

2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A200958	03-11-2020	Mr Richard Newton	Proposed erection of a dwelling along with parking area	3 Pen y Cei, Felin-y-Mor Road, Trefechan, SY23 1BS	Approve Subject to Conditions
2	A200694	21-08-2020	Mr Gareth Evan Richards	Change of use of holiday unit 5 into a Managers Accommodation	Penuwch Fawr, Capel Seion, Aberystwyth. SY23 4ND	Refuse
3	A200945	02-11-2020	Mr Dafydd Driver	Demolition of original cottage, and erection of replacement dwelling.	Penrhiw Cottage, Ciliau Aeron, SA48 8DA	Refuse
4	A200773	16-09-2020	Mr and Mrs A & S Irvine	Proposed Local Needs (Affordable) Dwelling	Llwydlo Fach, Aberarth, SA46 0JX	Refuse

2.1. A200958



Rhif y Cais / Application Reference	A200958
Derbyniwyd / Received	03-11-2020
Y Bwriad / Proposal	Bwriad i godi annedd ynghyd ag ardal barcio
Lleoliad Safle / Site Location	3 Pen y Cei, Ffordd Felin-y-Môr, Trefechan, SY23 1BS
Math o Gais / Application Type	Caniatâd Cynllunio Amlinellol – Yr Holl/Rhai Materion Wedi'u Cadw'n Ôl
Ymgeisydd / Applicant	Mr Richard Newton, 3, Pen Y Cei , Ffordd Felin-y-Môr, Aberystwyth, Ceredigion, SY23 1BS
Asiant / Agent	Mr Byron Jenkins (Ymgynghoriaeth Pensaernïol Byron Jenkins), Capel Afan, Llanafan, Aberystwyth, Ceredigion, SY23 4AY

Y SAFLE A HANES PERTHNASOL

Mae'r cais amlinellol hwn am ganiatâd i ddatblygu un uned breswyl ar ddarn o dir wedi'i fewnlenwi ar Ffordd Felin-y-Môr yn Nhrefechan, Aberystwyth. Mae'r safle wedi'i leoli gerllaw'r lard Gychod ar Ffordd Felin-y-Môr (sydd â chaniatâd cynllunio ar gyfer 4 fflat a 4 fflat deulawr mewn dau bloc, cyf: A120009). Byddai mynediad i'r safle ar hyd ffordd fach breifat, sy'n gwasanaethu tair annedd ar hyn o bryd.

Hanes Cynllunio:

870114 – Cynllunio Llawn – Adeiladu maes parcio gyda 69 o lefydd – Cymeradwywyd yn Unol ag Amodau (30/04/1987)

930476 - Cynllunio Llawn – Llenwi'r drychfa reilffordd bresennol, ail-alinio Ffordd Felin-y-Môr ac Adeiladu iard gychod yn y gaeaf a maes parcio ceir yn yr haf - Cymeradwywyd yn Unol ag Amodau (16/09/1993)

940385 – Materion Wedi'u Cadw'n Ôl – Codi 65 o fflatiau ac 13 o dai 3 ystafell wely – Cymeradwywyd yn Unol ag Amodau (22/08/1994)

960960 – Cynllunio Llawn – Codi 18 o Dai i Brynwyr Cyntaf – Cymeradwywyd yn Unol ag Amodau (09/07/1999)

A120009 - Cynllunio Llawn - Codi 4 fflat a 4 fflat deulawr mewn 2 floc ac uned sengl yn Yr lard Gychod - Cymeradwywyd yn Unol ag Amodau (31/07/2012)

A160295 – Cynllunio Llawn – Amrywiad ar Amod 2 o ganiatâd cynllunio A120009 lluniadau wedi'u diwygio – Cymeradwywyd yn Unol ag Amodau (06/04/2016)

MANYLION Y DATBLYGIAD

Mae'r cais cynllunio ar gyfer caniatâd i ddatblygu annedd newydd ar y safle, gyda'r holl faterion yn cael eu cadw'n ôl i'w cymeradwyo'n ddiweddarach.

Mae'r cynllun bloc yn dangos y bydd yr annedd wedi'i lleoli yn rhan de-ddwyreiniol y plot, gydag ardal amwynder breifat wedi'i lleoli yn rhan gogledd-orllewinol y plot. Byddai'r mynediad i'r safle ar hyd ffordd fach breifat, sy'n gwasanaethu tair annedd ar hyn o bryd. Byddai dau le parcio ychwanegol yn cael eu creu ar hyd rhan orllewinol y plot, a fyddai'n gofyn codi waliau cynnal. Am fod y safle hwn ar oleddf, byddai rhan o'r annedd wedi'i 'thorri i mewn' i'r llechwedd.

Bydd yr holl faterion megis cynllun y safle, y dyluniad a'r deunydd yn cael eu penderfynu yn yn ystod y cam Materion Wedi'u Cadw'n Ôl.

Mae paramedrau'r annedd arfaethedig fel a ganlyn:

Uchder y Grib – Uchafswm 8.2m, Isafswm 6m

Uchder y Bondo Isaf – 4.2m

Lled yr Annedd – Uchafswm 8.2m, Isafswm 6m

Uchafswm Hyd yr Annedd – 10m, Isafswm 8m

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisi Cynllunio Cenedlaethol Perthnasol

- Cymru'r Dyfodol: y cynllun cenedlaethol 2040 (Chwefror 2021)

- PCC Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)
- TAN5 Cadwraeth Natur a Chynllunio (2009)
- TAN12 Dylunio (2016)

Polisi Cynllunio Lleol Perthnasol

- S01 Twf Cynaliadwy
- S02 Datblygu mewn Canolfannau Gwasanaethau Trefol
- S05 Tai Fforddiadwy
- LU02 Gofynion sy'n Ymwneud â Phob Datblygiad Preswyl
- LU05 Sicrhau Cyflenwi Datblygiadau Tai
- DM06 Dylunio a Gwneud Lleoedd o Safon Uchel
- DM10 Dylunio a Thirlunio
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecologol
- DM15 Cadwraeth Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol

Polisi Cynllunio Lleol Perthnasol

- CCA Safonau Parcio CSC
- CCA Dylunio Amgylchedd Adeiledig
- CCA Cadwraeth Natur

YSTYRIAETHAU PERTHNASOL ERAILL

Mae Adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i ymarfer ei swyddogaethau amrywiol, gan roi sylw priodol i effaith debygol ymarfer y swyddogaethau hynny ar drosedd ac anhrefn yn ei ardal, a'r angen i wneud popeth sy'n rhesymol bosib i'w atal. Mae'r ddyletswydd honno wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai unrhyw gynnydd sylweddol neu annerbyniol yn lefel y 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 priodol i hyrwyddo cydraddoldeb yn golygu:

- dileu neu leihau'r anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i gwrdd ag anghenion pobl o grwpiau gwarchoddedig pan fydd y rhain yn wahanol i anghenion pobl eraill, ac
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus, neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

Mae'r ddyletswydd uchod wedi cael ystyriaeth briodol wrth wneud penderfyniad am y cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol o ran pobl sydd â nodwedd warchoddedig, nac yn un a fydd yn cael effaith sylweddol arnynt, o'i gymharu ag unrhyw un 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 ymarfer ei swyddogaethau i fodloni'r saith nod llesiant a geir yn y Ddeddf. Mae'r adroddiad hwn wedi'i baratoi 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 gwrdd â'u hanghenion eu hunain

YMATEBION YMGYNGHORI

Cyngor Tref Aberystwyth – Yn gwrthwynebu'r cynnig am y rhesymau canlynol:

- Gwrthwynebiad lleol cryf;
- Rheol golau 45 gradd
- Problemau draenio a dŵr wyneb
- Effaith ar barcio
- Effaith ar fywyd gwylt
- Effaith ar gymdogion

- Dyluniad ddim yn gydnaws â'r bensaernïaeth leol

Priffyrdd – Dim Gwrthwynebiad, yn unol ag Amodau

Draenio tir - Sylwadau

Dŵr Cymru Welsh Water – Dim Gwrthwynebiad, yn unol ag Amodau

Derbyniwyd gwrthwynebiadau trydydd parti gan y gwrthwynebwyr canlynol:

Ffion Robers – (1, Pen y Cei, Ffordd Felin-y-Môr)

Mrs J Edwards – (2, Pen y Cei, Ffordd Felin-y-Môr)

Marina Hughes – (3 Rope Walk, Aberystwyth)

Mr G Roberts (cyfeiriad anhysbys)

Derbyniwyd y gwrthwynebiadau canlynol, a fyddai'n ystyriaethau cynllunio materol:

- Gwrthwynebiadau ar sail diogelwch priffyrdd – cynnydd mewn traffig a phroblemau parcio
- Problemau draenio ar y safle
- Colli bioamrywiaeth a'r effaith ecolegol
- Eiddo cyfagos yn colli golau
- Amharu ar olygfa a'r effaith ar y dirwedd leol
- Gor-ddatblygu'r safle

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

Mae'r cais am ganiatâd amlinellol i ddatblygu un uned breswyl yn Nhrefechan, Aberystwyth yn wynebu Ffordd Felin-y-Môr.

Mae'r safle dan sylw'n dod o fewn ffiniau anheddiad Aberystwyth/Llanbadarn Fawr/Waunfawr y CDLI. Diffinnir yr anheddiad hwnnw fel Canolfan Gwasanaethau Trefol.

Mae Polisi S01 y CDLI, sy'n ymwneud â thwf cynaliadwy, yn datgan y bydd unrhyw dwf yn canolbwyntio ar sicrhau cymunedau cadarnach, mwy cynaliadwy, a ddarperir drwy ganiatáu cyfle i ddatblygu. Wrth ddarparu'r twf hwn, bydd amgylchedd ac adnoddau'r Sir yn cael eu gwarchod a'u gwella.

Mae Polisi S02 y CDLI yn delio â Datblygu o fewn Canolfannau Gwasanaethau Trefol, ac mae'n cefnogi darpariaeth dai ar y lefel a bennwyd ar gyfer y grŵp aneddiadau, cyn belled â'i fod yn unol â dynodiad Datganiad y Grŵp Aneddiadau a'i fod yn bodloni holl bolisiâu eraill y Cynllun. Nid yw'r safle hwn wedi'i ddynodi ar gyfer y CDLI, ond ystyrir y byddai'r cynnig yn cynorthwyo'r Awdurdod i gyrraedd y targed hwn, o ystyried bod yna ddibynnu ar rai safleoedd ar hap yn dod i'r fei er mwyn cwrdd â'r targed. O fewn ffiniau anheddiad, mae tybiaeth gyffredinol yn bodoli o blaid datblygiadau preswyl newydd, cyn belled â bod y cynnig yn bodloni'r ystyriaethau cynllunio arferol eraill.

Mae'r cais yn dod o fewn ffiniau anheddiad Aberystwyth/ Llanbadarn Fawr/Waunfawr ac ystyrir ei fod yn cydymffurfio â Pholisïau S01 ac S02 y CDLI.

Tai Fforddiadwy

Bydd unrhyw ddatblygu a ganiateir ar y plot hwn yn gorfod cydymffurfio â Pholisï S05 y CDLI, sef Tai Fforddiadwy. Bydd hynny'n gofyn talu swm cymudo o 10% i'r Awdurdod Lleol, a fyddai'n cael ei sicrhau drwy gwblhau cytundeb S106 rhwng yr Awdurdod Lleol a'r ymgeisydd.

Amwynder Preswyl

Derbyniwyd gwrthwynebiadau trydydd parti oddi wrth ddeiliaid tai cyfagos.

