

2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A200906	23-10-2020	Mr L Baker (LEB Construction Ltd)	Conversion, extension and alterations of existing dwelling to provide 4 self contained flats	1 Castle Terrace, South Road, Aberystwyth, SY23 1JT	Approve Subject to Conditions
2	A210121	05-02-2021	Mr E Davies	Erection of an agricultural farm building	Abermarlais, Cellan, Lampeter, SA48 8JD	Refuse
3	A210575	11-06-2021	Mr J O'Rourke (Prifysgol Aberystwyth University)	Re-surfacing of the existing car park, allocation of 30 parking spaces for the hotel (as required under condition 4 of planning permission A190141) and associated works.	St Michael's Church Car Park, Laura Place, Aberystwyth, SY23 2AU	Approve Subject to Conditions

2.1. A200906



Rhif y Cais	A200906
Derbyniwyd	23-10-2020
Y Bwriad	Trosi, estyn a newid yr annedd bresennol i ddarparu pedwar fflat hunangynhwysol
Lleoliad y Safle	1 Heol y Castell, Tan-y-Cae, Aberystwyth, SY23 1JT
Math o Gais	Cynllunio Llawn
Ymgeisydd	Mr L Baker (LEB Construction Ltd), Uned 8b Ystâd Ddiwydiannol Glanyrafon, Llanbadarn Fawr, Aberystwyth, SY23 3JQ
Asiant	Mr Rhys ap Dylan (Morgan & Davies), Morgan & Davies, 4 Stryd y Farchnad, Aberaeron, SA46 0AS

Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn ymwneud ag annedd deras, draddodiadol, dri llawr, wedi'i lleoli ar y cornel rhwng Tan-y-Cae a Rhes Rheidol yn Ardal Gadwraeth Canol Tref Aberystwyth. Mae'r adeilad ei hun yn eiddo Fictoraidd cymesur iawn ag iddo fanylion dymunol ac mae'r tu allan wedi ei rendro a'i beintio. Yn gyffredinol, mae cymeriad yr ardal yn nodweddiadol drefol ac mae'n cynnwys amrywiaeth eang o dai teras trefol sydd wedi eu trefnu yn batrwm unfurf.

MANYLION Y DATBLYGIAD

Dylid nodi bod nifer y fflatiau wedi ei ostwng o 5 i 4 yn ystod cyfnod ystyried y cais hwn ac mae'r cais wedi ei ystyried ar y sail hon.

Mae'r cais am ganiatâd cynllunio llawn i drosi'r eiddo er mwyn caniatáu iddo gael ei ddefnyddio yn bedwar fflat unigol, hunangynhwysol. Byddai'r unedau wedi'u cynnwys yn bennaf o fewn strwythur presennol yr adeilad. Yr unig eithriad i hyn fyddai ailadeiladu'r estyniad croes un llawr a'r garej sy'n bodoli yn y cefn er mwyn darparu llety ychwanegol ar gyfer fflat ar y llawr gwaelod. Yn ogystal â hyn, cynigir newid rywfaint ar y ffenestri a bydd wal derfyn estynedig hefyd yn creu lle amgaeedig i mewn i Res Rheidol.

Y tu mewn, bydd y fflatiau'n cael eu trefnu dros 3 llawr gyda'r llawr gwaelod yn cynnwys 2 fflat 1 ystafell wely a'r ddau lawr uchaf fel ei gilydd yn cynnwys 1 fflat â dwy ystafell wely ar bob lefel.

