

2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210230	08-03-2021	Miss M Gee	Change of use from C3 (dwelling) to C4 House in Multiple Occupation (HMO).	8 Gogerddan Cottages, Penglais Road, Aberystwyth, SY23 2EX	Approve Subject to Conditions
2	A210283	18-03-2021	(Cartrefi Redwood Homes)	Erection of 2 dwellings.	Plot 16 & 17 Clos y Gwyddil, Y Ferwig, Cardigan, SA43 1PS	Refuse

2.1. A210230



Rhif y Cais / Application Reference	A210230
Derbyniwyd / Received	08-03-2021
Y Bwriad / Proposal	Change of use from C3 (dwelling) to C4 House in Multiple Occupation (HMO).
Lleoliad Safle / Site Location	8 Gogerddan Cottages, Penglais Road, Aberystwyth, SY23 2EX
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Miss M Gee, Blue Cedars Ivetsey Bank Road, Stafford, ST19 9AE
Asiant / Agent	,

Y SAFLE A'I HANES PERTHNASOL

Tŷ teras deulawr traddodiadol yw safle'r cais, a adeiladwyd yn ôl pob golwg yn yr 1800au ac sy'n sefyll o fewn Ardal Gadwraeth Canol Tref Aberystwyth. Mae campws prifysgol Penglais 0.45 cilometr i'r dwyrain a chanol y dref oddeutu 0.5 cilometr i'r gorllewin o'r safle. Saif y safle mewn ardal breswyl yn bennaf, â'i flaen ar Ffordd Penglais.

Ni nodwyd bod unrhyw hanes perthnasol o ran cynllunio.

MANYLION Y DATBLYGIAD

Mae'r cais datblygu dan sylw yn gofyn am ganiatâd i newid defnydd 8 Bythynnod Gogerddan, Ffordd Penglais, i fod yn Dŷ Amlfeddiannaeth (dosbarth defnydd C4) ac iddi dair ystafell wely.

Mae'r manylion a gyflwynwyd yn dangos y bydd gan yr annedd a fwriedir un ystafell wely ar y llawr gwaelod ynghyd ag ystafell fyw/ystafell fwyta, cegin, ystafell iwtiliti a thoiled. Bydd gan y llawr cyntaf ddwy ystafell wely ac ystafell ymolchi. Ni chynigir gwneud newidiadau i'r tu allan i'r eiddo.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisïau Cynllunio Cenedlaethol Perthnasol

- Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (agraffiad 11, Chwefror 2021)

Polisïau Cynllunio Lleol Perthnasol

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

LU07 Isrannu'r Anheddau Presennol

DM06 Dylunio a Chreu Lle o Safon Uchel

DM07 Ardaloedd Cadwraeth

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

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

DEDDF CYDRADDOLDEB 2010

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

- gwaredu neu leihau'r anfanteision y mae pobl yn eu dioddef yn sgil eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl sy'n perthyn i grwpiau gwarchoddedig pan fydd yr anghenion hyn yn wahanol i anghenion pobl eraill;

- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

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

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION YN SGIL YMGYNGHORI

Cyngor Tref Aberystwyth – Mae'r Cyngor yn GWRTHWYNEBU'r cais cynllunio ôl-weithredol hwn yn GRYF ac mae'n gwrthwynebu datblygu tai amlfeddiannaeth yn gyffredinol. Mae'r cais hwn yn cynrychioli haen o lety lle nad oes llawer o le i fyw a dim lle storio sbwriel na beiciau. Mae'n mynd yn groes i Ddeddf Lles Cenedlaethau'r Dyfodol ac mae hefyd yn cynrychioli colli cartref teulu fforddiadwy.

Cymdeithas Ddinesig Aberystwyth – Ni chafwyd sylw

Priffyrdd – Dim sylwadau i'w gwneud

Awdurdod Cefnffyrdd – Dim gwrthwynebiad – hysbyswyd yn gyffredinol

Draenio Tir – Dim gwrthwynebiad

Ecoleg – Ni chafwyd sylw

Cyfoeth Naturiol Cymru – Gwrthwynebu

Ni ddaeth dim sylw i law oddi wrth drydydd partiön parthed y cais.

CASGLIAD

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

Egwyddor y Datblygiad

Mae Polisi LU07 o Gynllun Datblygu Lleol Ceredigion (2007-2022) yn ymwneud ag isrannu tai presennol ac mae'n nodi'r amgylchiadau lle gellir caniatáu troi unedau mawrion yn fflatiau. Mae cafeat i'r polisi sy'n nodi na chaniateir troi unedau preswyl yn dai amlfeddiannaeth sy'n gofyn am ganiatâd cynllunio ar eu cyfer.

Mae'r Awdurdod Cynllunio Lleol wedi bod yn gyson wrth ystyried cynigion ar gyfer unedau mawrion ac wedi gwrthod ceisiadau i'w troi'n dai amlfeddiannaeth, ond mae angen dull gweithredu gwahanol wrth ystyried unedau llai.

Ar adeg mabwysiadu'r Cynllun Datblygu Lleol, roedd Tai Amlfeddiannaeth ond yn cyfeirio at dai oedd yn cynnwys saith neu fwy o bobl yn byw'n annibynnol ar ei gilydd. Roedd y diwygiad a wnaed yn 2016 i'r Gorchymyn Dosbarthiadau Defnydd wedi cyflwyno Dosbarth C4 newydd lle byddai angen caniatâd cynllunio er mwyn i dri neu fwy o bobl - nad ydynt yn byw fel aelwyd sengl - feddiannu annedd.

Yn yr achos hwn, byddai'r datblygiad yn mynd yn groes i bolisi LU07 am mai'r cynnig yw trosi annedd yn dŷ amlfeddiannaeth. Fodd bynnag, mae'r testun esboniadol sy'n cyd-fynd â pholisi LU17 yn nodi'n glir bod y polisi'n ymwneud â thai trefol mawr o dri neu bedwar llawr nad ydynt yn briodol, o achos eu maint, i'w defnyddio mwyach fel un aelwyd unigol. Mae'r eiddo dan sylw yma yn llawer llai o ran maint a bydd yn darparu llety ar ffurf tair ystafell wely. Ni fwriadwyd erioed i Bolisi LU17 gyfyngu ar dai amlfeddiannaeth o'r maint hwn. Mae'r newid yn y ddeddfwriaeth yn ystyriaeth berthnasol ar gyfer gwyro oddi wrth y cynllun datblygu yn yr achos hwn.

Cadarnhawyd y dull hwn mewn dyfarniad apêl diweddar gan Arolygydd Cynllunio a benodwyd gan Weinidogion Cymru. Canfu yntau fod polisi LU07 wedi dyddio erbyn hyn yn sgil y newidiadau yn y Gorchymyn Dosbarth Defnydd ers mabwysiadu'r Cynllun Datblygu Lleol.

Felly, derbynnir yr egwyddor o droi tai llai o faint yn dai amlfeddiannaeth, ar yr amod bod modd bodloni pob ystyriaeth gynllunio arall.

Amwynder Preswyl

Mae maen prawf 7 o Bolisi DM06 Dylunio a Chreu Lle o Safon Uchel yn ceisio sicrhau na fyddai datblygiadau arfaethedig yn peri niwed arwyddocaol o safbwynt preifatrwydd, sŵn a golygon. Nid ystyrir bod darparu Tŷ Amlfeddiannaeth ac iddi dair ystafell wely yn peri niwed o ran amwynder sy'n sylweddol wahanol i'r hyn a berir gan dŷ annedd C3. Bydd y drefn o storio a chasglu sbwriel yn parhau fel y mae ar hyn o bryd. Yn ogystal, drwy gynnig lle gwahanol i annedd ar gyfer teulu sengl, byddai'r cynnig yn cyd-fynd â maen prawf 6 o DM06 sef bod gofyn i ddatblygiad gyfrannu at greu cymunedau cymysg a chynhwysol yn gymdeithasol.

Ardal Gadwraeth

Ni chynigir gwneud newidiadau o ran ymddangosiad allanol yr eiddo, felly ystyrir bod y cais yn cydymffurfio â pholisi DM07 y Cynllun Datblygu Lleol sy'n ceisio amddiffyn a hybu cymeriad yr ardal a'i diddordeb pensaernïol arbennig.

Materion Eraill

Llifogydd

Daeth sylwadau i law'r Awdurdod Cynllunio Lleol oddi wrth Gyfoeth Naturiol Cymru, dyddiedig 21 Ebrill 2021, sy'n nodi bod y safle yn gyfan gwbl o fewn parth llifogydd C2 o'r Map Cyngor Datblygu ac felly fod angen Asesiad o Ganlyniadau Llifogydd i ddangos bod modd rheoli'r perygl o lifogydd at lefel dderbyniol. Mae'r Awdurdod Cynllunio Lleol o'r farn nad yw'r defnydd presennol a wneir o'r eiddo fel tŷ annedd C3 yn fwy agored i lifogydd na thŷ amlfeddiannaeth. Yn ôl pob tebyg, byddai preswlydd yr ystafell wely i lawr llawr yn cael lloches mewn ystafell lan llofft pe bai llifogydd.