Mae'r cynlluniau dangosol yn dangos bod uchafswm ac isafswm graddfa paramedrau'r adeilad yn cael eu hystyried yn dderbyniol ar gyfer y lleoliad hwn, ac na fyddai'r uchafswm paramedrau a amlinellir yn amharu'n sylweddol ar olygfa tai cyfagos. Mae'r cynlluniau dangosol a gyflwynwyd ar gyfer annedd tri llawr yn dangos na fyddai'r adeilad yn torri'r rheol ongl

25-gradd yn nhermau eiddo cyfagos yn colli golau.

Mae'r safle wedi'i leoli'n union gerllaw'r lard Gychod ar Ffordd Felin-y-Môr (sydd â chaniatâd cynllunio ar gyfer 4 fflat a 4 fflat deulawr mewn dau bloc, cyf: A120009). Petai'r ddau ddatblygiad yn digwydd, mi fyddai hynny'n golygu bod deiliaid yr annedd hon yn colli rhywfaint o breifatrwydd yn nhermau eiddo cyfagos yn edrych dros yr ardal amwynder yn y cefn. Fodd bynnag, mae'r safle o fewn lleoliad gweddol agored yn nhref Aberystwyth a bernir nad yw'r preifatrwydd a gollir yn afresymol, ac nad yw chwaith yn debygol o achosi unrhyw niwed sylweddol. Ni fydd y datblygiad yn effeithio ar amwynder deiliaid tai cyfagos presennol, ac ni ystyrir y bydd yn achosi unrhyw niwed yn nhermau preifatrwydd.

Ystyrir bod y cynnig yn unol â pholisïau DM06 a DM17 y CDLI.

Priffyrdd

Mae gwrthwynebiadau trydydd parti'n ymwneud â diogelwch priffyrdd a diffyg cyfleusterau parcio; fodd bynnag, mae'r cynlluniau a gyflwynwyd yn caniatáu dau le parcio i wasanaethu'r annedd newydd. Mae'r mynediad i'r ardal barcio ar hyd ffordd *cul-de-sac* fer, breifat, ac mae'r Awdurdod Priffyrdd Lleol yn fodlon gyda'r cynnig, yn unol ag amodau.

Ecoleg

Bydd amodau'n cael eu gosod ar yr hysbysiad o benderfyniad i sicrhau bod gwelliannau ecolegol yn cael eu darparu fel rhan o'r cais i gymeradwyo materion a gadwyd yn ôl.

Pŵer Dirprwyo

Mae'r aelod lleol, y Cynghorydd Endaf Edwards, wedi gofyn bod y cais yn cael ei benderfynu gan aelodau'r pwyllgor cynllunio, am y rhesymau canlynol:

- Effeithiau'r datblygiad ar barcio yn y gymdogaeth
- Tai cyfagos yn colli preifatrwydd

Casgliad

Argymhellir bod y cais yn cael ei gymeradwyo. Mae'r cynigion yn bodloni gofynion Polisiâu S01 ac S02 y CDLI. Ystyrir bod graddfa'r annedd arfaethedig a'i gynllun dangosol yn dderbyniol.

ARGYMHELLIAD:

Cymeradwyo yn Unol ag Amodau ac yn amodol ar Gytundeb Cyfreithiol A.106, a fyddai'n sicrhau cyfraniad swm cymudo o 10% i'w ddefnyddio tuag at ddarparu tai fforddiadwy yn y sir, yn unol â darpariaeth Polisi S05 y CDLI.

Rhif y Cais / Application Reference	A200958
Derbyniwyd / Received	03-11-2020
Y Bwriad / Proposal	Proposed erection of a dwelling along with parking area
Lleoliad Safle / Site Location	3 Pen y Cei, Felin-y-Mor Road, Trefechan, SY23 1BS
Math o Gais / Application Type	Outline Planning Permission - All/Some Matters Reserved
Ymgeisydd / Applicant	Mr Richard Newton, 3, Pen Y Cei Felin-y-mor Road, Aberystwyth, Ceredigion, SY23 1BS
Asiant / Agent	Mr Byron Jenkins (Byron Jenkins Architectural Consultancy), Capel Afan, Llanafan, Aberystwyth, Ceredigion, SY23 4AY

THE SITE AND RELEVANT PLANNING HISTORY

This outline application seeks permission for the development of a single residential unit on a parcel of infill land located on Felin-y-Mor road in Trefechan, Aberystwyth. The site sits immediately adjacent to the Boat Park on Felin y Mor Road (which has planning permission for 4 flats and 4 maisonettes in two blocks, ref: A120009). The site would be accessed via a small private road, which currently serves three dwellings.

Planning History:

870114 – Full Planning – Construction of car park for 69 spaces – Approved Subject to Conditions (30/04/1987)

930476 – Full Planning – Filling of exist.railway cutting, re-alignment of Felin-y-Mor Rd and Construction of winter boat park and summer car park – Approved Subject to Conditions (16/09/1993)

940385 – Reserved Matters – Erection of 65 flats and 14 3 bedroomed houses – Approved Subject to Conditions (22/08/1994)

960960 – Full Planning – Erection of 18 starter homes – Approved Subject to Conditions (09/07/1999)

A120009 – Full Planning – Erection of 4 flats and 4 maisonettes in 2 blocks and single dwelling at Yr Iard Gychod – Approved Subject to Conditions (31/07/2012)

A160295 – Full Planning – Variation of Condition 2 of planning permission A120009 amended drawings – Approved Subject to Conditions (06/04/2016)

DETAILS OF DEVELOPMENT

The planning application seeks outline consent for the development of a new dwelling at the site, with all matters reserved for subsequent approval.

The block plan indicates that the dwelling will be located to the south eastern part of the plot with private amenity space located to the north western part of the plot. The site would be accessed via a small private road, which currently serves three dwellings. Two new parking spaces would be created along the western part of the plot, which will require the erection of retaining walls. Due to the sloping nature of the site, portions of the dwelling will be 'cut into' the slope.

All matters such as site layout, design and materials will be determined at Reserved Matters stage,

The parameters for the proposed dwelling are as follows:

Ridge Height – Maximum 8.2m, Minimum 6m

Lower Eaves Height – 4.2m

Width of Dwelling – Maximum 8.2m, Minimum 6m

Maximum Length of Dwelling – 10m, Minimum 8m

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

- Future Wales: the national plan 2040 (February 2021)

- PPW Planning Policy Wales (edition 11, February 2021)
- TAN5 Nature Conservation and Planning (2009)
- TAN12 Design (2016)

Relevant Local Planning Policy

- S01 Sustainable Growth
- S02 Development in Urban Service Centres
- S05 Affordable Housing
- LU02 Requirements Regarding All Residential Developments
- LU05 Securing the Delivery of Housing Development
- 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

Relevant Local Planning Policy

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

OTHER MATERIAL CONSIDERATIONS

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

Cyngor Tref Aberystwyth Town Council – Object to the proposal for the following reasons:

- Strong local opposition;
- 45 degree light rule
- Surface water and drainage issues
- Impact on parking
- Impact on wildlife

- Impact on neighbours
- Design not in keeping with local architecture

Highways – No Objection STC

Land Drainage - Comments

Dwr Cymru Welsh Water – No Objection STC

Third party objections have been received from the following objectors:

Ffion Robers – (1, Pen y Cei, Felin y Mor Road)

Mrs J Edwards – (2, Pen y Cei, Felin y Mor Road)

Marina Hughes – (3 Rope Walk, Aberystwyth)

Mr G Roberts (unkown address)

The following objections were received which would be material planning considerations:

- Objections on highway safety grounds – increase in traffic and parking problems
- Drainage issues at the site
- Loss of biodiversity and ecological impact
- Loss of light to neighbouring properties
- Loss of outlook and impact on local landscape
- Overdevelopment of the site

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 seeks outline permission for the development of a single residential unit in Trefechan, Aberystwyth fronting Felin-y-Mor Road.

The site in question is included within the LDP settlement boundary of Aberystwyth/ Llanbadarn Fawr/ Waunfawr. That settlement is defined as an Urban Service Centre.

Policy S01 of the LDP, which covers sustainable growth, states that growth will be focused to deliver stronger, more sustainable communities to be achieved by providing opportunity for development. In delivering this growth, the County’s environment and resources will be protected and enhanced.

Policy S02 of the LDP deals with Development in Urban Service Centres and supports housing provision level identified for the settlement group and provided it accords with the Settlement Group Statement designation and satisfies all other Plan policies. The site has not been allocated within the LDP, however it is considered that the proposal would assist the Authority in achieving this target given that there is a dependence on some windfall sites coming forward in order for the target to be met. Within settlement boundaries, there exists a general presumption in favour of new residential development, subject to the proposal also meeting other normal planning considerations.

The application lies within the settlement boundary of Aberystwyth/ Llanbadarn Fawr/ Waunfawr and it is considered to be in line with Policies S01 and S02 of the LDP.

Affordable Housing

Any development permitted on this plot would activate LDP Policy S05 Affordable Housing. This would require the payment of a 10% commuted sum to the Local Authority, which would be secured by completing a S106 agreement between the Local Authority and the applicant.

Residential Amenity

Third party objections have been received from the occupants of neighbouring properties.

Indicative plans demonstrate that the maximum and minimum scale parameters of the building is considered acceptable in

this location and that the maximum parameters outlined would not result in significant loss of outlook to neighbouring properties. The submitted indicative plans of a three-storey dwelling indicate that the building would not contravene the 25-degree angle in terms of loss of light to adjacent properties.

The site sits immediately adjacent to the Boat Park on Felin y Mor Road (which has planning permission for 4 flats and 4 maisonettes in two blocks, ref: A120009). Should both developments proceed, some degree of loss of privacy would be incurred by the occupiers of this dwelling in terms of adjacent properties overlooking the rear amenity space, however the site lies in a relatively open location within the town of Aberystwyth and any loss of privacy is not deemed unreasonable nor does it present significant harm. The development will not affect the amenity of occupiers of nearby existing properties, and it is not considered to present any significant harm in relation to privacy.

The proposal is considered to be in line with policies DM06 and DM17 of the LDP.

Highways

Third party objections relate to highway safety and lack of parking provision; however, the plans submitted allow two parking spaces to serve the new dwelling. The parking area is accessed from a short private cul-de-sac and the Local Highway Authority are satisfied with the proposal, subject to conditions.

Ecology

Conditions will be imposed on the decision notice to ensure that ecology enhancements are provided as part of the reserved matters application.

Power of Delegation

The local member, Cllr Endaf Edwards, has requested that the application be determined by members of the planning committee, for the following reasons:

- The effects of the development on parking in the locality
- Loss of privacy to neighbouring properties

Conclusion

The application is recommended for approval. The proposals satisfy the requirements of LDP Policies S01 and S02 of the LDP. The scale of the proposed dwelling and indicative layout is considered acceptable.

RECOMMENDATION:

Approve Subject to Conditions and subject to a S.106 Legal Agreement, which would secure a 10% commuted sum contribution to be used towards the provision of affordable housing in the county, as per the provision of LDP Policy S05.

2.2. A200694



Rhif y Cais / Application Reference	A200694
Derbyniwyd / Received	21-08-2020
Y Bwriad / Proposal	Change of use of holiday unit 5 into a Managers Accommodation
Lleoliad Safle / Site Location	Penuwch Fawr, Capel Seion, Aberystwyth. SY23 4ND
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr Gareth Evan Richards, Penuwch Fawr, Capel Seion, Aberystwyth, Ceredigion, SY23 4ND
Asiant / Agent	K Hosker (Ty Gwyn Design Services), Tygwyn Farm, Ynyslas, Borth, Ceredigion, SY24 5LA

Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn rhan o dai allan clos/cwrt sy'n gysylltiedig ag eiddo Penuwch Fawr tua hanner ffordd rhwng Capel Seion a Llanfihangel y Creuddyn. Mae'r adeiladau'n rhai rhestredig Gradd II, wedi'u hadeiladu o gerrig gyda tho llechi naturiol, ac mae'r rhan fwyaf ohonynt wedi'u troi'n llety gwyliau. Ar hyn o bryd mae 7 uned wedi'u haddasu ac yn cael eu defnyddio fel unedau gwyliau. Mae safle'r cais yn uned gornel ym mloc deheuol yr adeiladau, a gymeradwywyd ar gyfer llety gwyliau, ac er bod y gwaith allanol wedi'i gwblhau mwy neu lai, ni wnaed y gwaith ffitio mewnol eto.