Mae darpariaeth ar gyfer storio beiciau a gwastraff ar y llain gul o dir yng nghefn yr adeilad.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiau a chanllawiau cynllunio cenedlaethol:

- FW21 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040
- PPW21 Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)

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

- DM06 Dylunio a Gwneud Lle o Ansawdd Uchel
- DM07 Ardaloedd Cadwraeth
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- LU07 Isrannu Anheddau Presennol

- S01 Twf Cynaliadwy

- S02 Datblygu mewn Canolfannau Gwasanaethau

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

Mae Adran 17(1) Deddf Trosedd ac Anhrefn 1998 yn gosod dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau amrywiol, gan roi sylw priodol i effaith debygol arfer y swyddogaethau hynny ar drosedd ac anrhefn o fewn ei ardal, a'r angen i gymryd pob cam rhesymol i atal hynny. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai unrhyw gynnydd sylweddol neu annerbyniol yn y lefelau trosedd ac anrhefn 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 wynebir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i gwrdd ag anghenion pobl o grwpiau gwarchoddedig pan fydd y rhain yn wahanol i anghenion pobl eraill; ac
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle mae eu cyfranogiad yn anghymesur o isel.

Mae'r ddyletswydd uchod wedi cael ystyriaeth briodol wrth wneud penderfyniad am y cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol ac yn un a fydd yn cael effaith sylweddol ar bobl sydd â nodwedd warchoddedig, o'u cymharu 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 arfer ei swyddogaethau i fodloni'r saith nod llesiant a geir yn y Ddeddf. Paratowyd yr adroddiad hwn gan ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y'i gosodir yn Neddf 2015. Wrth bennu'r argymhelliad, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu bodloni heb amharu ar allu cenedlaethau'r dyfodol i fodloni eu hanghenion eu hunain.

YMATEBION YMGYNGHORI

Cyngor Tref Aberystwyth – Yn gwrthwynebu

Priffyrdd – Dim gwrthwynebiad ond bydd amodau

Draenio Tir – Dim gwrthwynebiad/ Yn rhoi gwybodaeth gyffredinol

Ecoleg – Ni chafwyd sylwadau

Derbyniwyd gwrthwynebiadau i'r cais gan 5 gwrthwynebydd trydydd parti a oedd yn canolbwyntio ar y materion isod.

- Colli cartrefi i deuluoedd
- Niwed i amwynder
- Llifogydd
- Perchnogaeth Tir
- Darpariaeth Parcio
- Troseddau
- Gwaredu gwastraff

CASGLIAD

Mae Adran 38 (6) Deddf Cynllunio a Phrynu Gorfodol 2004 yn datgan:

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

Mae safle'r cais hwn wedi'i lleoli o fewn ffiniau diffiniedig anheddiad Aberystwyth, sy'n cael ei nodi yn Ganolfan Gwasanaethau Trefol yn y Cynllun Datblygu Lleol. Mae polisi S01 y Cynllun Datblygu Lleol yn ymwneud â Thwf Cynaliadwy ac mae'r polisi hwn yn nodi bod angen datblygu oddeutu 6,544 annedd erbyn diwedd cyfnod y cynllun yn 2022 ac y dylai o leiaf 51% o'r anheddau hyn gael eu darparu yn y Canolfannau Gwasanaethau Trefol.

Mae polisi S02 y Cynllun Datblygu Lleol yn ymwneud â Datblygu mewn Canolfannau Gwasanaethau Trefol ac mae hyn yn ei gwneud yn ofynnol i bob datblygiad fod o fewn terfynau diffiniedig y Canolfannau Gwasanaethau Trefol. Yn Aberystwyth, mae angen datblygu er mwyn cyfrannu at arwyddocâd cenedlaethol y dref ac at ei rôl fel canolfan strategol ar gyfer Canolbarth Cymru ac mae'n ategu'r amcanion a'r camau gweithredu presennol sy'n ymwneud â'i Statws Adfywio Strategol.

Cyfanswm y tai y mae'n ofynnol eu cyflenwi yn Aberystwyth fel y nodir yn y Cynllun Datblygu Lleol yw 1877. Yn ôl ffigyrau diweddaraf a gafwyd wrth fonitro tai y Cynllun Datblygu Lleol (Mawrth 2021) nodir bod 613 annedd wedi'u cwblhau yn y Ganolfan Gwasanaethau Trefol gyda chaniatâd yn bodoli ar gyfer 347 annedd bellach. Felly, gan roi ystyriaeth i eiddo'n cael ei ddymchwel a'i drosi, mae capasiti ar gyfer 1133 annedd bellach yn Aberystwyth.