Felly, ystyrir y byddai'n rhy feichus gofyn i'r ymgeisydd gyflwyno Asesiad o Ganlyniadau Llifogydd mewn perthynas â'r datblygiad arfaethedig hwn y tro hwn.

Priffyrdd

Nid oes gan yr Awdurdod Priffyrdd Lleol ddim sylwadau i'w gwneud ar y cais. Credir bod lleoliad cynaliadwy safle'r cais yng nghanol y dref yn golygu na fydd angen i ddeiliaid yr eiddo ddefnyddio car preifat i deithio i ganol y dref. Ni chredir y byddai maint y tŷ amlfeddiannaeth arfaethedig yn arwain at fwy o alw am lefydd parcio na'r hyn a gynigir yn ei ddefnydd presennol fel annedd C3.

ARGYMHELLIAD:

Cymeradwyo'r cais, yn ddibynnol ar amodau.

Pwer Dirprwyo:

Mae'r aelod lleol, y Cyng. Alun Williams, wedi gofyn bod y cais yn cael ei benderfynu gan aelodau o'r Pwyllgor Rheoli Datblygu am y rhesymau canlynol:

- Byddai cymeradwyo'r cais yn arwain at ymadawiad o'r cynllun datblygu sy'n ceisio atal datblygiad HMO

Rhif y Cais / Application Reference	A210230
Derbyniwyd / Received	08-03-2021
Y Bwriad / Proposal	Change of use from C3 (dwelling) to C4 House in Multiple Occupation (HMO).
Lleoliad Safle / Site Location	8 Gogerddan Cottages, Penglais Road, Aberystwyth, SY23 2EX
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Miss M Gee, Blue Cedars Ivetsey Bank Road, Stafford, ST19 9AE
Asiant / Agent	,

THE SITE AND RELEVANT PLANNING HISTORY

The application site constitutes a traditional 2 storey terraced dwelling which appears to have been constructed in the 1800s and sits within the Aberystwyth Town Centre Conservation Area. Penglais University Campus is 0.45km to the east and the town centre approximately 0.5km to the west of the site. The site is located in a predominantly residential area fronting Penglais Road.

No planning history is identified.

DETAILS OF DEVELOPMENT

The development proposed is the change of use of 8 Gogerddan Cottages, Penglais Road, to a 3-bedroom House of Multiple Occupation HMO (Class C4 use).

The submitted details show the dwelling is proposed to have 1 bedroom to the ground floor with a living/dining room, kitchen, utility room and WC. The first floor would have two bedrooms and a bathroom. There are no external changes proposed to the property.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

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

Relevant Local Planning Policy

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

LU07 Subdivision of Existing Dwellings

DM06 High Quality Design and Placemaking

DM07 Conservation Areas

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

Cyngor Cymuned Tref Aberystwyth Town Council – Council **STRONGLY OBJECTS** to this retrospective planning application and opposes the development of HMOs in general. This application represents a cramming of accommodation where there is limited living space and no refuse or bike storage. It contravenes the Wellbeing of Future Generations Act and also represents the loss of an affordable family home.

Aberystwyth Civic Society – Did not comment

Highways – No Observations

Trunk Road Authority – No objection – general informatives

Land Drainage – No Objection

Ecology – Did not comment

Natural Resources Wales - Object

No third party representations have been received in respect of this application

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

Policy LU07 of the Ceredigion Local Development Plan (2007-2022) (LDP) relates to the subdivision of existing dwellings and sets out the circumstances when the conversion of large units to flats will be permitted. There is a caveat to the policy to state that conversion of residential units to HMOs that require planning permission will not be permitted. The LPAs position has until recently been that all HMOs are prohibited by the policy.

However a recent appeal decision by a Welsh Minister appointed Planning Inspector found policy LU07 to be out of date following changes to the Use Class Order since the adoption of the LDP. At the time the LDP was adopted, HMOs only related to housing with seven or more people living independently from one another. The amendment to the Use Classes Order in 2016 introduced a new Class C4 whereby occupation of a dwelling by three or more people not living as a single household would require planning permission.

In this case, the development would conflict with policy LU07 in that the proposal is for the conversion of a dwelling to a HMOs, however, the weight attached to that conflict is affected by the change in legislation which has occurred since the policy was adopted.

In addition the explanatory text to the policy makes it clear that the policy relates to large, three or four storey town houses which are no longer appropriate for single household occupancy due to their large size. The property under consideration here is much smaller in size and will provide 3 bedrooms of accommodation.

Residential Amenity

Criterion 7 of Policy DM06 High Quality Design and Placemaking seeks to ensure development proposals do not give rise to significant harm in relation to privacy, noise and outlook. The provision of a 3 bedroom HMO is not considered to give rise to amenity harm materially different to that of a C2 dwelling house. Refuse storage and collection are to remain as existing.

In addition by offering an alternative to single family occupied dwelling, the proposal would accord with criterion 6 of DM06

which requires that development should contribute to the creation of mixed and socially inclusive communities.

Conservation Area

No external changes are proposed in regard to the external appearance of the property, therefore the proposal is considered to conform with policy DM07 of the LDP which seeks to preserve and enhance the character and special architectural interest of the area.

Other Matters

Flooding

The LPA are in receipt of representations made by NRW dated 2nd of April 2021 which state that as the site is entirely within flood zone C2 of the Development advice map, a Flood Consequence Assessment (FCA) is required to demonstrate the risk of flooding can be managed to an acceptable level. The LPA consider the property's current use as a C3 dwelling house to be no more vulnerable to flooding than a HMO. The resident of the downstairs bedroom would in all probability take refuge in an upstairs room in a flood event.

It is therefore considered overly onerous to require the applicant to submit an FCA in respect of this development proposal on this occasion.

RECOMMENDATION:

Approve the application STC

Power of Delegation

The local member, Cllr. Alun Williams, has requested for the application to be determined by members of the Development Control Committee, for the following reasons:

- Approval of the application would result in a departure from the development plan which seeks to prevent the development of an HMO

2.2. A210283



Rhif y Cais / Application Reference	A210283
Derbyniwyd / Received	18-03-2021
Y Bwriad / Proposal	Codi 2 annedd.
Lleoliad Safle / Site Location	Plot 16 a 17 Clos y Gwyddil, Y Ferwig, Aberteifi, SA43 1PS
Math o Gais / Application Type	Cynllunio Llawn
Ymgeisydd / Applicant	(Cartrefi Redwood Homes), Maesyrhaf, Pencader, Caerfyrddin, SA39 9HL
Asiant / Agent	Mr Rhys ap Dylan (Morgan & Davies), Morgan & Davies 4 Stryd y Farchnad, Aberaeron, SA46 0AS

Y SAFLE A HANES CYNLLUNIO PERTHNASOL

Mae'r cais yn cyfeirio at barsel o dir ar ochr orllewinol mynedfa'r ystad breswyl a adwaenir fel Clos y Gwyddil, sydd wedi'i lleoli ar ymyl pentref Y Ferwig. Mae'r ystad yn cynnwys 10 o anheddau marchnad agored a 5 uned fforddiadwy.

Mae'r anheddau ar ochr ddwyreiniol yr ystad (plotiau 7-15) wedi'u hadeiladu o fewn y 11 mlynedd diwethaf yn fras, a chafodd y rhai diweddaraf – plotiau 13, 14 a 15 – ganiatâd cynllunio amlinellol yn 2011 (A100956) gyda'r materion a gadwyd yn ôl yn cael eu cymeradwyo ar gyfer plot 13 yn Hydref 2013. Amrywiwyd y caniatâd amlinellol wedi hynny dan adran 73 yn 2015 i ymestyn y cyfnod amser ar gyfer cyflwyno mwy o faterion a gedwir yn ôl (A140999). Cymeradwywyd y materion a gadwyd yn ôl yn nes ymlaen yn 2015 (A150233 (plot 14) ac A150271 (plot 15)).

Mae safle'r cais (y cyfeirir ato fel plotiau 16 ac 17) yn cynrychioli'r ddau blot olaf i gael eu datblygu ar yr ystad a chyflwynwyd cais amlinellol i godi dwy annedd (gyda rhai materion wedi'u cadw'n ôl) yn 2013 (A130391). Cafodd y cais hwn ei wrthod gan y Cyngor ar 19 Mehefin 2013 ar sail y ffaith nad oedd unrhyw gyfiawnhad dros ganiatáu datblygu preswyl pellach yn Y Ferwig, a phetai'n cael ei ganiatáu mi fyddai'n tanseilio'r gallu i gyflenwi'r Cynllun Datblygu Lleol (CDLI), yn benodol polisïau S01, S02 ac S04. Ar yr adeg honno roedd y CDLI newydd ei fabwysiadu, ac ystyriwyd bod modd cwrdd â'r angen am dai yn sgil y 92 caniatâd a roddwyd eisoes o fewn Aneddiadau Cyswllt a a Lleoliadau Eraill Grŵp Aneddiadau Aberteifi. Cafodd y cais ei wrthod wedi hynny mewn apêl ar 02 Mai 2014 (apêl cyfeirnod APP/D6820/A/13/2210628). Roedd yr Arolygwr o'r farn bod y datblygiad yn mynd yn groes i Bolisïau S04:2b, S04:2c ac S04:2d y CDLI, a daeth i'r casgliad nad oedd cyfiawnhad digonol dros ryddhau mwy o dir i adeiladu tai o fewn yr anheddiad.

