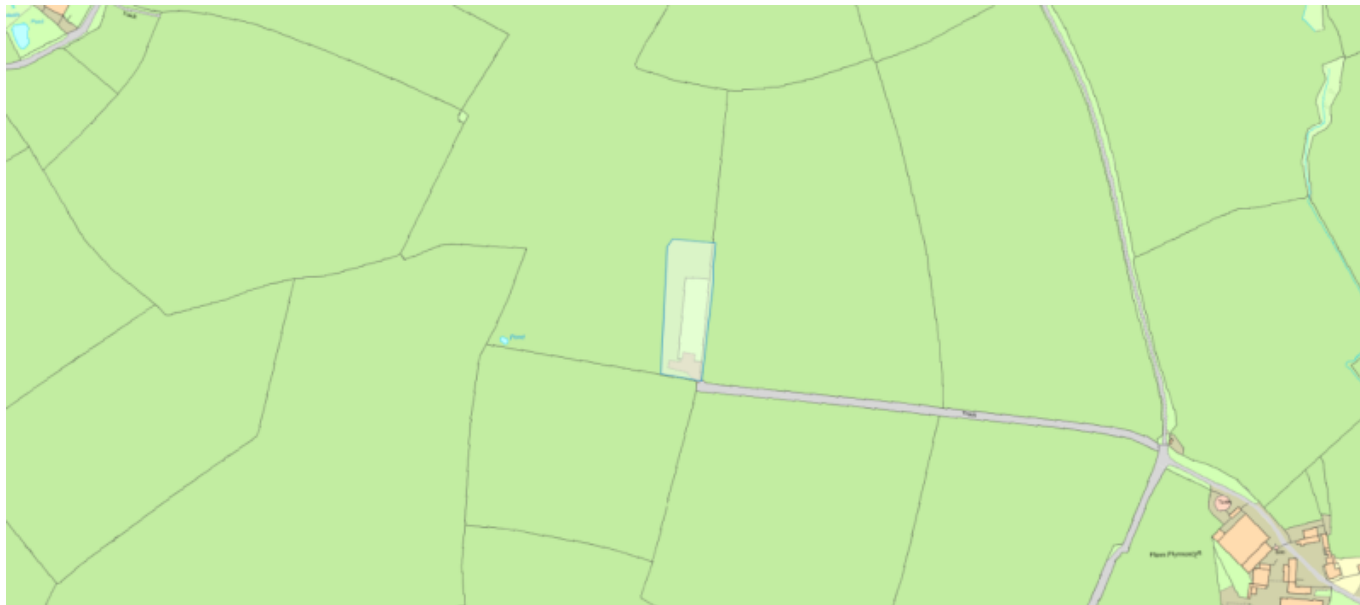


1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A230409	06-06-2023	Mr D James (Stepside Agri)	Excavation of bio-fertilizer lagoon for storage of food industry by-products prior to applying to the land for agricultural benefit (partly in retrospect)	Land at Ffynnoncyff Farm, Ferwig, Cardigan. SA43 1QD	Approve Subject to Conditions
2	A240382	23-05-2024	Mr Paul Davies	Proposed Replacement Garage to include demolition of existing Garage.	Moduron Strata Motors, Bridge Street, Pontrhydfendigaid, Ceredigion, SY25 6EE	Refuse

1.1. A230409



Rhif y Cais / Application Reference	A230409
Derbyniwyd / Received	06-06-2023
Y Bwriad / Proposal	Excavation of bio-fertilizer lagoon for storage of food industry by-products prior to applying to the land for agricultural benefit (partly in retrospect)
Lleoliad Safle / Site Location	Land at Ffynnoncyff Farm, Ferwig, Cardigan. SA43 1QD
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr D James (Stepside Agri), Stepside Farm Gwbert Road, Cardigan, Ceredigion, SA43 1PH
Asiant / Agent	Llyr Evans (Llyr Evans Planning Ltd), Llantood Farm, Cardigan, SA43 3NU

Y SAFLE A HANES PERTHNASOL

Lleolir y safle tua 450m i'r gorllewin o gyfadeilad fferm Ffynnoncyff.

Mae'r daliad tua 200ha gyda'r lagŵn wedi'i leoli tua 1.5km i'r gogledd-ddwyrain o Ferwig.

Ceir mynediad i gyfadeilad y fferm ar drac un lôn, gyda'r safle arfaethedig tua 400m i fyny trac rwbel, ger copa'r bryniau llethrog oddi amgylch gyda golygfeydd o'r bae ym Mwnt tua chilometr i'r gogledd.

Mae rhywfaint o sgrinio o'r safle o'r cloddiau i'r gweddau dwyreiniol a deheuol, mae'r caeau o amgylch yn laswelltir wedi'i wella.

MANYLION Y DATBLYGIAD

Gwneir y cais yn rhannol ôl-weithredol yn unol ag Adran 73a o Ddeddf Cynllunio Gwlad a Thref ac mae'n gofyn am ganiatâd cynllunio ar gyfer storfa faethynnau bio-wrtaith â chlawdd pridd.

Mae'r storfa 3,000m³ eisoes wedi'i chloddio lle'r oedd man llawr caled gynt yn cael ei ddefnyddio ar gyfer storio tail buarth a slyri.

Bwriedir i'r storfa gael ei leinio gan leinin polyethylen dwysedd uchel, mae'r pwll presennol sydd wedi'i gloddio tua 90.0m o hyd gyda lled o tua 18.0m. Byddai dyfnder y slyri a ragwelir tua 2.0m gyda chyfanswm dyfnder y pwll yn 3.0m.

Nid yw'r sylfaen, yr argloddiau a'r leinin wedi'u cwblhau eto. Disgwylir i'r storfa gael ei llenwi ddwywaith y flwyddyn a byddai'n dal sgil-gynhyrchion y diwydiant bwyd cyn eu rhoi ar y tir ar y daliad 200ha fel bio-wrtaith. Byddai sgil-gynnyrch y diwydiant bwyd yn codi i raddau helaeth o safle Volac yn Felin-fach.

Mae'r sgil-gynnyrch yn cael ei ddisgrifio fel gwrtaith hynod werthfawr sy'n disodli'r angen am wrteithiau artiffisial. Yr angen a nodwyd ar gyfer y storfa yw cydymffurfio â rheoliadau'r Parth Perygl Nitradau a gyflwynwyd gan Lywodraeth Cymru a fydd yn gofyn am gapasiti storio gaeaf o bum mis o 2024 gyda chyfnodau dim taenu estynedig.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

- DM03 Teithio Cynaliadwy
- DM06 Dylunio a Chreu Lleoedd o Safon Uchel
- DM10 Dylunio a Thirwedd
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol

- DM17 Y Dirwedd yn Gyffredinol
- DM18 Ardaloedd Tirwedd Arbennig
- DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd
- DM22 Gwarchod a Gwella'r Amgylchedd yn Gyffredinol
- LU30 Diogelu
- LU31 Cyfleusterau Adennill Adnoddau a Rheoli Gwastraff
- Ardaloedd Tirwedd Arbennig CCA 2014
- Cadwraeth Natur CCA

Polisi Cynllunio Cenedlaethol

- Polisi Cynllunio Cymru (Rhifyn 12, 2024)
- Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040
- TAN5 Cynllunio a Chadwraeth Natur
- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy
- TAN18 Trafnidiaeth
- TAN21 Gwastraff

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae Adran 17(1) Deddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol gan roi sylw dyledus i effaith debygol arfer y swyddogaethau hynny ar droseddau ac anhrefn o fewn ei ardal, a'r angen i wneud popeth o fewn ei allu i atal trosedd ac anhrefn yn ei ardal. Mae'r ddyletswydd honno wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai dim cynnydd sylweddol nac annerbyniol mewn trosedd 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 dyledus i hybu cydraddoldeb yn golygu:

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

Rhoddyd ystyriaeth ddyledus 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 gosod dyletswydd ar y Cyngor i gymryd camau rhesymol wrth arfer ei swyddogaethau i gyflawni'r saith nod llesiant yn y Ddeddf. Paratowyd yr adroddiad hwn gan ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y nodir yn Neddf 2015. Wrth gyrraedd yr argymhelliaid, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu diwallu heb beryglu gallu cenedlaethau'r dyfodol i ddiwallu eu

hanghenion eu hunain.

YMATEBION I'R YMGYNGHORIAD

Cyngor Cymuned y Ferwig - Nid oedd gan gyngor y gymuned ddim gwrthwynebiad i'r lagŵn ond cododd bryderon ynghylch yr effaith ar y briffordd

Priffyrdd – Dim gwrthwynebiadau yn destun amodau

Draenio Tir – Mae angen cymeradwyaeth SDCau.

Cyfoeth Naturiol Cymru – Dim gwrthwynebiadau yn destun amodau

Iechyd yr Amgylchedd – Dim gwrthwynebiad yn destun amodau.

Ymddiriedolaeth Archaeolegol Dyfed – Dim gwrthwynebiad yn destun amodau

Ecoleg – Dim gwrthwynebiad yn destun amodau.

Sylwadau trydydd partïon

Cafwyd 100 o sylwadau gan drydydd partïon mewn ymateb i'r cais, yn codi pryderon mewn perthynas ag effaith y datblygiad arfaethedig ar:

- cyflenwadau dŵr daear a dŵr preifat, niwed ecolegol, arogl a mygdarth peryglus, effeithiau ar lif rhydd traffig a diogelwch ar y priffyrdd/diogelwch cerddwyr, niwed i fwynderau o ganlyniad i gynnydd mewn symudiadau cerbydau, effeithiau ar amwynder gweledol eiddo cyfagos a thraeth Mwnt.

