacement of Existing Dwelling

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

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

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

With regards to Criterion 2:

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

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

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

Design and Visual Impact

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

to existing layout patterns.

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

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

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

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

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

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

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

Residential Amenity

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

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

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

Consultees

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

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

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

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

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

Public Responses

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

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

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

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

RECOMMENDATION:

Approve Subject to Conditions

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

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

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

Report of the Site Inspection Panel

Members of the Development Management Committee at its meeting on 17 January 2024, resolved to refer the application to the Site Inspection Panel (SIP) for consideration in accordance with Paragraph 4 of the Council's adopted criteria.

The SIP met on Friday, 2 February 2024 and comprised Cllr Rhodri Davies (Chair), Cllr Ifan Davies (Vice Chair), Cllr Hugh Hughes, Cllr Sian Maehrlein and Cllr Meirion Davies. Also in attendance was Cllr Gethin Davies as the local member, Mrs Catrin Newbold, Service Manager – Development Management and Mrs Sian Holder, Development Management Team Leader South.

Mrs Holder introduced the application and explained the main concerns raised by the community council, third parties and local member, and the reasons that the LPA is recommending that the application is approved.

The Panel inspected the site from the rear of the dwelling (beach side) looking at views from Heol Pentraeth (top of the beach) and also up close from the garden area of the existing property. The applicant had marked out on the ground the proposed building line of the replacement dwelling, including the location of the balcony and the privacy screen. Mrs Newbold and Mrs Holder advised that the markings appear to accord with the submitted plans. The Panel considered the location of the balcony and the strip of glazing that runs from top to bottom on the side elevation in relation to the

neighbouring property of Camara, with particular attention given to the location of the windows of Camara. It was noted that the strip of glazing looks directly into the window of Camara and that this could be avoided by continuing the solid wall to the end of the side elevation to protect the privacy of the neighbouring property. Another option discussed was obscure glazing. The Panel walked along the side boundary of the application site and Camara and noted the location of the proposed upper side elevation and that it would face onto the blank wall of Camara.

The Panel inspected the front of the property (within the estate) and observed the height of Camara as the replacement dwelling would be of the same height. The Panel also observed the other properties on the estate where it was noted that one property in particular had large amount of glazing to its front, although not fully glazed, and that another property had a balcony.

The Panel walked to the entrance of the estate and along Rhiw Rofft and Heol Pentraeth to observe views from this angle. The Panel concluded by observing the property again from Heol Pentraeth (the top of the beach) with particular consideration given to the height and extent of glazing of the replacement dwelling. The Panel also observed some other properties within the area, including the more modern property on the other side of the beach and the larger property adjacent to the application site.

The Panel agreed that they had fully observed the site and the meeting was consequently closed.