Fel y cyfryw, ystyrir y byddai'r cynigion yn cydymffurfio â pholisïau S01 a S02 y Cynllun Datblygu Lleol a derbynnir egwyddor y datblygiad.

Mae polisi LU07 yn ymwneud ag 'Isrannu Anheddau sydd Eisoed yn Bodoli' ac mae'r polisi hwn yn datgan y caniateir trosi unedau preswyl mawr yn fflatiau yn amodol ar y pum maen prawf a nodir isod:

1. Mae'r annedd o faint a chynllun addas sy'n ei gwneud hi'n bosibl ei throsi heb estyniad sylweddol;
2. Nid yw'r datblygiad yn effeithio'n andwyol ar amwynder deiliaid cyfagos ac mae'n cynnwys seinglosio digonol rhwng unedau;
3. Nid yw'r datblygiad yn arwain at broblemau sylweddol o ran parcio;
4. Mae darpariaeth ddigonol ar gyfer storio sbwriel; a
5. Darperir fflatiau 3 a 4 ystafell wely fel rhan o'r arlwy, lle ceir tystiolaeth bod angen lleol am fflatiau mwy ac nad yw'r angen hwnnw wedi ei fodloni a bod gan yr eiddo y capasiti ffisegol priodol.

Ystyrir bod y fflatiau arfaethedig o faint derbynol a byddant yn cynnig safon byw foddhaol i'r sawl fydd yn eu meddiannu yn y dyfodol.

Mae'r cais yn gofyn am ychwanegu estyniad un llawr at gefn yr eiddo, fodd bynnag mae hwn yn lle estyniad 'croes' a garej a fydd yn cael eu dymchwel. Dim ond ceisio estyn ôl troed yr adeilad ryw ychydig yn fwy na'r ôl troed presennol mae'r cais, felly. O'r herwydd, ystyrir bod y cais yn cydymffurfio â maen prawf 1 LU07 sy'n ceisio gwrthsefyll estyniadau 'sylweddol' wrth drosi eiddo.

Gan fod yr adeilad ar hyn o bryd yn cael ei ddefnyddio fel cartref i un teulu, yn ddi-os bydd y datblygiad yn arwain i ryw raddau at niwed amwynder i'r eiddo cyfagos oherwydd y cynnydd yn y 'mynd a'r dod' a fydd yn deillio o breswylwyr y dyfodol. Fodd bynnag, mae hyn i'w ddisgwyl mewn lleoliad yng nghanol tref ac nid ystyrir ei fod yn effeithio'n andwyol ar amwynder manau preswyl cyfagos i'r fath raddau fel ei fod yn cyfiawnhau gwrthod y cais. Gellir ymdrin â seinglosio rhwng unedau preswyl drwy osod amod. Felly, ystyrir bod y datblygiad arfaethedig yn cydymffurfio â maen prawf 2 LU07.

Mae gan yr eiddo presennol un man parcio oddi ar y stryd - yn y garej sydd yno ar hyn o bryd. Byddai'r datblygiad yn lleihau nifer cyffredinol y llyfdd parcio sydd ar gael, fodd bynnag oherwydd ei fod wedi ei leoli mewn man cynaliadwy yng nghanol y dref, yn agos at ystod o ganolfannau trafnidiaeth gyhoeddus, mae'r eiddo hwn yn addas ar gyfer datblygiad digar. Nid yw'r Awdurdod Prifffyrdd Lleol wedi nodi unrhyw wrthwynebiad i'r datblygiad arfaethedig. Felly, ystyrir bod y datblygiad arfaethedig yn cydymffurfio â maen prawf 3 LU07.

Bydd lle i storio bin allanol yn cael ei ddarparu ar gyfer pob un o'r fflatiau arfaethedig yn unol â maen prawf 4 LU07.