MANYLION Y DATBLYGIAD

Mae'r cais ar gyfer caniatâd cynllunio llawn i godi dwy annedd sengl. Mae'r ddwy annedd o faint a dyluniad tebyg, sef annedd math dormer, gyda thalcen deulawr yn ymestyn i'r ochr a garej unllawr ynghlwm. Mae'r dyluniad ychydig yn wahanol yn y cefn, gyda'r annedd agosaf at y ffordd (plot 17) â mwy o wydr yn y talcen deulawr a balconi ar y llawr cyntaf.

O ran maint, bydd annedd plot 16 yn mesur 11.8m x 10m, gyda'r garej sydd ynghlwm yn mesur 3.9m x 6.6m. Bydd uchder crib yr annedd yn 7m, a bydd uchder crib y talcen deulawr yn 7.4m, gydag uchder crib y garej yn 5.5m. Bydd yr annedd yn darparu 4 ystafell wely.

Bydd annedd plot 17 yn mesur 11.65m x 9.9m, a bydd y garej sydd ynghlwm yn mesur 3.9m x 6.6m. Bydd uchder crib yr annedd yn 6.7m, a bydd uchder crib y talcen deulawr yn 7.1m gydag uchder crib y garej yn 5.5m. Bydd yr annedd yn darparu 4 ystafell wely, ac mae wedi'i dylunio fel bod y brif ardal fyw ar y llawr cyntaf a'r ystafelloedd gwely ar y llawr gwaelod.

Bydd gan yr anheddau arfaethedig do llechi, waliau wedi'u rendro'n llyfn a'u paentio, gyda phlinth brics, a drysau a ffenestri uPVC.

POLISÏAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisïau Cynllunio Cenedlaethol Perthnasol

- Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (agraffiad 11, Chwefror 2021)
- TAN5 Cynllunio a Chadwraeth Natur (2009)
- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)
- TAN12 Dyluniad (2016)
- TAN 18 Trafndiaeth

Polisïau Cynllunio Lleol Perthnasol

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

- S01 Twf Cynaliadwy
- S04 Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill
- S05 Tai Fforddiadwy
- LU02 Gofynion sy'n Ymwneud â Phob Datblygiad Preswyl
- LU04 Diwallu Amrywiaeth o Anghenion Tai
- LU05 Sicrhau Cyflenwi Datblygiadau Tai
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM05 Datblygu Cynaliadwy a Lles Cynllunio
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirweddu
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadwraeth Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol

Canllawiau Cynllunio Atodol Perthnasol

Mae'r dogfennau Canllawiau Cynllunio Atodol canlynol yn berthnasol a dylid rhoi ystyriaeth iddynt:

- CCA Safonau Parcio CSC
- CCA Asesiad Trafnidaeth
- CCA Yr Amgylchedd Adeiledig
- CCA Cadwraeth Natur
- CCA Tai Fforddiadwy a Thafleuni Cymorth

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae Adran 17(1) o Ddeddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i 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; anabledd; ailbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw priodol i hyrwyddo cydraddoldeb yn golygu:

- dileu neu leihau'r anfanteision a wynebwr 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 Cymuned Y Ferwig** - Ni chafwyd ymateb
- **Priffyrdd** – Dim gwrthwynebiad, argymhell amodau
- **Draenio Tir** - Dim gwrthwynebiad, angen cymeradwyaeth SDCau

- **Ecoleg** – Ni chafwyd ymateb
- **Cyfoeth Naturiol Cymru** – Dim sylwadau
- **Dwr Cymru Welsh Water** – Dim gwrthwynebiad, argymhell amodau a nodyn cyngor

Derbyniwyd y sylwadau canlynol gan drydydd partiön:

- Derbyniwyd sylwadau gan drydydd parti (ni roddwyd cyfeiriad) yn dweud, er nad ydyn nhw'n gwrthwynebu'r datblygiad, eu bod yn teimlo bod y plot yn rhy fach ar gyfer dau dŷ mawr, a fyddai wedi'u gwasgu mewn, gan gysgodi'r byngalos dormer presennol gerllaw'r plot ar yr ochr honno o'r ffordd, gan effeithio hefyd ar y tai gyferbyn. Mi fyddai'n fwy priodol o ran y datblygiad i barhau gyda byngalos dormer o faint a dyluniad tebyg. Mynegwyd pryder hefyd y bydd dwy annedd fawr ychwanegol yn rhoi straen sylweddol ar y pwysedd dŵr, sydd eisoes yn isel.
- Derbyniwyd sylwadau gan berchennog/deiliad rhif 1 Clos y Gwyddil, yn gwrthwynebu'r datblygiad arfaethedig oherwydd ei effaith andwyol ar ei olygfa.
- Derbyniwyd sylwadau gan drydydd parti (ni roddwyd cyfeiriad) yn gwrthwynebu'r datblygiad arfaethedig ar sail y ffaith nad yw'r anheddau'n gymesur â maint y plotiau, a byddent yn rhy fawr o'u cymharu â'r anheddau eraill (byngalos dormer) sydd eisoes wedi'u hadeiladu ar yr un ochr o'r ffordd. Mynegwyd pryder, yn sgil eu maint, y byddent yn cysgodi'r anheddau presennol, ac yn cuddio golygfeydd cefn gwlad. Byddai'r annedd gyferbyn hefyd yn cael ei heffeithio yn sgil colli golygfeydd. Pryder hefyd bod y pwysedd dŵr eisoes yn isel a byddai'r anheddau'n golygu bod mwy o alw ar y cyflenwad. Hefyd, mae annedd plot 17 yn wynebu i ffordd o'r ystad, ac nid yw'n cydweddu'n dda â gweddill y tai, sy'n wynebu ei gilydd.

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

Diffinnir Y Ferwig fel Anheddiad Cyswllt sy'n ffurfio rhan o Grŵp Aneddiadau Aberteifi o fewn y Cynllun Datblygu Lleol (CDLI). Nid yw'r CDLI yn pennu ffiniau anheddiad ar gyfer Aneddiadau Cyswllt ond yn hytrach yn gofyn bod unrhyw ddatblygu'n cael ei gyflwyno mewn ffordd sy'n gwella cydlynid ffisegol/gweledol yr adeiladau sy'n rhan o'r anheddiad. I'r perwyl hwnnw, mae'r polisi'n gofyn bod yn rhaid i ddatblygiad, er mwyn bod yn dderbyniol, fod wedi'i leoli un ai o fewn neu gerllaw ardal adeiledig benodedig yr Anheddiad Cyswllt. Mae'r safle hwn wedi'i leoli ger mynedfa'r ystad breswyl bresennol ac felly ystyrir ei fod o fewn ardal adeiledig benodedig Anheddiad Cyswllt Y Ferwig.

Mae Polisi S01 y CDLI yn cyfeirio'r rhan fwyaf o ddatblygiadau tai i Ganolfannau Gwasanaethau Trefol a Gwledig, am mai'r rhain yw'r lleoliadau mwyaf cynaliadwy ar gyfer twf. Mae Polisi S04 y CDLI yn nodi bod angen rhywfaint o ddatblygu mewn lleoliadau ar wahân i Ganolfannau Gwasanaeth i gwrdd ag anghenion y cymunedau presennol, ond am eu bod yn lleoliadau llai cynaliadwy, ni chaniateir unrhyw ddatblygiad oni bai ei fod yn bodloni'r meini prawf a osodwyd yn y polisi. Yn achos datblygiad tai, rhaid iddo fodloni'r maen prawf canlynol -

- 2(b) – sy'n gofyn nad yw'r datblygu yn ei gyfanrwydd o fewn Aneddiadau Cyswllt a Lleoliadau Eraill yn mynd hwnt i'w ddarpariaeth.

Mae'r CDLI yn caniatáu darparu cyfanswm o 564 o anheddau o fewn Grŵp Aneddiadau Aberteifi. O'r rhain, mae 420 o anheddau i'w darparu o fewn y Ganolfan Wasanaethau, a 144 o anheddau i'w darparu o fewn Aneddiadau Cyswllt a Lleoliadau Eraill. Mae'r ffigurau tai diweddaraf, ar adeg ysgrifennu'r adroddiad hwn (Mawrth 2021) yn dangos bod 86 o dai wedi'u cwblhau o fewn Aneddiadau Cyswllt a Lleoliadau Eraill (01-04-2007-31-03-2020), 49 caniatâd ar y gweill ar 31-03-2021, 2 annedd wedi'u colli, gan olygu bod y cyfanswm ymrwymadau yn 133, gyda gofyniad dros ben am 11 o anheddau pellach.

