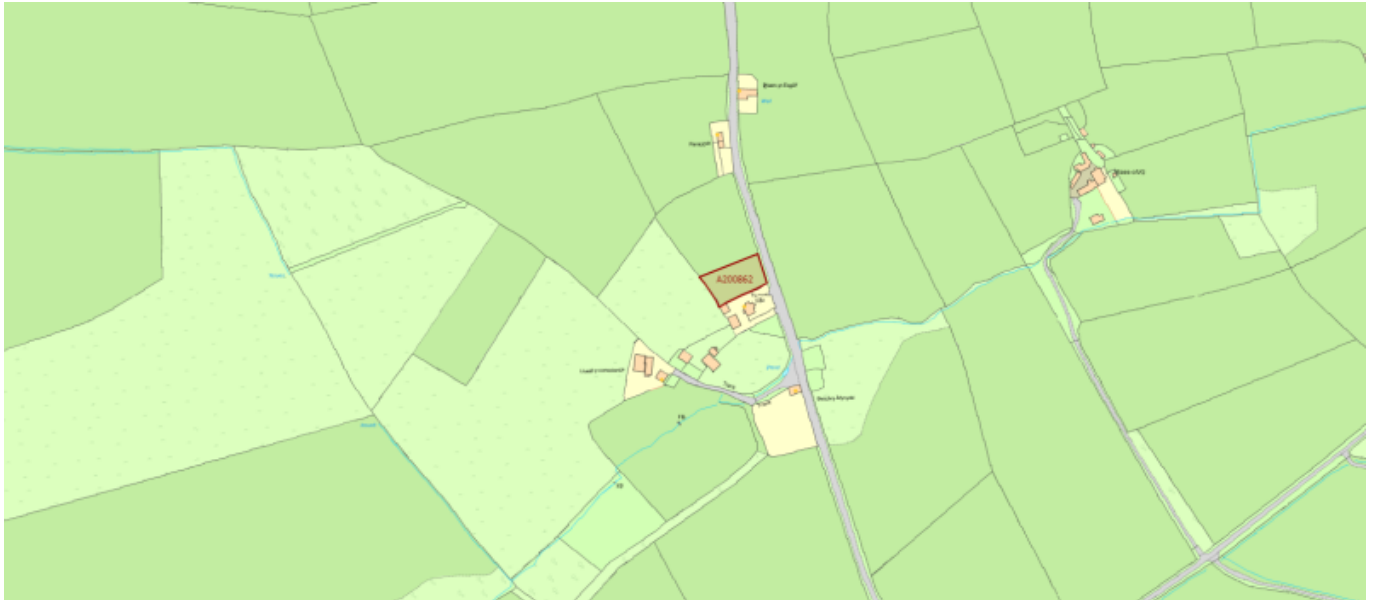


1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A200862	09-10-2020	Mr S Lewis	Erection of a Dwelling	Tycoch, Trefenter, Aberystwyth, SY23 4HE	Refuse

1.1. A200862



Pwyllgor / Committee

Rhif y Cais / Application Reference	A200862
Derbyniwyd / Received	09-10-2020
Y Bwriad / Proposal	Erection of a Dwelling
Lleoliad Safle / Site Location	Tycoch, Trefenter, Aberystwyth, SY23 4HE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr S Lewis, Tycoch, Trefenter, Aberystwyth, Ceredigion, SY23 4HE
Asiant / Agent	Mr Robert Thomas (Thomas Login Architecture), Plas Y Berllan, Ffostrasol, Llandysul, Ceredigion, SA44 4TE

Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn rhan o gae amaethyddol sy'n ffinio'n uniongyrchol i'r gogledd ag eiddo Tycoch Villa sy'n wynebu ffordd y B4576 rhyw 2.5km i'r de o bentref Llangwryfon. Mae datblygiadau preswyl yn y lleoliad hwn yn wasgaredig; mae pedwar eiddo yn yr ardal gyfagos a'r eiddo agosaf (ar wahân i Dycloch Villa) rhyw 110m i ffwrdd.

Mae safle'r cais yn wastad ac wedi'i nodweddu gan glawdd aeddfed y tu blaen wrth y briffordd a thir amaethyddol agored i'r gogledd a'r gorllewin.

Ni chyflwynwyd ceisiadau cynllunio blaenorol mewn perthynas â'r darn hwn o dir yn benodol.