Bydd y datblygiad yn cynnwys darparu dau fflat un ystafell wely, yn ogystal â dau fflat dwy ystafell wely. Felly, bydd y datblygiad yn darparu amrywiaeth ac ystod addas o ran maint unedau, o ystyried nifer y llyfdd byw a ddarperir yn unol â maen prawf 5 LU07.

Cymeriad Gweledol ac Ardal Gadwraeth

Mae'r cais yn gofyn am ddymchwel 'estyniad croes' a garej sydd yno ar hyn o bryd er mwyn lletya'r datblygiad. Ystyrir bod graddfa'r hyn sydd i'w ddymchwel yn is na 115 metr ciwbig ac felly nid oes angen caniatâd ardal gadwraeth.

Bydd yr estyniad newydd y bwriedir ei godi yn y cefn yn cynnwys to fflat a fyddai fel rheol yn rhywbeth a gâi ei wrthsefyll mewn ardaloedd cadwraeth gan fod toau fflat yn tynnu oddi ar yr olygfa o doau Aberystwyth fodd bynnag gan y bydd yr estyniad cefn wedi ei leoli y tu ôl i wal derfyn dal, na fydd yn amlwg o le cyhoeddus, felly ystyrir bod yr estyniad to fflat yn y cefn yn ddatblygiad derbyniol. Lle mae modd cael cipolygon, yna bydd yr estyniad newydd yn well i gymeriad gweledol yr ardal na'r garej bresennol.

Niwed i Amwynder eiddo cyfagos

Fel y trafodwyd, nid ystyrir y bydd y datblygiad arfaethedig yn arwain at fwy o niwed i'r amwynder nag y byddid yn ei ddisgwyl yng nghanol tref, yn sgil mwy o fynd a dod. Gellir ymdrin â niwed sy'n deillio o sŵn drwy gyfrwng amod fydd wedi'i eirio'n briodol. Roedd sylwadau gan feddianwyr eiddo cyfagos yn nodi colli mwy o olau fel rheswm dros wrthwynebu, yn sgil hyn cafwyd gwared ar lawr uchaf yr estyniad cefn o'r cais.

Mae meddiannydd yr eiddo cyfagos wedi codi pryderon y byddai to fflat yr estyniad yn cael ei ddefnyddio fel teras to/balconi. Felly, fe'i hystyrir yn briodol ychwanegu amod a fydd yn rhwystro hyn rhag digwydd dros byth.

Amodau Byw Meddianwyr y Dyfodol

Mae polisiâu creu lleoedd Polisi Cynllunio Cymru, dogfen bolisi ddiweddar Adeiladu Llefydd Gwell a Pholisi DM06 y Cynllun Datblygu Lleol yn ceisio darparu cartrefi o ansawdd da sy'n ategu llesiant a gwell iechyd corfforol a meddyliol.

Ystyrir bod y fflatiau arfaethedig ar y llawr gwaelod yn fach, fodd bynnag byddai maint y llety a'r cyfleusterau ymolchi yn bodloni safonau gofod iechyd amgylcheddol. Nid oes unrhyw safonau cynllunio o ran gofod sy'n berthnasol i anheddau ar y farchnad agored. Gellir darparu'r cyfleusterau sy'n angenrheidiol er mwyn cydymffurfio â Gofynion Ansawdd Datblygu. Mae lefel y gofod amwynder yn gymesur â chymeriad eiddo arall yn y lleoliad hwn yng nghanol y dref.

Mae hyn wedi ei gadarnhau mewn penderfyniad apêl diweddar a oedd yn ymwneud â throsi eiddo tebyg yn Stryd Cambria, Aberystwyth.

Tai Fforddiadwy

Mae polisi S05 y Cynllun Datblygu Lleol yn ymwneud â Thai Fforddiadwy ac yn datgan bod angen swm cymudol sy'n cyfateb i 10% o werth y datblygiad a'r gwerth hwnnw i'w bennu ar adeg y cais, mewn achosion lle bo cynigion yn cynhyrchu rhywbeth sy'n ateb y gofyn am dai fforddiadwy ond nad yw'n uned gyflawn.

