

1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymheliad / Recommendation
1	A240479	24-06-2024	D I Evans (D I Evans Cyf)	Erection of an office building, retention of storage building, creation of car parking area and associated works.	D.i. Evans Cyf, Gwrthwynt, B4333 Beulah, Newcastle Emlyn, Ceredigion, SA38 9QE	Refuse

1.1. A240479



Rhif y Cais / Application Reference	A240479
Derbyniwyd / Received	24-06-2024
Y Bwriad / Proposal	Codi adeilad ar gyfer swyddfeydd, cadw'r adeilad storio, creu ardal barcio a gwaith cysylltiedig.
Lleoliad Safle / Site Location	D.I. Evans Cyf, Gwrthwynt, B4333 Beulah, Castellnewydd Emlyn, Ceredigion, SA38 9QE
Math o Gais / Application Type	Cynllunio Llawn
Ymgeisydd / Applicant	D I Evans (D I Evans Cyf), Gwrthwynt, Beulah, Castellnewydd Emlyn, Ceredigion, SA38 9QE
Asiant / Agent	Mr Daniel Lintin (JMS Planning and Development), Uned 4, Llawr Isaf, Creuddyn, Heol Pontfaen, Llanbedr Pont Steffan, Ceredigion, SA48 7BN

Y SAFLE A'I HANES PERTHNASOL

Safle busnes D.I Evans, ym mhen gogleddol pentref Beulah, yw safle'r cais. Mae'r safle yn ffinio i'r gogledd, y dwyrain a'r gorllewin â chaeau amaethyddol, gydag anheddau preswyl yn creu llinell o ddatblygiad ar hyd ffordd y pentref tua'r de. Mae'r safle'n ymestyn i tua 1.5ha ac mae nifer o adeiladau ar y safle ar hyn o bryd gan gynnwys adeiladau storio, adeiladau ar gyfer gwaith sortio a 'phortacabinau' ar gyfer staff. Mae'r safle wedi'i osod yn ôl tua 40 metr o'r brif ffordd, y tu cefn i dair annedd a elwir yn Gwrthwynt, Delfryn ac Awelon - mae'r cyntaf a'r trydydd o'r rhain yn berchen i weithredwyr y safle. Mae annedd Delfryn yn berchen i drydydd parti.

Busnes teuluol yw D.I Evans a fu'n darparu gwasanaeth contractio amaethyddol yn wreiddiol ac sydd wedi ehangu i'r sector rheoli gwastraff gan ddarparu ystod o wasanaethau megis llogi sgipiau, gwaredu gwastraff a deunydd ailgylchu, gwagio tanciau carthion, archwilio draeniau a chysylltu pibellau carthffosiaeth. Mae'r safle wedi cael ei ddefnyddio fel canolfan rheoli gwastraff ers 1960. Mae'r busnes yn cyflogi 11 aelod llawn-amser o'r staff a 6 aelod rhan-amser.

Hanes perthnasol y safle o ran Cynllunio

- 980250CL – Tystysgrif Defnydd Cyfreithlon – Codi bloc concriid ac adeiladau wedi'u fframio a'u cladio – **Cymeradwywyd gydag amodau (11/05/1998)**
- 980251CL – Tystysgrif Defnydd Cyfreithlon – Defnyddio fel depo Contractwyr Amaethyddol –**Cymeradwywyd gydag amodau (15/09/1998)**
- A070429 – Cynllunio Llawn - Creu man â chysgod ar gyfer Gorsaf Trosglwyddo Gwastraff –**Cymeradwywyd gydag amodau (10/05/2007)**
- A110437 – Cynllunio Llawn - Creu man â chysgod ar gyfer Gorsaf Trosglwyddo Gwastraff –**Tynnwyd yn ôl (19/07/2011)**
- A110693 – Cynllunio Llawn - Codi estyniad o ffrâm ddr wrth ochr ogledd-ddwyreiniol yr Orsaf Trosglwyddo Gwastraff bresennol – **Cymeradwywyd gydag amodau (11/04/2012)**
- A130034 – Cynllunio Llawn - Newid defnydd er mwyn cynnwys Gorsaf Trosglwyddo Gwastraff (cydgrynhoi yn rhannol ganiatadau a oedd ar waith eisoes), hurio sgipiau a depo storio i gontractwyr, a chadw mynediad a defnydd amaethyddol a chontractol 24 awr, a chynnwys estyniad bychan o'r safle i gysoni ffiniau – **Cymeradwywyd gydag amodau (27/01/2014)**
- A220732 - Adran 73 - Amrywio amod 20 o ganiatâd cynllunio A130034 - newid yr oriau agor i 07:00-18:30 o ddydd Llun i ddydd Sadwrn. **Cymeradwywyd (16-02-2023)**
- A240078 - Cynllunio Llawn - Codi adeilad swyddfeydd, cadw'r adeilad storio, creu ardal barcio a gwaith cysylltiedig. -- **Gwrthodwyd (09-04-2024)**

MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio llawn ar gyfer cael gwared ar y 'portacabinau' a ddefnyddir ar hyn o bryd fel swyddfa'r busnes a chodi adeilad deulawr newydd ar gyfer swyddfeydd, ymestyn y safle i'r de-ddwyrain i ddarparu lle parcio ychwanegol, a symud adeilad storio presennol i'r safle estynedig.

Bydd yr adeilad deulawr newydd arfaethedig ar gyfer y swyddfa wedi'i leoli ar hyd ffin orllewinol y safle, y tu cefn i dŷ Delfryn, yn meddiannu'n rhannol yr un ôl troed â'r adeilad storio unllawr presennol. Byddai'r adeilad arfaethedig yn mesur 15.2m wrth 9.15m, sy'n cyfateb i ôl troed o 135 metr sgwâr, gyda tho ar oleddf gan fesur 6.4m i grib y to. Bydd y waliau isaf yn cael eu rendro gyda llenni dur wedi'u cladio ar yr hanner uchaf. Bydd y to o lenni siment ffibr gyda phaneli solar. Y tu mewn bydd yr adeilad yn darparu derbynfaf, tair swyddfa, toiledau, cegin ac ystafell storio ar y llawr gwaelod ynghyd â dwy ystafell y bwrdd a thair ystafell storio.

Bydd yr adeilad storio unllawr presennol yn cael ei gadw ond caiff ei symud i gornel deheuol y safle a fydd yn cael ei ymestyn, i wneud lle ar gyfer yr adeilad deulawr arfaethedig ar gyfer swyddfeydd.

Bydd estyniad y safle yn mynd tua'r de a bydd yn ymgorffori tir y tu cefn i dŷ 'Awelon' sy'n dod o dan yr un berchnogaeth. Defnyddir y tir i ddarparu 14 o leoedd parcio ceir, a darperir un lle parcio anabl wrth ochr yr adeilad newydd. Bydd coed brodorol newydd yn cael eu plannu ar hyd ffin y de.