MANYLION Y DATBLYGIAD

Cais llawn yw hwn ac mae'n ceisio caniatâd cynllunio i godi annedd ar y farchnad agored.

Mae'r cynlluniau yn dangos darpariaeth ar gyfer tŷ mawr, pedair ystafell wely â garej ddwbl ar y tir. Mae'r eiddo ynghyd â phortsh/darn aml-bwrpas ar yr ochr yn rhyw 18m o hyd, 14m o led ag iddo do talcen slip.

Mae'r llawr gwaelod yn rhoi llety ar gyfer lolfâ, stydi, cegin/ystafell fwyta fawr, cynllun agored ac ystafell gefn, ystafell aml-bwrpas a thoiled lawr grisiau. Mae'r llawr cyntaf yn darparu ar gyfer pedair ystafell wely, dau *en-suite* ac ystafell wisgo y gellir cerdded i mewn iddi, ystafell ymolchi, landin oriel a mynediad i ardal falconi y tu allan.

Defnyddir yr un deunyddiau i godi'r tŷ a'r garej, a'u rendro â gwaith brics a tho o lechi naturiol. Bwriedir cael mynediad newydd i gerbydau o'r is-ffordd (ffordd B) a rhoi tanc carthion/cyfleuster trin carthion ar gyfer y dŵr brwnt.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Mae polisiâu canlynol y Cynllun Datblygu Lleol yn berthnasol wrth wneud penderfyniad ynghylch y cais hwn:

DM06: Dylunio a Chreu Lle o Safon Uchel

DM13 Systemau Draenio Cynaliadwy

DM14 Cadwraeth Natur a Chysylltedd Ecolegol

DM15 Cadw Bioamrywiaeth Leol

DM17 Y Dirwedd yn Gyffredinol

S01 Twf Cynaliadwy

S04: Datblygu Mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'

S05 Tai Fforddiadwy

YSTYRIAETHAU PERTHNASOL ERAILL

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

amrywiol gan roi sylw dyledus i effaith debygol gweithredu'r swyddogaethau hynny ar droseddau ac anhrefn yn ei ardal, ac i wneud popeth y gall, yn rhesymol, i atal troseddau ac anhrefn. Rhoddwyd ystyriaeth i'r ddyletswydd hon wrth werthuso'r cais hwn. Ystyrir na fyddai cynnydd mawr nac annerbyniol mewn troseddau ac anhrefn o ganlyniad i'r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn dynodi nifer o 'nodweddion gwarchoddedig' sef oedran; 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 cynnwys:

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

Rhoddwyd ystyriaeth briodol i'r uchod wrth wneud penderfyniad ynghylch y cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol i bobl â nodweddion gwarchoddedig nac yn cael effaith arnynt yn fwy nag ar unrhyw un 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 ymarfer ei swyddogaethau i gwrdd â'r saith nod llesiant sy'n rhan o'r Ddeddf. Paratowyd yr adroddiad hwn gan ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y'i gosodir yn Neddf 2015. Wrth bennu'r argymhelliad, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu bodloni heb amharu ar allu cenedlaethau'r dyfodol i fodloni eu hanghenion eu hunain.

YMATEB I'R YMGYNGHORI

Priffyrdd Ceredigion - Dim gwrthwynebiad yn ddibynnol ar amodau.

Draenio Ceredigion - Sylwadau

Dŵr Cymru/Welsh Water - Dim sylwadau

CASGLIAD

Mae Adran 38(6) Deddf 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 ceisio caniatâd cynllunio i godi annedd fawr ar y farchnad agored mewn cefn gwlad agored.

Egwyddor Datblygu

Ar hyn o bryd, mae safle'r cais yn rhan o gae amaethyddol y mae'r eiddo cyfagos, Tycoch Villa, yn berchen arno. Fe'i lleolir mewn cefn gwlad agored rhyw 2.5km i'r de o Langwryfon. Ar wahân i Dycloch Villa ei hun, tyddyn â llai na 5 hectar, mae'r annedd breswyl agosaf rhyw 110m i ffwrdd. Y polisi allweddol sy'n berthnasol wrth ystyried y cais hwn yw S04 sy'n mynd i'r afael â chynigion datblygu mewn "aneddiadau cyswllt a lleoliadau eraill".