Codwyd materion hefyd ynghylch cyhoeddusrwydd y cais, natur ôl-weithredol y datblygiad arfaethedig, diffyg Asesiad o'r Effaith Amgylcheddol a chydymffurfiaeth â'r safon Brydeinig berthnasol.

Rhoddwyd cyhoeddusrwydd i'r cais drwy lythyr ymgynghori a hysbysiad safle yn unol â gofynion y Gorchymyn Gweithdrefnol Rheoli Datblygu. Mae adran 73a o'r Ddeddf Cynllunio Gwlad a Thref yn caniatáu gwneud cais ôl-weithredol er mwyn sicrhau y gellir rheoleiddio'n briodol achosion o dorri rheolaeth gynllunio lle bo hynny'n briodol.. Nid ystyrir bod y datblygiad arfaethedig yn cynrychioli datblygiad Asesiad o'r Effaith Amgylcheddol. Mae materion yn ymwneud â rheolaeth adeiladu yn fater ar wahân i gynllunio.

CASGLIAD

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

Egwyddor Datblygu

O ystyried bod y bwriad wedi'i leoli y tu allan i unrhyw anheddiad sefydledig, ystyrir ei fod mewn 'Lleoliad Arall'. Mae'r CDLI yn cydnabod bod angen rhywfaint o ddatblygu mewn lleoliadau heblaw'r Canolfannau Gwasanaeth (Trefol neu Wledig) i ddiwallu anghenion cymunedau presennol.

Mae'r lagŵn biowrtaith arfaethedig yn ei hanfod yn ddatblygiad gwastraff, fodd bynnag, mae Polisi LU31: Cyfleusterau Adennill Adnoddau a Rheoli Gwastraff yn ceisio sicrhau bod digon o dir ar gael mewn lleoliadau priodol i fodloni cynlluniau a strategaethau gwastraff rhanbarthol a chenedlaethol.

O ran meini prawf y polisi a gynhwysir gyda LU31, ni fyddai'r datblygiad wedi'i leoli gydag ardal gyflogaeth 'Diwydiannol Cyffredinol' B2 sy'n ofynnol ar gyfer cyfleusterau rheoli gwastraff priodol.

Yn ogystal, nid yw'r lagŵn yn bodloni'r meini prawf ar gyfer storio gwastraff mewn safleoedd mwynau gweithredol, hen chwareli, neu gyfadeiladau fferm. Er yr ystyrir bod y safle yn dir amaethyddol, nid yw'r bwriad yn gysylltiedig â chyfleuster Treulio Anaerobig, sy'n golygu ei fod yn anghyson â darpariaethau ar gyfer compostio ac aeddfedu gweddillion treulid

anaerobig.

Yn ogystal, ni fyddai'r bwriad yn cael ei gyd-leoli ochr yn ochr â chynhyrchwyr gwastraff eraill. Felly, ystyrir na fyddai'r bwriad yn cydymffurfio â Pholisi LU31.

Mae TAN 21 yn cynnig arweiniad pellach o ran cynllunio gwastraff strategol, gan dynnu sylw at ymrwymiad y Deyrnas Unedig, gan gynnwys Cymru, i weithredu cyfarwyddedau rheoli gwastraff. Mae'r ymrwymiad hwn yn creu fframwaith cyfreithiol a fframwaith polisi ar gyfer rheoli gwastraff fel adnodd. Mae prif strategaeth wastraff Cymru wedi'i nodi fel *Tuag at Ddyfodol Diwastraff*. Mae'r strategaeth uchod yn amlinellu cynllun hirdymor ar gyfer effeithlonrwydd adnoddau a rheoli gwastraff hyd at 2050.

Ystyrir bod natur y bwriad yn dod o fewn haen 'ailgylchu' hierarchaeth wastraff TAN21, gan ei fod yn prosesu gwastraff organig i fio-wrtaith, dewis amgen cynaliadwy i wrteithiau synthetig. Byddai'r bwriad yn dargyfeirio deunydd organig rhag cael ei waredu, yn gwneud y mwyaf o aildefnyddio adnoddau, ac yn hybu economi gylchol. O ystyried yr uchod, byddai'r datblygiad arfaethedig hefyd yn cyd-fynd â'r *Tuag at Ddyfodol Diwastraff* ac yn cyfrannu at darged diwastraff Cymru 2050. Yn ogystal, byddai hefyd yn cefnogi *Cynllun Cymru'n Un: Un Blaned Cynhyrchu Bwyd, Gwasanaeth a Manwerthu* (Medi 2014), trwy ailgylchu arfaethedig maethynnau, hybu effeithlonrwydd adnoddau, lleihau gwastraff yn y broses cynhyrchu bwyd a chau dolenni maethynnau.

Trwy'r bwriad i gynhyrchu sgil-gynnyrch gwerthfawr, byddai'r bwriad yn chwarae rhan mewn lleihau dibyniaeth ar wrteithiau synthetig sydd fel arfer yn arwain at effaith amgylcheddol andwyol. Felly, asesir y byddai'r bwriad yn unol â TAN 21.

Ystyrir felly fod yr egwyddor o ddatblygu yn dderbyniol.

Cymeriad ac Amwynder Gweledol

Mae polisi DM06 yn ceisio sicrhau bod datblygiad yn ategu'r safle a'i amgylchoedd o ran cynllun, parchu golygfeydd i mewn i'r safle ac allan ohono, gan gynhyrchu ffurf gydlynol mewn perthynas â graddfa, uchder a maintoli'r ffurf adeiledig sydd yno'n barod. Mae Polisi DM06 yn mynd ymlaen i ddatgan y dylai cynigion gadw nodweddion naturiol pwysig ynghyd â sicrhau y defnyddir tirweddau caled a meddwl o ansawdd dda ac achub ar gyfleoedd i wella bioamrywiaeth a chysylltedd ecolegol.

Mae Polisi DM10 yn ei gwneud yn ofynnol i ddatblygiad ddangos sut mae'r datblygiad arfaethedig yn parchu amlinell a nodweddion naturiol y dirwedd yn ogystal â dangos sut y byddai'r datblygiad yn parchu ac yn gwarchod golygfeydd lleol a strategol.

Mae Polisi DM17, y Dirwedd yn Gyffredinol, yn datgan y caniateir datblygiad ar yr amod nad yw'n cael effaith niweidiol arwyddocaol ar briodweddau a chymeriad arbennig tirweddau a morweddau gweledol Ceredigion drwy gyflwyno neu ddwysáu defnydd sy'n anghydnaws â'r dirwedd.

Mae effaith weledol y lagŵn ei hun yn fach iawn oherwydd bod y pwll wedi'i gloddio i raddau helaeth. Mae'r lagŵn arfaethedig yn nodweddiadol o ran cyfleusterau storio amaethyddol sy'n gyffredin yn yr ardal. Ystyrir bod y dyluniad bwnd pridd yn dderbyniol.

Y cyfarpar ategol sydd ei angen ar gyfer defnydd effeithiol o'r lagŵn mawr a ystyrir yn y cais hwn i gyflwyno pryderon posibl am fwynderau gweledol yr ardal.

Er y gall y cyfarpar fod yn weladwy o'r ffordd sirol, byddai cynllun tirweddau yn sicrhau bod y datblygiad yn cael ei sgrinio'n dda ac yn cyd-fynd â'r hyn sydd o'i amgylch yn unol â pholisïau DM06, DM10, a DM17 y CDLI. Gellir sicrhau cynllun tirweddau o'r fath trwy amod.

Amwynder Preswyl

Mae maen prawf 7 Polisi DM06 yn ceisio amddiffyn amwynderau deiliaid eiddo cyfagos rhag niwed arwyddocaol o safbwynt preifatrwydd, sŵn a golygon. Mae safle'r cais yn anghysbell ac nid oes dim eiddo cyfagos. O'r herwydd, ni ystyrir bod y datblygiad arfaethedig yn arwain at bryderon mewn perthynas â'r materion hyn.. Trafodir pryderon a godwyd mewn perthynas â symudiadau traffig, arogl ac ansawdd dŵr ymhellach o fewn yr adroddiad hwn.

Effaith Ecolegol

Mae Polisi 9 Cymru'r Dyfodol 2040 yn ceisio sicrhau bod Cymru'n datblygu ac yn cynnal rhwydweithiau ecolegol a seilwaith gwyrdd cadarn. Ym mhob achos, dylai camau gweithredu tuag at gynnal a gwella bioamrywiaeth (er mwyn sicrhau mantais net), gwneud ecosystemau yn gadarn ac asedau seilwaith gwyrdd gael eu dangos fel rhan o gynigion datblygu drwy ddulliau arloesol yn seiliedig ar natur o gynllunio safleoedd a dylunio'r amgylchedd adeiledig.

Mae polisiâu DM14 a DM15 y Cynllun Datblygu Lleol yn ceisio cynnal a gwella bioamrywiaeth a diogelu safleoedd pwysig a warchodir. Ni chaniateir safleoedd, cynefinoedd neu rywogaethau a warchodir naill ai'n uniongyrchol, yn anuniongyrchol neu mewn cyfuniad oni bai y gellir dangos bod y bwriad yn cyfrannu at ddiogelu, gwella neu reoli'r safle, y cynefin neu'r rhywogaeth yn gadarnhaol neu mewn rhai amgylchiadau eraill a nodir yn y polisi. Mae canllawiau cynllunio atodol y Cyngor ynghylch bioamrywiaeth yn rhoi arweiniad o ran asesu effaith datblygu ar safleoedd dynodedig neu rywogaethau a warchodir.

Nid oes asesiad ecolegol ffurfiol wedi'i gyflwyno i gefnogi'r cais ond mae delweddau lloeren yn awgrymu bod y safle yn cynnwys glaswelltiroedd wedi'u gwella sydd wedi'u ffinio i'r clawdd dwyreiniol a deheuol.