Ailgyflwyniad yw'r cais hwn o gais A240078 a wrthodwyd yn Ebrill 2024 am y rhesymau canlynol:

1. *Bernir bod y datblygiad arfaethedig yn cael effaith niweidiol sylweddol ar feddianwyr yr eiddo preswyl cyfagos ac felly nid yw'n cydymffurfio â Pholisi DM06 (Dylunio a Chreu Lle o Safon Uchel) a maen prawf 7 o Gynllun Datblygu Lleol Ceredigion 2007-2022 (mabwysiadwyd 2013).*

Roedd y cais a wrthodwyd wedi ceisio gosod yr un adeilad ar gyfer swyddfeydd, ychydig i'r gogledd-orllewin i gwmpasu hanner ffin gefn Gwrthwynt (o dan reolaeth yr ymgeisydd) a hanner ffin gefn Delfryn (3ydd parti) gyda'r adeilad storio a adleolir yn meddiannu gweddill y gofod y tu cefn i Delfryn. Felly, er y cynigiwyd bod yr adeilad storio a adleolir yn cael ei symud i ffwrdd oddi wrth Delfryn yn llwyr, mae adeilad deulawr y swyddfeydd bellach wedi'i leoli ar hyd y ffin â Delfryn bron yn gyfan gwbl, dim ond 2m yn ôl o'r ffens dolen gadwyn sy'n croesdorri.

POLISIÄU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiäu Cynllunio Cenedlaethol perthnasol

- Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (rhifyn 12, Chwefror 2024)
- TAN5 Cynllunio a chadwraeth natur (2009)
- TAN11 Sŵn (1997)
- TAN12 Dylunio (2016)

Polisiäu Cynllunio Lleol perthnasol

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

- S01 Twf Cynaliadwy
- S04 Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill
- DM03 Teithio Cynaliadwy
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirweddu
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol
- DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd

Canllawiau Cynllunio Atodol a fabwysiadwyd ac sy'n berthnasol:

- Safonau Parcio Cyngor Sir Ceredigion, 2015
- Yr Amgylchedd Adeiledig a Dylunio, 2015
- Cadwraeth Natur, 2015

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae Adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau

amrywiol gan roi sylw dyledus i effaith debygol y swyddogaethau hyn ar droseddau ac anhrefn o fewn ei ardal, ac i wneud popeth y gall yn rhesymol i atal troseddau ac anhrefn. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai cynnydd sylweddol neu annerbyniol mewn troseddau ac anhrefn o ganlyniad i'r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

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

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

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

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION I'R YMGYNGHORI

- **Cyngor Cymuned Beulah** - Cefnogi - "Mae Cyngor Cymuned Beulah yn cefnogi cais D I Evans Cyf i adeiladu swyddfa newydd ac ystafell staff ar gyfer y staff sy'n gweithio yno. Mae'r busnes hwn wedi bod yn gaffaeliad i'r ardal leol gan gyflenwi gwasanaethau hanfodol ers blynyddoedd lawer. Bydd y cais presennol hwn yn diwallu'r gofynion presennol o ran y cyfleusterau a ddisgwylir gan staff sy'n gweithio mewn busnesau tebyg. Ers i'r cais blaenorol gael ei wrthod, mae'r cwmni wedi ailedrych ac wedi newid y cynlluniau a gyflwynwyd, i ddarparu'r hyn y maen nhw'n ei feddwl sy'n gynllun llawer gwell ar gyfer eu hanghenion nhw a rhai eu cymdogion cyfagos. Maent yn hyderus eu bod wedi diwallu anghenion preifatrwydd y cartrefi sy'n amgylchynu eu ffin ac na ddylai fod anawsterau pellach sy'n achosi problemau i'w cymdogion."
- **Priffyrdd** - Dim gwrthwynebiad, yn ddibynnol ar amodau
- **Ecoleg** - Dim gwrthwynebiad, yn ddibynnol ar amodau
- **Draenio Tir** - Mae angen cymeradwyaeth SuDS (System Ddraenio Gynaliadwy). Rhodddwyd cyngor.

I gyd-fynd â'r cais darparwyd llythyr nad yw'n gwrthwynebu a hynny gan y preswylydd yn Delfryn sy'n nodi:

- *"Gan nad oes ffenestri yn fy eiddo sy'n wynebu'r gogledd/dwyrain ac yn edrych dros y busnes, ni fyddai'r adeilad newydd yn cael effaith ar fy amwynder."*
- *"Ar ôl trafod gyda pherchnogion y busnes, ni fydd ei faint yn cael effaith ychwanegol ar fy eiddo, yn wir, rwy'n teimlo y byddai'r cynnig o fudd oherwydd fe fyddai'n darparu rhwystr ychwanegol rhag y gwynt pan fydd hi'n wyntog."*

Gwnaed sylwadau hefyd mewn ymateb i awgrym y Swyddog Achos blaenorol y byddai modd plannu rhes o goed ar hyd y ffin i feddalu'r effaith weledol ac ar amwynder. Fodd bynnag, mae preswylydd Delfryn yn nodi bod ganddo/ganddi alergedd i baill coed ac felly gorau i gyd fyddai osgoi hyn.

Derbyniwyd gwrthwynebiad oddi wrth breswylydd Wionfa (tair annedd i'r de o Delfryn) parthed:

- Gorddatblygu'r safle a chynnydd tebygol yn hyd a lled y gwaith yno
- Effaith sŵn ac arogleuon o'r safle a hynny mewn ardal breswyl
- Bod newid defnydd y tir yn cael effaith andwyol ar bob un o'r pum annedd gerllaw
- Bydd coed yn cymryd blynyddoedd i dyfu i ddarparu sgrin addas
- Pryderon ynghylch dŵr wyneb yn arllwys

Gwnaed sylwadau yn honni bod oriau gweithredu'r safle yn 24 awr a bod anifeiliaid sydd wedi trigo yn cael eu cludo i'r safle neu eu gwaredu ar y safle. Fodd bynnag, gwadwyd hyn gan yr ymgeiswyr sy'n dweud nad ydynt yn gweithredu am 24 awr y dydd ac nad oes ganddynt y trwyddedau angenrheidiol ar gyfer gwaredu ag anifeiliaid sydd wedi trigo. Felly, mae'r materion hyn wedi'u cadw allan o'r crynodeb uchod o ran materion o wrthdaro.

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."

Egwyddor y Datblygiad

Ystyrir bod safle'r cais yn gorwedd o fewn Anheddiad Cyswllt Beulah. Mae Polisi S04 y Cynllun Datblygu Lleol yn cydnabod bod angen rhywfaint o ddatblygu o fewn Anheddiad Cyswllt i ddiwallu anghenion y gymuned. Serch hynny, gan eu bod yn llai cynaliadwy, caniateir datblygu mewn aneddiadau cyswllt dim ond pan fydd hyn yn cwrdd â'r meini prawf a nodir yn y polisi. O ran y cais, ni fyddai'r datblygiad yn arwain at golli gwasanaethau a chyfleusterau o fewn y Ganolfan Gwasanaethau.

Mae'r cais yn nodi y byddai'r swyddfa newydd yn darparu amgylchedd gwaith gwell i'r staff a fydd yn fwy addas i'r diben ac a fyddai hefyd o fudd i ddefnyddwyr o'r cyhoedd wrth iddynt ymweld â'r safle. Nid yw'r cynnig yn cyflwyno busnes newydd ond yn hytrach mae'n darparu llety swyddfa o ansawdd gwell i fusnes sy'n bodoli eisoes, rhywbeth sy'n cael ei gefnogi mewn egwyddor.