Mae'r datblygiad arfaethedig yn cydymffurfio â maen prawf 2(b) am fod yna ddarpariaeth dros ben ar gyfer 11 o anheddau pellach, i'w darparu o fewn Aneddiadau Cyswllt a Lleoliadau Eraill Grŵp Aneddiadau Aberteifi.

- 2(c) – sy'n gofyn bod y datblygu'n digwydd ar gyfradd nad yw'n uwch na'r gyfradd ddatblygu gymesur yn y Ganolfan Wasanaethau briodol.

Mae'r ffigurau tai yn dangos bod 273 o ddatblygiadau wedi'u cwblhau o fewn Canolfan Wasanaethau Aberteifi (01/04/07-31/03/2020), 65 caniatâd ar y gweill (31/03/2021) ac 14 o anheddau wedi'u colli, gan olygu cyfanswm ymrwymadau o 324 o anheddau. O fewn yr Aneddiadau Cyswllt a Lleoliadau Eraill, mae 86 datblygiad wedi'u cwblhau (01/04/2007-31/03/2020), 49 caniatâd ar y gweill (31/03/2021), a 2 annedd wedi'u colli, gan arwain at ymrwymiad o 133 o anheddau. Mae hyn yn rhoi cyfradd o 71% : 29%. Mae hyn yn dangos bod datblygiadau o fewn Aneddiadau Cyswllt a Lleoliadau Eraill wedi'u cyflwyno ar gyfradd sy'n uwch na'r gyfradd ddatblygu gymesur o fewn Canolfan Wasanaethau Aberteifi; fodd bynnag cydnabyddir nad yw ond fymryn yn uwch.

Nid yw'r datblygiad arfaethedig yn cydymffurfio â maen prawf 2(c).

- 2(d) – sy'n gofyn nad yw'r datblygu o fewn yr Aneddiadau Cyswllt yn gronnoł uwch na 12% o'r lefel dai oedd yn bresennol yn 2007.

Mae'r CDLI yn caniatáu darparu 7 annedd o fewn Anheddiad Cyswllt Y Ferwig yn ystod oes y CDLI, am fod hyn yn cynrychioli cynnydd o 12% o'r stoc dai yn 2007. Mae'r ffigurau tai yn dangos bod yna ganiatâd ar y gweill am 5 annedd ar 31-03-2021 a bod 14 o anheddau wedi'u cwblhau ers Ebrill 2020, sy'n golygu cyfanswm ymrwymiad o 19 o anheddau. Mae hyn yn gadael gofyniad dros ben o -12 annedd o fewn Y Ferwig. Mae'r lefel datblygu tai o fewn Y Ferwig eisoes wedi mynd tu hwnt i'w ddarpariaeth felly. Hefyd, yn seiliedig ar y cyfnog treigl pum mlynedd rhwng Mawrth 2015 a Mawrth 2021, mae dwy annedd yn ormod wedi'u datblygu yn Y Ferwig.

Nid yw'r datblygiad arfaethedig yn cydymffurfio â maen prawf 2(d).

Mae'r datblygiad arfaethedig felly'n mynd yn groes i Bolisi S04, meini prawf 2(c) a (d) y CDLI.

Nod Polisi DM01 yw rheoli effaith unrhyw ddatblygu ar gymunedau a'r Gymraeg. Mae hyn yn gofyn bod unrhyw ddatblygu nad yw'n unol â pholisi S04 yn cyflwyno Asesiad o Effaith Gymunedol ac Ieithyddol. Ni chyflwynwyd asesiad o'r fath ac am fod y datblygiad yn mynd yn groes i S04, ni ellir asesu effaith y datblygiad arfaethedig ar y gymuned a'r iaith Gymraeg.

Gofynnwyd i'r ymgeisydd a fyddai'n fodlon ystyried darparu dau dŷ fforddiadwy ar y plot, yn hytrach na dau dŷ marchnad agored, oherwydd byddai hynny'n cydymffurfio'n well â'r polisi; fodd bynnag, mewn ymateb, dywedwyd nad oedd hynny'n opsiwn roedd yn fodlon ei ystyried a bod yr ystad eisoes yn darparu tai fforddiadwy.

Tai Fforddiadwy

Nod Polisi S05 y CDLI yw sicrhau cyfraniad tuag at dai fforddiadwy fel rhan o bob datblygiad tai. Am y byddai'r cynnig yn cyflenwi gofyniad tai fforddiadwy nad yw'n uned gyfan, byddai gofyn cael swm cymudol ar 'werth cyfatebol' o 10% o Werth Marchnad Agored y datblygiad fel mae wedi'i brisio ar adeg y cais. Mae asiant yr ymgeisydd wedi cadarnhau bod yr ymgeisydd yn fodlon ymrwymo i gytundeb adran 106 i ddarparu'r swm cymudol o 10%.

Maint, Dyluniad ac Effaith Gweledol

Mae'r ystad bresennol yn cynnwys cymysgedd o anheddau, gan gynnwys anheddau sengl deulawr, byngalos, grŵp o anheddau deulawr tri theras, anheddau deulawr unto, a byngalos dormer sengl. Mae'r anheddau arfaethedig o faint cymharol fawr, yn arbennig mewn cymhariaeth â'r byngalos dormer llai o faint i'r de; fodd bynnag, ni ystyrir eu bod yn or-fawr mewn cymhariaeth ag eiddo arall ar yr ystad – yn enwedig y ddau eiddo gyferbyn. Yn nhermau maint y plot, bydd y cynnig yn darparu parcio digonol ac ardal droi yn y tu blaen, a garej o faint rhesymol yn y cefn. O ganlyniad, ni ystyrir bod maint yr anheddau'n or-fawr nac wedi'u gwasgu mewn i'r plot. Ystyrir hefyd bod dyluniad, golwg, a deunyddiau'r anheddau'n cydfynd â'r ystad bresennol.

Roedd un gwrthwynebiad a godwyd gan drydydd parti'n cyfeirio at ogwydd yr annedd ym mhlot 17 gan nodi ei bod yn wynebu i ffwrdd o'r ystad, sy'n wahanol i'r anheddau eraill ar yr ystad. Mae'r annedd arfaethedig ym mhlot 17 wedi'i gosod ar fymryn o ongl, ond nid yw'n fawr ddim ac mae'r annedd yn wynebu ffordd yr ystad.

Ystyrir bod maint a dyluniad yr anheddau arfaethedig yn dderbyniol, ac ni fyddent yn cael unrhyw effaith gweledol andwyol ar yr ardal gyfagos, ac maent yn cydymffurfio felly â pholisïau DM06 a DM17 y CDLI.

Tirweddu

Bydd gan y datblygiad arfaethedig ardaloedd o erddi a lawntiau, gyda thirweddu meddal ar hyd y ffiniau. Ni ddarparwyd unrhyw fanylion am y tirweddu meddal fel rhan o'r cais, ond gellir gosod hynny fel amod os rhoir caniatâd cynllunio. Ystyrir felly bod y tirweddu arfaethedig yn dderbyniol yn ôl polisi DM10 y CDLI.

Amwynder Preswyl

Bydd yr anheddau arfaethedig wedi'u gosod yn ôl o fewn y plot a bydd ganddynt linell adeiladu debyg i'r eiddo presennol i'r de ohonynt. O ystyried y modd maent wedi'u gosod a'r pellter gwahanu, ni fydd yr anheddau arfaethedig yn cael unrhyw effaith andwyol ar amwynder yr anheddau gyferbyn. Mae'r gwrthwynebiad a ddaeth o du'r eiddo gyferbyn (rhif 1) yn honni y byddai'r datblygiad arfaethedig yn cael effaith andwyol ar eu golygfa. Bydd yr anheddau arfaethedig wedi'u gosod ar yr ochr arall i ffordd yr ystad a bydd ganddynt berthynas debyg i weddill yr ystad. Ni ystyrir felly bod y datblygiad arfaethedig yn cael unrhyw effaith andwyol ar olygfa'r eiddo gyferbyn.

Yn nhermau'r eiddo i'r de, bydd yr anheddau arfaethedig wedi'u gosod i'r gogledd o'r eiddo hyn, ac felly ni fyddant yn cael unrhyw effaith andwyol yn nhermau cysgodi. Bydd eiddo rhif 14, a'r rhai i'r de ohono, yn ddigon pell i ffwrdd o'r datblygiad arfaethedig, ac felly ni fydd unrhyw effaith andwyol ar eu hamwynder.