Nodir bod nifer o safleoedd gwarchodedig yn y cyffiniau sydd â nodweddion sensitif i amonia. Mae'r rhain yn cynnwys ardal cadwraeth arbennig Bae Ceredigion (1.15km), ardal cadwraeth arbennig Gorllewin Cymru (1.36km) ac ardal cadwraeth arbennig Afon Teifi (3km)

Mae asesiad amonia a gyflwynwyd i gefnogi'r bwriad yn dangos na fyddai'r datblygiad arfaethedig yn effeithio'n andwyol ar gyfanrwydd y safleoedd gwarchodedig cyfagos yn destun amodau.

Mae Ecolegydd Cynllunio Cyngor Sir Ceredigion wedi cynnal Asesiad Rheoliadau Cynefinoedd mewn ymgynghoriad â Chyfoeth Naturiol Cymru ac mae'n fodlon na fyddai'r datblygiad arfaethedig yn arwain at effaith negyddol ar unrhyw safleoedd neu rywogaethau gwarchodedig sy'n destun amodau i sicrhau bod amgylchedd y dŵr, cloddiau, y glannau a'r gwelliannau bioamrywiaeth yn cael eu diogelu.

Iechyd y Cyhoedd

Cododd nifer o sylwadau gan drydydd partïon bryderon yn ymwneud ag effaith y datblygiad arfaethedig ar iechyd y cyhoedd.

Mae polisi DM22, Gwarchod a Gwella'r Amgylchedd yn Gyffredinol yn datgan y caniateir datblygiad ar yr amod ei fod yn gwarchod ac yn gwella, lle bo hynny'n bosibl, ansawdd amgylchedd yr aer, y pridd a'r dŵr a bydd yn diogelu adnoddau dŵr, ar y safle ac oddi arno.

Mae Iechyd yr Amgylchedd wedi nodi bod sawl annedd breswyl yn yr ardal nad ydynt yn cael eu gwasanaethu gan ddŵr o'r prif gyflenwad ac felly'n ddibynnol ar ddarparu dŵr yfed drwy'r ffynhonnau, tyllau turio neu ffynhonnau. Mae Iechyd yr Amgylchedd wedi awgrymu y dylid gosod amod cyn cychwyn ar unrhyw ganiatâd a all ddod i sicrhau darparu Arolwg Hydrolegol a fydd yn ystyried yr effaith ar ansawdd dŵr daear. Awgrymir amod pellach i sicrhau bod cyfanrwydd leinin anhydraidd y lagŵn yn cael ei fonitro'n briodol.

Mewn perthynas â phryderon ynghylch arogl sy'n codi o ganlyniad i'r datblygiad arfaethedig, mae Cynllun Asesu a Rheoli Arogl wedi'i gyflwyno i gefnogi'r cais.

Mae Iechyd yr Amgylchedd wedi adolygu'r asesiad ac yn ystyried y gellid lliniaru effaith sy'n ymwneud ag arogl ac ansawdd aer gan amod sicrhau bod yr adroddiad arogl a'r cynllun rheoli yn cael ei weithredu.

Gwerth Archaeolegol

Mae polisi DM19 y CDLI, Tirweddau Hanesyddol a Diwylliannol, yn datgan y caniateir datblygu sy'n effeithio ar dirweddau neu adeiladau sydd o bwys hanesyddol neu ddiwylliannol ac yn gwneud cyfraniad pwysig at gymeriad yr ardal leol a'r diddordeb sy'n perthyn iddi lle na fydd yn cael effaith niweidiol arwyddocaol ar eu hymddangosiad arbennig, eu cyfanrwydd pensaernïol neu'u cyd-destun. Lle mae hynny'n bosibl, dylai datblygu wella'r priodweddau hynny a'u cymeriad arbennig.

Nododd Ymddiriedolaeth Archeolegol Dyfed fod y safle'n gorwedd yn agos at sawl safle o ddiddordeb hanesyddol ac archeolegol, gan gynnwys tri lloc amddiffynedig olion cnydau sydd yn union i'r gogledd a'r de-ddwyrain o'r safle.

Yn dilyn hynny, mae posibilrwydd y gall deunydd archeolegol, ymestyn i ardal y cais ac y bydd unrhyw olion sy'n goroesi fel nodweddion archeolegol claddedig yn amlwg yn cael eu heffeithio'n andwyol gan y datblygiad arfaethedig.

Argymhellodd Ymddiriedolaeth Archeolegol Dyfed, er mwyn diogelu buddiannau archeolegol posibl, na ddylai unrhyw ddatblygiad ddiogel hyd nes y bydd archeolegydd cymwys a chymwysedig wedi cyflwyno cynllun ymchwilio ysgrifenedig i'w gymeradwyo'n ysgrifenedig gan yr awdurdod cynllunio lleol. Byddai'r cynllun ymchwilio ysgrifenedig yn disgrifio gwahanol gamau'r gwaith ac yn dangos bod ganddo adnoddau llawn a bod digon o amser wedi'i roi iddo. Byddai hyn yn golygu bod angen monitro pob agwedd ar y gwaith hyd at ryddhau'r amod yn derfynol.

Oherwydd natur rannol ôl-weithredol y datblygiad, nid yw'r ymgeisydd yn gallu cydymffurfio ag amod archeolegol o'r fath.

Priffyrdd a Mynediad

Codwyd pryderon ynghylch effaith y datblygiad arfaethedig ar ddiogelwch ar y ffyrdd, fodd bynnag, mae ymgynghorydd priffyrdd yr ymgeisydd wedi cadarnhau na fyddai'r bwriad yn cynhyrchu traffig HGV ychwanegol, gan y bydd y symudiadau HGV yn parhau i ddiogelwch yn absenoldeb lagŵn, gan y bydd gwrtaith yn cael ei ddwyn i'r safle a'i roi'n uniongyrchol ar y tir.

Nododd yr ymgynghorydd Priffyrdd allanol hefyd y bydd adeiladu'r lagŵn yn caniatáu dod â deunydd i'r safle yn ystod misoedd tawelach y gaeaf, gan leihau gwrthdaro posibl rhwng cerbydau a cherddwyr ar y llwybr danfon.

Ymgynghorwyd â'r Awdurdod Priffyrdd Lleol ar y cais ac nid yw'n cynnig gwrthwynebiad i'r datblygiad arfaethedig yn destun amodau. Yn gyffredinol, ystyrir na fydd y datblygiad arfaethedig yn cael effaith andwyol annerbyniol ar ddiogelwch a symudiad ar y priffyrdd, yn unol â DM03, DM06 a DM09 y CDLI.

Dŵr Wyneb a Risg Llifogydd

Mae'r safle ym mharth llifogydd A fel y dangosir ar Fap Cyngor Datblygu Cyfoeth Naturiol Cymru, a Pharth Llifogydd 1 fel y dangosir o'r Map Llifogydd ar gyfer cynllunio sef y wybodaeth ddiweddaraf a'r wybodaeth orau sydd ar gael mewn perthynas â llifogydd. O'r herwydd, ni ystyrir bod y datblygiad arfaethedig mewn perygl o lifogydd ac mae'n cydymffurfio â TAN15 a pholisi DM11 y CDLI sy'n ceisio cyfeirio datblygiad oddi wrth ardaloedd sydd mewn perygl o lifogydd.

Mae adran gwasanaethau technegol y cyngor ei hun wedi dweud bod angen cymeradwyaeth SDCau ac yn rhoi manylion ynghylch sut i leihau'r risg o lifogydd dŵr wyneb. Ystyrir felly y gallai gwaredu dŵr wyneb gael ei reoli'n briodol trwy'r broses gymeradwyo SDCau, ac felly ni ystyrir bod y datblygiad arfaethedig yn cynyddu'r risg o lifogydd dŵr wyneb.

Ystyriaethau Perthnasol Eraill

Datblygu Economaidd

Cyflwynwyd llythyr gan Gonsortium Gwaith Trin Dŵr Gwastraff Felin-fach, sy'n cynnwys *Volac International Ltd* a *Sensient Flavors Ltd*, y ddau gyfleusterau prosesu bwyd a chyflogwyr sylweddol wedi'u lleoli yn nyffryn Aeron ger Felin-fach. Yn y llythyr gwnaethant nodi eu cefnogaeth i'r bwriad a gwnaethant ddatgan pwysigrwydd y lagŵn arfaethedig ar gyfer gweithrediad di-dor a pharhaus y safleoedd yn Felin-fach.

Mae Polisi Cynllunio Cymru yn diffinio datblygu economaidd yn fras fel y gall gynnwys unrhyw fath o ddatblygu sy'n cynhyrchu cyfoeth, swyddi ac incwm. Mae Nodyn Cyngor Technegol 23, Datblygu Economaidd, yn dweud y dylai cynigion sy'n ymwneud â datblygu economaidd mewn lleoliadau llai ffafriol ystyried y buddion posibl megis cyflogaeth.

Mae adran 1.2.1 o Nodyn Cyngor Technegol 23 yn datgan y gall y manteision economaidd sy'n gysylltiedig â datblygiad ymestyn ymhell y tu hwnt ardal ddaearyddol y datblygiad ei hun. Felly, mae'n hanfodol bod y system gynllunio'n cydnabod ac yn rhoi ystyriaeth briodol i'r manteision economaidd sy'n gysylltiedig â datblygiad newydd.