O ran yr estyniad i'r safle, er ei fod yn fwy na'r hyn a gynigiwyd gan y cais blaenorol, mae'r ardal estynedig yn dal i fod wedi'i chyfyngu i dir y tu cefn i dŷ presennol Awelon (sydd o dan reolaeth yr ymgeisydd) ac sy'n rhan o ffurf adeiledig y pentref, felly ni fydd ymwithio i'r cefn gwlad agored. Mae effaith yr estyniad ar amwynder yn cael ei drafod isod.

Mae Egwyddor y Datblygiad yn dderbyniol, yn unol â pholisi S04 y Cynllun Datblygu Lleol.

Ei faint, ei Ddyluniad a'i Effaith Weledol ar y Tirwedd

Ystyrir bod maint arfaethedig y datblygiad yn gymesur â safle'r cais a'r busnes, a bydd yn fwy pleserus i'r llygad na'r adeilad presennol sydd ar y safle. Ar ben hynny, nid oes effeithiau gweledol ar y tirwedd o ganlyniad i symud yr adeilad storio presennol i wneud lle ar gyfer adeilad newydd y swyddfeydd.

Mae'r ardal estynedig yn nodedig o ran maint ond ni fernir ei bod yn cael effaith weledol andwyol ar y tirwedd gan nad yw'n ymwithio i gefn gwlad agored a bydd coed newydd yn cael eu plannu ar hyd ffiniau'r de a'r dwyrain. Bydd yn cael ei gweld yng nghyd-destun y busnes sydd ar y safle ar hyn o bryd, a ffurf adeiledig y pentref.

Felly, mae'r datblygiad arfaethedig yn dderbyniol yn unol â Pholisïau DM06 a DM17 y Cynllun Datblygu Lleol sy'n ceisio sicrhau bod datblygu'n digwydd â dyluniad o safon sy'n cyfrannu'n gadarnhaol at ei gyd-destun ac sydd ddim yn cael effaith andwyol sylweddol ar ei amgylchedd yn gyffredinol.

Amwynder Preswylwyr

Mae maen prawf 7 o DM06 yn ceisio diogelu amwynder meddianwyr y tai cyfagos o ran preifatrwydd, sŵn a golygon.

Bydd yr adeilad newydd a gynigir ar gyfer y swyddfeydd yn ymestyn i fod yn ddeulawr a bydd yn llwyr wrth ffin gefn Delfryn, yn ôl gan 2m o'r ffin a rennir. Bydd yr adeilad yn sefyll 2.2m yn dalach wrth y bondo (~ 5.1m) a 2.3m yn dalach wrth ei grib (~ 6.4m) o gymharu â'r adeilad presennol a bydd yn cynnwys 8 ffenest a fydd yn wynebu'r man amwynder y tu cefn i Delfryn gan gwmpasu 4 toiled, dwy ystafell staff, ystafell storio a grisiau.

Fel y nodir uchod, mae Delfryn yn nwylo trydydd parti ac mae'n rhannu ei ffin gefn gyfan gyda safle'r busnes. Ar hyn o bryd, dim ond cyfran fach o ffin gefn yr annedd sy'n ffinio â'r adeilad storio unllawr presennol, felly mae'r datblygiad arfaethedig yn golygu codi adeilad talach ar hyd mwy o ffin gefn yr annedd, ac mae'n cynnig defnydd mwy dwys na storfa syml - hynny yw, swyddfeydd / manau cyfarfod.

Mae'r Awdurdod Cynllunio Lleol o'r farn bod y datblygiad yn annerbyniol oherwydd y niwed y byddai'r adeilad yn ei achosi o ran amwynder, yn bennaf ei effaith ar y preifatrwydd a fwynheir gan ardal amwynder gefn yr annedd yn sgil dwysáu ei ddefnydd a'r ffenestri niferus sy'n wynebu'r annedd. Hefyd yr ymdeimlad o ddatblygiad sy'n tra-arglwyddiaethu yn sgil lleoliad, uchder a lled yr adeilad. O ran y pryder diwethaf, dylid nodi bod yr ardal amwynder y tu cefn i Delfryn yn gorwedd islaw'r safle cyffiniol gan 1m, ac felly bydd uchder yr adeilad yn amlycach eto. Byddai hyn, ym marn yr Awdurdod Cynllunio Lleol, yn arwain at niwed annerbyniol i amwynder.

Fel y nodir yn yr adroddiad hwn, ailgyflwyno cais cynharach A240078 a wneir gyda'r cais hwn, a gwrthodwyd hwnnw yn Ebrill 2024 ar sail y niwed i amwynder, yn groes i Faen Prawf 7 o bolisi DM06. Ym marn yr Awdurdod Cynllunio Lleol, er darparu byffer o 2m o'r ffin, mae'r gwelliannau a gynigir yn y cais hwn wedi - mewn gwirionedd - gwaethygu'r niwed posib i amwynder annedd Delfryn yn sgil ail-leoli'r adeilad i gwmpasu bron y cyfan o'r cwrtail cefn. Yn dilyn cyfarfod safle gyda'r asiant a'r ymgeisydd, mae'r Awdurdod Cynllunio Lleol yn glynu wrth y farn hon ac yn barnu bod y cynnig yn annerbyniol.

Mae cyfyngiadau / gofynion yr ymgeiswyr o ran golygon dros y safle, diogelwch a mynedfa/allanfa i gerbydau mawr yn cael

eu cydnabod, ond nid yw'r Awdurdod Cynllunio Lleol o'r farn mai'r lleoliad a gynigir ar gyfer yr adeilad yw'r unig opsiwn ar gyfer adeilad o'r fath – yn wir, y lleoliad a ddewiswyd yw'r unig leoliad ar y safle cyfan sy'n ffinio â thir trydydd parti. Ar y sail hon, mae'r Awdurdod Cynllunio Lleol o'r farn bod cyfleoedd dyls i ddarparu'r adeilad mewn mannau eraill ar y safle a hynny heb effeithio ar drydydd parti i'r un graddau – gan gynnwys yn lle'r swyddfeydd presennol yn y portacabinau sy'n sefyll yng nghanol y safle ac sy'n mynd i gael eu symud, beth bynnag, yn ôl y cynnig.

O ran ehangu'r safle, mae eiddo Awelon yn dod o dan yr un berchnogaeth a bydd yn parhau i gael gardd fawr. Byddai'r adeilad a adleolir a'r maes parcio ceir yn ddigon pell i ffwrdd o'r eiddo fel na fydd yn cael effaith niweidiol sylweddol ar ei amwynder. Byddai'r gwaith tirlunio a gynigir hefyd yn helpu i sgrinio rhan o'r datblygiad.

O ystyried agosrwydd yr adeilad a'r gweithgarwch cysylltiedig i'r tai cyfagos, ystyrir bod angen gosod amod sy'n cyfyngu ar y defnydd a wneir o'r adeiladau yn y cais h.y. adeilad swyddfa, adeilad storio, a maes parcio ceir, er mwyn amddiffyn eu hamwynder nhw ac eraill yn y cyffiniau. Byddai oriau gweithredol y safle yn sefyll fel y'u caniateir ar hyn o bryd.

I gloi, er bod y safle presennol eisoes yn cael effaith ar amwynder Delfryn, ystyrir bod darparu adeilad deulawr sy'n cynnwys ffenestri niferus a hynny bron yn union wrth ffin gefn yr eiddo yn amharu ar breifatrwydd ac ehangder yr annedd i raddau sy'n annerbyniol. O ganlyniad, nid yw'r cynnig yn cydymffurfio â Maen Prawf 7 o Bolisi DM06 y Cynllun Datblygu Lleol.