Mae'r hanes cynllunio mewn perthynas â safle'r cais a'r adeiladau perthynol fel a ganlyn:-

A031608 - Troi tai allan yn 4 uned gwyliau. Cymeradwywyd 2/3/2004

A070937 - Troi ysgubor yn 5 uned gwyliau ac ardal hamdden. Cymeradwywyd 24/3/2011

A110084LB - Troi ysguboriau'n llety gwyliau. Rhoddwyd Caniatâd Adeilad Rhestredig 14/9/2011

MANYLION Y DATBLYGIAD

Mae'r cais ar gyfer caniatâd cynllunio i ddefnyddio uned gwyliau 5 fel llety rheolwr i helpu i weithredu'r safle gwyliau ym Mhenwch Fawr. Ni fwriedir gwneud unrhyw newidiadau allanol i'r datblygiad ac mae'r cynlluniau o ran trefniadau mewnol yn aros fel yr oeddent pan gawsant eu cymeradwyo, ar wahân i'r bwriad i godi ystafell *en-suite* ger yr ystafell wely (byddai angen cais caniatâd adeilad rhestredig ar gyfer yr *en-suite*).

Mae manylion a gyflwynwyd gyda'r cais yn nodi bod perchennog y safle'n oedrannus a'i fod angen cymorth i redeg y busnes gwyliau. Yn ôl y llythyr eglurhaol mae angen llety ar gyfer rheolwr / glanhawr er mwyn rhedeg y safle bythynnod, ynghyd â swyddfa a desg groesawu i ganiatáu i bobl gofrestru a chasglu eu hallweddî'n ddiogel wrth gyrraedd. Mae tri eiddo yn rhai 'Airbnb' a gall preswylwyr y rhain newid 3 neu 4 gwaith yr wythnos, gyda'r amseroedd cyrraedd a gadael yn amrywio'n sylweddol. Gall fod cymaint â 7 newid o ran preswylwyr yn ystod un diwrnod pan mae'r lle'n llawn. Mae 4 twb poeth ar y safle hefyd, sydd angen eu cynnal a'u cadw'n ddyddiol a'u gwagio, diheintio, ac ail-lenwi bob wythnos.

Mae preswylwyr y 4 bwthyn arall yn newid ar ddydd Gwener fel arfer yn ystod y cyfnod brig, ac ar ganol yr wythnos o bryd i'w gilydd pan archebir gwyliau 3 noson. Yn aml maent yn cael archebion munud olaf, a rhaid i'r newid ddigwydd yn gyflym iawn, ac i safon uchel iawn, y tu allan i'r oriau cyrraedd a chofrestru arferol.

Mae'r perchennog yn dweud ei fod bron yn 70 oed a'i fod yn cael trafferth cynnal y cyfleuster.

POLISIŌAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisi Cynllunio Cenedlaethol Perthnasol

- Cymru'r Dyfodol: Y Cynllun Genedlaethol 2040 (Chwefror 2021)

- PCC Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)

Polisi Cynllunio Lleol Perthnasol

Mae polisiâu canlynol y Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn: / These Local Development Plan policies are applicable in the determination of this application:

DM19 Tirweddau Hanesyddol a Diwylliannol

LU13 Newid Defnydd Mewn Perthynas â Thir neu Adeiladau Cyflogaeth sy'n Bodoli'n Barod

LU16 Llety Twristiaeth - Mathau o Lety Nad yw Polisi LU14 yn eu Cwmpasu

S04 Datblygiad mewn Aneddiadau Cyswllt a Lleoliadau Eraill

YSTYRIAETHAU PERTHNASOL ERAILL

Mae Adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i ymarfer ei swyddogaethau amrywiol, gan roi sylw priodol i effaith debygol ymarfer y swyddogaethau hynny ar drosedd ac anhrefn yn ei ardal, a'r angen i wneud popeth sy'n rhesymol bosib i'w atal. Mae'r ddyletswydd honno wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai unrhyw gynnydd sylweddol neu annerbyniol yn lefel y 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 priodol i hyrwyddo cydraddoldeb yn golygu:

- dileu neu leihau'r anfanteision a wynebier gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i gwrdd ag anghenion pobl o grwpiau gwarchoddedig pan fydd y rhain yn wahanol i anghenion pobl eraill, ac
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus, neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

Mae'r ddyletswydd uchod wedi cael ystyriaeth briodol wrth wneud penderfyniad am y cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol o ran pobl sydd â nodwedd warchoddedig, nac yn un a fydd yn cael effaith sylweddol arnynt, o'i gymharu ag unrhyw un arall.

DEDDF LLESIAENT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar y Cyngor i gymryd camau rhesymol i ymarfer ei swyddogaethau i fodloni'r saith nod llesiant a geir yn y Ddeddf. Mae'r adroddiad hwn wedi'i baratoi 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 gwrdd â'u hanghenion eu hunain

YMATEBION YMGYNGHORI

Priffyrdd Ceredigion – Dim sylwadau

Draeniau Ceredigion – Dim gwrthwynebiad / sylwadau

CC Trawsgoed – Ni dderbyniwyd unrhyw ymateb

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"*.

Mae'r cais yn gofyn caniatâd i addasu un o'r unedau gwyliau cymeradwy ym Mhenuwch Fawr i'w defnyddio'n llety preswyl parhaol ar gyfer rheolwr, i gynorthwyo i redeg y safle gwyliau o ddydd i ddydd, sydd ar hyn o bryd yn cynnwys 7 uned gwyliau unigol ar y safle. Yn y bôn, mae'r cynnig ar gyfer uned breswyl newydd, er y byddai'n gysylltiedig â'r cyfleuster twristiaeth.

Mae Penuwch Fawr wedi'i leoli yng nghanol cefn gwlad, tua hanner ffordd rhwng Capel Seion a Llanfihangel y Creuddyn, ac felly mae polisi S04 y CDLI yn berthnasol, sy'n ymwneud â datblygu o fewn aneddiadau cyswllt a lleoliadau eraill. Ystyrir bod y safle yn 'lleoliad arall' ac mae polisi S04 yn cefnogi ceisiadau mewn 'lleoliadau eraill' sydd un ai'n ofynnol dan TAN6 fel annedd menter wledig, neu'n anheddau fforddiadwy mewn lleoliad derbyniol, lle mae angen y gellir ei gyfiawnhau yn bodoli yn yr ardal.

Er nad yw wedi'i ddynodi'n bendant, rhaid ystyried y cais dan bolisi TAN6 h.y. datblygiad sy'n gysylltiedig â menter wledig. Gall menter wledig gynnwys datblygiad twristiaeth hefyd. Dylid ond caniatáu anheddau newydd parhaol i gefnogi

mentrau gwledig sefydledig:-

- os oes yna angen gweithredol amlwg a hirsefydlog yn bodoli'n barod;
- os ydy'r angen yn ymwneud â gweithiwr amser llawn;
- os ydy'r fenter wedi'i sefydlu ers tair blynedd o leiaf, yn ariannol gadarn, a chyda rhagolygon clir o allu parhau felly;
- os na ellir bodloni'r angen gweithredol drwy annedd arall neu drwy addasu adeilad presennol addas ar y tir;
- os ydy'r gofynion cynllunio arferol eraill wedi'u bodloni.

Yn nhermau angen gweithredol, mae'r ymgeisydd wedi datgan bod angen annedd rheolwr er mwyn rhedeg safle gwyliau Penuwch Fawr yn llwyddiannus, yn bennaf o ran ei redeg o ddydd i ddydd ac am resymau glanhau a chynnal a chadw. Nodir bod y fenter wedi gweithredu dros nifer o flynyddoedd heb y budd o gael llety rheolwr ar y safle. Yn wir, mae perchennog a gweithredwr y cyfleuster yn byw ar y safle, yn y ffermdy sy'n union i'r dwyrain o'r clos/cwrt, tua 13 metr i ffwrdd.

O bersbectif gweithredu, o ystyried bod y perchennog yn byw ar y safle a bod staff yn dod i mewn i lanhau a chynnal a chadw'r adeiladau pan fo angen, ystyrir nad oes unrhyw angen ymarferol uniongyrchol am lety rheolwr ar y safle.

Ni ddarparwyd unrhyw wybodaeth benodol i ddangos bod yna angen am weithiwr amser llawn ar y safle ac yn ogystal, ni ddarparwyd unrhyw wybodaeth ariannol fel rhan o'r cais, ar wahân i wybodaeth am archebion arfaethedig sy'n dangos bod mwyafrif yr unedau wedi'u harchebu yn 2019 a 2020.

Cydnabyddir, gyda llaw, bod yr uned yn un y gellir ei haddasu at ddefnydd preswyl, ond os bernir nad oes unrhyw angen gweithredol am annedd, yna argymhellir bod y cais yn cael ei wrthod.

Nid oes unrhyw ystyriaethau cynllunio perthnasol eraill a fyddai'n atal rhoi unrhyw ganiatâd cynllunio i ddefnyddio'r uned fel llety rheolwr. Ni chafwyd unrhyw wrthwynebiadau i'r cynnig gan ymgynghoreion statudol, gan gynnwys o bersbectif priffyrdd a draeniau.

I gloi, ystyrir nad oes yna unrhyw gyfiawnhad dros gael uned rheolwr ar gyfer y fenter am fod y gweithredwr eisoes yn byw ar y safle, ac nid yw'r gwasanaethau y cyfeirir atynt yn gofyn am bresenoldeb 24 awr ychwanegol. Fel y cyfryw, ystyrir bod y cynnig yn mynd yn groes i bolisiâu S01 ac S04 y CDLI.

AWDURDOD DIRPRWYEDIG

Gofynnodd y Cyng. M Davies, yr Aelod lleol, i'r Pwyllgor Rheoli Datblygu ystyried y cais am y rhesymau canlynol:-

1. Mae'n cefnogi twristiaeth yn dda gyda 7 bwthyn.
2. Mae'r ymgeisydd yn oedrannus ac mae'n teimlo bod angen cymorth arno i redeg y busnes.
3. Mae yna drosiant o rhwng 25 a 30 o welyau bob wythnos, ynghyd â gwyliau byr wythnosol.

ARGYMHELLIAD:

GWRTHOD am ei fod yn mynd yn groes i bolisiâu S01 ac S04 y CDLI.

Rhif y Cais / Application Reference	A200694
Derbyniwyd / Received	21-08-2020
Y Bwriad / Proposal	Change of use of holiday unit 5 into a Managers Accommodation
Lleoliad Safle / Site Location	Penuwch Fawr, Capel Seion, Aberystwyth. SY23 4ND
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr Gareth Evan Richards, Penuwch Fawr, Capel Seion, Aberystwyth, Ceredigion, SY23 4ND
Asiant / Agent	K Hosker (Ty Gwyn Design Services), Tygwyn Farm, Ynyslas, Borth, Ceredigion, SY24 5LA

THE SITE AND RELEVANT PLANNING HISTORY

The application site is part of a courtyard outbuildings relating to the property of Penuwch Fawr some halfway between Capel Seion and Llanfihangel y Creuddyn. The buildings are Grade II listed, constructed of stone and naturally slated with the majority converted to provide holiday accommodation. At present there are 7 units converted and operational as holiday units. The application site is a corner unit in the southern block of buildings which was approved for holiday accommodation and although external works have been more or less completed the internal fitting has not been undertaken.