Mae'r manteision economaidd cysylltiedig yn drwm o blaid y cynllun. Mae'r datblygiad arfaethedig yn cynhyrchu referniw drwy werthu bio-wrtaith ac yn lleihau'r ddibyniaeth ar gyflenwyr gwrtaith allanol sy'n cynnig sefydlogrwydd hirdymor o ran cost. Byddai'n cefnogi economi gylchol trwy ailgylchu sgil-gynhyrchion diwydiant bwyd i ddefnydd amaethyddol, gan hyrwyddo cynaliadwyedd. Bydd hefyd yn creu swyddi lleol ym maes adeiladu, rheoli safleoedd a gwasanaethau amaethyddol cysylltiedig, gan gyfrannu at yr economi leol. Yn ogystal, mae'r bwriad yn cynnig manteision amaethyddol hirdymor posibl, megis iechyd gwell o ran pridd a mwy o gnydau.

Er gwaethaf diffyg cydymffurfio â Pholisi LU31, byddai buddion economaidd canlyniadol y bwriad felly'n cyfiawnhau ei gymeradwyo.

ARGYMHELLIAD:

Argymhellir cymeradwyo'r cais yn destun amodau

RHESWM DROS GYFEIRIO:

Mae'r Cynghorydd Gethin Davies wedi gofyn i'r cais gael ei glywed gan y Pwyllgor Rheoli Datblygu, oherwydd lefelau uchel a natur y gwrthwynebiadau a dderbyniwyd.

RHESWM DROS OHIRIO:

Yng nghyfarfod y Pwyllgor Rheoli Datblygu ar 11eg o Ragfyr, 2024, penderfynodd yr Aelodau gyfeirio'r cais i'r Panel Ymweld Safleoedd (SIP) i'w ystyried ymhellach, yn unol â phwyntiau 5 a 7 o feini prawf mabwysiedig y Cyngor.

Cyfarfu'r SIP ar Ddydd Llun 6ed o Ionawr, 2025 ac yn bresennol roedd y Cyng. Ifan Davies (Cadeirydd), Cyng. Carl Worrall (Is-Gadeirydd), Cyng. Gareth Lloyd, Cyng. Sian Maehrlein a'r Cyng. Marc Davies. Hefyd yn bresennol roedd y Cyng. Clive Davies a'r Cyng. Gethin Davies fel aelodau ward lleol a Mrs. Catrin Newbold o Wasanaeth Rheoli Datblygu'r Cyngor.

Cyflwynodd Mrs. Newbold yr achos ac arolygodd yr Aelodau safle'r cais a'r ardal o'i amgylch.

Nododd yr aelodau fod y safle mewn ardal wledig, gydag eiddo cyfagos gryn bellter i ffwrdd. Teimlai'r Aelodau y gellid rheoli unrhyw effeithiau posibl ar amwynder yn ddigonol trwy'r amodau a awgrymwyd.

Er ei fod wedi'i leoli ar ochr bryn uchel, cytunodd y Panel hefyd nad oedd unrhyw effaith weledol niweidiol wedi digwydd o ganlyniad i'r cloddiad.

Ymhellach, sylwodd yr Aelodau ar y rhwydwaith priffyrdd lleol sy'n arwain at y safle a chytunwyd y byddai'n well dod â'r deunydd i'r safle yn ystod misoedd tawel y gaeaf, gan leihau'r gwrthdaro posibl rhwng cerbydau a cherddwyr ar y llwybr cludo yn ystod misoedd prysuraf yr haf.

Terfynwyd y cyfarfod wedi hynny.

Rhif y Cais / Application Reference	A230409
Derbyniwyd / Received	06-06-2023
Y Bwriad / Proposal	Excavation of bio-fertilizer lagoon for storage of food industry by-products prior to applying to the land for agricultural benefit (partly in retrospect)
Lleoliad Safle / Site Location	Land at Ffynnoncyff Farm, Ferwig, Cardigan. SA43 1QD
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr D James (Stepside Agri), Stepside Farm Gwbert Road, Cardigan, Ceredigion, SA43 1PH
Asiant / Agent	Llyr Evans (Llyr Evans Planning Ltd), Llantood Farm, Cardigan, SA43 3NU

THE SITE AND RELEVANT PLANNING HISTORY

The site is located around 450m to the west of the farm complex of Ffynnoncyff.

The holding is around 200ha with the lagoon being sited around 1.5km to the north-east of Ferwig.

The farm complex is accessed by a single lane track, with the proposed site being around 400m up a hardcore track, near the summit of the surrounding sloping hills with views of the bay at Mwnt around a kilometer to the north.

There is some screening of the site from hedgerow to the eastern and southern elevations, the surrounding fields are improved grassland.

DETAILS OF DEVELOPMENT

The application is made partly in retrospect in accordance with S.73a of the Town and Country Planning Act and seeks planning permission for an earth banked bio-fertiliser nutrient store.

The 3,000m³ store has already been excavated where there was formerly a hard standing area used for farmyard manure and slurry storage.

The store is proposed to be lined by a high-density polyethylene liner, the currently excavated pit is around 90.0m in length with a width of around 18.0m. The envisaged depth of the slurry would be around 2.0m with the total depth of the pit being 3.0m.

The base, embankments and lining are yet to be completed. The store is expected to be filled twice a year and would hold food industry by-products before being applied to the land on the 200ha holding as a bio-fertiliser. The food industry by-product would largely arise from Volac's site in Felinfach.

The by-product is described as a highly valuable fertiliser which replaces the need for artificial fertilisers. The stated need for the store is to comply with the Nitrate Vulnerable Zone (NVZ) regulations introduced by the Welsh Government which will require winter storage capacity of five months from 2024 with extended no-spreading periods.

RELEVANT PLANNING POLICIES AND GUIDANCE

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

- 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
- DM18 Special Landscape Areas (SLAs)
- DM20 Protection of Trees, Hedgerows and Woodlands
- DM22 General Environmental Protection and Enhancement
- LU30 Safeguarding
- LU31 Resource Recovery and Waste Management Facilities
- Special Landscape Areas SPG 2014
- Nature Conservation SPG

National Planning Policy

- Planning Policy Wales (Edition 12, 2024)
- Future Wales: The National Plan 2040
- TAN5 Nature Conservation and Planning
- TAN6 Planning for Sustainable Rural Communities
- TAN18 Transport
- TAN21 Waste

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 Y Ferwig - The community council raised no objection to the lagoon but raise concerns in regard to highway impact

Highways – No objections STC

Land Drainage – SUDS approval is required.

Natural Resources Wales – No objections subject to condition

Environmental Health (EH) –No objection subject to condition.

Dyfed Archaeological Trust – No Objection STC

Ecology – No objection subject to conditions.

Third-party comments

100 third party representation were received in response to the application, raising concerns in relation to the impact of the proposed development on:

- groundwater and private water supplies, ecological harm, odour and dangerous fumes, impacts on the free flow of traffic and highway/pedestrian safety, amenity harm as a result of increased vehicle movements, impacts on the visual amenity of neighboring properties and Mwnt beach.

Matters were also raised regarding the publicity of the application, the retrospective nature of the proposed development, lack of Environmental Impact Assessment and conformity with the relevant British standard.

The application was publicised by way of a consultation letter and site notice in accordance with the requirement of the Development Management Procedural Order. S.73a of the TCPA allows for retrospective application in order to ensure breaches of planning control may be properly regularized where appropriate. The proposed development is not considered to represent EIA development. Matters relating to building control are a matter separate to planning.

CONCLUSION

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

Principle of Development

Given the proposal being sited outside of any established settlement, it is considered to be in an 'Other Location'. The LDP recognises that locations other than the Service Centers (Urban or Rural) require a degree of development to meet the needs of existing communities.

The proposed biofertilizer lagoon is essentially a waste development, however, Policy LU31: Resource Recovery and Waste Management Facilities seeks to ensure that sufficient land is available in appropriate locations to meet regional and national waste plans and strategies.

Having regard to the policy criteria contained with LU31, the development would not be located with a B2 'General Industrial' employment area required for appropriate waste management facilities.

Additionally, the lagoon does not meet the criteria for waste storage in active mineral sites, former quarries, or farm complexes. While the site is considered to represent agricultural land, the proposal is not associated with an Anaerobic Digestion (AD) facility, making it inconsistent with provisions for composting and digestate maturation.

In addition, the proposal would not be co-located alongside other waste producers. Therefore, it is considered that the proposal would not comply with Policy LU31.

TAN 21 offers further guidance on strategic waste planning, highlighting the UK's commitment, including Wales, to implement waste management directives. This commitment creates a legal and policy framework for managing waste as a resource. Wales's main waste strategy has been identified as *Towards Zero Waste*. The above strategy outlines a long-term plan for resource efficiency and waste management up to 2050.

The nature of the proposed is considered to fall within the 'recycling' tier of the TAN21 waste hierarchy, as it processes organic waste into bio-fertilizer, a sustainable alternative to synthetic fertilizers. The proposal would divert organic material from disposal, maximize resource reuse, and promote a circular economy. Given the above, the proposed development would also align with the *Towards Zero Waste* and contribute to the Wales' 2050 zero-waste target. In addition, it would also support the *One Wales: One Planet-Food Manufacture, Service and Retail Plan* (September 2014), through the proposed recycling of nutrients, promoting resource efficiency, reducing waste in the food production process and closing nutrient loops.

Through the proposed production of a valuable by-product, the proposal would play a role in reducing reliance on synthetic fertilizers which typically result in an adverse environmental impact. Therefore, it is assessed that the proposal would be in accordance with TAN 21.

The principle of development is therefore considered to be acceptable.

Character and Visual Amenity

Policy DM06 of the LDP seeks to ensure development complements the site and its surroundings in terms of layout, respecting views into and out of the site, producing a cohesive form in relation to the scale, height and proportion of existing built form. Policy DM06 goes on to state that proposals should retain important natural features along with ensuring the use of good quality hard and soft landscaping and embracing opportunities to enhance biodiversity and ecological connectivity.