Cydnabyddir sylwadau'r un sy'n byw yn Delfryn, fodd bynnag, nid yw'r ffaith nad oes ffenestri yn yr annedd sy'n wynebu'r gogledd yn lleihau'r effaith ar ei amwynder cyffredinol fel tŷ preswyl, ac nid yw amwynder yn gyfyngedig i'r mannau y tu mewn. Dylai cwrtill unrhyw annedd ddarparu gofod gwerthfawr a defnyddiol yn yr awyr agored er lles preswylwyr presennol yr annedd a'r rhai a ddaw yn y dyfodol, am byth. Yn yr achos hwn, mae'r Awdurdod Cynllunio Lleol o'r farn y byddai'r datblygiad arfaethedig yn niweidio'n sylweddol amwynder bwy bynnag sy'n preswyllo yn Delfryn.

Nid yw'r sylwadau a wnaed parthed bod yr adeilad yn mynd i weithredu fel rhwystr rhag y gwynt yn cael eu hystyried yn ystyriaethau cynllunio perthnasol.

Priffyrdd

Nid yw'r datblygiad arfaethedig yn dwysáu'r busnes presennol ar y safle, ac nid yw ychwaith yn arwain at gynyddu nifer y staff. Nid yw'r fynedfa bresennol ar y Ffordd Sirol yn newid. Mae'r cynnig yn darparu lleoedd parcio ffurfiol ynghyd â lleoedd parcio ychwanegol. Nid yw'r awdurdod priffyrdd lleol wedi gwrthwynebu, yn ddibynol ar amodau parthed dŵr wyneb a bod y mannau parcio ceir yn cael eu darparu cyn i'r datblygiad gael ei ddefnyddio gyntaf. Felly ni fydd y cynnig yn cael effaith niweidiol ar faterion sy'n ymwneud â'r priffyrdd.

Mae Polisi 12 - Cysylltedd Rhanbarthol 'Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040' yn nodi, lley darperir lleoedd parcio ceir ar gyfer datblygiad di-breswyl, dylai awdurdodau cynllunio geisio sicrhau bod gan o leiaf 10% o leoedd parcio ceir fannau gwefru cerbydau trydan. Dylai'r datblygiad felly ddarparu o leiaf 1 man gwefru cerbydau trydan, y gellir ei sicrhau drwy amod cynllunio wedi'i eirio'n briodol.

Safleoedd Gwarchoddedig

Saif y safle yn nalgylch Ardal Cadwraeth Arbennig Afon Teifi sy'n methu â chyrraedd ei dargedau ar gyfer ffosffadau. Mae'r cynnig wedi cael ei sgrinio fel un nad yw'n debygol o gael effaith sylweddol ar Afon Teifi yn sgil fwy o ffosffadau, yn unol â'r "Cyngor i awdurdodau cynllunio ar gyfer ceisiadau cynllunio sy'n effeithio ar afonydd mewn Ardaloedd Cadwraeth Arbennig sy'n sensitif i ffosfforws" gan Gyfoeth Naturiol Cymru, fersiwn 4, diweddarwyd ym Mehefin 2024. Ni fydd cynnydd mewn ffosffad yn sgil y datblygiad hwn ac nid yw'n debygol o gael effaith sylweddol ar Ardal Cadwraeth Arbennig Afon Teifi.

Rhywogaethau a warchodir

Ni chyflwynwyd asesiad ecolegol gyda'r cais hwn. Casglwyd gwybodaeth o'r Datganiad Seilwaith Gwyrdd, cofnodion lleol a delweddau lloeren. Mae'r safle'n cynnwys adeiladau a llawr caled a bydd angen cael gwared ar ddarn o berth Leylandii a rhan fach o'r lawnt sydd yno. Ni fydd unrhyw goed a nodir i'w symud yn cael eu symud yn ystod tymor nythu'r adar - rhwng 1 Mawrth a 31 Awst, oni bai bod cadarnhad ysgrifenedig gan ecolegydd cymwys yn cael ei gyflwyno i'r awdurdod cynllunio lleol yn nodi bod arolwg wedi'i gynnal ac wedi canfod na fyddai adar magu, eu cywion, nythod nac wyau yn cael eu tarfu gan y gwaith sydd i'w wneud. Os canfyddir adar magu, eu cywion neu'u hwyau, ni ellir gwneud gwaith hyd nes bod y tymor nythu wedi dod i ben neu hyd nes eu bod wedi gadael y nyth ac nad oes tystiolaeth eu bod yn dychwelyd.

Yn unol â'r diweddariadau i Bolisi Cynllunio Cymru 12 Pennod 6, dylid plannu coed er mwyn digolledu ar gymhareb o dair coeden am bob coeden a gollir, fodd bynnag, nodir mai rhywogaethau brodorol yw'r coed y cynigir eu plannu a bydd hyn yn darparu gwelliant. Felly derbynnir y bydd y gymhareb yn llai er mwyn caniatáu i'r coed fwrw gwreiddiau yn llwyr.

Nid oes cynlluniau goleuo wedi'u cyflwyno gyda'r cais. Os bydd angen goleuadau allanol ar y datblygiad arfaethedig bydd angen eu hystyried yn ofalus a bydd angen nodi mesurau i leihau'r effaith ar fywyd gwylt y nos wrth iddynt symud a thwrio am fwyd yn yr ardal.

Gellir sicrhau'r rhain drwy amodau cynllunio.

Asesiadau Seilwaith Gwyrdd

Mae'r safle yn ei gyfanrwydd yn ymestyn i tua 1.5 hectar ac mae nifer o adeiladau ar y safle ar hyn o bryd, gan gynnwys adeiladau storio, adeiladau'r cyfleuster sortio a 'phortacabinau' ar gyfer y staff. Mae'r safle yn ffinio â chaeau amaethyddol tua'r Gogledd. I'r de, mae rhes o anheddau preswyl wedi'u lleoli ac mae ochr orllewinol safle'r cais yn ffinio â'r B4333, sy'n rhoi mynediad i'r safle, ac mae gwelededd da i'r ddau gyfeiriad. Mae'r rhan fwyaf o safle'r cais yn dir llwyd sydd wedi ei osod â choncrit a tharmacadam.

Mae'r ffiniau i'r safle yn cynnwys perthi a choed eisoes, a chedwir pob perth, fodd bynnag bydd y coed ar ffin y De yn cael eu symud i wneud lle i'r maes parcio ceir. Er mwyn lliniaru unrhyw effaith negyddol bosib, bydd y cynnig yn cynnwys cyflwyno rhywogaethau o goed brodorol y bernir eu bod yn welliant o ystyried nad yw'r coed Leylandii presennol yn frodorol. Mae cynllun arfaethedig y bloc yn tynnu sylw at amrywiaeth o rywogaethau brodorol a fydd yn cael eu plannu ar ffin ddeheuol estynedig y safle. Gellir sicrhau hyn drwy amod cynllunio.