Planning history in relation to the application site and related buildings are as follows:-

- A031608 - Conversion of outbuilding to 4 holiday lets. Approved 2/3/2004
- A070937 - Conversion of barn to 5 holiday units and leisure area. Approved 24/3/2011
- A110084LB - Conversion of barns to holiday accommodation. LBC granted 14/9/2011

DETAILS OF DEVELOPMENT

Planning permission is sought to utilise holiday unit 5 as manager's accommodation to assist in the operation of the holiday complex at Penuwch Fawr. There are no external changes proposed for the development and the plans for the internal arrangements remain as approved apart from the proposed erection of an en-suite in the bedroom area (a listed building consent application would be required for the en-suite).

Details submitted with the application indicate that the owner of the complex is elderly and seeks assistance in the running of the holiday business. A covering letter indicates that they are in need of a manager's / cleaner's accommodation to run the complex of cottages with an office and a check in desk to allow safe check-in and key collection. 3 of the properties are with Air B and B and the change over can be 3 or 4 times a week, with arrival and departure times varying quite considerably. There can be 7 changeovers in one day when they are at capacity. There are also 4 hot tubs on site which need daily maintenance and weekly emptying, sanitising and re-filing.

The other 4 cottages are changed over mostly on a Friday at peak season and occasionally mid week when they have received 3-night bookings. Often they have last minute bookings where the cottage must be changed over quickly at a very high standard out of normal check in times.

The applicant states that he is approaching 70 years of age and is struggling with the upkeep of the facility.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

- Future Wales: The National Plan 2040 (February 2021)
- PPW Planning Policy Wales (edition 11, February 2021)

Relevant Local Planning Policy

Mae'r polisiâu canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn:: / These Local Development Plan policies are applicable in the determination of this application:

DM06 High Quality Design and Placemaking

DM19 Historic and Cultural Landscape

LU13 Change of Use in Relation to Existing Employment Land or Buildings

LU16 Tourism Accommodation Types of Accommodation not covered by Policy LU14

S01 Sustainable Growth

S04 Development in Linked Settlements and Other Locations

OTHER MATERIAL CONSIDERATIONS

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

Ceredigion Highways - No observations

Ceredigion Drainage - No objection / comments

CC Trawgoed CC - No response received

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".

The application seeks permission to convert one of the approved holiday units at Penuwch Fawr to be used as premanent residential accommodation for a manager to assist in the operation / day to day running of the holiday complex which at present includes 7 individual holiday units at the site. In essence, the proposal represents a new residential unit irrespective it would be connected to the tourism facility.

Penuwch Fawr is located in open countryside some equidistance between Capel Seion and Llanfihangel y Creuddyn and therefore is subject to policy S04 of the LDP which deals with development in linked settlements and in other locations. The site is considered to be in an 'other location' therefore policy S04 only supports applications in 'other locations' which are either required under TAN6 as a rural enterprise dwelling or for affordable dwellings where the location is acceptable and there is a justifiable need in the locality.

Whilst not strictly designated, the application is to be considered under the policies of TAN6 i.e. development in association with a rural enterprise. A rural enterprise can cover tourism development as well. New permanent dwellings should only be allowed to support established rural enterprises providing:-

- there is a clearly established existing functional need;
- the need relates to a full time-worker;
- the enterprise has been established for at least three years, is financially sound and clear prospects for remaining as so;
- the functional need could not be fulfilled by another dwelling or by converting an existing suitable building on the land;
- other normal planning requirements are satisfied.

In terms of the functional need, the applicant has stated that a managers dwelling is required for the successful operation of the Penuwch Fawr holiday complex primarily for its day to day operation and for cleaning and maintenance reasons. It is noted that the venture has been operating for a number of years without the benefit of a managers accommodation on the site. In fact, the owner and operator of the facility resides on site in the farmhouse which is directly to the east of the courtyard approximately 13 metres away.

From a functional perspective, given that the owner resides directly on site and that staff are brought in to clean and maintain the buildings when required it is the opinion that there is no direct functional need for a managers accommodation on the site.

No specific information has been provided which seeks to demonstrate that there is a need for a full time worker at the site and furthermore, no financial information has been provided as part of the application apart from information regarding proposed bookings which indicate that the majority of the units were booked in 2019 and 2020.

On an aside, it is acknowledged that the unit is capable of conversion for residential use, however if it is the opinion that there is no functional need for a dwelling then the recommendation is one of rejection.

There are no other material planning considerations which would inhibit the granting of any planning permission for the use of the unit as managers accommodation. No objections were received to the proposal from statutory consultees including from a highway and drainage perspective.

In conclusion it is considered that there exists no justification for a managers dwelling for the enterprise as the operator already resides on site and services referred do not require additional 24 hour existence. As such it is considered that the proposal is contrary to policies S01 and S04 of the LDP.

DELEGATED AUTHORITY

Cllr M Davies, the local Member, requested the application be presented to the Development Control Committee for consideration for the following reasons:-

1. It supports tourism well with 7 cottages.
2. The applicant is elderly and feels that he needs assistance to run the business.
3. There is a turnover of between 25 and 30 beds each week together with weekly short breaks.

RECOMMENDATION:

REFUSE as contrary to policies S01 and S04 of the LDP.

Rhif y Cais	A200945
Derbyniwyd	02-11-2020
Y Bwriad	Dymchwel y bwthyn gwreiddiol ac adeiladu annedd yn ei le.
Lleoliad Safle	Penrhiw Cottage, Ciliau Aeron, SA48 8DA
Math o Gais	Cynllunio Llawn
Ymgeisydd	Mr Dafydd Driver, Pentre, Ciliau Aeron, Lampeter, Ceredigion, SA48 7PT
Asiant	Iwan Thomas, Rhandir, Ciliau Aeron, Lampeter, Ceredigion, SA48 8DE

Y SAFLE A HANES PERTHNASOL

Mae Penrhiw Cottage yn furddun wedi ei leoli yng nghefn gwlad agored y tu allan i unrhyw anheddiad diffiniedig, a'r anheddiad agosaf yw Ciliau Aeron ryw filltir o'r safle. Nid yw'r cais wedi ei gefnogi gan Ddatganiad Cynllunio i ddangos y defnydd o'r bwthyn gwreiddiol nac yn cyflwyno dadl ar gyfer rhoi annedd yn ei le yn unol â Pholisi LU09 – Aildefnyddio Hen Anheddau/Murddunnod. Yr unig fanylion a gyflwynir yw'r rheiny ar y ffurflen gais sy'n datgan, "Mae'r safle yn wag ar hyn o bryd; deellir fod rhywun wedi byw yn y bwthyn tan o leiaf tua 1970." Ar fapiau Degwm yr Awdurdod Lleol dangosir adeilad ar safle Penrhiw Cottage, ond nid oes unrhyw hanes cynllunio yn gysylltiedig ag ef. Ar y mapiau modern a ddefnyddir gan yr Awdurdod Cynllunio Lleol, ni ddangosir unrhyw adeilad. Mae Penrhiw Cottage wedi ei nodi ar y map fel yr annedd gyferbyn gyda safle'r cais wedi ei nodi fel Pen-rhiw.

MANYLION Y DATBLYGIAD

Ceisir caniatâd cynllunio i roi annedd yn lle'r bwthyn presennol trwy ddymchwel yr adeilad gwreiddiol ac adeiladu byngalo dormer newydd.

Mae'r waliau presennol yn waith cerrig o dan do llechi naturiol a ffenestri a drysau pren. Gan fod yr annedd bresennol mewn cyflwr mor wael nid yw'n edrych fel annedd i raddau helaeth mwyach. Ceir olion waliau'r bwthyn gwreiddiol ac un ffenestr, mae'r mwyafrif o'r to wedi cwmpo i mewn. Mae'r ardd i'r cefn wedi tyfu'n wyllt ac mae blwch yn y gwrych y cymerir y byddai wedi bod yn fynediad cerbydau i'r safle, fodd bynnag ni all cerbydau ei ddefnyddio ar hyn o bryd. Mae blwch mesurydd prif gyflenwad trydan yn parhau ar y wal gefn.

Mae'r cynnig ar gyfer adeilad newydd ar ôl troed mwy o faint a fyddai'n cynnwys lolfa, cegin-fwyta, ystafell amlbwrpas, ystafell wely ac ystafell ymolchi ar y llawr gwaelod a dwy ystafell wely gydag ystafell ymolchi ar y llawer cyntaf. Mae'r ôl troed presennol tua 40 m sg a byddai'r ôl troed arfaethedig yn mesur oddeutu 140 m sg.

Bydd y prif weddluniau wedi eu gorffen mewn rendr, gyda phortsh cerrig naturiol i'r prif weddlun. Byddai'r penty ar yr ochr sy'n cynnwys ystafell amlbwrpas a'r estyniad un llawr i'r cefn sy'n cynnwys ystafell wely ac ystafell ymolchi wedi eu gorffen mewn cladin wal metel gwrymiog o dan do metel gwrymiog. Byddai to y brif annedd wedi ei wneud o lechi naturiol gydag un ffenestr velux ar yr arwyneb blaen ar gyfer yr ystafell ymolchi. Bydd y ddwy ffenestr dormer ar y llawr cyntaf yn eistedd o fewn y bondo. Cynigir bod yr holl ffenestri a drysau wedi eu gwneud o bren wedi ei baentio a bydd y mwyafrif o'r ffenestri ar ddull ffenestr godi.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisi Cynllunio Cenedlaethol Perthnasol

- Cymru'r Dyfodol: Y Cynllun Genedlaethol 2040 (Chwefror 2021)

- PCC Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)

Polisi Cynllunio Lleol Perthnasol

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

- DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Iaith Gymraeg
- DM03 Teithio Cynaliadwy
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM12 Seilwaith Cyfleustodau
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol

- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol
- LU05 Sicrhau Cyflenwi Datblygiadau Tai
- LU09 Ailddefnyddio Heb Anheddau/Murddunnod
- S01 Twf Cynaliadwy
- S04 Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill

YSTYRIAETHAU PERTHNASOL ERAILL

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 arfer y swyddogaethau hynny ar ei ardal, a'r angen i wneud popeth y mae'n rhesymol iddo ei wneud i atal trosedd ac anhrefn yn ei ardal. Cafodd y ddyletswydd hon ei hystyried wrth werthuso'r cais hwn. Bernir na fyddai unrhyw gynnydd arwyddocaol neu 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 oedran, anabledd, ailbennu rhywedd, beichiogrwydd a mamolaeth, hil, crefydd neu gred, rhyw, cyfeiriadedd rhywiol, priodas a phartneriaeth sifil. Mae rhoi sylw dyledus i hyrwyddo cydraddoldeb yn cynnwys:

- dileu neu leihau effaith yr anfanteision a ddiroddir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ateb anghenion pobl o grwpiau gwarchoddedig pan fydd y rhain yn wahanol i anghenion pobl eraill; ac
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu weithgareddau eraill os yw'r nifer sy'n cymryd rhan yn anghymesur o isel.

Mae'r ddyletswydd uchod wedi cael ystyriaeth briodol wrth benderfynu'r cais hwn. Bernir nad yw'r datblygiad arfaethedig yn creu unrhyw oblygiadau arwyddocaol neu effaith ar bobl sydd â nodwedd warchoddedig yn fwy nag unrhyw unigolyn 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 o fewn y Ddeddf. Mae'r adroddiad hwn wedi cael ei baratoi wrth ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y nodwyd yn Neddf 2015. Wrth wneud yr argymhelliad, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu bodloni heb gyfaddawdu gallu cenedlaethau'r dyfodol i ateb eu hanghenion eu hunain.