Yr eiddo agosaf yw rhif 15, sef byngalo dormer sengl. Bydd yr eiddo ym mhlot 16 wedi'i leoli'n agos iawn at y ffin â rhif 15; fodd bynnag, garej unllawr fydd ar yr ochr hon, a bydd y garej yn gorwedd ar yr un llinell, mwy neu lai, â'r byngalo. Does dim ffenestri ar y rhan hon o'r eiddo presennol, dim ond drws ar y llawr gwaelod. Mi fyddai'r rhan deulawr mwy o faint o'r annedd wedi'i osod i ffwrdd o'r byngalo hwn. Felly ni ystyrir bod yr anedd arfaethedig yn weledol ormesol, ac ni fydd chwaith yn golygu bod y byngalo cyfagos hwn yn colli golygfa. Yn nhermau edrych drosodd, does dim un ffenestr yn edrych dros un arall. Mi fydd gan yr eiddo ffenestr dormer yn y to cefn, yn ogystal â ffenestr llawr cyntaf yn y talcen cefn; fodd bynnag mae'r rhain wedi'u gosod ychydig i ffwrdd o'r eiddo cyfagos. Er y byddai modd gweld gardd yr eiddo cyfagos o'r ffenestri llawr uchaf hyn, mi fyddai hynny'n naturiol ar ystad dai, ac ni ystyrir y byddai i'r fath raddau fel y byddai'n cael effaith andwyol sylweddol ar amwynder yr eiddo cyfagos. Bydd yr annedd arfaethedig yn rhif 17 yn ddigon pell i ffwrdd, ac mae hefyd wedi'i ongli ychydig i ffwrdd o'r de, ac felly ni fydd yn cael effaith andwyol ar amwynder rhif 15.

Yn nhermau amwynder y datblygiad arfaethedig, ni fyddai unrhyw effaith andwyol yn nhermau cysgodi, ac ni fyddent yn weledol ormesol chwaith oherwydd y ffordd mae'r anheddau wedi'u gosod o fewn y plot. Hefyd does dim ffenestri'n edrych dros ei gilydd. Nid oes gan yr annedd ym mhlot 16 falconi llawr uchaf yn y cefn, ac oherwydd y ffordd mae'r anheddau wedi'u gosod, ni fyddai chwaith yn golygu bod modd edrych dros yr ardd ym mhlot 17. Mae'r balconi llawr uchaf yng nghefn yr annedd ym mhlot 17 ar ychydig o ongl i ffwrdd o blot 16, yn wynebu'r gorllewin. Mae'r balconi hefyd wedi'i osod yn ôl yn nhalcen yr annedd sy'n golygu ei fod yn cael llai fyth o effaith ar blot 16. O ganlyniad, ni ystyrir ei fod yn golygu bod plot 16 yn colli unrhyw breifatrwydd.

Nodir hefyd nad yw'r hawl i olygfa'n ystyriaeth gynllunio berthnasol.

Ni ystyrir felly bod y datblygiad arfaethedig yn gwneud unrhyw niwed sylweddol i amwynder y preswylwyr cyfagos, ac mae'r anheddau eu hunain hefyd yn cynnig lefel amwynder derbynol ar gyfer preswylwyr y dyfodol. Ystyrir bod y datblygiad arfaethedig yn dderbynol yn ôl Polisi DM06, maen prawf 7 y CDLI.

Priffyrdd

Bydd y cynnig yn defnyddio'r fynedfa bresennol i'r ystad, a darperir lle parcio digonol o fewn y plot. Nid yw'r awdurdod priffyrdd lleol wedi mynegi unrhyw wrthwynebiad i'r datblygiad arfaethedig, yn unol ag amodau a argymhellir.

Draenio Tir

Ceir gwared â charthffosiaeth fudr drwy'r brif garthffos ac nid yw Dŵr Cymru wedi mynegi unrhyw wrthwynebiad i'r datblygiad, yn unol ag amodau.

Mae'r cais yn datgan y ceir gwared â dŵr wyneb drwy system ddraenio gynaliadwy a suddfan dŵr. Ni ddarparwyd unrhyw fanylion pellach fel rhan o'r cais hwn; fodd bynnag mi fydd angen cymeradwyaeth SDCau ar gyfer y datblygiad gan gorff cymeradwyo draenio cynaliadwy'r awdurdod lleol cyn dechrau gweithio ar y safle, felly mi fydd dŵr wyneb yn cael sylw digonol trwy gyfrwng y broses honno.

Ecoleg

Cyflwynwyd Adroddiad Arfarniad Ecolegol gyda'r cais, dyddiedig Ionawr 2021. Mae'r adroddiad yn datgan na welwyd unrhyw arwyddion o rywogaethau a warchodir gan Ewrop ac nad yw'r safle'n un o ddiddordeb ecolegol. Nid yw Cyfoeth Naturiol Cymru wedi mynegi unrhyw wrthwynebiad i'r datblygiad arfaethedig.

Diogelu Mwynau

Mae safle'r cais wedi'i leoli o fewn Ardal Diogelu Mwynau sy'n dod dan Bolisi LU30 y CDLI. Mae'r safle wedi'i leoli o fewn anheddiad Y Ferwig ac felly nid yw'r polisi diogelu'n berthnasol yn yr achos hwn.

Ystyriaethau Eraill Perthnasol

O ystyried lleoliad yr anheddau o fewn Anheddiad Cyswllt Y Ferwig a'u bod yn fffurfio rhan o'r ddau blot olaf ar yr ystad hwn, rhoddwyd ystyriaeth i p'un ai oes unrhyw ystyriaethau eraill perthnasol a fyddai'n cyfiawnhau caniatáu'r datblygiad arfaethedig, yn groes i strategaeth dai y CDLI.

Mae'r Datganiad Dylunio a Mynediad a gyflwynwyd fel rhan o'r cais yn cyflwyno'r dadleuon canlynol dros gefnogi'r cais, yn groes i'r strategaeth dai (yn gryno):

- Mae 8 mlynedd wedi pasio ers y penderfyniad ar yr apêl ac mae'r sefyllfa dai yng Ngheredigion wedi gwaethygu'n sylweddol;
- Mae'r safle eisoes wedi gweld 2 gam adeiladu, y ddau wedi'u cwblhau ar gyfradd adeiladu gyflym i gwrdd â'r galw o fewn y farchnad;
- Mae'r safle wedi'i leoli o fewn Anheddiad Cyswllt diffiniedig ac mae o fewn lleoliad cynaliadwy yn Y Ferwig, a dyma'r trydydd cam datblygu ar y safle;

- Cydnabyddir y byddai'r cynnig yn mynd dros ben y ddarpariaeth a osodwyd yn y ffigurau tai perthnasol, ond gofynnir i Swyddogion ystyried buddiannau dod â thai newydd am bris rhesymol i'r farchnad yn Y Ferwig, gan ddatblygwr lleol dibynadwy gydag enw da, fel rhan o'r camau datblygu cyntaf;
- Efallai bod y cynnig yn dod ar gyfradd uwch na'r hyn a ragwelwyd ar gyfer y Ganolfan Wasanaethau, ond gyda'r Ganolfan Wasanaethau erbyn hyn yn tyfu'n sylweddol, efallai nad dyna'r achos bellach;
- Mae'r cynnig yn mynd dros ben y 4% o Stoc Dai a nodwyd yn 2007 ar gyfer yr Anheddiad Cyswllt; fodd bynnag mae hwn yn seiliedig ar ffigurau monitro tai Mawrth 2020, ac ystyrir y byddai'r gwahaniaeth yn llai, yn arbennig gyda'r gyfradd adeiladu a chwblhau sydd ar droed yn Aberteifi;
- Prinder tai sylweddol o fewn y Sir. Cydnabyddir nad yw'r canllaw TAN1 blaenorol mewn perthynas â chyflenwi tir ar gyfer tai yn berthnasol bellach; fodd bynnag dylid rhoi ystyriaeth o hyd i ddirifoldeb y prinder tai o fewn y Sir. Mae'r Sir wedi bod yn brin o gyflenwad 5 mlynedd o dir ar gyfer tai yn barhaus dros y pum mlynedd diwethaf;
- Mae cynigion datblygu o fewn y cam blaenorol wedi dangos angen sylweddol am eiddo gyda 4 ystafell wely yn yr ardal. Gwneir y cais mewn ymateb i'r angen hwn;
- Bydd y cynnig yn darparu tai newydd ar gyfer pobl leol, i gefnogi a defnyddio'r gwasanaethau a chyfleusterau lleol presennol;
- Bydd y datblygiad yn gwneud defnydd o'r seilwaith a'r gwasanaethau presennol ac ni fydd y datblygiad yn cael unrhyw effaith negyddol.

Mae'r ystyriaethau perthnasol eraill a osodwyd uchod wedi'u hystyried.