Mae Canllaw Cynllunio Atodol y Cyngor 'Tai Fforddiadwy' yn helaethu ar y polisi hwn ac yn datgan y bydd angen talu swm cymudol o 10% o bris gwerthiant y cartref wedi iddo gael ei gwblhau ac wedi iddo gael ei brisio ar sail y cynllun ar adeg y cais. Bydd y swm hwn i'w dalu pan werthir neu y trosglwyddir yr eiddo am y tro cyntaf.

Mae Polisi S05 y Cynllun Datblygu Lleol hefyd yn datgan y bydd angen i ddatblygwyr sy'n ceisio negodi gostyngiad o ran darpariaeth tai fforddiadwy yn gorfod cyflwyno manylion i ddangos nad yw'r safle benodol yn hyfyw.

Cyflwynwyd her hyfywedd i ategu'r cais. Ar ôl ystyried yr her hyfywedd gan ddefnyddio amrywiaeth tai/swm cymudol a chyfrifiannell hyfywedd Cyngor Sir Ceredigion, ystyrir bod swm cymudol yn lle cyfraniadau tai fforddiadwy ar y safle yn ariannol hyfyw yn yr achos hwn. Mae'r ymgeisydd, felly, wedi cytuno i ymrwymo i gytundeb cyfreithlon adran 106 er mwyn sicrhau swm cymudol o £19,226. Derbynnir, fodd bynnag, nad yw swm cymudol sy'n cyfateb i 10% yn gyraeddadwy yn ariannol.

Ystyriaethau eraill

Nid oes gan yr Awdurdod Priffyrdd Lleol unrhyw wrthwynebiad i'r datblygiad fel y'i cynigir, ond bod amodau. Fel y trafodwyd uchod, ystyrir bod lleoliad y datblygiad hwn yng nghanol y dref yn gynaliadwy iawn ac o'r herwydd ni fydd angen teithio mewn car.

Nid yw ecolegydd mewnol Cyngor Sir Ceredigion wedi gwneud sylwadau am y cais. Fodd bynnag, oherwydd lleoliad, graddfa a natur y datblygiad arfaethedig nid ystyrir y bydd y cynnig yn arwain at unrhyw niwed i rywogaethau gwarchoddedig neu asedau dynodedig.

Cododd gwrthwynebwyr trydydd parti lifogydd yn rheswm dros bryderon a hynny oherwydd bod yr eiddo yn agos i lannau

deheuol Aberystwyth. Nid yw safle'r cais wedi'i dynodi o fewn y parth llifogydd ar Fap Cyngor Datblygu Cyfoeth Naturiol Cymru ac felly ni roddwyd ystyriaeth bellach i'r pryder hwn.

Mae preswlydd yr eiddo cyfagos hefyd yn codi dadl ynghylch ffiniau wrth drafod gwaith fydd yn cael ei wneud i wal y rhennir ar y cyd â'i eiddo ef. Mater preifat yw materion sy'n ymwneud â dadleuon ynglŷn â ffiniau ac nid ydynt yn effeithio ar y rhinweddau cynllunio y gellir seilio penderfyniad arnynt wrth ymdrin â'r cynllun hwn.

Casgliad

Mae darparu tai ychwanegol yn cael ei ategu gan neges gyffredinol y Cynllun Datblygu Lleol sy'n ceisio cyfeirio tai i'r aneddiadau mwyaf cynaliadwy. Mae LU07 y Cynllun Datblygu Lleol yn rhoi sail polisi i drosi anheddau preswyl mawr yn fflatiau. Felly, ystyrir bod egwyddor y datblygiad yn dderbyniol. Mae'r cais wedi dangos sut y gellir cyflenwi'r datblygiad heb arwain at unrhyw niwed andwyl ychwanegol i'r eiddo cyfagos. Am y rhesymau uchod, argymhellir cymeradwyo'r cynllun ond gydag amodau.