YMATEBION YMGYNGHORI

- Cyngor Cymuned Ciliau Aeron Community Council – Dim gwrthwynebiad
- Priffyrdd – Dim gwrthwynebiad yn ddarostyngedig i amodau
- Draenio Tir – Cymeradwyaeth Systemau Draenio Cynaliadwy yn ofynnol. Dylai'r cais gael ei ategu gan y dyluniad safle a hydrolig o'r ffosydd cerrig arfaethedig a chanlyniadau'r prawf tryliffiad yn unol â BRE365 neu'r dogfennau dilynol i sicrhau bod cyflwr y tir yn ddigonol. Mae ffosydd cerrig yn ddull derbyniol o ddraenio dŵr wyneb dim ond os yw cyflwr y tir yn addas. Os nad yw'r pridd presennol yn foddhaol ar gyfer ymdreiddio ar ei ben ei hun, dylai cynllun arall ar gyfer gwaredu dŵr wyneb o'r safle gael ei gyflwyno i'r Awdurdod i'w asesu.
- Ecoleg – Dim ymateb.
- Cyfoeth Naturiol Cymru – dim gwrthwynebiad yn ddarostyngedig i amodau a gwybodaeth.
- Dŵr Cymru Welsh Water – dim sylwadau ar ddefnyddio tanc carthion a dylid ymgysylltu â Chyfoeth Naturiol Cymru.
- Ymddiriedolaeth Archeolegol Dyfed – dim gwrthwynebiad yn ddarostyngedig i amod ar gyfer arolwg ffotograffig.

Ni dderbyniwyd unrhyw sylwadau gan drydydd parti.

CASGLIAD

Mae Adran 38(6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn datgan: "Os yw'r cynllun datblygu i'w ystyried at ddiben unrhyw benderfyniad sydd i'w wneud o dan y Deddfau Cynllunio, rhaid i'r penderfyniad fod yn unol â'r cynllun oni bai bod ystyriaeth berthnasol yn nodi fel arall".

Yr Egwyddor Datblygu

Mae Polisi LU09 y CDLI yn caniatáu ar gyfer aildddefnyddio hen anheddau/murddunnod ar yr amod bod y meini prawf yn cael eu bodloni. Mae'r polisi yn datgan y bydd aildddefnyddio yn cael ei ganiatáu dim ond os nad yw'r annedd wreiddiol wedi cael ei dymchwel nac wedi dirywio i'r fath gyflwr fel nad yw mwyach yn edrych fel annedd i raddau helaeth. Gellir casglu nad yw'r

adeilad gwreiddiol wedi cael ei ddymchwel, fodd bynnag dros amser, gan y nodir yn y ffurflen gais fod rhywun wedi byw yno tan oddeutu 1970, bu cyfnod o 50 mlynedd pan fu'r eiddo yn wag. Mae'r waliau wedi dechrau briwsioni nid oes drws ffrynt, mae un ffenestr yno o hyd, mae'r to wedi cwmpo i mewn, sydd yn golygu bod yr eiddo yn agored i'r tywydd, nid oes unrhyw nodweddion mewnlol ar ôl, a cheir mesurydd trydan yng nghefn yr eiddo. Nid oes unrhyw olion o ardd neu fynediad/lle parcio, os oedd un erioed. Yn anffodus, mae'r Awdurdod Cynllunio Llundain yn dod i'r casgliad:

1) Nid yw'n hollol glir a oedd yr adeilad yn annedd yn flaenorol a beth oedd ei ddefnydd diwethaf. Nid oes llawer o dystiolaeth wedi ei chyflwyno i benderfynu'r defnydd.

2) Mae'r adeilad wedi dirywio i'r fath gyflwr fel nad yw mwyach yn edrych fel annedd i raddau helaeth.

Yn ail, mae meini prawf y polisi yn nodi y caniateir ail-ddefnyddio os gellir adnewyddu'r eiddo, neu lle nad yw'n ymarferol adnewyddu oherwydd bod yr adeilad yn ddi-strwythur, rhaid darparu cyfiawnhad manwl dros ei ailadeiladu. Ni chyflwynwyd dystiolaeth i ddangos bod adnewyddiad wedi'i ystyried, mae'r eiddo'n fach iawn i ddiwallu anghenion y byd modern, a thybir bod yr adeilad ar hyn o bryd yn strwythurol ddi-sail, ond ni chyflwynwyd dystiolaeth o hyn.

Nid oedd yr annedd wreiddiol yn annedd dros dro na symudol, felly mae maen prawf 1 iii. wedi ei fodloni.

Mae ail faen prawf polisi LU09 yn mynnu:

"Mae'r annedd newydd o ffurf, swmp, maint, graddfa a dyluniad o ansawdd uchel sy'n parchu rhinweddau'r adeilad gwreiddiol a chymeriad yr ardal gyfagos. Dylai'r adeilad newydd barchu ôl troed yr annedd wreiddiol a dylai ail-wneud defnydd, lle bo hynny'n ymarferol, o'r deunyddiau gwreiddiol. "

Mae'r dyluniad arfaethedig yn adeiladu i'r De o'r ôl troed presennol ac wedi'i osod yn ôl y tu ôl ymhellach o'r ffordd, gyda dau lawr ar ffurf byngalo dormer ac estyniad cefn. Serch hynny, ystyrir bod y dyluniad a'r ymddangosiad yn dderbyniol ac mae'r defnydd o ddeunyddiau yn arbennig o bwysig yn y cynnyrch gorffenedig. Ystyrir bod y cais yn cydymffurfio â'r meini prawf ym Mholisi DM06 - Dylunio a Gwneud Lle o Ansawdd Uchel. Mae'r annedd arfaethedig yn adeilad newydd a dim ond ychydig ohono sydd wedi'i leoli ar yr ôl troed presennol lle mae rhan o'r wal gefn bresennol.

Mae maen prawf 3 o bolisi LU09 yn ei gwneud yn ofynnol i'r annedd newydd beidio â chael effaith niweidiol ar gymeriad y tirwedd nac ar gefn gwlad. Mae'r safle arfaethedig wedi'i leoli yng nghefn gwlad ac mae wedi'i leoli mewn lleoliad amlwg, fodd bynnag mae'n cael ei sgrinio gan wrych ac yn eistedd wrth ymyl adeilad allanol sy'n bodoli, felly ni ystyrir ei fod yn cael effaith niweidiol ar gymeriad y tirwedd.

I gloi ar yr egwyddor o ddatblygu yn erbyn Polisi LU09 mae'n methu â chwrdd â'r maen prawf cyntaf yn yr ystyr bod yr annedd wreiddiol wedi cwmpo i'r fath gyflwr fel nad yw bellach yn edrych yn sylweddol fel annedd.

Lleolir safle'r cais o fewn 'lleoliadau eraill' fel y nodir o fewn y Cynllun Datblygu Lleol mabwysiedig lle mae datblygu yn cael ei reoli'n gaeth er mwyn sicrhau datblygu cynaliadwy a diogelu nodwedd a golwg cefn gwlad. Yn arbennig, mae Polisi S04 y CDLI yn egluro nad yw tai cyffredinol wedi eu caniatáu o fewn lleoliadau eraill oni bai bod hynny wedi ei gyfiawnhau ar y sail ei fod yn ateb angen a nodwyd heb ei ddiwallu ar gyfer tai fforddiadwy a'u bod yn cydymffurfio â'r polisi cynllunio cenedlaethol a lleol perthnasol yn y cyswllt hwn, neu os yw'n annedd menter wledig sy'n cydymffurfio â gofynion Nodyn Cyngor Technegol (TAN) 6. Byddwn yn cynghori na fyddai'r naill neu'r llall yn cael eu cefnogi o fewn y lleoliad hwn oherwydd byddai'n groes i bolisi cynllunio cenedlaethol sy'n ei gwneud hi'n ofynnol i dai fforddiadwy gael ei leoli yn gyfagos i ffurf adeiledig bresennol, naill ai'n cynnwys gorffen neu fewnlenwi'r ffurf adeiledig bresennol, ac o fewn cyrraedd hawdd i amrywiaeth o wasanaethau a chyfleusterau trwy ddulliau teithio cynaliadwy. Yn ogystal ni cheir unrhyw dystiolaeth i awgrymu y byddai'r cynnig yn bodloni gofynion TAN 6 ar gyfer annedd menter wledig.

Felly ystyrir bod egwyddor y datblygiad arfaethedig yn groes i bolisi cynllunio cenedlaethol a lleol ac felly ni all yr Awdurdod Cynllunio Lleol ei gefnogi.

Dylunio

Mae'r dyluniad arfaethedig yn adeiladu i'r de o'r ôl troed presennol ac wedi ei osod yn ôl ymhellach o'r ffordd, gyda dwy lawr ar ffurf byngalo dormer ac estyniad i'r cefn. Er hynny, ystyrir bod y dyluniad a'r golwg yn dderbyniol ac mae'r defnydd o ddefnyddiau yn arbennig o bwysig i'r cynnyrch gorffenedig. Ystyrir bod y cais yn cydymffurfio â'r meini prawf o fewn Polisi DM06 – Dylunio a Chreu Lle o Safon Uchel. Mae'r annedd arfaethedig yn adeilad newydd ac wedi ei leoli ychydig yn unig ar yr ôl troed presennol lle mae rhan o'r wal gefn bresennol wedi ei lleoli.

Mynediad

Ymgynghorwyd â'r Awdurdod Priffyrdd Lleol ar y cais ac maent yn derbyn y cynllun gyda'r lle parcio a throi a gynigir yng nghefn safle'r cais, ac mae'r lleiniau gweledd yn dderbyniol. Cynigir gwneud ardal tarmac hydraid newydd yn y cefn gyda dreif newydd.

Tirweddu

Mae'r ardal wedi ei thirweddu'n helaeth ar hyn o bryd gyda choed yng nghefn y safle. Ni chyflwynwyd unrhyw gynllun tirweddu gyda'r cais ar wahân i greu wal gerrig newydd i'r ardd a manau glaswelltog a phatio o fewn y wal gerrig. Os yw'r egwyddor datblygu yn ffafriol, byddai'r Awdurdod Cynllunio Lleol wedi cynnal trafodaethau pellach â'r asiant ynghylch tirweddu pellach a mesurau lliniaru ar gyfer y coed presennol a gollwyd.

Ecoleg

Ni wyddys am unrhyw Rywogaethau Gwarchoddedig Ewropeaidd sy'n defnyddio'r adeilad presennol, felly nid oedd Cyfoeth Naturiol Cymru yn gwrthwynebu'r cais. Fodd bynnag, mae blychau ystlumod a blychau adar yn ofynnol fel gwelliannau.

Pwerau Dirprwyedig

Ni roddwyd Pwerau Dirprwyedig i wrthod y cais gan yr Aelod Lleol, y Cynghorydd Marc Davies am y rhesymau canlynol:

- Roedd Penrhwi yn annedd gyda rhywun yn byw yno tan y 70au.
- Mae'r ymgeisydd yn unigolyn lleol a bydd yn darparu cartref iddo fyw ynddo yng Nghiliau Aeron.
- Ystyrir ei fod yn dir a ddatblygwyd yn faenorol ac nid yn safle tir glas.

ARGYMHELLIAD:

Argymhellir gwrthod y cais gan ei fod yn groes i Bolisiâu S01, S04 a LU09 y Cynllun Datblygu Lleol.