Mae'r polisi yn cymryd Polisi Cynllunio Cymru i ystyriaeth yn y ffaith y dylai'r datblygiad fod wedi'i leoli o fewn ac yn ffinio â'r aneddiadau hynny lle y gellir darparu orau ar ei gyfer o ran seilwaith, mynediad a chynefinoedd a thirweddau cadwraeth. Gall mewnlenwi neu roi estyniadau bach ar aneddiadau sy'n bodoli fod yn dderbyniol, yn enwedig lle y mae'n bodloni'r angen am dai fforddiadwy yn lleol, ond mae'n rhaid i adeiladu o'r newydd mewn cefn gwlad agored i ffwrdd o aneddiadau sy'n bodoli neu ardaloedd a neilltuwyd ar gyfer datblygu mewn cynlluniau datblygu barhau i gael eu rheoli'n llym.

Mae Polisi S04 y Cynllun Datblygu Lleol yn ceisio rheoli ymlediad datblygiadau preswyl mewn 'lleoliadau eraill' drwy ganiatáu anheddau newydd dim ond lle y bo angen y gellir ei gyfiawnhau o ran mentrau gwledig neu lle y bo gofyn ar sail angen na chafodd ei ddiwallu am dai fforddiadwy.

Nid yw'r ymgeisydd yn honni bod angen yr annedd ar gyfer menter wledig nac ar sail annedd fforddiadwy. Oherwydd hynny, yna ystyrir bod y cynnig yn gais i godi annedd ar y farchnad agored.

Felly, y farn yw bod y cynnig yn gwrthdaro â pholisïau S01, S04 a S05 y Cynllun Datblygu Lleol ac mae mewn safle maes glas y tu allan i unrhyw anheddiad neu nid o fewn ffurf adeiledig.

Effaith ar y Dirwedd a Chymeriad yr Ardal

Mae'r cynlluniau yn dangos darpariaeth tŷ deulawr mawr iawn ag iddo garej ddwbl mewn lleoliad yng nghefn gwlad agored. Dadleuir bod dyluniad yr adeilad yn ymddangos yn fwy trefol na gwledig a fyddai'n gwrthdaro â chymeriad gwledig yr ardal. Y farn yw y bydd annedd fawr mewn cefn gwlad agored, heb gyswllt o ran cymeriad ag eiddo cyfagos, yn cael effaith andwyol ar gymeriad yr ardal, ac yn ychwanegiad anghyson i'r dirwedd.

Ystyriaethau Perthnasol Eraill

Nodir nad oes gwrthwynebiadau i'r cynnig o safbwynt priffyrdd, draenio a'r trefniadau ar gyfer dŵr brwnt.

Fodd bynnag, nid yw'n gwrthbwysu'r gwrthwynebiad polisi i'r cynnig.

Canlyniad

I grynhoi, mae darpariaeth annedd fawr na ellir ei chyfiawnhau yn y lleoliad hwn yn gwbl groes i egwyddorion datblygu cynaliadwy a bydd yn arwain at ffurf annerbyniol o ddatblygu mewn cefn gwlad agored. Mae'r cynnig yn groes i bolisïau cynllunio lleol a chenedlaethol.

AWDURDOD DIRPRWYEDIG

Mae'r Cynghorydd R Rees-Evans, yr Aelod Lleol, wedi datgan buddiant yn y cais ac felly cyflwynir y cais i'r Pwyllgor Rheoli Datblygiad i'w ystyried am y rheswm hwnnw'n benodol.

RHESWM AM OHIRIO:

Adroddwyd y cais i'r Pwyllgor Rheoli Datblygu a gyfarfu ar 9 Mehefin, 2021.

Er gwaethaf argymhelliad i wrthod y cais, penderfynodd y Pwyllgor ohirio'r cais er mwyn galluogi swyddogion i ystyried gwybodaeth ddiweddar a gyflwynwyd gan yr asiant. Nodwyd bod yr ymgeisydd yn dymuno i'r cais gael ei ystyried ar sail annedd fforddiadwy ac nid annedd marchnad agored. Cyflwynodd yr ymgeisydd ddatganiad tai fforddiadwy ynghyd â chynlluniau diwygiedig a oedd yn gostwng arwynebedd llawr mewnol yr annedd arfaethedig i oddeutu 165m².