Policy DM10 requires development to demonstrate how the proposed development respects the natural contours of the landscape as well as demonstrating how the development would respect and protect local and strategic views.

Policy DM17, General Landscape, states that development will be permitted provided that it does not have a significant adverse effect on the qualities and special character of visual landscapes and seascapes of Ceredigion by introducing or intensifying a use which is incompatible with the landscape.

The visual impact of the lagoon itself is minimal owing to the pit largely being excavated. The proposed lagoon is typical in character of agricultural storage facilities common in the area. The earth bunded design is deemed acceptable.

It is the ancillary apparatus that is required for the effective use of the large lagoon that is considered within this application to present potential concerns for the visual amenity of the area.

Although the apparatus may be visible from the county road, a landscaping scheme would ensure the development is well screened and harmonise with surroundings in accordance with LDP policies DM06, DM10, and DM17. Such a landscaping scheme may be secured by way of condition.

Residential Amenity

Criterion 7 of Policy DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook. The application site is remote with no immediate neighbouring properties. As such the proposed development is not considered to give rise to concerns in respect of these matters. Concerns raised in regard to traffic movement, odour and water quality are discussed further within this report.

Ecological Impact

Policy 9 of Future Wales 2040 seeks to ensure that Wales develops and maintains resilient ecological and green infrastructure networks. In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

Policies DM14 and DM15 of the Local Development Plan seeks to maintain and enhance biodiversity and safeguard protected important sites. Protected sites, habitats or species either directly, indirectly or in combination will only be

permitted where it can be demonstrated that the proposal contributes to the protection, enhancement or positive management of the site, habitat or species or in certain other circumstances set out in the policy. The Council's SPG on biodiversity provides guidance on assessing the impact of development on designated sites or protected species.

No formal ecological assessment has been submitted in support of the application however satellite imagery suggests the site consists of improved grasslands bordered to the east and south hedge-bank.

It is noted that there are several protected sites in the vicinity which have features sensitive to ammonia. These include the Cardigan Bay SAC (1.15km), West Wales SAC (1.36km) and Afon Teifi SAC (3km)

An Ammonia assessment submitted in support of the proposal demonstrates that the proposed development would not adversely affect the integrity of the nearby protected sites subject to conditions.

The CCC Planning Ecologist has undertaken a Habitat Regulations Assessment in consultation with NRW and are satisfied that the proposed development would not result in a negative impact on any protected sites or species subject to conditions to ensure protection of the water environment, hedgerows, banks and biodiversity enhancements.

Public Health

A number of third-party representations raised concerns relating to the impact of the proposed development on public health.

Policy DM22, General Environment Protection and Enhancement states that development will be permitted provided that it protects and enhances where possible air, soil, and the water environment and safeguards water resources, both on and off site.

Environmental Health have noted that there a number of residential dwellings in the locality which are not serviced by mains water and are therefore reliant on the provision of drinking water via the springs, boreholes or wells. Environmental Health have suggested a pre commencement condition be attached to any permission which may be forthcoming securing the provision of a Hydrological Survey which shall consider the impact on ground water quality. A further condition is suggested to ensure the integrity of the impermeable lining of the lagoon is appropriately monitored.

In respect of concerns with regard to odour arising as a result of the proposed development an odour assessment Odour Assessment and Management Plan has been submitted in support of the application.

Environmental Health have reviewed the assessment and consider impact relating to odour and air quality could be mitigated by condition securing the odour report and management plan be implemented.

Archaeological Value

LDP Policy DM19, Historic and Cultural Landscape, states that development affecting landscapes or buildings which are of historical or cultural importance and make an important contribution to the character and interest of the local area, will be permitted where the distinctive appearance, architectural integrity or their settings will not be significantly adversely affected.

Dyfed Archaeological Trust noted that the site lies within close proximity to several sites of historical and archaeological interest, including three cropmark defended enclosures which lie immediately to the north and south-east of the site.

Subsequently there is a possibility that archaeological material, may extend into the application area and that any remains surviving as buried archaeological features will clearly be adversely affected by the proposed development.

Dyfed Archaeological Trust recommended that in order to protect potential archaeological interests, no development should take place until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local planning authority. The WSI would describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. This would require the monitoring of all aspects of the work through to the final discharging of the condition.

Due to the part-retrospective nature of the development, the applicant is unable to comply with such an archaeological condition.

Highways and Access

Concerns have been raised in respect of the impact on the proposed development on road safety however, the applicants highway consultant has confirmed that the proposal would not generate additional HGV traffic, as the HGV movements will continue to occur in the absence of a lagoon, as fertilizer will to be brought to site and applied directly to the land.

The external Highways consultant also noted that the construction of the lagoon will allow for material to be brought to site during the quieter winter months, reducing potential conflict between vehicles and pedestrians on the delivery route.

The Local Highway Authority have been consulted on the application and offer no objection to the proposed development subject to conditions. Overall, it is considered that the proposed development will not have an unacceptable adverse impact on highway safety and movement, in accordance with DM03, DM06 and DM09 of the LDP.

Surface Water and Flood Risk

The site is in flood zone A as shown on NRW's Development Advice Map, and Flood zone 1 as shown of the Flood map for planning which is the most up to date and best available information in respect of flooding. As such the proposed development is not considered to be at risk of flooding and conforms with TAN15 and policy DM11 of the LDP which seek to direct development away from areas at risk of flooding.

The councils own technical services department have advised SUDs approval is required and provide details of how to minimize the risk of surface water flooding. It is therefore considered that surface water disposal could be appropriately managed by way of the SUDs approval process, as such the proposed development is not considered to increase the risk of surface flooding.

Other Material Considerations

Economic Development

A letter was submitted from the Felinfach Wastewater Treatment Plant Consortium, comprising Volac International Ltd & Sensient Flavours Ltd, both food processing facilities and significant employers located in the Aeron valley near Felinfach. In the letter they noted their support for the proposal and stated the importance of the proposed lagoon for the uninterrupted and continued operation of the sites in Felinfach.

Planning Policy Wales (PPW) defines economic development broadly so that it can include any form of development that generates wealth, jobs and income. Technical Advice Note (TAN) 23, Economic Development, states that proposals concerning economic development in less preferable locations should consider the potential benefits such as employment.

Section 1.2.1 of TAN 23 states that the economic benefits associated with development may be geographically spread out far beyond the area where the development is located. Therefore, it is essential that the planning system recognizes, and gives due weight to, the economic benefits associated with new development.

The associated economic benefits way heavily in favour of the scheme. The proposed development generates revenue through bio-fertiliser sales and reduces reliance on external fertilizer suppliers offering long-term const stability. It would support a circular economy by recycling food industry by-products into agricultural use, promoting sustainability. It will also create local jobs in construction, site management and related agricultural services, contributing to the local economy. Additionally, the proposal offers potential long-term agricultural benefits, such as improved soil health and higher crop yields.

Despite non-compliance with Policy LU31, resulting economic benefits of the proposal would therefore justify its approval.

RECOMMENDATION:

It is recommended that the application be approved STC

REASON FOR REFERRAL:

Cllr. Gethin Davies has asked that the application be heard by the Development Management Committee, due to the nature and high levels of objections received.

REASON FOR DEFERRAL:

At the Development Management Committee meeting on the 1st December, 2024, Members resolved to refer the

application to the Site Inspection Panel (SIP) for further consideration, in accordance with points 5 and 7 of the Council's adopted criteria.

The SIP met on Monday 6th January, 2025 and comprised of Cllr. Ifan Davies (Chair), Cllr. Carl Worrall (Vice Chair), Cllr. Gareth Lloyd, Cllr. Sian Maehrlein and Cllr. Marc Davies. Also in attendance were Cllr. Clive Davies and Cllr. Gethin Davies as the local ward members and Mrs. Catrin Newbold from the Council's Development Management Service.

Mrs. Newbold presented the case and Members subsequently inspected the application site and its surroundings.

Members noted that the site lies in a rural area, with neighbouring properties located a fair distance away. Members felt that any potential impacts on amenity could be adequately controlled through the suggested conditions.

Despite being sited on an elevated hillside, the Panel also agreed that no harmful visual impact had occurred as a result of the excavation.

Furthermore, Members observed the local highway network leading to the site and agreed that it would be better for the material to be brought to site during the quieter winter months, thereby reducing potential conflict between vehicles and pedestrians on the delivery route during the busier summer months.

The meeting was subsequently closed.

1.2. A240382



Rhif y Cais / Application Reference	A240382
Derbyniwyd / Received	23-05-2024
Y Bwriad / Proposal	Proposed Replacement Garage to include demolition of existing Garage.
Lleoliad Safle / Site Location	Moduron Strata Motors, Bridge Street, Pontrhydfendigaid, Ceredigion, SY25 6EE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr Paul Davies, Moduron Strata Motors Bridge Street, Pontrhydfendigaid, Ceredigion, SY25 6EE
Asiant / Agent	Mr Nigel Hughes (Morgan & Flynn Architectural Services), Tan Y Dderwen, Llanrhystud, SY23 5ED

Y SAFLE A HANES PERTHNASOL

Mae safle'r cais ym mhentref Pontrhydfendigaid sy'n ddatblygiad llinol o'r 19eg a'r 20fed ganrif ar naill ochr y B4343 a phytiau byr ar hyd ffordd ymylol.

Mae'r rhan fwyaf o'r tai hŷn yn dyddio o ganol i ddiwedd y 19eg ganrif. Maent wedi'u hadeiladu o gerrig – wedi'i rendro â sment, cerrig wedi'u paentio neu'n ddi-addurn gyda thoeau llechi.