Mantais net o ran Bioamrywiaeth

Yn unol ag Adran 1 o Ddeddf yr Amgylchedd (Cymru) 2016 a Phennod 6 o Bolisi Cynllunio Cymru, rhaid i awdurdodau cynllunio geisio cynnal a gwella bioamrywiaeth wrth arfer eu swyddogaethau, gan gynnwys drwy'r broses cynllunio. Ni ddylai datblygiadau achosi colled sylweddol yn lleol o ran cynefinoedd neu boblogaethau rhywogaethau a rhaid iddynt ddarparu budd net o ran bioamrywiaeth. Hefyd gwella neu hwyluso gwytnwch ecosystemau drwy eu bod yn cynnwys gwelliannau ecolegol. Bydd gosod blwch nythu adar ar adeilad newydd y swyddfeydd a phlannu coed brodorol ar y safle yn helpu i sicrhau bod y datblygiad yn cyflawni ei ddyletswydd i hybu bioamrywiaeth yn unol â pholisïau DM06, DM14 a DM15 y Cynllun Datblygu Lleol ac yn unol â chanllawiau Cyfarwyddiaeth Gynllunio Llywodraeth Cymru - ar 11/10/2023 - ar fantais net o ran Bioamrywiaeth.

Draenio Tir

Bydd angen cymeradwyaeth SuDS oddi wrth Gorff Cymeradwyo'r Cyngor ar Systemau Draenio Cynaliadwy a gellir ymdrin â dŵr wyneb drwy'r broses hon.

Mae dŵr brwnt yn draenio i'r garthffos gyhoeddus ar hyn o bryd ac ni fydd hyn yn newid fel rhan o'r cais hwn.

ARGYMHELLIAD:

Argymhellir **gwrthod** y cais am y rheswm canlynol:

1. Oherwydd ei leoliad, ei faint a'i ddyluniad, bernir bod yr adeilad a gynigir ar gyfer swyddfeydd yn peri niwed annerbyniol i amwynder yr annedd sy'n dwyn yr enw Delfryn a hynny yn groes i Faen Prawf 7 o bolisi DM06 y Cynllun Datblygu Lleol.

MAE'R CAIS WEDI'I GYFEIRIO I'R PWYLLGOR RHEOLI DATBLYGU AR GAIS Y CYNGHORYDD CHRIS JAMES AM Y RHESYMAU CANLYNOL:

Mae'r safle yn un pwysig iawn i brosesau triniaethau amgylcheddol yr ardal ac mae'n braf cael gweld y cwmni bodlon buddsoddi yn y busnes er mwyn trefn effeithlonedd trefniadau'r busnes nawr ac yn y dyfodol.

Mae'r safle wedi gweithredu ar faterion amgylcheddol ers degawdau ac wedi dod ymlaen yn dda iawn gyda'u cymdogion yn ystod y cyfnod. Mae'r ymgeiswyr yn awyddus iawn i gadw'r berthynas dda hon gyda'r cymdogion ac wedi gwneud pob ymdrech i lunio'r cynllun fel bod yna ddim effaith andwyol ar y cymdogion. Yn wir does ddim gwrthwynebiad wedi dod o'r bobol sy'n ffinio gyda'r datblygiad arfaethedig.

Mae'r cynllun hefyd yn gorfod ystyried anghenion gweithredu y safle, sy'n hanfodol i lwyddiant y busnes:

- *Ile i loriau artic dod i mewn a throi yn ddiogel,*
- *angen golwg uniongyrchol o'r bont bwysu mewn unrhyw swyddfa orffenedig.*

Mae'r ymgeiswyr wedi cael trafodaethau gyda swyddogion cynllunio'r Sir ac wedi ceisio addasu yn ôl eu trafodaethau.

Serch yr addasiadau mae'r cwmni'n teimlo nad yw'n ymarferol i newid mwy ar y cynllun neu fe fydd yn anymarferol. Mae'r broses wedi cyrraedd y man lle taw mater o farn gwahanol sydd mwyach yn atal y datblygiad rhag mynd yn ei flaen.

Dwi'n teimlo bod yr achos yn haeddu gwrandawriad o flaen y pwyllgor rheoli datblygiadau, bydd hwn yn gyfle i chi'r swyddogion i leisio'ch pryderon ac i'r cynghorwyr etholedig democrataidd liwio eu barn.

RHESWM DROS OHIRIO:

Penderfynodd y Pwyllgor Rheoli Datblygu yn ei gyfarfod ar 9 Hydref 2024 gyfeirio'r cais i'r Pwyllgor Safle yn unol â Pharagraff 4 o feini prawf mabwysiedig y Cyngor.

Cyfarfu'r y Pwyllgor Safle ar Ddydd Iau 24ain Hydref ac roedd y panel yn cynnwys y Cynghorwyr Ifan Davies (Cadeirydd), Gareth Lloyd, Gethin Davies, Sian Maehrlein, a Marc Davies. Hefyd yn bresennol roedd y Cyng Chris James (mewn swyddogaeth arswyl fel Aelod Ward Lleol) a Mrs Catrin Newbold a Mr Owain Evans o'r Awdurdod Cynllunio Lleol (ACLI). Derbyniwyd ymddiheuriadau gan y Cyng Amanda Edwards fel cyd-Aelod Ward am ei hanallu i fod yn bresennol.

Cyflwynodd Mr Evans y cais ac amlinellodd y rhesymau pam yr oedd swyddogion yn argymhell gwrthod y cais ar y sail y byddai'r datblygiad arfaethedig yn achosi niwed annerbyniol i fwynderau'r annedd a elwir Delfryn oherwydd ei faint a'i leoliad o fewn y safle.

Archwiliwyd y safle ar gyfer y datblygiad arfaethedig gan yr aelodau gan nodi graddfa a lleoliad yr adeilad arfaethedig o gymharu â'r adeilad presennol ar y safle.

Nododd y Panel y canlynol:

- Nid oes gan Delfryn unrhyw ffenestri sy'n wynebu safle'r cais
- Gallai'r adeilad arfaethedig weithredu fel sgrîn gwynt i Ddelfryn
- Nid yw perchennog presennol Delfryn wedi gwrthwynebu
- Byddai unrhyw brynwr y tŷ yn y dyfodol yn ymwybodol o'r adeilad pe bai'n cael ei gymeradwyo
- Mae'r tŷ drws nesaf 'Awelon' yn nes at Delfryn na'r adeilad arfaethedig
- Byddai iechyd a diogelwch ymwelwyr â'r safle yn elwa o leoliad yn agosach at y brif fynedfa

Gofynnodd y Panel i'r Swyddogion trafod y pwyntiau canlynol gyda'r ymgeisydd:

1. A ellid gosod yr adeilad yn is o fewn y safle i gyd-fynd ag ardal y brif iard a lleihau ei uchder cyffredinol
2. A ellid defnyddio gwydr cymylog ar y ffenestri llawr cyntaf sy'n wynebu'r cefn
3. Am ba resymau y diystyrwyd lleoliadau eraill o fewn y safle
4. A fyddent yn fodlon ail-leoli'r adeilad i'r hyn a gynigiwyd yn flaenorol, i hanner ffiniau priodol Delfryn a Gwrthwynt

Daeth y cyfarfod i ben wedi hynny.