Cafodd apêl ei gwrthod ym Mai 2014 ar gyfer datblygu'r ddau blot hyn, am fod y cynnig yn mynd yn groes i Bolisi S04 y CDLI. Cyfeiriodd yr Arolygwr at y ffaith bod y CDLI newydd ei fabwysiadu ar adeg yr apêl, ac nad oedd digon o gyfiawnhad dros ryddhau mwy o dir ar gyfer tai o fewn Y Ferwig ar y pryd. Roedd yr Arolygwr o'r farn nad oedd y ffaith bod y cynnig yn cwblhau'r ystad bresennol yn rheswm digonol oedd yn gorbwyso nod y CDLI o ymwrthod â mwy o dai newydd yn y lleoliad hwn. Mae adroddiad Swyddog yr Awdurdod Cynllunio Lleol ar gyfer y cais (A130391) yn nodi bod yna 225 o gydsyniadau ar y gweill o fewn Grŵp Aneddiadau Aberteifi (133 yn y Ganolfan Wasanaethau a 92 yn yr Aneddiadau Cyswllt a Lleoliadau Eraill). Hefyd, roedd 165 o ddatblygiadau wedi'u cwblhau yn y Ganolfan Wasanaethau a 50 yn yr Aneddiadau Cyswllt a Lleoliadau Eraill. Y cydbwysedd datblygu canrannol rhwng y Ganolfan Wasanaethau a'r Aneddiadau Cyswllt a Lleoliadau Eraill oedd 67.7% : 32.3% ym Mehefin 2013.

Mae wyth mlynedd wedi pasio ers y penderfyniad ar yr apêl ac mae'r CDLI yn dod at ddiwedd ei oes. Ers y penderfyniad hwnnw, mae'r ffigurau tai yn dangos bod y ganran o ddatblygiadau a ganiatwyd o'i gymharu â'r rhai a gwblhawyd o fewn Canolfan Wasanaethau Aberteifi a'r Aneddiadau Cyswllt a Lleoliadau Eraill wedi gostwng yn sylweddol. Mae'r cydbwysedd datblygu canrannol rhwng y Ganolfan Wasanaethau a'r Aneddiadau Cyswllt a Lleoliadau Eraill wedi gwella hefyd i 71% : 29%. Fodd bynnag, er gwaethaf hyn, mae yna gydsyniad ar y gweill o hyd ar gyfer cyfanswm o 114 o anheddau o fewn Grŵp Aneddiadau Aberteifi, gyda 65 o'r rhain o fewn y Ganolfan Wasanaethau a 47 o fewn yr Aneddiadau Cyswllt a Lleoliadau Eraill, ac mae'r ganran bresennol o anheddau yr ymrwymwyd iddynt o fewn yr Aneddiadau Cyswllt a Lleoliadau Eraill yn parhau i fod yn anghymesur â'r Ganolfan Wasanaethau. Hefyd, mae'r ffaith bod Y Ferwig ei hun wedi mynd dros ben ei ddyraniad tai o 12 annedd o bwys arbennig. Felly, ers y penderfyniad ar yr apêl, mae'r cynnig yn parhau i fynd yn groes i strategaeth dai y CDLI.

Yn nhermau Aberteifi, y Ganolfan Wasanaethau ei hun yw'r Ganolfan Gwasanaethau Trefol sy'n perfformio orau yn nhermau'r ganran o dai a ganiatwyd ac a gwblhawyd, o'i gymharu â'r cyfanswm gofynion (77% wedi'u caniatáu a 65% wedi'u cwblhau). Mae'r nifer sydd wedi'u cwblhau'n sylweddol uwch na'r nifer a gwblhawyd o fewn y Ganolfan Gwasanaethau Trefol arall. Mae hyn yn dangos bod tai'n cael eu darparu o fewn y Ganolfan Wasanaethau ac felly does dim angen hollbwysig i ganiatáu tai pellach y tu allan i'r Ganolfan Wasanaethau, yn groes i'r strategaeth dai, i wneud iawn am unrhyw ddifyg tai o fewn y Ganolfan Wasanaethau. Hefyd, ac o bwysigrwydd arbennig, does dim gwasanaethau na chyfleusterau ar wahân i Eglwys yn Y Ferwig.

Mae'r CDLI yn darparu ar gyfer rhywfaint o ddatblygu tai o fewn yr Aneddiadau Cyswllt, i gydnabod yr angen i sicrhau peth twf parhaus o fewn aneddiadau mwy gwledig i helpu i gynnal cymunedau llewyrchus a'r Gymraeg. O ganlyniad, pwrpas y polisi yw caniatáu ar gyfer rhywfaint o ddatblygu o fewn Aneddiadau Cyswllt i gwrdd ag anghenion y cymunedau presennol. Oherwydd maint yr anheddau a'u gwerth/fforddiadwyedd, mae pryderon yn codi ynghylch p'un ai fyddai'r anheddau arfaethedig yn cwrdd ag anghenion cymuned wledig bresennol Y Ferwig a'r ardal gyfagos, ac felly p'un ai fyddai'r datblygiad yn cyfrannu tuag at gynnal cymuned lewyrchus a'r Gymraeg.

Yn nhermau'r cyflenwad ehangach o dir ar gyfer tai, mae TAN1 wedi'i ddiwygio ac o ganlyniad, ni roddir pwyslais mawr bellach ar ddiffyg cyflenwad 5 mlynedd y Sir o dir ar gyfer tai.

Mae'r Cyngor hefyd yn y broses o baratoi Cynllun Datblygu Lleol newydd 2018-2033 (CDLI 2) i gymryd lle'r un presennol, ac fel rhan o hyn, mae'r gofyniad a'r strategaeth dai ar gyfer y Sir gyfan yn cael ei ail-ystyried yn unol â'r wybodaeth ddiweddaraf ynghylch yr angen am dai. Felly ystyrir mai'r dull priodol o asesu ac ail-ddosbarthu'r angen am dai o fewn Grŵp Aneddiadau Aberteifi yw drwy broses CDLI 2.

Mae hi'n ddyddiau cynnar o ran paratoi CDLI 2 ac felly rhaid ystyried y cais yn unol â'r strategaeth dai fabwysiedig bresennol. Ystyrir nad oes unrhyw ystyriaethau perthnasol eraill cymhellol sy'n cyfiawnhau caniatáu mwy o dai yn Y Ferwig, yn groes i strategaeth dai'r CDLI a osodwyd yn y CDLI presennol – sef polisïau S01 ac S04.

Pŵer Dirprwyo

Mae'r aelod lleol, y Cyng. Clive Davies, wedi gofyn bod y cais yn cael ei benderfynu gan aelodau o'r Pwyllgor Cynllunio a Rheoli Datblygu am y rhesymau canlynol, yn gwyno:

- Yr angen am dai marchnad agored yn ogystal â thai fforddiadwy
- Ymwybodol o deulu lleol sy'n methu â dod o hyd i gartref addas yn Aberteifi
- Cartrefi'n cael eu gwerthu o fewn diwrnodau, gan ddangos bod yna alw
- Mae pobl yn prynu cartrefi yn yr ardal

ARGYMHELLIAD:

Argymhellir bod y cais yn cael ei wrthod am fod y cynnig yn mynd yn groes i strategaeth dai y CDLI, sef polisïau S01 ac S04.

Application Reference	A210283
Received	18-03-2021
Proposal	Erection of 2 dwellings.
Site Location	Plot 16 & 17 Clos y Gwyddil, Y Ferwig, Cardigan, SA43 1PS
Application Type	Full Planning
Applicant	(Cartrefi Redwood Homes), Maesyrfhaf, Pencader, Carmarthen, SA39 9HL
Agent	Mr Rhys ap Dylan (Morgan & Davies), Morgan & Davies 4 Market Street, Aberaeron, SA46 0AS

THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to a parcel of land on the western side of the entrance of the residential estate known as Clos y Gwyddil which is located at the edge of the village of Y Ferwig. The estate comprises 10 open market dwellings and 5 affordable units.

The dwellings on the south-west side of the estate (plots 7-15) have been built within the last 11 years or so, with the latest - plots, 13 14 and 15 - granted outline planning permission in 2011 (A100956) with subsequent reserved matters approval given for plot 13 in October 2013. The outline permission was subsequently varied under a section 73 in 2015 to extend the period of time in which to submit further reserved matters application (A140999). Subsequent reserved matters approval was granted in 2015 (A150233 (plot 14) and A150271 (plot 15)).

The application site (referred to as plots 16 and 17) represents the last two plots to be developed at the estate and an outline application for the erection of two dwellings (with some matters reserved) was submitted in 2013 (A130391). This application was subsequently refused by the Council on 19 June 2013 on the basis that there was no justification for allowing further residential development at Y Ferwig, and if permitted would undermine the deliverability of the Local Development Plan (LDP), specifically policies S01, S02 and S04. At this time, the LDP had recently been adopted and it was considered that the need for housing could be met by the 92 outstanding consents that existed within the Linked Settlements and Other Locations of the Settlement Group of Cardigan. The application was subsequently dismissed at appeal on 02 May 2014 (appeal reference APP/D6820/A/13/2210628). The Inspector considered that the development conflicted with LDP Policy S04:2b, S04:2c and S04:2d and concluded that there was insufficient justification for the release at present of more housing land in the settlement.