Application Reference	A200945
Received	02-11-2020
Proposal	Demolition of original cottage, and erection of replacement dwelling.
Site Location	Penrhiw Cottage, Ciliau Aeron, SA48 8DA
Application Type	Full Planning
Applicant	Mr Dafydd Driver, Pentre, Ciliau Aeron, Lampeter, Ceredigion, SA48 7PT
Agent	Iwan Thomas, Rhandir, Ciliau Aeron, Lampeter, Ceredigion, SA48 8DE

THE SITE AND RELEVANT PLANNING HISTORY

Penrhiw Cottage is an abandoned dwelling located in the open countryside outside of any defined settlement, the nearest settlement being Ciliau Aeron some 1 mile from the site. The application is not supported by a Planning Statement to demonstrate the use of the original cottage or puts forward an argument for its replacement in line with Policy LU09 - The Re-use of Former / Abandoned Dwellings. The only detail submitted is on the application form which states that "The site is currently vacant, it is understood that the cottage was lived in until at least c1970." On the Local Authority's Tithe maps a building is shown at the site of Penrhiw Cottage, but there is no planning history attached to it. On the modern maps used by the LPA there is no building shown. Penrhiw Cottage is identified on the map as the opposite dwelling with the application site being identified as Pen-rhiw.

DETAILS OF DEVELOPMENT

Planning permission is sought for the replacement of the existing cottage by means of demolition of the original building and the erection of a new dormer bungalow.

The existing walls are stonework under a natural slate roof and timber windows and doors. The existing dwelling has fallen into such a state of disrepair that it does not clearly resemble the appearance of a dwelling. There are remains of walls of the original cottage and one window, the majority of the roof has caved inwards. The garden to the rear is overgrown and there is a gap in the hedge which is assumed would have been the vehicular access to the site, however it is not currently able to be used by vehicles. There is a mains electric meter box remaining on the back wall.

The proposal is for a new build on a larger footprint which would include a lounge, kitchen/diner, utility, bedroom and bathroom on the ground floor and two bedrooms with a bathroom on the first floor. The existing footprint is approximately 40 sq m and the proposed footprint would amount to approximately 140 sq m.

The main elevations will be finished in render, with a natural stone porch to the principal elevation. The side lean-to which includes an utility room and the rear single storey extension which includes a bedroom and bathroom would be finished in corrugated metal wall cladding under a corrugated metal roof. The roof of the main dwelling would be of natural slate roof with a one velux window in the front plane for the bathroom. The two dormer windows on the first floor will sit within the eaves. All windows and doors are proposed to be of painted timber and the majority of the windows have a sash appearance.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

- Future Wales: The National Plan 2040 (February 2021)
- PPW Planning Policy Wales (edition 11, February 2021)

Relevant Local Planning Policy

Mae'r polisiâu canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn: / These Local Development Plan policies are applicable in the determination of this application:

- DM01 Managing the Impacts of Development on Communities and the Welsh Language
- DM03 Sustainable Travel
- DM06 High Quality Design and Placemaking
- DM12 Utility Infrastructure
- DM13 Sustainable Drainage Systems

- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape
- LU05 Securing the Delivery of Housing Development
- LU09 The Re-use of Former/Abandoned Dwellings
- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations

OTHER MATERIAL CONSIDERATIONS

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 Ciliau Aeron Community Council - Dim gwrthwynebiad / No objection

Highways - No objection subject to conditions

Land Drainage - SuDS approval required. The application should be accompanied by the site and hydraulic design of the proposed soakaways and the results of the percolation test in accordance with BRE365 or supervening documents to ensure that ground conditions are adequate. - Soakaways are only an acceptable method of surface water drainage should ground conditions prove suitable. If the existing soils are not satisfactory for infiltration alone an alternative scheme for the disposal of surface water from the site should be submitted to the Authority for assessment.

Ecology - No response

Natural Resources Wales - No objection subject to conditions and informatives.

Dwr Cymru Welsh Water - No comment on the use of Septic Tank and NRW should be consulted.

Dyfed Archeological Trust - No objection subject to condition for a photographic survey.

No third party representations received.

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

LDP Policy LU09 allows for the re-use of former/abandoned dwellings subject to meeting with the criteria. The policy states that the re-use will only be permitted where the original dwelling has not been demolished, or fallen into such a state of disrepair so that it no longer has the substantial appearance of a dwelling. The original building has not been demolished, however during the course of time, the property has fallen into a state of disrepair and in the view of the LPA it no longer has the substantial appearance of a dwelling. The application form states that it was lived in up until c1970, therefore there has been a period of 50 years where the property has stood empty. The walls have started to crumble, there is no front door, one window remains, the roof has caved in, (which has made the property exposed to the weather), it is not accessible and there are little internal features remaining, but there is an electric meter which remains to the rear of the property. There is no remains of a garden or access / parking area, if there was ever one. It is concluded in the opinion of the Local Planning Authority that:

1) Is it not entirely clear whether the building was formerly a dwelling and what its last use was. There is little evidence presented to ascertain the use.

2) The building has fallen into such a state of disrepair that it no longer has the substantial appearance of a dwelling.

Secondly the criteria of the policy states that re-use will be permitted if the property is capable of renovation, or where renovation is not practicable because the building is structurally unsound, detailed justification must be provided for re-build. There is no evidence submitted to demonstrate that a renovation has been considered, the property is very small to accommodate the needs of the modern world, and it would be assumed that the building is currently structurally unsound, however no evidence of this has been submitted.

The original dwelling was not a temporary or mobile dwelling, therefore criterion 1 iii. has been met.

The second criterion of policy LU09 requires that:

"The replacement dwelling is of a form, bulk, size, scale and high quality design that respects the qualities of the original building and the character of the surrounding area. The replacement building should respect the footprint of the original dwelling and should make re-use, where practicable, of the original materials."

The proposed design builds to the South of the existing footprint and is set back further from the road side, with two floors in the form of a dormer bungalow and a rear extension. Nevertheless the design and appearance is considered to be acceptable and the use of materials is particularly important in the finished product. The application is considered to comply with the criteria within Policy DM06 - High Quality Design and Placemaking. The proposed dwelling is a new build and is only slightly located on the existing footprint where part of the existing rear wall is located.

Criterion 3 of policy LU09 requires the replacement dwelling not to have a detrimental effect on the character of the landscape or on the open countryside. The proposed site is located within the open countryside and is located in a prominent location, however it is screened by hedgerow and sits adjacent to an existing outbuilding, it is not therefore considered to have a detrimental effect on the character of the landscape.

To conclude on the principle of development against Policy LU09 it fails to meet the first criterion in that the original dwelling has fallen into such a state of disrepair so that it no longer has the substantial appearance of a dwelling.

The application site lies within 'other locations' as identified within the adopted Local Development Plan (LDP) where development is strictly controlled in the interest of achieving sustainable development and to protect the character and appearance of the countryside. In particular, LDP Policy S04 makes clear that general housing is not permitted within other locations, unless it is justified on the basis that it meets an identified unmet need for affordable housing and complies with the relevant national and local planning policy in this respect or rural enterprise dwelling which complies with the requirements of Technical Advice Note (TAN) 6. I would advise that neither of these would be supported within this location as it would conflict with national planning policy which require affordable housing to be located adjacent to existing built form, either comprising the rounding off or infilling of the existing built form and accessible to a range of services and facilities via sustainable travel modes. There is also no evidence to suggest that the proposal would meet with the requirements of TAN 6 for a rural enterprise dwelling.

The principle of the proposed development is therefore considered to be contrary to both national and local planning policy and as such cannot be supported by the local planning authority.

Access

The Local Highways Authority have been consulted on the application and accept the layout with parking and turning proposed to the rear of the application site, and the visibility splays are acceptable. A new permeable tarmac area is proposed to the rear with a new driveway.

Landscaping

The area is currently heavily landscaped with trees at the rear of the site, no landscaping plan has been submitted with the application apart from the creation of a new garden stone wall and grassed areas and patio area within the stone wall. If the principle of development would be favourable the Local Planning Authority would have entered into further negotiations with the agent regarding further landscaping and mitigation for the loss of existing trees.

Ecology

There are no European Protected Species known to be using the existing building, therefore Natural Resources Wales do not object to the application. However bat and bird boxes are required as enhancements.

Conclusion

The principle of development cannot be supported as it is contrary to Policies S01, S04 and LU09 of the Local Development Plan in that it fails to meet criterion 1 i. of Policy LU09 and is a development in the open countryside which cannot be supported against Policies S01 and S04.

Delegated Powers

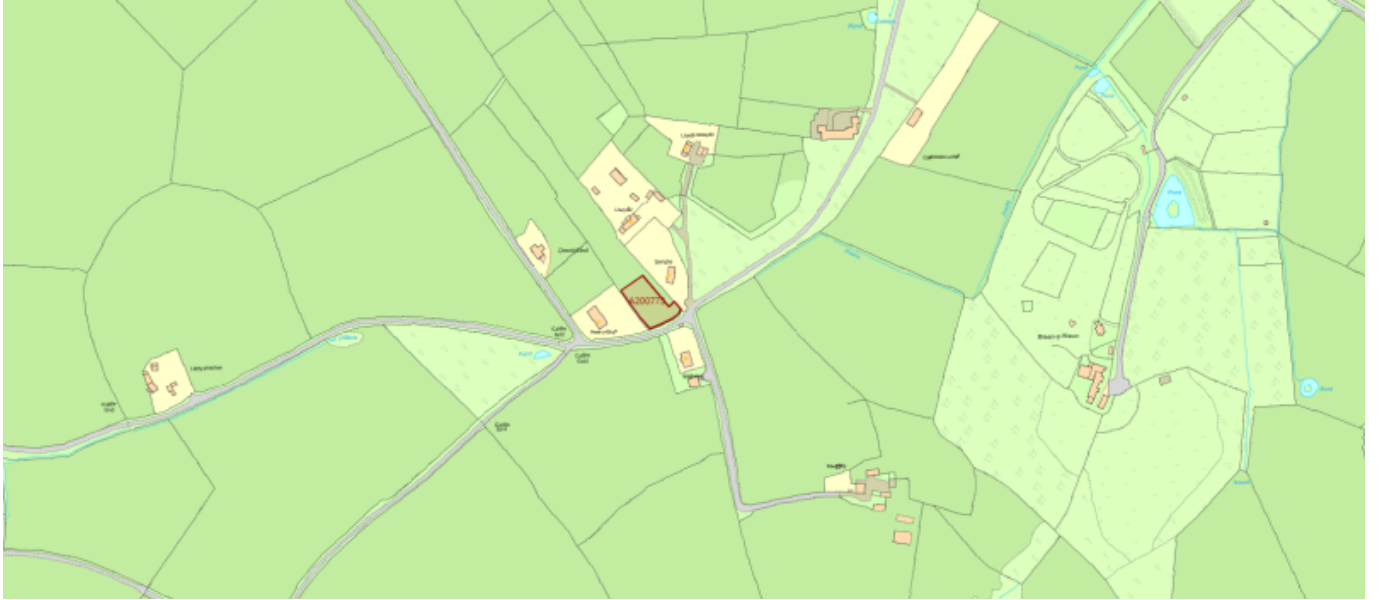
Delegated Powers to refuse the application was not given by the Local Member, Cllr Marc Davies for the following reasons:

- Penrhiw was a dwelling and was lived in up until the 70's
- The application is a local person and this will provide a home for him to live in Ciliau Aeron
- It is considered to be previously developed land and not greenfield site

RECOMMENDATION

Recommendation to Refuse as being contrary to Local Development Plan Policies S01, S04 and LU09.