Darparwyd rhagor o wybodaeth a chynlluniau ategol ar ddydd Gwener 25ain a dydd Iau 31ain Hydref i gadarnhau / darlunio'r canlynol:

1. Mae lefel daear yr adeilad wedi ei ostwng gan 850mm i fod yn wastad gyda'r brif iard
2. Mae gwydr pob ffenestr sy'n wynebu'r cefn wedi'u cymylu
3. Cafodd lleoliadau eraill o fewn y safle eu diystyru am y rhesymau a ganlyn:
 - **Diogelwch Trafnidiaeth** -- Er budd symudedd lorïau HGV o fewn y safle
 - **Diogelwch Pobl** -- Mae'r lleoliad a dyluniad arfaethedig yn darparu'r amgylchedd gwaith gorau i weithwyr, cwsmeriaid ac ymwelwyr
 - **Diogelwch Gweithredol** -- Sicrhâd o linellau gweld i'r bont bwysu a'r rhan fwyaf o weithrediadau ar yr iard. Hefyd yn caniatáu i weithrediadau'r busnes gael eu cynnal yn ystod y gwaith adeiladu (os caiff ei gymeradwyo)
 - **Ystyried Cymdogion** -- Maent wedi ymrwymo i ddarparu gofod o 2m o'r ffin, sy'n fwy na'r adeilad presennol. Hefyd yn darparu sgrîn i Ddelfryn rhag gweithrediadau'r safle
 - **Ffactorau Amgylcheddol** -- Mae'r lleoliad arfaethedig yn caniatáu aildefnyddio'r adeilad presennol, cynnal allbynnau, a lleihau aflonyddwch i greu adeilad a fydd yn gwella effeithlonrwydd ynni
4. Ni fyddai'r lleoliad blaenorol yn bosibl am y rhesymau ag amlinellwyd ym Mhwynt 3 ynghylch diogelwch trafndiaeth

Rhif y Cais / Application Reference	A240479
Derbyniwyd / Received	24-06-2024
Y Bwriad / Proposal	Erection of an office building, retention of storage building, creation of car parking area and associated works.
Lleoliad Safle / Site Location	D.i. Evans Cyf, Gwrthwynt, B4333 Beulah, Newcastle Emlyn, Ceredigion, SA38 9QE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	D I Evans (D I Evans Cyf), Gwrthwynt, Beulah, Newcastle Emlyn, Ceredigion, SA38 9QE
Asiant / Agent	Mr Daniel Lintin (JMS Planning and Development), Unit 4 Lower Ground Floor, Creuddyn Pontfaen Road, Lampeter, Ceredigion, SA48 7BN

THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to the business known as D.I Evans which is located at the northern end of the village of Beulah. The site is bound to the north, east and west by agricultural fields, with residential dwellings forming a linear form of development along the village road to the south. The site extends to some 1.5ha with numerous buildings currently on site, including storage buildings, sorting facility buildings and 'portacabins' for staff. The site is set back approx. 40 metres from the main road located to the rear of three dwellings known as Gwrthwynt, Delfryn, and Awelon -- the first and third of which fall under the ownership of the site operators. The dwelling of Delfryn is owned by a third-party.

D.I Evans is a family operated business, originally providing service as an agricultural contractors who have expanded to the waste management sector providing a range of services such as skip hire, waste disposal and recycling, septic tank emptying, drain surveys and sewer connections. The site has been utilised as a waste management centre since 1960. The business employs 11 full time staff members and 6 part time staff members.

Relevant Planning History

- 980250CL – Certificate of Lawful Use – Erection of concrete block and framed and clad buildings –**Approved STC (11/05/1998)**
- 980251CL – Certificate of Lawful Use – Use as Agricultural Contractors Depot –**Approved STC (15/09/1998)**
- A070429 – Full Planning - Formation of covered area for waste transfer station –**Approved STC (10/05/2007)**
- A110437 – Full Planning - Covered area for Waste Transfer Station –**Withdrawn (19/07/2011)**
- A110693 – Full Planning - Erection of steel portal frame extension attached to NE elevation of existing Waste Transfer building – **Approved STC (11/04/2012)**
- A130034 – Full Planning - Change of use to include waste transfer station (in part consolidation of existing subsisting permissions), skip hire and contractors storage depot whilst retaining 24 hours agricultural and contractors access and use, and to include a minor extension of the site to reconcile boundaries – **Approved STC (27/01/2014)**
- A220732 - Section 73 - Variation of condition 20 of planning permission A130034 - amend the opening times to 07:00-18:30 Monday to Saturday. **Approved (16-02-2023)**
- A240078 - Full Planning - Erection of an office building, retention of storage building, creation of car parking area and associated works -- **Refused (09-04-2024)**

DETAILS OF DEVELOPMENT

The application seeks full planning permission for the removal of the existing 'portacabins' currently used as the business office and the erection of a new 2 storey office building, the extension of the site to the south-east to provide additional car parking, and the relocation of an existing storage building into the extended site area.

The proposed new two-storey office building will be located along the western boundary of the site to the rear of the property of Delfryn, partially occupying the same footprint as the existing single storey storage building. The proposed building would measure 15.2m by 9.15m, equating to a footprint of 135sq.m, with a pitched roof, measuring ~6.4m to ridge. The lower walls will be rendered with steel clad sheets to top half. The roof will be fibre cement sheets with solar panels. Internally, the building will provide a reception area, 3no offices, WC facilities, kitchen and a storage room on ground floor with 2 boardrooms and 3 storage rooms.

The existing single storey storage building will be retained but moved to the southern corner of the to-be-extended site to

make way for the proposed two-storey office building.

The extension of the site will be to the south, and will incorporate land to the rear of the property known as 'Awelon' which falls under the same ownership. The land will be used to provide 14 car parking spaces, and one disabled parking space is to be provided to the side of the new building. New native trees will be planted along the south boundary.

The application is a resubmission of A240078 refused in April 2024 for the following reasons:

1. *The proposed development is considered to have a significant harmful impact on the occupiers of the neighbouring residential property, and thus fails to comply with Policy DM06 (High Quality Design and Placemaking, criterion 7 of the Ceredigion Local Development Plan 2007-2022 (adopted 2013)).*

The refused application sought the placement of the same proposed office building, sited marginally to the north-west to cover half the rear boundary of Gwrthwynt (under applicant control) and half the rear boundary of Delfryn (3rd party) with the relocated storage building occupying the remainder of the space to the rear of Delfryn. Thus, while the relocated storage building has been proposed to be moved away from Delfryn entirely, the two-storey office building has in fact now been sited across the near-entirety of the boundary with Delfryn, offset by only 2m from the intersecting chain link fence.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

- Future Wales: The National Plan 2040
- Planning Policy Wales (Edition 12, February 2024)
- TAN5 Nature Conservation and Planning (2009)
- TAN11 Noise (1997)
- TAN12 Design (2016)

Relevant Local Planning Policy

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

- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- DM03 Sustainable Travel
- DM06 High Quality Design and Placemaking
- DM10 Design and Landscaping
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape
- DM20 Protection of Trees| Hedgerows and Woodlands

Relevant adopted Supplementary Planning Guidances (SPG):

- CCC Parking Standards SPG 2015
- Built Environment and Design SPG 2015
- Nature Conservation SPG 2015

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

to advancing equality involves:

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

- **Cyngor Cymuned Beulah Community Council** - Support - *"Beulah Community Council support the application from D I Evans Ltd to build a new office and staffroom for the staff working there. This business has been an asset to the local area, providing vital services for many years. This current application is to meet current expectations of facilities expected by staff working in similar businesses. Since the previous application was refused, the company have looked again, and have changed the plans submitted, to provide what they think is a much better plan for their needs, and that of their immediate neighbours. They are confident that they have met the privacy needs of any homes surrounding their boundary, and that there should not be any further difficulties causing problems for their neighbours."*
- **Highways** - No objection subject to conditions
- **Ecology** - No objection subject to conditions
- **Land Drainage** - SuDS Approval required. Advice provided

Accompanying the application, a letter of no objection has been provided from the resident of Delfryn, stating:

- *"As my property has no windows facing north/east, overlooking the business, the new building will have no impact on my amenities"*
- *"Having discussed...with the business owners the size will have no additional impact on my property, in fact I feel the proposal will be of benefit as it will provide an additional barrier when it's windy"*

Comments were also made in response to suggestions made by the previous Case Officer that a planted tree-line boundary could be provided to soften the visual and amenity impact -- however, the resident of Delfryn states that they are allergic to tree pollen and thus this would not be preferable.