Mae tai modern mewn ystadau bach a thai unigol neu fyngalos wedi'u lleoli o fewn ac ar gyrion y pentref.

Adeiladwyd cyfleusterau chwaraeon, adeiladau amaethyddol ffrâm ddur a neuaddau arddangos ar gyrion gogleddol y pentref.

Mae'r safle ei hun yn cynnwys adeilad allanol traddodiadol un-llawr a deallir ei fod yn cael ei ddefnyddio ar bwrpas B2 ar hyn o bryd.

Mae'r safle wedi'i amgylchynu gan ddatblygiadau preswyl i'r ffin ogleddol a dwyreiniol. Mae Stryd yr Abaty i'r de ac Stryd y Bont i'r gorllewin.

Hanes Cynllunio

801209 - garej ar gyfer storio cerbydau tacsï – cymeradwywyd yn seiliedig ar amodau 17/12/1980

MANYLION Y DATBLYGIAD

Mae'r cais sy'n cael ei ystyried yma yn gofyn am ganiatâd cynllunio llawn ar gyfer dymchwel yr adeilad presennol, a chodi uned bwrpasol newydd i'w defnyddio fel garej atgyweirio ceir (defnydd diwydiannol ysgafn B2).

Byddai'r uned newydd yn cael ei hail-leoli gyferbyn a'r eiddo preswyl oddi ar Maes-y-Dderwen.

Byddai'r uned yn mesur 14.5 metr o led 10.7 metr o ddyfnder gydag uchder crib o 6.9 metr.

Tra'n ystyried y cais, cyflwynwyd cynlluniau diwygiedig sy'n dangos ymdriniaeth ffiniau i gynnwys ffensys trellis gyda phlanhigion dringo mewn potiau i ddarparu sgrinio naturiol i'r drychiad cefn ac ochr.

Bydd yr ymdriniaeth i'r ffin orllewinol yn parhau fel y mae.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Mae'r polisiâu Cenedlaethol a lleol canlynol yn berthnasol wrth benderfynu'r cais hwn:

- DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Iaith Gymraeg

- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM05 Datblygu Cynaliadwy a Lles Cynllunio
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM09 Dylunio a Symud
- DM10 Dylunio a Thirwedd
- DM11 Dylunio ar gyfer y Newid yn yr Hinsawdd
- DM12 Seilwaith Cyfleustodau
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Lleol
- DM17 Y Dirwedd yn Gyffredinol
- DM19 Tirweddau Hanesyddol a Diwylliannol
- LU12 Cynigion Cyflogaeth ar Safleoedd sydd heb eu Neilltuo
- S01 Twf Cynaliadwy
- S03 Datblygiad mewn Canolfannau Gwasanaethau Gwledig
- Y Gymuned a'r Iaith Gymraeg CCA 2015
- Tafflen Gymorth: y Gymuned a'r Gymraeg CCA 2015
- Safonau Parcio CSC CCA 2015
- Asesiad Trafnidiaeth CCA 2015
- Amgylchedd Adeiledig a Dylunio CCA 2015
- Cadwraeth Natur CCA 2015
- Cymru'r Dyfodol: Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (rhifyn 12, Chwefror 2024)
- TAN 11 Sŵn (1997)
- TAN 12 Dyluniad (2016)
- TAN 18 Trafnidiaeth (2007)
- TAN23 Datblygiad Economaidd (2014)
- TAN 5 Cadwraeth Natur a Chynllunio (2009)

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn rhoi dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau gan ystyried effaith debygol gweithredu'r swyddogaethau hyn ar droseddau ac anhrefn yn ei ardal, ac i wneud popeth y gallu yn rhesymol i atal troseddau ac anhrefn. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai cynnydd sylweddol nac 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 rhyw; beichiogrwydd a mamolaeth; hil; crefydd neu gredo; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw dyledus i hybu cydraddoldeb yn cynnwys:

- Gwaredu neu leihau anfanteision y mae pobl yn eu dioddef yn sgil eu nodweddion gwarchoddedig;
- Cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig lle bo'r anghenion yn wahanol rai 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.

Rhoddwyd sylw dyledus i'r ddyletswydd uchod wrth benderfynu ynghylch 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 gosod dyletswydd ar y Cyngor i gymryd camau rhesymol i 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 gosodir yn Neddf 2015. Wrth bennu'r argymhelliad, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu bodloni heb amharu ar allu cenedlaethau'r dyfodol i fodloni eu hanghenion eu hunain.

YMATEBION YMGYNGHORI

Cyngor Cymuned Ystrad Flur – Dim gwrthwynebiad

Priffyrdd – Dim gwrthwynebiad yn seiliedig ar amodau

Draenio Tir – Bydd angen cymeradwyaeth SDCau

Ecoleg – Dim gwrthwynebiad yn seiliedig ar amodau

Amddiffyn y Cyhoedd – Dim gwrthwynebiad yn seiliedig ar amodau

Cyfoeth Naturiol Cymru – Dim gwrthwynebiad

Ni dderbyniwyd unrhyw sylwadau trydydd parti mewn perthynas â'r cais. Mae Cyngor Cymuned Ystrad Fflur, wedi gofyn am ddarpariaeth llwybr troed ar hyd ymyl flaen y safle.

CASGLIAD

Mae adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn nodi:

"Os ystyrir y cynllun datblygu at bwrpas gwneud penderfyniad o dan Ddeddfau Cynllunio bydd yn rhaid gwneud y penderfyniad hwnnw yn unol â'r cynllun oni bai fod ystyriaeth materion yn cyfleu fel arall".

Egwyddor Datblygu

Deallir bod safle'r cais yn cael ei ddefnyddio ar bwrpas atgyweirio ceir a sefydlwyd (B2 diwydiannol ysgafn). Felly, ystyrir bod egwyddor uned B2 newydd yn y lleoliad hwn yn dderbyniol.

Dylunio ac Effaith Weledol

DM06 yw'r elfen creu lle, polisi'r CDLI ac mae'n nodi y dylai'r datblygiad roi sylw llawn a chyfrannu'n gadarnhaol at gyd-destun ei leoliad a'i amgylchoedd. Dylai'r datblygiad adlewyrchu dealltwriaeth glir o egwyddorion dylunio, y cyd-destun ffisiolegol, cymdeithasol, economaidd ac amgylcheddol lleol a dylai hyrwyddo dylunio arloesol wrth ystyried arbenigrwydd lleol a threftadaeth ddiwylliannol o ran ffurf, dyluniad a deunyddiau. Dylai ceisiadau datblygu hefyd ategu'r safle a'i amgylchoedd o ran cynllun, parchu golygfeydd i mewn ac allan o'r safle, gan gynhyrchu ffurf gydlynol mewn perthynas â maint, uchder a chyfran y ffurf adeiledig bresennol.

Byddai'r adeilad arfaethedig gam ymlaen o'r llinell adeiledig sefydledig ac yn dalach nag eiddo cyfagos ac o'r herwydd nid yw'n rhoi sylw i gynllun, uchder a maint y ffurf adeiledig bresennol sy'n groes i DM06 y CDLI.

Amwynder Preswylwyr

Mae amod 7, polisi DM06 yn ceisio diogelu amwynder preswylwyr eiddo cyfagos rhag niwed sylweddol mewn perthynas â phreifatrwydd, sŵn a golygfeydd. Mae eiddo preswyl gerllaw'r safle. Byddai'r adeilad arfaethedig yn cael ei ddatblygu'n

agosach at yr eiddo hyn, gan ei fod dim ond 1.2 metr o'r ffin 7.6 metr o dalcen tŷ 6 Maes Y Dderwen ac 1.25 metr o'r ffin, a 2.5 metr o dalcen tŷ 7 Maes Y Dderwen.

Dylid nodi, oherwydd topograffi'r tir, fod y safle yn uwch na'r eiddo cyfagos hyn.

Byddai'r adeilad arfaethedig hefyd gam ymlaen o brif ddrychiad y byngalo un llawr, sef rhif 7. Er hyn, mae'r lluniadau'n dadlau y gellir bodloni'r rheol 45 gradd a nodir yn y CCA Amgylchedd Adeiledig a Dylunio. Er y gall hyn fod yn wir pan fo'r rheol 45 gradd yn cael ei chymhwyso ar yr echelin fertigol, mae'r datblygiad arfaethedig yn methu'r rheol 45 gradd pan gaiff ei chymhwyso ar y gwastadedd llorweddol.

Er y cydnabyddir hefyd nad yw'r ffenestr ar dalcen tŷ rhif 6 ar gyfer ystafell fyw, byddai'r datblygiad arfaethedig yn cysgodi gofod amwynder allanol yr eiddo hwn.

Mae Diogelu'r Cyhoedd o'r farn y gellir rheoli unrhyw bryderon mewn perthynas â'r effeithiau sŵn a llygredd gwastraff gydag amodau cynllunio.

Fodd bynnag, oherwydd topograffi'r tir, ac uchder yr adeilad arfaethedig mae gan yr Awdurdod Lleol bryderon sylweddol o ran yr effaith orbwysol y byddai'r datblygiad yn ei chael ar yr amwynder preswyl a fwynheir gan drigolion yr eiddo cyfagos sydd yn groes i DM06 o'r CDLI.

Priffyrdd

Mae Polisi DM03 yn cynghori y dylid lleoli datblygiadau gyda'r bwriad o leihau'r angen i deithio. Mae Polisi DM03 hefyd yn nodi y dylid sicrhau darpariaeth parcio fel rhan o gynllun datblygu yn unol â'r CCA Safonau Parcio Ceredigion.