2.4. A200773



Rhif y Cais / Application Reference	A200773
Derbyniwyd / Received	16-09-2020
Y Bwriad / Proposal	Proposed Local Needs (Affordable) Dwelling
Lleoliad Safle / Site Location	Llwydlo Fach, Aberarth, SA46 0JX
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr and Mrs A & S Irvine, Glenydd Alma Street, Llanarth, Ceredigion, SA47 0NE
Asiant / Agent	Mr Paul Nicolls, Archispec Architectural Consultants Ltd, Brynawen, Fronwen Business Centre Chapel Street, Llanarth, SA47 0RG

Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn cyfeirio at gae amaethyddol sydd wedi ei leoli mewn cefn gwlad agored oddeutu 2km o Aberarth. Mae rhai eiddo preswyl o fewn cyrraedd y safle. Gydag ochr y safle mae ffordd gul ddiddosbarth, lled un cerbyd.

Nid oes gan safle'r cais unrhyw hanes cynllunio perthnasol.

MANYLION Y DATBLYGIAD

Ceisir caniatâd cynllunio llawn i godi annedd fforddiadwy. Cynigir i'r llawr gwaelod gynnwys ystafell fyw, cyntedd, stydi, cegin / ystafell fwya cynllun agored ac ystafell aml-bwrpas. Mae'r llawr cyntaf arfaethedig i gynnwys tair ystafell wely, un gydag ystafell ymolchi *en-suite* ac ystafell ymolchi ychwanegol. Mae ôl troed allanol y llawr gwaelod oddeutu 122 metr sgwâr, tra bo'r llawr cyntaf oddeutu 107 metr sgwâr, cyfanswm o 229 metr sgwâr. Arwynebedd net y llawr gwaelod yw oddeutu 90 metr sgwâr, gyda'r llawr cyntaf ag arwynebedd llawr net o oddeutu 76 metr sgwâr, cyfanswm o 166 metr sgwâr. Mae'r deunyddiau i gynnwys briciau gwladaidd, rendrad a chladin ar y welydd allanol; to o lechi naturiol, ffenestri uPVC a drysau cyfansawdd.

Cynigir bod tramwyfa yn sicrhau mynediad at yr eiddo a bydd y dramwyfa hon yn arwain at flaen yr annedd lle bydd man parcio a man troi, gyda mynedfa amaethyddol yn cael ei chadw oddi ar y dramwyfa.

POLISIÄU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiäu Cynllunio Cenedlaethol sy'n Berthnasol

- Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040
- PCC Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)
- Nodyn Cyngor Technegol (TAN) 2 – Cynllunio a Thai Fforddiadwy (2006)
- Nodyn Cyngor Technegol (TAN) 5 – Cynllunio a Chadwraeth Natur (2009)

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

- SO1 – Twf Cynaliadwy
- SO4 – Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill
- SO5 – Tai Fforddiadwy
- LU02 – Gofynion sy'n Ymwneud â Phob Datblygiad Preswyl
- LU05 – Sicrhau Cyflenwi Datblygiadau Tai
- DM03 – Teithio Cynaliadwy
- DM04 – Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM06 – Dylunio a Gwneud Lleoedd 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

YSTYRIAETHAU PERTHNASOL ERAILL

Mae Adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i ymarfer ei swyddogaethau amrywiol, gan roi sylw priodol i effaith debygol ymarfer y swyddogaethau hynny ar drosedd ac anhrefn yn ei ardal, a'r angen i wneud popeth sy'n rhesymol bosibl i'w atal. Mae'r ddyletswydd honno wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai unrhyw gynnydd sylweddol neu annerbyniol o ran 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 priodol i hyrwyddo cydraddoldeb yn golygu:

- dileu neu leihau'r anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i gwrdd ag anghenion pobl o grwpiau gwarchoddedig pan fydd y rhain yn wahanol i anghenion pobl eraill, ac
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus, neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

Mae'r ddyletswydd uchod wedi cael ystyriaeth briodol wrth benderfynu ynglŷn â'r cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol o ran pobl â nodwedd warchoddedig, nac yn un a fydd yn cael effaith sylweddol arnynt, o'i gymharu ag unrhyw un 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 ymarfer ei swyddogaethau i fodloni'r saith nod llesiant a geir yn y Ddeddf. Mae'r adroddiad hwn wedi'i baratoi 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 gwrdd â'u hanghenion eu hunain.

YMATEBION YMGYNGHORI

Cyngor Cymuned Dyffryn Arth – Ni dderbyniwyd ymateb

Priffyrdd – Dim gwrthwynebiad yn ddarostyngedig i rai amodau

Draenio Tir – Dim gwrthwynebiad yn ddarostyngedig i rai amodau

Ecoleg – Ni dderbyniwyd ymateb

Dŵr Cymru – Dim gwrthwynebiad yn ddarostyngedig i rai amodau

Derbyniwyd 5 gwrthwynebiad gan drydydd parti ar sail y canlynol:

- Mae wedi ei leoli mewn cefn gwlad agored gyda dim ond bythynnod a ffermydd gwasgaredig gerllaw.
- Dim ond ar sail cysylltiad amaethyddol y rhoddwyd caniatâd cynllunio (rhoddwyd caniatâd ym 1982) ar gyfer y byngalo gyferbyn (sy'n eiddo i deulu'r ymgeiswyr).
- Mae'r ymgeiswyr eisoes yn berchen ar eiddo.
- Mae clawdd aeddfed, gwarchoddedig ar hyd y ffin ac mae coed yno nad ydynt wedi eu nodi ar y cynlluniau. Effaith ar fioamrywiaeth, cynefinoedd a'r dirwedd.
- Nid yw cynllun, ffurf, graddfa ac edrychiad yr adeilad arfaethedig yn ymdoddi i'r amgylchedd.
- Bydd angen mynediad at dir trydydd parti er mwyn sicrhau'r lleiniau gweledd.

- Dyma fydd yr unig annedd nad yw y tu ôl i gloddiau / goed.
- Effaith ar breifatrwydd, amwynder a golau yn enwedig oherwydd uchder yr adeilad. Byngalos yw'r anheddau cyfagos.
- Mae'r raddfa'n fwy na'r gofynion ar gyfer tai fforddiadwy.
- Effaith y gwaith adeiladu.
- Mae'n gosod cynsail ar gyfer datblygiadau pellach.

Derbyniwyd tri llythyr o gefnogaeth oddi wrth deulu'r ymgeiswyr, gan nodi'r rhesymau canlynol:

- Bydd yn fuddiol iddynt fyw gerllaw gan fod teulu'r ymgeiswyr yn bwriadu symud i'r tŷ gyferbyn.
- Nid yw'r cae yn cael ei ddefnyddio at ddibenion amaethyddol ac fe'i hystyrir yn dir mewnlenni.

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 made in accordance with the plan unless material considerations indicate otherwise”.

Egwyddor y Datblygiad

Mae safle'r cais yn gorwedd o fewn 'lleoliadau eraill' fel y'u nodir o fewn y Cynllun Datblygu Lleol (CDLI) mabwysiedig, lle mae lefel a natur y datblygu wedi eu rheoli'n gaeth er mwyn sicrhau datblygiad cynaliadwy ac i amddiffyn cefn gwlad agored. Mae Polisi SO4 y CDLI yn datgan bod tai cyffredinol yn amhriodol o fewn 'lleoliadau eraill' oni bai eu bod wedi eu cyfiawnhau ar y sail eu bod yn cyflawni angen, y gellir ei ddangos ond sydd heb ei ddiwallu eisoes, am dai fforddiadwy yn yr ardal a hefyd eu bod yn unol â Pholisi SO5 neu'n diwallu'r angen am annedd ar gyfer menter wledig yn unol â Nodyn Cyngor Technegol (TAN) 6. Mae'r cais cynllunio hwn am dŷ fforddiadwy.

Mae'r Polisi yn ei gwneud yn ofynnol i dai fforddiadwy gael eu lleoli yn union gerllaw grwpiau o aneddiadau sy'n bodoli eisoes, yn unol â bwriadau paragraff 9.2.22 Polisi Cynllunio Cymru (PCC). Fodd bynnag, mae PCC wedi ei ddiweddarau ers hynny, gyda pharagraff 3.60 yn ei gwneud yn ofynnol i ddatblygiadau yn y wlad fod wedi eu lleoli o fewn a gerllaw'r aneddiadau lle gellir eu lleoli orau o ran seilwaith, mynediad, gwarchod cynefinoedd a gwarchod y dirwedd. Mae'n datgan y gall mewnlenni neu estyniadau bach i aneddiadau cyffredol fod yn dderbyniol, yn enwedig lle maent yn diwallu'r angen lleol am dai fforddiadwy, ond bod yn rhaid dangos rheolaeth gaeth ar adeiladu newydd mewn cefn gwlad agored sydd ar wahân i aneddiadau sy'n bodoli eisoes. Mae 5 annedd yn agos at safle'r cais, fodd bynnag, nid yw'r rhain yn rhan o anheddiad. Mae'r anheddiad agosaf, sef Aberarth, oddeutu 2 gilometr i ffwrdd ac felly nid yw'r cais wedi ei lleoli o fewn anheddiad sy'n bodoli eisoes ac nid yw gerllaw anheddiad o'r fath chwaith. Yn ogystal â hynny, nid oes gan yr aneddiadau hyn balmentydd, a fyddai'n ei gwneud yn bosibl cerdded yn ddiogel ac nid oes trafndiaeth gyhoeddus wedi'i darparu o fewn pellter cerdded diogel i safle'r cais. Byddai preswylwyr yr annedd, felly, yn llwyr ddibynnol ar ddefnyddio cerbyd preifat i gael mynediad at wasanaethau a chyfleusterau. Mae hyn yn groes i bolisïau cynllunio cenedlaethol a lleol sy'n ceisio hyrwyddo dulliau teithio cynaliadwy drwy sicrhau bod datblygiadau tai yn cael eu hadeiladu mewn lleoliadau lle gellir cael mynediad at wasanaethau a chyfleusterau, yn gyntaf drwy gerdded a seiclo, yna drwy ddefnyddio trafndiaeth gyhoeddus ac yna'n olaf drwy ddefnyddio ceir preifat. Mewn penderfyniad diweddar a alwyd i mewn, pwysleisiodd yr Arolygwr Cynllunio y safbwynt a nodir yn y polisi cenedlaethol diweddaraf.

“Wrth droi i sôn am dai fforddiadwy, mae polisi SO4 y Cynllun Datblygu Lleol yn datgan, wrth gyfeirio at dai fforddiadwy mewn Lleoliadau Eraill, y dylai tai newydd fod wedi'u lleoli yn union gerllaw grwpiau o anheddau, yn unol â bwriadau paragraff 9.2.22 Polisi Cynllunio Cymru a pharagraff 10.13 Nodyn Cyngor Ategol (TAN) 2. Mae'r cyfeiriad at baragraff 9.2.22 yn cyfeirio at Rifyn 9 Polisi Cynllunio Cymru sydd bellach wedi ei ddiweddymu gyda chyhoeddiad Rhifyn 10. Fodd bynnag, mae paragraff 3.56 Rhifyn 10 y cyfeiriwyd ato uchod, yn adlewyrchu paragraff 9.2.22 y rhifyn blaenorol i raddau helaeth, er iddo gael ei ddiwygio i gyfeirio at fewnlenni aneddiadau neu fân estyniadau i aneddiadau (fy mhwyslais i) yn hytrach na grwpiau (fy mhwyslais) o anheddau. Mae paragraff 4.2.34 Rhifyn 10 a pharagraff 10.13 TAN 2 yn pwysleisio y dylai unrhyw safleoedd eithriedig gwledig i ddarparu tai fforddiadwy fod ar dir sydd o fewn aneddiadau gwledig sy'n bodoli eisoes neu ar dir sydd ar y ffin â'r aneddiadau hyn. Dylai'r tai fforddiadwy a ddarperir ar safleoedd o'r fath ddiwallu anghenion pobl leol am byth a dylent gyfrif tuag at nifer cyffredinol y tai a ddarperir”.

