

1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A230265	11-04-2023	Mr R Rees (D A Rees Welding)	Proposed rural enterprise dwelling to include alterations to existing field gate entrance and installation of package treatment plant on site of previous dwelling known as 'Ty Newydd'.	Land At Ty Newydd Tregaron, Tregaron, SY25 6LQ	Refuse

1.1. A230265



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

Y SAFLE A HANES PERTHNASOL

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

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

MANYLION Y DATBLYGIAD

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

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

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

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

DM06 Dylunio a Chreu Lle o Safon Uchel

DM13 Systemau Draenio Cynaliadwy

DM14 Cadwraeth Natur a Chysylltedd Ecolegol

DM15 Cadw Bioamrywiaeth Leol

DM17 Y Dirwedd yn Gyffredinol

DM18 Ardaloedd Tirwedd Arbennig

LU09 Aildefnyddio Hen Anheddau/Murddunod

S01 Twf Cynaliadwy

S04 Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)

TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

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

DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn nodi nifer o 'nodweddion gwarchoddedig', sef oed; 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 YR YMGYNGHORI

Cyngor Tref Tregaron - Dim gwrthwynebiad

Ecoleg Ceredigion - Dim gwrthwynebiad, yn ddibynnol ar amodau.

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

Archaeoleg Dyfed - Dim gwrthwynebiad, yn ddibynnol ar amodau.

Dŵr Cymru - Sylwadau

Ceredigion HPW - Dim gwrthwynebiad, yn ddibynnol ar amodau.

Draenio Ceredigion - Sylwadau.

CASGLIAD

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

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

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

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

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

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

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

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

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

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

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

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

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

RHESWM DROS OHIRIO:

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

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

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

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

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

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

Cafodd y cyfarfod SIP ei gau.

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

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

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

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

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

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

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

RHESWM AM ADRODD:-

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

ARGYMHELLIAD:

GWRTHOD y cais.

Application Reference	A230265
Received	11-04-2023
Proposal	Proposed rural enterprise dwelling to include alterations to existing field gate entrance and installation of package treatment plant on site of previous dwelling known as 'Ty Newydd'.
Site Location	Land At Ty Newydd Tregaron, Tregaron, SY25 6LQ
Application Type	Full Planning
Applicant	Mr R Rees (D A Rees Welding), Maesglas Tregaron, Tregaron, SY25 6LQ
Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen Llanrhystud, Aberystwyth, SY23 5ED

THE SITE AND RELEVANT PLANNING HISTORY

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

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

DETAILS OF DEVELOPMENT

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

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

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

RELEVANT PLANNING POLICIES AND GUIDANCE

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

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

DM18 Special Landscape Areas (SLAs)

LU09 The Re-use of Former/Abandoned Dwellings

S01 Sustainable Growth

S04 Development in Linked Settlements and Other Locations

Future Wales: The National Plan 2040

Planning Policy Wales (edition 11, February 2021)

TAN6 Planning for Sustainable Rural Communities (2010)

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

Cyngor Tref Tregaron Town Council - No objection

Ceredigion Ecology - No objection STC

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

Dyfed Archaeology - No objection STC

DC/WW - Comments

Ceredigion HPW - No objection STC

Ceredigion Drainage - Comments

CONCLUSION

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

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

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

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

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

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

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

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

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

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

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

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

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

REASON FOR DEFERRAL:

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

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

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

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

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

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

The SIP meeting was subsequently closed.

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

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

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

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

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

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

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

REASON FOR REPORTING:-

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

RECOMMENDATION:

REFUSE the application.