DETAILS OF DEVELOPMENT

The application seeks full planning permission for the erection of two detached dwellings. The two dwellings are of a similar scale and design, being of a dormer style dwelling, with a two storey projecting gable to the side, and a single storey attached garage. The design is slightly different to the rear, with the dwelling closest to the road (plot 17), having more glazing within the two-storey gable and a first floor balcony.

In terms of scale, the dwelling at plot 16 will measure 11.8m by 10m, with the attached garage measuring 3.9m by 6.6m. The dwelling will have a ridge height of 7m, with the two storey gable projection having a ridge height of 7.4m and the garage will have a ridge height of 5.5m. The dwelling will provide 4 bedrooms.

The dwelling at plot 17 will measure 11.65m by 9.9m, with the attached garage measuring 3.9m by 6.6m. The dwelling will have a ridge height of 6.7m, with the two storey gable projection having a ridge height of 7.1m and the garage will have a ridge height of 5.5m. The dwelling will provide 4 bedrooms, and is shown as being designed with the main living area on first floor with bedrooms at ground floor.

The proposed dwellings will have slate roof, smooth painted rendered walls with brick plinth, and upvc windows and doors.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

- Future Wales: The National Plan 2040
- Planning Policy Wales (edition 11, February 2021)
- TAN5 Nature Conservation and Planning (2009)
- TAN6 Planning for Sustainable Rural Communities (2010)
- TAN12 Design (2016)
- TAN 18 Transport

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:

- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- S05 Affordable Housing
- LU02 Requirements Regarding All Residential Developments
- LU04 Meeting a Range of Housing Needs
- LU05 Securing the Delivery of Housing Development
- DM03 Sustainable Travel
- DM04 Sustainable Travel Infrastructure as a Material Consideration
- DM05 Sustainable Development and Planning Gain
- 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 Supplementary Planning Guidance

The following Supplementary Planning Guidance documents are applicable and should be considered:

- CCC Parking Standards SPG
- Transport Assessment SPG
- Built Environment and Design SPG
- Nature Conservation SPG
- Affordable Housing SPG and Helpsheets

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

- **Cyngor Cymuned Y Ferwig Community Council** - No response received
- **Highways** - No objection, recommended conditions
- **Land Drainage** - No objection, SuDS approval required.
- **Ecology** - No response received
- **Natural Resources Wales** - No comments to make
- **Dwr Cymru Welsh Water** - No objection, recommended conditions and advisory note

The following representations have been received from third parties:

- Representation has been received from third party (no address given) stating that while they do not object to the development, it is felt that the plot is too small for the two large house, that these would be cramped, and would overshadow the existing development of dormer bungalows adjacent to the plot on that side of the road while also impacting on the houses opposite. It would be more appropriate to the development to continue with a similar size and style to the dormer bungalows. Concerned also that two additional large dwellings will put a substantial strain on the water pressure, which is already low.
- Representation has been received from the owner/occupier of number 1 Clos y Gwyddil, objection to the proposed development as it would adversely effect their outlook.
- Representation has been received from a third party (no address given) objecting to the proposed development on the basis that the dwellings are not commensurate with the size of the plots and would be out of proportion with other dwellings (dormer bungalows) already built on the same side of the road. Concern, due to their large scale, that they would overshadow the existing dwellings, and block countryside views. The dwelling opposite would also be adversely affected due to loss of views. Concern that water pressure is already low and the dwellings would put additional demand on the supply. Dwelling at plot 17 is also looking away from the estate, and does not fit well with the existing houses which all face towards each other.

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

Y Ferwig is identified as a Linked Settlement forming part of Cardigan Settlement Group within the Local Development Plan (LDP). The LDP does not assign settlement boundaries to Linked Settlements and instead requires development to come forward in a way which improves the physical/visual coherence of the buildings comprising the settlement. To that end the policy requires that to be acceptable, development must be located within or adjacent to the substantive built form of the Linked Settlement. The site is located at the entrance of the existing residential estate and is therefore considered to be within the substantive built form of the Linked Settlement.

LDP Policy S01 directs the majority of housing development to the Urban and Rural Service Centres as these represent the most sustainable location for growth. LDP Policy S04 identifies that locations other than the Service Centres require a degree of development to meet the needs of existing communities, however as they are less sustainable locations, development will only be permitted where it meets with the criteria set out within the policy. In the case of housing development, it must meet with the following criteria -

- 2(b) - requires the overall development within the Linked Settlements and Other Locations to not exceed its provision.

The LDP allows for a total of 564 dwellings to be provided within Cardigan Settlement Group. Of these, 420 dwellings are to be provided within the Service Centre with 144 dwellings to be provided within Linked Settlements and Other Locations. The latest housing figures available (March 2021) show that within the Linked Settlements and Other Locations there have been 86 housing completions (01-04-2007-31-03-2020), 49 outstanding consent at 31-03-2021, the loss of 2 dwellings, resulting in a total commitment of 133, and a remaining requirement for 11 further dwellings.

The proposed development complies with criteria 2(b) as there remains further provision for 11 dwellings to be provided within the Linked Settlements and Other Locations.

- 2(c) - requires development to come forward at a rate no greater than the proportionate rate of development in the relevant Service Centre.

The latest housing figures available (March 2021) show that there have been 273 completions within Cardigan Service Centre (01/04/2007-31/03/2020), 65 outstanding consents (31/03/2021) and loss of 14 dwellings, resulting in a total commitment of 324 dwellings. Within the Linked Settlements and Other Locations, there have been 86 completions ((01/04/2007-31/03/2020), 49 outstanding consents (31/03/2021), and the loss of 2 dwellings, resulting in a commitment of

133 dwellings. This results in a rate of 71% : 29%. This shows that development within the Linked Settlements and Other Locations have come forward at a rate greater than the proportionate rate of development in the relevant Service Centre; however it is recognised that it is relatively marginally.

The proposed development does not comply with criteria 2(c).

- 2(d) - requires development in the Linked Settlements to not cumulatively exceed 12% of the existing level of housing as at 2007.

The LDP allows for 7 dwellings to be provided within the Linked Settlement of Y Ferwig throughout the lifetime of the LDP as this represents 12% increase of the 2007 housing stock. The latest housing figures available (March 2021) show that there is outstanding consent for 5 dwellings as of 31-03-2021 and there have been 14 dwellings completed as of April 2020 which results in a total commitment of 19 dwellings. This leaves a remaining requirement of -12 dwellings within Y Ferwig. The level of housing development within Y Ferwig has therefore already exceeded its provision. Furthermore, based on the five year rolling period between March 2015 and March 2021, housing development within Y Ferwig has exceeded by 2 dwellings.

The proposed development does not comply with criteria 2(d).

The proposed development is therefore contrary to LDP Policy SO4, criteria 2(c) and (d).

Policy DM01 seeks to manage the impact of development on communities and the Welsh Language. This requires that all development which is not in accordance with policy S04 submits a Community and Linguistic Impact Assessment. No such assessment has been submitted and as the development is contrary to S04, the impact of the proposed development on the community and the Welsh Language cannot be assessed.

Affordable Housing

LDP Policy S05 seeks to achieve affordable housing contribution on all housing development. As the proposal would yield an affordable housing requirement which is not a whole unit, a commuted sum at the 'equivalent value' of 10% of Open Market Value (OMV) of the development as valued at the time of application is required. The applicant agent's has confirmed that the applicant is willing to enter into a section 106 agreement to provide the 10% commuted sum.

Scale, Design and Visual Impact

The existing estate comprises a mixture of dwellings, including detached two storey dwellings, bungalows, group of three terraced two storey dwellings, semi-detached two storey dwellings, and detached dormer bungalows. The proposed dwellings are of a relatively large scale, particularly in comparison with the smaller dormer bungalows to the south; however they are not considered to be overly large in comparison with the other properties on the estate - particularly the two properties opposite. In terms of plot size, the proposal will provide adequate parking and turning area to the front and a reasonable sized garden area to the area. As a result, the scale of the dwellings are not considered to be overly large or cramped within the plot. The design, appearance and materials of the dwellings are also considered to be inkeeping with the existing estate.

One of the objection raised by a third party referred to the siting of the dwelling at plot 17 noting that it looks away from the estate, which contrast to the other dwellings on the estate. The proposed dwelling at plot 17 sits at a slight angle; however this is only minor and the dwelling faces onto the estate road.

The scale and design of the proposed dwellings are considered to be acceptable, and will not result in any harmful visual impact to the surrounding area, and thus complies with LDP policies DM06 and DM17.

Landscaping

The proposed development will have lawned garden areas with soft landscaping proposed along the boundaries. No details of the soft landscaping has been provided as part of the application however this can be conditioned if planning permission is forthcoming. The proposed landscaping is therefore considered to be acceptable in line with LDP Policy DM10.