Awdurdod Dirprwyedig

Roedd y Cynghorydd Endaf Edwards yn dymuno cyfeirio'r cais i'r Pwyllgor Rheoli Datblygu ei ystyried, am y rhesymau canlynol:

- Byddai'r datblygiad arfaethedig yn arwain at golli cartref teuluol
- Mae parcio a thagfeydd traffig yn broblemau real iawn yn yr ardal, ac rwy'n pryderu y byddai'r datblygiad yn cyfrannu at y naill a'r llall
- Mae llawer o eiddo yn yr ardal yn wag ac nid wyf o'r farn bod angen yn lleol am y datblygiad hwn. Mae amgylchiadau'r ardal wedi newid ers i'r Cynllun Datblygu Lleol gael ei fabwysiadu.

ARGYMHELLIAD:

Cymeradwyo'r cais yn amodol ar amodau

Rhif y Cais / Application Reference	A200906
Derbyniwyd / Received	23-10-2020
Y Bwriad / Proposal	Conversion, extension and alterations of existing dwelling to provide 4 self contained flats
Lleoliad Safle / Site Location	1 Castle Terrace, South Road, Aberystwyth, SY23 1JT
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr L Baker (LEB Construction Ltd), Unit 8b Glanyrafon Industrial Estate, Llanbadarn Fawr, Aberystwyth, SY23 3JQ
Asiant / Agent	Mr Rhys ap Dylan (Morgan & Davies), Morgan & Davies 4 Market Street, Aberaeron, SA46 0AS

THE SITE AND RELEVANT PLANNING HISTORY

The application site relates to a traditional 3 storey terraced dwelling which occupies a corner plot between South Road and Rheidol Terrace within Aberystwyth Town Centre Conservation Area. The building itself is an attractively detailed and well-proportioned Victorian property with a painted rendered exterior. The prevailing character of the area is typical urban and includes a wide variety of terraced town houses set in a uniform pattern.

DETAILS OF DEVELOPMENT

The application seeks full planning permission for the conversion of the property to allow it to be used as four individual self-contained flats. The units would predominantly be accommodated within the existing fabric of the building. The only exception to this would be the rebuilding of an existing rear single-storey lean-to extension and garage to provide additional accommodation to a ground floor flat. Additionally, some changes to fenestration are proposed together with an extended boundary wall enclosure onto Rheidol Terrace.

It should be noted that during the course of considering this application the number of flats has been reduced from 5 to 4 and the application has been considered on this basis.

Internally the flats will be arranged over 3 floors with the ground floor housing 2 x 1 bedroom flats and the upper floors housing 1 x 2 bedroom flat on each level.

Provision is made for cycle and refuse storage in the rear side return of the building.

RELEVANT PLANNING POLICIES AND GUIDANCE

National planning policies and guidance:

- FW21 Future Wales: The National Plan 2040
- PPW21 Planning Policy Wales (Edition 11, February 2021)

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

- DM06 High Quality Design and Placemaking
- DM07 Conservation Areas
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- LU07 Subdivision of Existing Dwellings

- S01 Sustainable Growth

- S02 Development in Urban Service Centres (USCs)

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.

YMATEBION YMGYNGHORI / CONSULTATION RESPONSES

Cyngor Tref Aberstwyth Town Centre – Object

Highways – No Objection STC

Land Drainage – No Objection/General Informative

Ecology – Did not comment

Objections have been received in respect of the application from 5 third party objectors focusing on the below.

- Loss of Family homes
- Amenity Harm
- Flooding
- Land Ownership
- Parking Provision
- Crime
- Refuse disposal

CASGLIAD / 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 site lies within the defined settlement boundary of Aberystwyth, which is identified as an Urban Service Centre (USC) within the Local Development Plan (LDP). Policy S01 of the LDP relates to Sustainable Growth and this identifies that approximately 6,544 dwellings are required to be developed by the end of the plan period in 2022 and at least 51% of these dwellings should be delivered in the Urban Service Centres.