Nododd y datganiad tai fforddiadwy y byddai pris yr annedd arfaethedig oddeutu £250,000 a bod gan yr ymgeisydd gyllideb adeiladu oddeutu £175,000. Nododd y datganiad hefyd nad oedd unrhyw anheddau ar gael ar y farchnad yn yr ardal gyfagos am y pris hwnnw ac oedd yn cwrdd â'r diffiniad o gartref fforddiadwy.

Ychwanegodd y datganiad bod hi'n amlwg bod angen am anheddau 3 ystafell gwely yn y sir a byddai darparu cartref fforddiadwy tair ystafell wely yn cynorthwyo i ddarparu ar gyfer y diffyg a nodwyd er gwaetha bod y cynnig yn groes i strategaeth dai'r CDLI.

Er gwaethaf y gostyngiad ym maint yr uned a chanfyddiadau'r Datganiad Tai Fforddiadwy, mae'r cynnig yn dal yn groes i'r polisi cenedlaethol a lleol gan fod safle'r cais nid o fewn anheddiad nac yn gyfagos iddo. Nid yw'r cynnig yn goresgyn y gofyniad i'r datblygiad gael ei leoli'n gynaliadwy. Mae PPW a TAN 2 yn nodi y dylai safleoedd eithriad gwledig ar gyfer tai fforddiadwy fod ar dir o fewn aneddiadau gwledig presennol neu'n gyfagos iddynt.

Fel y dywedwyd eisoes, ystyrir bod y cais mewn lleoliad cefn gwlad agored gyda datblygiad preswyl achlysurol o bedwar tŷ yn yr ardal gyfagos. Barn yr Adran yw y gellir disgrifio'r safle'n well fel casgliad rhydd o adeiladau heb gymeriad anheddiad cydlynol. Mae'r safle gryn bellter i'r anheddiad diffiniedig agosaf o Langwryfon. Ni fyddai'r cynnig yn cael ei leoli yn union wrth ymyl grwpiau presennol o anheddau yn unol ag S04 ac ni fyddai'n gysylltu yn dda ag anheddiadau nac yn cynnwys cyfle mewnlenwi nac estyniad i grŵp presennol yn unol â PCC. Byddai'r cynnig hefyd yn achosi niwed sylweddol i gymeriad ac ymddangosiad y wlad o gwmpas.

O'r herwydd, y farn yw bod y cynnig yn gwrthdaro â pholisïau S01, S04 ac S05 y CDLI gan ei fod mewn safle maes glas y tu allan i unrhyw anheddiad neu tu allan i unrhyw ffurf adeiledig.

ARGYMHELLIAD:

Gwrthod y cais am fod yn anghydwydd â polisi cenedlaethol a lleol.

Rhif y Cais / Application Reference	A200862
Derbyniwyd / Received	09-10-2020
Y Bwriad / Proposal	Erection of a Dwelling
Lleoliad Safle / Site Location	Tycoch, Trefenter, Aberystwyth, SY23 4HE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr S Lewis, Tycoch, Trefenter, Aberystwyth, Ceredigion, SY23 4HE
Asiant / Agent	Mr Robert Thomas (Thomas Login Architecture), Plas Y Berllan, Ffostrasol, Llandysul, Ceredigion, SA44 4TE

THE SITE AND RELEVANT PLANNING HISTORY

The application site is part of an agricultural field directly adjoining to the north the property of Tŷ Coch Villa which fronts onto the B4576 road approx 2.5km to the south of the village of Llangwryfon. Residential development at this location is sporadic with four properties in the immediate area with the nearest property (apart from Tŷ Coch Villa) being around 110m away.

The application site is level and characterised by mature hedgebank fronting the highway and by open agricultural land to the north and west.

No previous planning applications have been made on this particular parcel of land.

DETAILS OF DEVELOPMENT

The application is in full and seeks planning permission for the erection of an open market dwelling.

The plans show the provision of a large four bedroomed house with a detached double garage within the grounds. The property together with a side utility / porch is approx 18m long, 14m wide and has a hipped roof.

The ground floor provides accommodation for a lounge, study, large open plan kitchen / dining area with snug and an utility and downstairs toilet area. The first floor accommodates four bedrooms, two en-suites, a walk through dressing room, a bathroom, gallery landing and access to an outside balcony area.

Both the house and the garage are to be constructed of the same materials, being rendered with brick detailing and roofed with natural slates. A new vehicular access from the B road is proposed and foul water is to be served by a septic tank / treatment plant.