Byddai mynediad i gerbydau i'r datblygiad arfaethedig drwy'r fynedfa bresennol o'r B4343 gyda lle parcio ar gyfer 2 aelod o staff ac 1 ymwelydd yn cael eu darparu ar y safle. Byddai'r datblygiad arfaethedig hefyd yn darparu ar gyfer troi cerbydau ar y safle fel y gellir gyrru i mewn ac allan o'r safle am ymlaen. Mae'r cais yn cael ei ystyried yn unol â'r safonau parcio a fabwysiadwyd fel y nodir yn y CCA.

Mae Polisi DM04 yn tynnu sylw ymgeiswyr at yr angen i wneud y mwyaf o'r cyfleoedd ar gyfer cerdded, beicio a defnyddio trafnidiaeth gyhoeddus. Dylid cyflawni hyn drwy ddarparu cyswllt o ddatblygiad newydd i'r llwybrau presennol ac ail-osod seilwaith nad yw'n cael ei ddefnyddio lle bydd hynny'n gwasanaethu datblygiad newydd mewn ffordd gynaliadwy gan ddarparu gwell iechyd ac ansawdd bywyd trwy ymgorffori nodweddion mewn datblygiad sy'n manteisio ar gysylltiadau â dulliau teithio heblaw ceir ar gyfer siwrneiau pobl a chludo nwyddau.

Mae'r safle wedi'i leoli'n dda yng nghanol Pontrhydfendigaid yn agos at y gwasanaethau sydd ar gael.

Ymgynghorwyd â'r Awdurdod Priffyrdd Lleol ynghylch y cais ac ni chynhigiwyd gwrthwynebiad i'r datblygiad arfaethedig a hynny'n seiliedig ar amodau. Ar y cyfan, ystyrir na fydd y datblygiad arfaethedig yn cael effaith andwyol annerbyniol ar ddiogelwch a symudiadau priffyrdd, ac mae digon o gapasiti o fewn y rhwydwaith priffyrdd presennol i amsugno'r traffig a grëir o ganlyniad i'r datblygiad hwn.

Effaith Ecolegol

Mae Polisi 9 Cymru'r Dyfodol 2040 yn ceisio sicrhau bod Cymru'n datblygu a chynnal rhwydweithiau seilwaith ecolegol a gwyrdd cadarn. Ym mhob achos, rhaid dangos bod camau wedi'u cymryd tuag at sicrhau cynhaliaeth a gwella bioamrywiaeth (i ddarparu budd net), cydnerthedd ecosystemau ac asedau seilwaith gwyrdd fel rhan o geisiadau datblygu trwy ddulliau arloesol ar sail natur o gynllunio'r safle a dylunio'r amgylchedd adeiledig.

Mae DM14 a DM15 o'r Cynllun Datblygu Lleol yn ceisio cynnal a gwella bioamrywiaeth a diogelu safleoedd gwarchoddedig pwysig. Ni chaniateir datblygu ar safleoedd, cynefinoedd neu lle ceir rhywogaethau a warchodir naill ai'n uniongyrchol, yn anuniongyrchol neu ar y cyd, oni ellir dangos bod y cynnig yn cyfrannu at amddiffyn, gwella neu reoli cadarnhaol o'r safle, cynefin neu rywogaethau, neu mewn amgylchiadau penodol eraill a nodir yn y polisi. Mae CCA y Cyngor ar fioamrywiaeth yn darparu canllawiau ar asesu effaith datblygiad ar safleoedd dynodedig neu rywogaethau a warchodir.

Mae'r safle o fewn talgylch Ardal Cadwraeth Arbennig Afon Teifi (ACA) sydd ar hyn o bryd yn methu â chyrraedd targedau ffosffadau.

Bwriedir cysylltu â'r garthffos gyhoeddus bresennol. Mae Dŵr Cymru sy'n gyfrifol am garthffosiaeth wedi cadarnhau bod pryderon ynglŷn â chyflawni gofynion trwyddedu llif ymlaen yn y gwaith trin dŵr gwastraff perthnasol.

Er gwaethaf hyn, o ystyried maint a natur y datblygiad arfaethedig, ni ystyrir bod y cynllun yn arwain at lwyth ychwanegol o ddŵr gwastraff, a gellir ei gategoreiddio fel un nad yw'n debygol o gael effaith sylweddol ar ACA yr afon.

Mae'r Datganiad Seilwaith Gwyrdd a gyflwynwyd i gefnogi'r cais yn cadarnhau na fyddai'r datblygiad arfaethedig yn arwain at gollu unrhyw seilwaith gwyrdd presennol. Cynigir gwelliannau bioamrywiaeth ar ffurf blychau nythu ystlumod ac adar.

Ymgynghorwyd â'r Ecolegydd Cynllunio Sirol wrth ystyried y cais cynllunio ac ni chodwyd unrhyw wrthwynebiad yn seiliedig ar amod sy'n sicrhau darpariaeth gwelliannau bioamrywiaeth yn unol â DM14 a DM15 y CDLI.

Draenio tir a pherygl o lifogydd.

Ystyrir bod y safle yn ardal llifogydd A fel y dangosir ar Fap Cyngor Datblygu CNC, a Pharth Llifogydd 1 fel y'i dangosir ar y Map Llifogydd ar gyfer cynllunio sef y wybodaeth ddiweddaraf orau sydd i'w gael mewn perthynas â llifogydd. Felly, ni ystyrir bod y datblygiad arfaethedig mewn perygl o lifogydd ac mae'n cydymffurfio â TAN15 a pholisi DM11 o'r CDLI sy'n ceisio cyfeirio datblygiad i ffwrdd o ardaloedd sydd mewn perygl o lifogydd.

Fodd bynnag, mae adran gwasanaethau technegol y Cyngor wedi nodi bod y safle gyferbyn ag ardal sydd mewn perygl o lifogydd. Bydd angen cymeradwyaeth SDCau, a dylid cynllunio SDCau i leihau'r risg o lifogydd dŵr wyneb.

ARGYMHELLIAD:

Argymhellir bod y cais yn cael ei wrthod am y rhesymau canlynol:

Oherwydd topograffi'r tir, lleoliad ac uchder yr adeilad arfaethedig byddai'r datblygiad yn arwain at effaith orbwysol ar yr amwynder preswyl a fwynheir gan drigolion yr eiddo cyfagos sy'n groes i faen prawf 7 o'r DM06 Cynllun Datblygu Lleol Ceredigion 2007 – 2022 (a fabwysiadwyd yn 2013)

Rhesymau dros gyfeirio

Mae'r Cynghorydd Ifan Davies fel aelod lleol Ward Tregaron ac Ystrad Fflur yn cyfeirio'r cais i'r Pwyllgor Rheoli Datblygu i'w ystyried am y rhesymau canlynol:

Nid wyf yn credu bod y cais yn creu presenoldeb orbwysol ar eiddo cyfagos ac y gellir gosod yr adeilad ar y safle yn unol â'r lluniadau gwreiddiol. Rwy'n teimlo y gall polisïau LU11 o DM06 gefnogi'r cais hwn.

RHESWM DROS OHIRIO

Yn ei gyfarfod ar 11 Rhagfyr, 2024 penderfynodd y Pwyllgor Rheoli Datblygu gyfeirio'r cais i'r Panel Archwilio Safle yn unol â Pharagraffau 5 a 7 o feini prawf mabwysiedig y Cyngor.

Cyfarfu'r Panel Archwilio Safle ar ddydd Mawrth, 7fed Ionawr, 2025 ac roedd y panel yn cynnwys y Cynghorydd Carl Worrall (Cadeirydd); Cyng Meirion Davies, Raymond Evans a Rhodri Evans. Hefyd yn bresennol roedd y Cyng Ifan Davies (mewn swyddogaeth arsylwi fel Aelod Ward Lleol) a Mr. Jonathan Eirug o'r Awdurdod Cynllunio Lleol (ACLI).

Cyflwynodd Mr. Eirug y cais ac amlinellodd y rhesymau pam yr oedd swyddogion yr ACLI yn argymhell gwrthod y cais. Nodwyd bod y bwriad yn annerbyniol gan ei fod yn gwrthdaro â pholisi DM06 o'r CDLI ar y sail y byddai'r datblygiad yn cael effaith andwyol ar fwynderau trigolion cyfagos; colli'r adeilad allanol traddodiadol a methiant i ystyried gosodiad, uchder a chymesuredd y ffurf adeiledig bresennol.

Bu'r Aelodau'n archwilio'r safle ar gyfer y datblygiad arfaethedig a'r berthynas gyda'r eiddo cyfagos a allai gael ei effeithio gan y cynnig. Sylwodd y Panel hefyd ar y safle gwahanol ar gyfer yr adeilad fel yr awgrymwyd gan yr ACLI.

Roedd y Panel o'r farn na fyddai'r cynnig yn cael effaith andwyol ar fwynderau'r eiddo cyfagos. Roedd ffenestri Rhif 6 Maes y Dderwen wedi'u cyfyngu i ystafell ymolchi ac roedd y prif ffenestri i Rif 7 Maes y Dderwen wedi'u gosod fel eu bod yn edrych yn syth allan i flaen yr eiddo. Roedd y ffaith y byddai'r adeilad arfaethedig wedi'i leoli ar ochr Rhif 7 yn golygu na fyddai'r eiddo hwnnw yn colli unrhyw olygfa yn eu barn hwy.

Roedd y Panel yn unfrydol yn eu barn y gellid cefnogi'r cais fel y mae.

Daeth y cyfarfod i ben wedi hynny.