Objections were received from the resident of Wionfa (three dwellings to the south of Delfryn) in respect of:

- Overdevelopment of the site and likely increase to the scale of operation
- Impact of noise and odours from the site within a residential area
- Change of use of land adversely impacts all five nearby dwellings
- Trees will take years to grow to provide suitable screening
- Concerns over surface water run-off

Comments were made claiming the site's operating hours to be 24-hour and that fallen animals are transported to / disposed at the site -- however, this has been refuted by the applicants, who state they do not operate 24-hours a day and neither possess the necessary licences for the disposing of fallen animals. These matters have therefore been excluded from the above summary in respect of these matters of conflict.

CONCLUSION

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

Principle of Development

The application site is considered to lie within the Linked Settlement (LS) of Beulah. LDP Policy S04 recognises that a degree of development is required within LS to meet the needs of existing communities. However, as they are less sustainable, development will only be permitted where it meets with the criteria set out by the policy. In terms of the proposal, the development would not result in the loss of services and facilities within the Service Centre.

The application states that the new office would provide staff with an enhanced working environment which is more fit for purpose and would also be beneficial for public users when visiting the site. The proposal does not introduce a new business, but instead provides better quality office accommodation to an existing business, which is supported in principle.

With regard to the extension to the site -- while larger than that proposed by the previous application, the extended area remains confined within land to the rear of the existing property known as Awelon (under applicant control) which forms part of the substantive built form of the village, therefore there will be no incursion into the open countryside. The amenity impact of such extension shall be discussed below.

The principle of development is therefore acceptable, in accordance with LDP Policy S04.

Scale, Design and Visual Impact on Landscape

The proposed scale of development is considered to be commensurate with the application site and the business, and will be more aesthetically pleasing than the existing building on site. Furthermore, there are no visual impacts on the landscape as a result of shifting the existing storage building to make room for the new office building.

The extended area is notable in scale, though not considered to result in any adverse visual impact on the landscape as it does not result in the incursion into the open countryside, and new trees will be planted along the south and east boundaries. It will be read in the context of the existing business on site and the built form of the village.

The proposed development is therefore acceptable in accordance with LDP Policies DM06 and DM17, which seeks to ensure that development is of a high quality design that contributes positively to its context and has no significant adverse effect on the general environment.

Residential Amenity

Criterion 7 of DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook.

The proposed replacement office building will extend to two-storeys and be positioned entirely at the rear boundary of Delfryn, offset by 2m to the shared boundary. The building will stand ~2.2m taller at its eaves (~5.1m) and ~2.3m taller at its ridge (~6.4m) in comparison to the existing building and feature 8No windows that will face the rear amenity area of Delfryn, serving 4No WCs, 2No staff rooms, a store room and staircase.

As outlined previously, Delfryn falls under third party ownership and shares its entire rear boundary with business premises. Currently, only a small portion of the dwelling's rear boundary adjoins the existing single-storey storage building, thus the proposed development sees the erection of a taller building at a greater majority of the dwelling's rear boundary, and proposes a more intensive use than that of simply storage i.e. office / meeting spaces.

The Local Planning Authority deems the development to be unacceptable on account of the amenity harm that the building would cause, primarily its impact to the privacy enjoyed by the dwelling's rear amenity area due to the intensification of its use and numerous windows facing the dwelling, and the sense of overbearing development due to the siting, height and width of the building. With regards to the latter concern, it should be noted that the rear amenity area of Delfryn lies below that of the adjoining site by ~1m, and thus the height of the building is further accentuated and would, in the view of the LPA, result in unacceptable amenity harm.

As is noted in this report, the current application is a resubmission of an earlier application submitted under A240078 and refused in April 2024 on grounds of amenity harm, contrary to Criterion 7 of DM06. In the LPA's view, despite the provision of a 2m buffer from the boundary, the amendments proposed within this application have in fact worsened the potential amenity harm to the dwelling of Delfryn due to the re-siting of the building to cover the near entirety of its rear curtilage. Following a site meeting with the agent and applicant, the LPA maintain this position and view the proposal as being unacceptable.

The applicants' stated site constraints / requirements relating to required lines of sight across the premises, security, and access / egress of large vehicles are acknowledged, however the LPA does not consider that the proposed siting of the building is the only option for such a building -- indeed, the chosen siting is the only location within the entire site which adjoins third party land. On this basis, the LPA considers there to be viable opportunities elsewhere within the site for the provision of the building that would not impact upon a third party to such a degree -- including, in place of the existing portacabin offices at the centre of the site, which are proposed for removal in any case.

With regard to the enlargement of the site, the property of Awelon falls under the same ownership and would continue to retain a large garden area. The relocated building and car parking area would be at a sufficient distance away from the property so not to have a significant adverse impact on its amenity. The proposed landscaping would also help to screen part of the development.

Given the proximity of the building and associated site activities to the neighbouring properties it is considered necessary to impose a condition restricting the use of the buildings as applied for i.e. office building, storage building, and car parking area, in the interest of protecting their amenity and others in immediate proximity. The operational hours of the site would remain as is permitted currently.

In conclusion, whilst the existing site already has an impact on the amenity of the Delfryn, it is considered that the provision of a two-storey building featuring numerous windows to the near-immediate rear boundary of the property presents detriment to the privacy and sense of space enjoyed by the dwelling to an unacceptable degree. As a result, the proposal fails to comply with Criterion 7 of LDP Policy DM06.

The comments of the occupier of Delfryn are acknowledged, however the fact that the dwelling does not have north-facing windows does not lessen the perceived impact to the overall residential amenity, which is not only constrained to internal spaces. The curtilage of any dwelling should provide valuable and useful outdoor space for the wellbeing benefit of present and future occupiers in perpetuity -- in this case, the LPA considers that the proposed development would result in significant detriment to the amenities of any occupier of Delfryn.

Comments made in respect of the building acting as a wind shield are not considered to be material planning considerations.

Highways

The proposed development does not intensify the existing business on site, and does also not lead to an increase in staff. The existing access with the County Road is unaltered. The proposal provides formal car parking spaces along with additional parking spaces. The local highway authority has raised no objections subject to conditions relating to surface water and that the car parking spaces are provided prior to the development being first brought into use. The proposal will therefore have no adverse impact on highway related matters.

Policy 12 - Regional Connectivity of 'Future Wales: The National Plan 2040' states that where car parking is provided for new non-residential development, planning authorities should seek a minimum of 10% of car parking spaces to have electric vehicle (EV) charging points. The development should therefore provide at least 1 EV charging point, which may be secured by appropriately worded planning condition.