Policy S02 of the LDP relates to 'Development in Urban Service Centres' and this requires that all development is within the defined limits of the Urban Service Centres. In Aberystwyth, development is also required to contribute to its national significance and its role as the strategic centre for Mid Wales and Supports current objectives and action plans relating to its Strategic Regeneration Status.

The total requirement for housing delivery within the Aberystwyth as set out in the LDP is 1877. The latest LDP housing monitoring figures (March 2021) shows that only 613 dwellings have been completed in the Urban Service Centre with extant permission for a further 347 dwellings. Therefore accounting for demolitions and conversions there is capacity for a further 1133 dwellings in Aberystwyth.

As such, it is considered that the proposals would comply with Policies S01 and S02 of the LDP and the principle of development is accepted.

Policy LU07 relates to 'Subdivision of Existing Dwellings' and this states that the conversion of large residential units to flats will be permitted subject to five criteria as set out below:

1. The dwelling is of a suitable size and layout capable of conversion without substantial extension;
2. The development does not adversely affect the amenity of the adjoining occupants and includes adequate soundproofing between units;
3. The development does not result in significant parking problems;
4. There is adequate provision for the storage of refuse; and
5. Provision of 3 and 4 bedroom apartments is included as part of the mix, where there is evidence of unmet local need for larger flats and the property has appropriate physical capacity.

The size of the proposed flats is considered acceptable and will afford a decent standard of living to future occupiers

The application does seek the addition of a single storey extension to the rear of the property however this is in place of an existing 'lean to' extension and garage which are to be demolished. The application therefore only seeks to extend the footprint of the building minimally above the existing. The application is therefore considered to confirm with criterion 1 of LU07 which seeks to resist 'substantial' extensions as part of conversions

As the building is currently in use as a single family home the development will undoubtedly lead to a degree of amenity harm to neighbouring properties owing to the resultant increase in the 'comings and goings' of future residents. However this is to be expected in a town centre location and is not considered to adversely affect the amenity of neighbouring residents to such a degree as to justify refusing the application. Soundproofing between residential units can be dealt with by way of condition. The proposed development is therefore considered to comply with criterion 2 of LU07.

The existing property does benefit from a single off street parking space within the existing garage. The development would reduce the overall number of parking available however given the sustainable town centre location, in close proximity to a range of public transport hubs, the property is suitable for a car free development. The LHA have raised no objection to the proposed development. The proposed development is therefore considered to comply with criterion 3 of LU07.

An external bin store will be provided for each of the proposed flats in accordance with criterion 4 of LU07

The development will include the provision of two 1 bedroom flats, as well as a 2 two bedroom flats.

Therefore, the development will provide a suitable mix and range of unit sizes, given the overall quantum of housing provided in accordance with criterion 5 of LU07.

Visual Character and Conservation Area

The application seeks to demolish an existing 'lean to extension' and garage in order to accommodate the development. The scale of demolition is considered to be below 115 cubic meters and conservation area consent is not therefore required.

The proposed new rear extension is to include a flat roof which should normally be resisted in conservation areas as they detract from the roof scape of Aberystwyth, however as the rear extension will be set behind a tall boundary wall and not obviously viewable from the public realm the rear flat roof extension is considered acceptable. Where glimpse views are available the extension will result in a betterment on the visual character of the area on the garage it replaces.

Amenity Harm on neighbouring properties

As discussed the proposed development is not considered to result in harm to amenity above that which can be expected in a town centre location by virtue of increased comings and goings. Harm arising from noise can be dealt with via a suitably worded condition. Representations from the occupiers of the neighbouring property raised loss of light as a reason for objection, this saw the deletion of the upper storey to the rear extension from the proposal.

The neighbouring occupier has raised concerns in regard to the resultant flat roof of the extension being used as a roof terrace/balcony area. It is therefore considered appropriate to attach a condition preventing this use in perpetuity.