O ran yr angen am dai fforddiadwy, erbyn hyn, mae datganiad wedi ei ddarparu gan yr asiant sy'n nodi mai teulu'r

ymgeiswyr biau'r safle a'r tir cyfagos ac felly nid yw cost y tir yn broblem. Maent hefyd yn nodi y gallai'r annedd gael ei newid i fod yn annedd 5 ystafell wely yn y dyfodol, er mai cais am annedd 3 ystafell wely yw hwn. Mae'r asiant hefyd yn nodi bod yr ymgeiswyr yn cydymffurfio â gofynion Tai Fforddiadwy. Dim ond nifer bach iawn o'r eiddo sydd ar werth o fewn cylch 5 milltir o Aberaeron sydd wedi ei ddarparu yn y datganiad, er bod nifer o dai ar y farchnad ar hyn o bryd. Hefyd, dim ond tai â 4 ystafell wely sydd wedi eu dangos, tra bo'r cais am dŷ â 3 ystafell wely.

Y Gofynion o ran Nodweddion Ffisegol

Rhoddir isafswm ac uchafswm arwynebedd net llawr tŷ fforddiadwy yn y Taflenni Cymorth i atodiad 4 y Canllawiau Cynllunio Atodol ar gyfer Tai Fforddiadwy (gweler tudalen 10). Yr uchafswm pennaf posibl yw 137 metr sgwâr. Fel y nodwyd uchod, mae arwynebedd net y llawr oddeutu 166 metr sgwâr ac mae felly uwchben yr uchafswm a ganiateir ar gyfer annedd fforddiadwy.

Y Dyluniad a'r Effaith ar Amwynder Preswyl

Mae'r annedd arfaethedig yn annedd un llawr a hanner. Fel y nodir yn y gwrthwynebiadau gan drydydd partïon, byngalos un llawr yn unig yw'r eiddo cyfagos. Fodd bynnag, nid ystyrir bod yr uchder ychwanegol yn effeithio'n sylweddol fwy ar y dirwedd mewn cymhariaeth â byngalo.

Oherwydd y cynllun a safle'r ffenestri, nid ystyrir bod y cynnig yn achosi i'r annedd edrych dros yr eiddo cyfagos. Yn ychwanegol at hyn, nid ystyrir bod y cynnig yn effeithio'n negyddol ar unrhyw eiddo preswyl cyfagos nac ar breswylwyr yr eiddo hynny.

Pwerau Dirprwyedig

Mae'r aelod lleol, y Cynghorydd Dafydd Edwards, wedi gofyn i'r cais gael ei benderfynu gan aelodau'r pwyllgor cynllunio am y rhesymau canlynol:

1. Mae'r Aelod Lleol yn credu y gallwn gefnogi'r cais, gan ei fod yn gais am annedd fforddiadwy o fewn clwstwr o dai.

ARGYMHELLIAD

Argymhellir y dylid gwrthod y cais am y rhesymau canlynol:

1. Byddai'r cais yn arwain at annedd newydd fforddiadwy o fewn lleoliad cefn gwlad agored lle nad oes cyfiawnhad dros adeiladu ac mewn lleoliad nad yw'n gynaliadwy ac felly byddai'n groes i'r polisi cynllunio cenedlaethol a amlinellir yn y ddogfen Polisi Cynllunio Cymru ac yn Nodyn Cyngor Technegol (TAN) 2: Cynllunio a Thai Fforddiadwy (2006) a pholisïau SO1 ac SO4 y Cynllun Datblygu Lleol mabwysiedig.
2. Os caniateir y cais, bydd yn tanseilio'r gallu i gyflawni strategaeth dai y Cynllun Datblygu Lleol mabwysiedig, ac yn benodol polisïau SO1 ac SO4.

Rhif y Cais / Application Reference	A200773
Derbyniwyd / Received	16-09-2020
Y Bwriad / Proposal	Proposed Local Needs (Affordable) Dwelling
Lleoliad Safle / Site Location	Llwydlo Fach, Aberarth, SA46 0JX
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr and Mrs A & S Irvine, Glenydd Alma Street, Llanarth, Ceredigion, SA47 0NE
Asiant / Agent	Mr Paul Nicolls, Archispec Architectural Consultants Ltd, Brynawen, Fronwen Business Centre Chapel Street, Llanarth, SA47 0RG

THE SITE AND RELEVANT PLANNING HISTORY

The application site relates to an agricultural field located in an open countryside location approximately 2km from Aberarth. There are a few residential properties within the vicinity of the application site. The site runs adjacent to an unclassified single track road.

The application site has no relevant planning history.

DETAILS OF DEVELOPMENT

Full planning permission is sought for the erection of an affordable dwelling. The ground floor is proposed to include a lounge, hall, study, open plan kitchen/dining and utility. The first floor is proposed to have three bedrooms, one with an ensuite and an additional bathroom. The external ground floor footprint is approximately 122sqm whilst the first floor is approximately 107sqm giving a total of 229sqm. The ground floor net floor area is approximately 90sqm with the first floor having a net floor area of approximately 76sqm giving a total of 166sqm. The materials are to include rustic brick, render and cladding on the external walls; natural slate roof; uPVC windows and composite doors.

An access drive is proposed to lead up to the front of the dwelling where there will be parking and turning space with an agricultural access being retained off the driveway.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

- Future Wales: The National Plan 2040
- PPW Planning Policy Wales (edition 11, February 2021)
- TAN2 Planning and Affordable Housing (2006)
- TAN5 Nature Conservation and Planning (2009)

Mae'r polisïau canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn: / These Local Development Plan policies are applicable in the determination of this application:

- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- S05 Affordable Housing
- LU02 Requirements Regarding All Residential Developments
- LU05 Securing the Delivery of Housing Development
- DM03 Sustainable Travel
- DM04 Sustainable Travel Infrastructure as a Material Consideration
- 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

OTHER MATERIAL CONSIDERATIONS

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 Dyffryn Arth Community Council - No Response Received

Highways - No Objection Subject to Conditions

Land Drainage - No Objection Subject to Conditions

Ecology - No Response Received

Dwr Cymru Welsh Water - No Objection Subject to Conditions

5 third party objections have been received on the following grounds:

- Located in open countryside with only dispersed cottages and farmsteads nearby.
- Bungalow opposite (ownership of applicant's family) only granted on the basis of an agricultural tie (1982 permission)
- Applicant's currently own a property
- Protected mature hedgerow along boundary and there are trees not shown on plan. Impact on biodiversity, habitat and landscape.
- Layout, form, scale and appearance of proposed building does not integrate with surroundings
- Will require access to third party land to achieve visibility splays
- Will be the only dwelling which isn't behind hedgerows/trees.
- Impact on privacy, amenity and light in particular due to the height. Neighbouring properties are bungalows.
- Scale is larger than affordable housing requirements.
- Impact of construction
- Set a precedent for future development

3 letters of support have been received from the applicant's family for the following reasons:

- Beneficial to live nearby as the applicant's family are proposing to move to the house opposite.
- Don't use the field for agriculture and is considered infill.

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 lies within 'other locations' as identified within the adopted Local Development Plan (LDP) where development is strictly controlled in the interest of achieving sustainable development and protecting the open countryside. LDP Policy S04 states that general housing is inappropriate within 'other locations' unless justified on the basis that it meets a demonstrated unmet affordable housing need in the locality and accords with Policy S05; or need for a rural enterprise dwelling in line with TAN 6. This planning application is for an affordable dwelling.

The Policy requires affordable housing to be located immediately adjacent to existing groups of dwellings in line with the intentions of Planning Policy Wales (PPW) paragraph 9.2.22. However, PPW has since been updated with paragraph 3.60 requiring development in the countryside to be located within and adjoining settlements where it can be best accommodated in terms of infrastructure, access, habitat and landscaping conservation. It states that infilling or minor extensions to existing settlements may be acceptable in particular where they meet a local need for affordable housing, but that new building in the open countryside away from existing settlements must continue to be strictly controlled. There are 5 dwellings within proximity of the application site however, these do not form a part of a settlement. The nearest settlement of Aberarth is located approximately 2km away and therefore the proposal is not located within or adjoining an existing settlement. Furthermore, there are no pavements to these settlements to allow safe walking, and there is also no public transport provision within a safe walking distance of the application site. Occupiers would therefore be solely reliant on the use of a private vehicle to access services and facilities. This is contrary to national and local planning policy which seek to promote sustainable means of travel by ensuring that housing development are built in locations where services and facilities can be accessed in the first instance by walking and cycling, then by public transport and then finally by private motor vehicles. The updated national policy stance was emphasised by the Planning Inspector on a recent call-in decision:

Turning to affordable housing, LDP policy SO4 states that in Other Locations, in terms of affordable housing, new housing should be located immediately adjacent to existing groups of dwellings in line with the intentions of paragraph 9.2.22 of PPW and paragraph 10.13 of TAN 2. The reference to paragraph 9.2.22 is to edition 9 of PPW which has now been superseded by the publication of Edition 10. However, paragraph 3.56 of Edition 10, referred to above, largely reflects that of paragraph 9.2.22 of the previous edition although has been amended to refer to the infilling or minor extension of settlements (my emphasis) rather than groups (my emphasis) of dwellings. Paragraph 4.2.34 of Edition 10 and paragraph 10.13 of TAN 2 reiterate that rural exception sites for affordable housing should be on land within or adjoining existing rural settlements. Affordable housing on such sites should meet the needs of local people in perpetuity and count towards the overall level of housing provision.

In terms of affordable housing need, a statement has now been provided by the agent which states that the applicant's family own the site and nearby land and therefore, the cost of the land is not an issue. They also note that although the proposed dwelling is to be 3 bedroom, it may be altered in the future to a 5 bedroom. The agent also notes that the applicants comply with the Affordable Housing requirements Only a very small number of properties for sale within a 5 mile radius of Aberaeron have been provided in the statement although there are a number of houses currently on the market. Additionally, it is only 4 bedroom houses that are shown whilst the proposal is a 3 bedroom house.

Physical Characteristics Requirements

The minimum and maximum net floor area for an affordable home is set out within appendix 4 of the Affordable Housing SPG Help Sheets (see page 10). The absolute maximum standard is 137sqm. As noted above the net floor area is approximately 166sqm and is therefore, above the maximum allowed for an affordable dwelling.

Design and Impact on Residential Amenity

The dwelling is proposed to be one and a half storeys. As the third party objections note, the nearby properties are only one storey bungalows. However, the additional height is not considered to cause significantly greater impact on the landscape in comparison to a bungalow.

Due to the layout and positioning of the fenestration, the proposal is not considered to cause overlooking onto the neighbouring properties. Additionally, the proposal is not considered to cause an adverse impact on any nearby residential properties or occupiers.

Power of Delegation

The local member, Cllr Dafydd Edwards, has requested for the application to be determined by members of the planning committee for the following reasons:

1. The Local Member believes that we can support the application as it is an affordable dwelling within a cluster of houses.

RECOMMENDATION:

The application is recommended for refusal for the following reasons:

1. The application would result in a new affordable dwelling within an unjustified open countryside and unsustainable location contrary to national planning policy set out within Planning Policy Wales and Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006) and the adopted Local Development Plan, policies S01 and S04.
2. The application, if permitted, will undermine the deliverability of the adopted Local Development Plan housing strategy, specifically policies S01 and S04.