Protected Sites

The site is located within the Afon Teifi Special Conservation Area catchment which is failing in its targets for phosphates. The proposal has been screened out as not likely to have a significant effect on the Afon Teifi from increased phosphates in accordance with Natural Resources Wales "Advice to planning authorities for planning applications affecting phosphorus sensitive river Special Areas of Conservation" Version 4 Updated June 2024. There will be no increase in phosphate from this development and no likely significant effect on the Afon Teifi SAC.

Protected Species

No ecological assessment was submitted with this application, information was gathered from the Green Infrastructure Statement, local records and satellite imagery. The site consists of buildings and hardstanding and will require the removal of a section of Leylandii hedging and a small area of lawn. No trees indicated for removal shall be removed within the bird breeding season; 1st March until 31st August inclusive, unless written confirmation from a suitably qualified ecologist has been submitted to the local planning authority that a survey has been undertaken and found there are no breeding birds, their young, nests or eggs that would be disturbed by the works to be carried out. If breeding birds, their young or eggs are found, no works may take place until the bird breeding season is completed or they have left the nest and there is no evidence of them returning.

In line with updates to PPW 12 Chapter 6, compensatory tree planting should be at a ratio of 3 trees planted for every tree removed, however it is noted that the trees proposed for planting are native species and this will provide betterment, and therefore it is accepted that the ratio will be less in order to allow trees to establish fully.

No lighting plans have been submitted with the application, should external lighting be required then careful consideration will need to be given to any external lighting of the proposed development, measures will need to be identified to minimise impacts to nocturnal wildlife commuting and foraging in the local area.

These can be secured via planning conditions.

Green Infrastructure Assessment

The site in total extends to some 1.5 hectares, with numerous buildings currently on site, including storage buildings, sorting facility buildings and 'portacabins' for staff. The site is bound to the North by agricultural fields. To the South, a row of residential dwellings are located and the West side of the application site is bound by the B4333, in which access is afforded with good visibility in both directions. The majority of the application site is brownfield which is laid with concrete and tarmac.

The boundaries to the site consist of existing hedgerows and trees, all hedgerows will be retained, however, the trees to the Southern boundary will be removed to give way for the car parking area. To mitigate any potential negative effect, the proposal will include the introduction of native tree species, which is considered to be a betterment, given the existing Leylandii trees are not native. The proposed block plan highlights an array of native species which will be planted to the extended Southern boundary of the site. This can be secured via a planning condition.

Biodiversity Net Gain

In accordance with part 1 Section 6 of the Environment (Wales) Act 2016 and Chapter 6 of PPW, planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions, including through the planning process. All development should not cause significant loss of habitats or populations of species locally and must provide net benefit for biodiversity and improve or enable the improvement of the resilience of ecosystems through the inclusion of ecological enhancements. The installation of a bird nesting box on the new office building and native tree planting on site will help ensure the development meets its duty to enhance biodiversity in line with LDP policies DM06, DM14 and DM15 and in accordance with the guidance of the WG Planning Directorate of 11/10/2023 for net biodiversity gain.

Land Drainage

The development will require SuDS approval from the Council's Sustainable Drainage Approval Body (SAB), therefore surface water can be adequately dealt with through this process.

Foul drainage is currently connected to the public sewer and there will be no change to this as part of the proposal.

RECOMMENDATION:

The application is recommended for **refusal** for the following reason:

1. By way of its siting, scale, and design, the proposed office building is considered to present unacceptable amenity harm to the dwelling known as 'Delfryn' in conflict of Criterion 7 of LDP Policy DM06.

THE APPLICATION IS REFERRED TO THE DEVELOPMENT MANAGEMENT COMMITTEE AT REQUEST OF CLLR CHRIS JAMES FOR THE FOLLOWING REASONS:

The site provides important environmental treatment works to the area and it is great to see the company investing to improve the business' processes now and for the future.

The site has operated on environmental matters for decades and has got along with its neighbours well during this period. The applicants are very keen to maintain a positive relationship with its neighbours and have made every effort to design the proposal so as to minimise its impact to neighbours. In fact, no objection has been raised by the individuals who adjoin the development site boundary.

The proposal also must account for the site's operational requirements, that are crucial to the business' success:

- room for articulated lorries to enter and turn safely;
- provision of a direct sightline to the weigh bridge from any completed office.

The applicants have held discussions with the planning officers and have attempted to amend with regard to these discussions.

Despite the amendments, the company believes that it is not practical to further amend the proposal as it would be impractical. The process has reached a point whereby it is a difference in opinion that is stopping the development from being undertaken.

I believe the case deserves referral to the development management committee, to allow officers to voice their concerns and for democratically elected members to provide their opinions.

REASON FOR DEFERRING:

The Development Management Committee at its meeting on 9th October 2024 resolved to refer the application to the Site Inspection Panel in accordance with Paragraph 4 of the Council's adopted criteria.

The Site Inspection Panel met on Thursday 24th October and the panel comprised of Cllrs Ifan Davies (Chair), Gareth Lloyd, Gethin Davies, Sian Maehrlein, and Marc Davies. Also in attendance were Cllr Chris James (in an observational capacity as Local Ward Member) and Mrs Catrin Newbold and Mr Owain Evans from the Local Planning Authority (LPA). Apologies were received from Cllr Amanda Edwards as joint Ward Member for her inability to attend.

Mr Evans introduced the application and outlined the reasons for which officers were recommending refusal of the application on grounds that the proposed development would present unacceptable amenity harm to the dwelling known as Delfryn due to its scale and positioning within the site.

Members inspected the site for the proposed development and noted the scale and positioning of the proposed building in comparison to the existing building on-site.

The Panel noted the following:

- Delfryn does not feature any windows facing the application site
- The proposed building could act as a windshield to Delfryn
- The current occupier of Delfryn has not objected
- Any future purchaser of the property would be aware of the building if approved
- The neighbouring property of Awelon is closer to Delfryn than that of the proposed building
- The health and safety of visitors to the site would benefit from a siting nearer the main entrance

The Panel requested Officers to clarify the following with the applicant:

1. Could the building be set lower within the site to align with the main yard area and reduce its overall height
2. Could frosted glass be used to the first-floor rear-facing windows
3. For what reasons had other alternative locations within the site been discounted
4. Would they be amenable to re-locating the building to that previously proposed, to half of the respective boundaries of Delfryn and Gwrthwynt

The SIP meeting was subsequently closed.

Further information and supporting plans were provided on Friday 25th and Thursday 31st October to confirm / illustrate the following:

1. The building's ground level has been reduced by 850mm to be level with the main yard
2. All rear-facing windows shall be obscured
3. Alternative locations within the site had been discounted for the following reasons:
 - Transport Safety -- For the benefit of HGV manoeuvrability within the site
 - People Safety -- Build location and design provides best working environment for employees, customers, visitors
 - Operational Security -- Provision of sightlines to the weighbridge and majority of yard-based operations. Also allows the business' operations to be maintained during the course of construction (if approved)
 - Consideration of Neighbours -- Committed to 2m buffer from the boundary which is greater than the existing building. Also provides a shield to Delfryn from the site's operations
 - Environmental Factors -- Proposed siting allows the reuse of the existing building, maintain outputs, and minimise disruption to create a building that will improve energy efficiency
4. The previous location would not be possible for reasons outlined in Point 3 regarding transport safety