Rhif y Cais / Application Reference	A240382
Derbyniwyd / Received	23-05-2024
Y Bwriad / Proposal	Proposed Replacement Garage to include demolition of existing Garage.
Lleoliad Safle / Site Location	Moduron Strata Motors, Bridge Street, Pontrhydfendigaid, Ceredigion, SY25 6EE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr Paul Davies, Moduron Strata Motors Bridge Street, Pontrhydfendigaid, Ceredigion, SY25 6EE
Asiant / Agent	Mr Nigel Hughes (Morgan & Flynn Architectural Services), Tan Y Dderwen, Llanrhystud, SY23 5ED

THE SITE AND RELEVANT PLANNING HISTORY

The application site is within the village of Pontrhydfendigaid which consists of 19th and 20th century linear development along either side of the B4343 and for a short distance on side roads.

Most older houses date to the mid to-late 19th century. They are stone built - cement rendered, painted stone or left bare with slate roofs.

Modern housing in small estates and individual houses or bungalows lie within and on the outskirts of the village.

Sports facilities, steel frame agricultural buildings and exhibition halls have been constructed on the northern fringe of the village.

The site itself includes a traditionally constructed single storey outbuilding which is understood to benefit from an existing B2 use.

The site is bound by residential development to the north and eastern boundaries. Abbey Road is to the south and Bridge Street is to the west.

Planning History

801209 - garage for storage of taxi vehicles – approved STC 17/12/1980

DETAILS OF DEVELOPMENT

The application under consideration here seeks full planning permission for the demolition of the existing building, and the erection of a replacement purpose-built unit for use as car repair garage (B2 light industrial use).

The replacement unit would be re-sited as to be adjacent to the residential properties off Maes-y-Dderwen.

The unit would measure 14.5 meters in width by 10.7 meters in depth and would be 6.9 meters in height at the ridge.

During the course of consideration of the application revised plans have been submitted which show boundary treatment to include trellis fencing with potted climbing plants to provide natural screening to the rear and side elevation.

Boundary treatments to the western boundary remain as existing.

RELEVANT PLANNING POLICIES AND GUIDANCE

These national and local policies are applicable in the determination of this application:

- DM01 Managing the Impacts of Development on Communities and the Welsh Language
- DM03 Sustainable Travel

- DM04 Sustainable Travel Infrastructure as a Material Consideration
- DM05 Sustainable Development and Planning Gain
- DM06 High Quality Design and Placemaking
- DM09 Design and Movement
- DM10 Design and Landscaping
- DM11 Designing for Climate Change
- DM12 Utility Infrastructure
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape
- DM19 Historic and Cultural Landscape
- LU12 Employment Proposals on Non-allocated Sites
- S01 Sustainable Growth
- S03 Development in Rural Service Centres (RSCs)
- Community and the Welsh Language SPG 2015
- Community and the Welsh Language SPG Help Sheet 2015

- CCC Parking Standards SPG 2015
- Transport Assessment SPG 2015
- Built Environment and Design SPG 2015
- Nature Conservation SPG 2015
- Future Wales: The National Plan 2040
- Planning Policy Wales (Edition 12, February 2024)
- TAN11 Noise (1997)
- TAN12 Design (2016)
- TAN18 Transport (2007)
- TAN23 Economic Development (2014)
- TAN5 Nature Conservation and Planning (2009)

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

Cyngor Cymuned Ystrad Flur Community Council – No Objections

Highways – No Objection STC

Land Drainage – SUDs approval required

Ecology – No Objection STC

Public Protection – No Objection STC

Natural Resources Wales – No Objection

No third-party representations have been received in respect of the application. Ystrad Flur community council have requested a footpath be provided along the site frontage.

CONCLUSION

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

Principle of Development

The application site is understood to have an established use as a car mechanic (B2 light industrial). The principle of a replacement B2 unit in this location is therefore considered to be acceptable.

Design and Visual Impact

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

The proposed building would sit forward of the established built line and is taller than neighbouring properties and as such fails to have regard to the layout, height and proportion of the existing built form contrary to DM06 of the LDP.

Residential Amenity

Criterion 7 of Policy DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook. There are residential properties to the immediate vicinity of the site. The proposed building would

be developed closer to these properties, being just 1.2 meters from the boundary 7.6 meters from the gable of 6 Maes Y Dderwen and 1.25 meters from the boundary, and 2.5 meters from the gable end of 7 Maes Y Dderwen.

It should be noted that owing to the topography of the land, the site sits higher than these neighbouring properties.

The proposed building would also sit forward of the principal elevation of number 7 a single storey bungalow. Notwithstanding this the drawings contest that the 45-degree rule set out within the built environment and Design SPG can be met. While this may be true when the 45-degree rule is applied on the vertical axis, the proposed development fails the 45-degree rule when applied on the horizontal plain.

While it is also accepted the window with the gable end of number 6 does not serve a habitable room, the proposed development would overshadow the exterior amenity space of this property.

Public protection considers that concerns in respect of the noise impacts and waste pollution can be managed by way of planning condition.

However, owing to the topography of the land, and the height of the proposed building the LPA has significant concerns with regard to the overbearing impact the development would have on the residential amenity enjoyed by the residents of these neighbouring properties contrary to DM06 of the LDP.

Highways

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

Vehicular access to the proposed development would be via the existing access from the B4343 with 2 staff and 1 visitor parking spaces provided on site. The proposed development would also make provision for the turning of vehicles on site as to enter and exit the site in the forward gear. The proposal is therefor considered to accord with the adopted parking standards as set out in the SPG.

Policy DM04 draws the attention of applicants to the need to make the most of opportunities for walking, cycling and the use of public transport. This should be achieved by providing connections to existing routes from new development, re-instating infrastructure that has fallen into disuse where that will serve new development in a sustainable way and providing improved health and quality of life by incorporating features in development that take advantage of links to non-car travel modes for human and freight movement.

The site is well located within the centre of Pontrhydfendigaid close to the services available.

The Local Highway Authority have been consulted on the application and offer no objection to the proposed development subject to conditions. Overall, it is considered that the proposed development will not have an unacceptable adverse impact on highway safety and movement, and there is sufficient capacity within the existing highway network to absorb the traffic created as a result of this development.

Ecological Impact

Policy 9 of Future Wales 2040 seeks to ensure that Wales develops and maintain resilient ecological and green infrastructure networks. In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

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

The site lies within the catchment of the Afon Teifi Special Area of Conservation (SAC) which is currently failing to meet phosphates targets.

It is proposed to connect to the existing public sewer. Welsh Water Dwr Cymru as sewerage undertaker has confirmed that there are concerns with regard to pass forward flows permits being achieved in the relevant waste water treatment works.

Notwithstanding this, given the scale and nature of the proposed development, the scheme is not considered to result in an additional load of wastewater and can be screened out as not likely to have a significant effect on a river SAC.

The Green Infrastructure Statement submitted in support of the application confirms that the proposed development would not result in the loss of any existing green infrastructure. Biodiversity enhancements are proposed in the form of bat and bird nesting boxes.

The County Planning Ecologist has been consulted during the consideration of the planning application and raises no objection subject to a condition securing the provision of biodiversity enhancements in accordance with DM14 and DM15 of the LDP

Land Drainage and Flood risk.

The site is considered to be in floodzone A as shown on NRW's Development Advice Map, and Flood zone 1 as shown on the Flood map for planning which is the most up to date and best available information in respect of flooding. As such the proposed development is not considered to be at risk of flooding and conforms with TAN15 and policy DM11 of the LDP which seek to direct development away from areas at risk of flooding.

The council's own technical services department have however advised that the site is adjacent to an area at risk of flooding. SUDs approval is required, and SUDs should be designed to minimize the risk of surface water flooding.

RECOMMENDATION:

It is recommended that the application be refused for the following reasons:

Owing to the topography of the land, the siting and the height of the proposed building the development would result in an overbearing impact on the residential amenity enjoyed by the residents of these neighbouring properties contrary to criterion 7 DM06 of the Ceredigion Local Development Plan 2007 – 2022 (adopted 2013)

The proposed building would result in the loss of a traditional outbuilding, and would sit forward of the established building line and is taller than neighbouring properties and as such fails to have regard to the layout, height and proportion of the existing built form contrary to DM06 of the Ceredigion Local Development Plan 2007 – 2022 (adopted 2013)

Reasons for referral

Cllr Ifan Davies as local member for the Tregaron and Ystrad Fflur ward has referred the application to the development management committee for consideration for the following reasons:

I don't believe the application has an overbearing presence on the neighbouring properties and that the building can be accommodated on site as to original drawings. I feel that policies LU11 of DM06 can support this application.

REASON FOR DEFERRAL

The Development Management Committee at its meeting on 11th December, 2024 resolved to refer the application to the Site Inspection Panel in accordance with Paragraphs 5 and 7 of the Council's adopted criteria.

The Site Inspection Panel met on Tuesday, 7th January, 2025 and the panel comprised of Cllr's Carl Worrall (Chair); Meirion Davies, Raymond Evans and Rhodri Evans. Also in attendance were Cllr Ifan Davies (in an observational capacity as Local

Ward Member) 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. It was noted that the proposal was unacceptable as being in conflict with policy DM06 of the LDP on grounds that the development would have a detrimental impact on the amenities of nearby residents; the loss of the traditional outbuilding and failure to have regard to the layout, height and proportion of the existing built form.

Members inspected the site for the proposed development and the relationship with the neighbouring properties which could be affected by the proposal. The Panel also observed the alternative site for the building as suggested by the LPA.

The Panel were of the opinion that there would not be a detrimental impact on the amenities of the nearest neighbouring properties from the proposal. Fenestration on No.6 Maes y Dderwen was limited to a bathroom and the main fenestration to No.7 Maes y Dderwen were positioned so that they looked directly out to the front of the property. The fact that the proposed building would be sited to the side of No.7 meant that in their opinion no loss of outlook would be experienced by that property.

The Panel were unanimous in their opinion that the application could be supported as it stands.

The SIP meeting was subsequently closed.