Residential Amenity

The proposed dwellings will be set back within the plot and will have a similar building line to the existing properties to the south. Given their siting and separation distance, the proposed dwellings will have no adverse impact on the amenity of the dwellings opposite. The objection received from the property opposite (no.1) states that the proposed development would adversely effect their outlook. The proposed dwellings will be situated on the other side of the estate road and will have a similar relationship as the remainder of the estate. The proposed development is not therefore considered to adversely affect the outlook of the property opposite.

In terms of the properties to the south, the proposed dwellings will be sited to the north of these properties and will therefore have no adverse impact in terms of overshadowing. The property number 14, and those to the south of this property, will be at a sufficient distance away from the proposed development and therefore their amenity will not be impacted on.

The nearest property is number 15, which is a detached dormer bungalow. The property at plot 16 will be sited within close proximity to the boundary with number 15; however it will be the single storey garage on this side, and the garage will sit roughly in line with the bungalow. There are no windows on this elevation of the existing property only a ground floor door. The larger, two storey, part of the dwelling would be set away from this bungalow. Therefore the proposed dwelling is not considered to be visually overbearing, nor will it result in the loss of outlook for this neighbouring bungalow. In terms of overlooking, there are no direct overlooking from windows to windows. The property will have a dormer window within the rear roof, and there will also be a first floor window in the rear gable projection; however these are set away slightly from the neighbouring property. Although a view of the neighbouring property's garden area would be possible from these upper floor windows, this would be natural for an housing estate, and it is not considered to be to an extent that would have a significant adverse impact on the amenity of the neighbouring property. The proposed dwelling at number 17 will be at a sufficient distance away, and is also orientated slightly away from the south, and as such it will not have an adverse impact on the amenity of number 15.

In terms of the amenity of the proposed development, there would be no adverse impact in terms of overshadowing, nor will they be visually overbearing due to the way the dwellings have been sited within the plot. There is also no overlooking of windows to windows. The dwelling at plot 16 does not have a upper floor balcony to the rear, and due to the positioning of the dwellings, it would also not result in adverse overlooking of the garden area of plot 17. The upper floor balcony to the rear of the dwelling at plot 17 is orientated slightly away from plot 16, facing to the west. The balcony is also set back within the gable projection which further reduces its impact on plot 16. As a result, it is not considered to result in the loss of privacy for plot 16.

It is also noted that a right to a view is not a material planning consideration.

The proposed development is not therefore considered to have any significant harm on the amenity of the nearby occupiers, and the dwellings themselves also offer an acceptable level of amenity for future occupiers. The proposed development is considered to be acceptable in line with LDP Policy DM06, criterion 7.

Highways

The proposal will use the existing estate entrance and adequate off-street parking is provided within the plot. The local highway authority has raised no objection to the proposed development, subject to recommended conditions.

Land Drainage

Foul sewage will be disposed of via the mains sewer and Dwr Cymru Welsh Water has raised no objection to the proposed development, subject to conditions.

The application states that surface water will be disposed of via a sustainable drainage system and a soakaway. No further details have been provided as part of this application; however the development will require SuDS approval from the local authority sustainable approval body prior to the works starting on site, therefore surface water will be adequately dealt with via this process.

Ecology

The application is accompanied by an Ecological Appraisal Report, dated January 2021. The report states that no signs of European protected species were observed and the site is of negligible ecological interest. NRW has raised no objection to the proposed development.

Mineral Safeguarding

The application site lies within a Mineral Safeguarding Area (MSA) which is covered by LDP Policy LU30. The site lies within the settlement of Y Ferwig and therefore the safeguarding policy does not apply in this instance.

Other Material Consideration

Given the location of the dwellings within the Linked Settlement of Y Ferwig and forming part of the two last plots within this estate, consideration has been given as to whether there are any other material considerations that would justify allowing the proposed development contrary to the LDP housing strategy.

The Planning, Design and Access Statement submitted as part of the application makes the following arguments in favour of supporting the application contrary to the housing strategy (in summary):

- 8 years have passed since the appeal determination and the housing situation in Ceredigion has significantly worsened;
- The site has previously seen 2 phase of construction, both completed at a quick build rate to meet market demand;
- The site is located within an identified Linked Settlement and is within a sustainable location within Y Ferwig and this is the 3rd phase of the development of the site;
- It is not disputed that the proposal would exceed the provision set out within the relevant housing figures, but would ask Officers to consider the benefits of bringing sensibly priced new homes to the market in Y Ferwig by a reputable local developer who has a proven track record as part of the first phases of development;
- The proposal may come forward at a rate greater than that envisaged for the Service Centre, however with the Service Centre now experiencing significant growth this may no longer be the case;
- The proposal exceeds the 4% of the 2007 Housing Stock identified for the Linked Settlement however this is based on the March 2020 housing monitoring figures, and it is considered that the difference would be less, particularly with the rate of construction and completions coming forward in Cardigan;
- Significant housing shortfall within the County. It is recognised that the previous TAN 1 guidance relating to housing land supply no longer applies, however the severity of the housing shortfall within the County should still be considered. The County has continuously fallen short of 5 year housing land supply within the last 5 years;
- Similar development proposals within the previous phase has shown a significant need for 4 bed properties in the area. The application is made in response to this need;
- The proposal will provide new housing opportunity for local people to support and utilise the existing services and facilities locally;
- The development will utilise existing infrastructure and services and there is no negative impact from the development.

The other material considerations set out above have been considered.

As noted above, an appeal was dismissed in May 2014 for the development of these two plots, as the proposal was contrary to LDP Policy S04. The Inspector referred to the fact that at the time of the appeal, the LDP had recently been adopted, and there was insufficient justification for the release at present of more housing land within Y Ferwig. The Inspector did not consider the fact that the proposal would complete the existing estate to be a sufficient reason to outweigh the LDP's aim of resisting more new housing in this location. The LPA Officer's report for the application (A130391) notes that there were 225 outstanding consents within the Cardigan Settlement Group (133 in the Service Centre and 92 in the Linked Settlements and Other Locations). There were also 165 completions in the Service Centre and 50 completions in the Linked Settlements and Other Locations. The percentage balance of development between the Service Centre and the Linked Settlement and Other Locations was 67.7% : 32.3% as of June 2013.

Eight years has passed since this appeal decision and the LDP is nearing the end of its life. Since the determination of the appeal, the available housing figures (March 2021) show that the percentage of outstanding consents compared with completions within Cardigan Service Centre and the Linked Settlements and Other Locations have reduced significantly. The percentage balance of development between the Service Centre and the Linked Settlement and Other Locations has also improved to 71% : 29%. However, despite this, there remains outstanding consent for a total of 114 dwellings within the Cardigan Settlement Group, with 65 of these within the Service Centre and 47 within the Linked Settlements and Other Locations, and the current percentage of dwellings committed within the Linked Settlements and Other Locations remains out of proportion with the Service Centre. Also, of particular importance is the fact that Y Ferwig itself has already exceeded its housing allocations by 12 dwellings. Therefore since the determination of the appeal, the proposal continues to be contrary to the LDP housing strategy.

In terms of Cardigan, the Service Centre itself is the highest performing Urban Service Centre in terms of the percentage of housing commitments and completions compared to the total requirements (77% commitments and 65% completions). The completions in particular is significantly higher than the percentage of completions within the other Urban Service Centre. Therefore this shows that housing is being delivered within the Service Centre. Furthermore, and of particular importance, is the fact that Y Ferwig itself offers very limited service and facilities - there is no school or any shops. There is only a Church.

Whilst it is acknowledged that there remains further housing requirement within the Cardigan Settlement Group, in view of the fact that Cardigan itself is delivering housing along with the fact that Y Ferwig as already exceeded its housing provision by 12 dwellings and that the village itself offers very limited services and facilities, it is not considered that Y Ferwig represents the best location for further housing within the Settlement Group, nor is there considered to be compelling overriding reasons to allow for more housing within Y Ferwig, contrary to the LDP housing strategy. The Council is also in the process of preparing a new replacement Local Development Plan 2018-2033 (LDP 2), and as part of this, the housing requirement and strategy for the whole of the County is being re-considered in line with updated information on housing need. Therefore it is considered that the appropriate means of assessing and re-distributing the housing need for Cardigan Settlement Group is through the LDP 2 process.

In terms of the wider housing land supply, TAN 1 has been amended and as a result considerable weight is no longer given

to the County's lack of 5 year housing land supply.

The LDP 2 is at its early stage of preparation, and therefore the application must be considered in accordance with the current adopted housing strategy. It is considered that in this instance the 'other material consideration' do not sufficiently weigh in favour of supporting the application contrary to the existing housing strategy set out within the current LDP - namely LDP policies S01 and S04.

Power of Delegation

The local member, Cllr Clive Davies, has requested for the application to be determined by members of the Development Control Planning Committee, for the following reasons, in summary:

- Need for open market housing as well as affordable housing
- Aware of a local family that is unable to find a suitable home in Cardigan
- Homes are being sold within days showing demand
- People are buying homes in the area

RECOMMENDATION:

The application is recommended for refusal as the proposal is contrary to the LDP housing strategy.