RELEVANT PLANNING POLICIES AND GUIDANCE

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

DM13 Sustainable Drainage Systems

DM14 Nature Conservation and Ecological Connectivity

DM15 Local Biodiversity Conservation

DM17 General Landscape

S01 Sustainable Growth

S04 Development in Linked Settlements and Other Locations

S05 Affordable Housing

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 objection subject to conditions.

Ceredigion Drainage - Comments

DC/WW - Comments

CONCLUSION

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

The application seeks planning permission for the erection of a large open market dwelling in an open countryside location.

The Principle of Development

The application site is currently part of an agricultural field which belongs to the neighbouring property of Tŷ Coch Villa which is located in an open countryside location some 2.5km to the south of Llangwryfon. Apart from Tŷ Coch Villa itself, which is a small-holding with less than 5 hectares, the nearest residential dwelling is approx 110m away. As such the key policy relating to the consideration of this application is S04 which deals with development proposals in 'linked settlements and other locations'.

The policy takes account of Planning Policy Wales in that the development should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled.

Policy S04 of the LDP seeks to control the proliferation of residential development in 'other locations' by permitting new dwellings only where there is a justifiable rural enterprise need or is required on unmet affordable need basis.

No claim has been made by the applicant that the dwelling is required as a rural enterprise dwelling or on the basis of an affordable dwelling. As that is the case then the proposal is considered as an application for the erection of an open market dwelling.

As such then it is the opinion that the proposal is in conflict with policies S01, S04 and S05 of the LDP as it is in a greenfield site outside of any settlement or not within any built form.

Impact on the Landscape and Character of the Area

The plans show the provision of a very large two storey house with a detached double garage in an open countryside location. It is argued that the design of the building has more of an urban rather than rural appearance which would be in conflict with the rural character of the area. It is the opinion that a large dwelling in an open countryside location with no link in character with any nearby properties will detrimentally impact the character of the area, constituting an incongruous addition on the landscape.

Other Material Considerations

It is noted that there are no objections to the proposal from a highway, drainage and foul water arrangement perspective. However, it does not outweigh the policy objection to the proposal.

Outcome

To conclude, the provision of an unjustified large dwelling at this location is completely contrary to the principles of sustainable development and will result in an unacceptable form of development in the open countryside. The proposal is contrary to both national and local planning policy.

DELEGATED AUTHORITY

Cllr R Rees-Evans, the local Member, has declared an interest in the application and therefore the application is presented to the Development Control Committee for consideration for that particular reason.

REASON FOR DEFERRAL

The application was reported to the Development Control Committee which met on the 9th of June, 2021.

Despite a recommendation to refuse the application the Committee resolved to defer the application in order for officers to consider recent information submitted by the agent. It was noted that the applicant wished the application to be considered on the basis of an affordable dwelling and not an open market dwelling. The applicant submitted an affordable housing statement together with amended plans which reduced the internal floor area of the proposed dwelling to approx 165m².

The affordable housing statement indicated that the valuation of the proposed dwelling would be in the region of £250,000 and that the applicant had a build budget of around £175,000. The statement states that there are no dwellings available on the market in the immediate area at around that price mark and which meets the definition of an affordable home.

The statement adds that there is clearly an identified need for 3 bed dwellings in the County and the provision of a three bed affordable home will assist to cater for the identified shortfall irrespective of the proposal being contrary to the LDP's housing strategy.

Notwithstanding the reduction in the size of the unit and the findings of the Affordable Housing Statement the proposal is still contrary to both national and local policy in that the application site is not within or even adjoining a settlement. The proposal does not override the requirement for the development to be sustainably located. PPW and TAN 2 states that rural exception sites for affordable housing should be on land within or adjoining existing rural settlements.

As stated previously, the application is considered to be in an open countryside location with a sporadic residential development of four houses in the immediate area. It is the opinion that the site would be best described as being a loose collection of buildings with no cohesive settlement character. The site is some distance to the nearest defined settlement of Llangwryfon. The proposal would not be located immediately adjacent to existing groups of dwellings in accordance with S04 and it would not be well-related to a settlement or consist of an infill opportunity or extension to an existing group in accordance with PPW. The proposal would also cause material harm to the character and appearance of the surrounding countryside.

As such, it is the opinion that the proposal is in conflict with policies S01, S04 and S05 of the LDP as it is in a greenfield site

outside of any settlement or not within any built form.

RECOMMENDATION:

Refuse the application as being contrary to both national and local policy.