Living Conditions of Future Occupiers

The placemaking policies of Planning Policy Wales, the recent Building Better Places policy document and LDP Policy DM06 seek the provision of good quality homes that support well-being and better physical and mental health.

The proposed ground floor flats are considered to be small however the size of the accommodation and bathroom facilities would meet the environmental health space standards. There are no planning space standards that apply to open market dwellings. The facilities necessary to comply with DQR can be provided. The level of amenity space is commensurate with the character of other properties in this town centre location.

This has been confirmed in a recent appeal decision in respect of a similar conversion in Cambrian Street, Aberystwyth.

Affordable Housing

Policy S05 of the LDP relates to Affordable Housing and states that where proposals yield an affordable housing requirement which is not a whole unit, then a commuted sum at the equivalent value of 10% of the open market value (OMV) of the development valued at the time of the application is required.

The Council's Supplementary Planning Guidance 'Affordable Homes' expands on this Policy and states that, in respect of one residential unit in a Service Centre or a Linked Settlement, a Commuted Sum of 10% of the sale price of the completed home valued off plan at the time of application will be payable at first sale or transfer of the property.

Policy S05 of the LDP also states that developers seeking to negotiate a reduction in affordable housing provision will need to submit detail to show lack of viability of the specific site.

Submitted in support of the application is a viability challenge. Having considered the viability challenge using Ceredigion County Council's housing mix / commuted sum and viability calculator it is considered that a commuted sum in lieu of onsite affordable housing contributions is financially viable in this instance. The applicant has therefore agreed to enter into a section 106 legal agreement in order to secure a commuted sum of £19,226

It is however accepted that this figure represents sum below the 10% required by policy S05 of the adopted development plan.

Other considerations

The Local Highways Authority have no objection in respect of the development as proposed subject to conditions. As discussed above the town centre location of the development is considered highly sustainable and will negate the need to travel by car.

The CCC in house ecologist has not commented on the application however owing to the location, scale and nature of the proposed development it is not considered that the proposal will result in any harm to protected species or designated assets.

Third party objectors raised flooding as a reason for concerns given the proximity of the property to the south shore of Aberystwyth. The application site is not designated as being in the flood zone on NRW's Development Advice Map and this concern has not therefore been considered further.

The resident of the neighbouring property also raises a boundary dispute in regard to works being undertaken to the party wall with his property. Matters relating to boundary disputes are a private matter which do not affect the planning merits of the scheme on which a decision can be based.

Conclusion

The provision of additional housing provision is supported by the general thrust of the LDP which seeks to direct housing to the most sustainable settlements. LU07 of the LDP provides a policy basis for the conversion of large residential dwellings into flats. The principle of development is therefore considered acceptable. The application has demonstrated how the development can be delivered without resulting in any additional adverse harm to the surrounding residents. For the above reasons it is recommended that the application be approved STC.

Delegated Authority

Cllr Endaf Edwards wished for the application to be referred to the Development Management Committee for consideration for the following reasons

- The proposed development would result in the loss of a family home
- Parking and traffic congestion are very real problems in the area, and I am concerned that the development would contribute to both
- Many properties in the area are vacant and I do not consider that the local need for this development exists. Circumstances have changed in the area since the LDP was adopted.

ARGYMHELLIAD / RECOMMENDATION:

Approve the application subject conditions

2.2. A210121



Rhif y Cais / Application Reference	A210121
Derbyniwyd / Received	05-02-2021
Y Bwriad / Proposal	Erection of an agricultural farm building
Lleoliad Safle / Site Location	Abermarlais, Cellan, Lampeter, SA48 8JD
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr E Davies, Abermarlais, Cellan, Lampeter, Ceredigion, SA48 8JD
Asiant / Agent	Mr A Morgan (Mesur), 16 Station Terrace, Lampeter, Ceredigion, SA48 7HH

Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn ymwneud â chae amaethyddol mewn lleoliad yng nghefn gwlad agored. Mae gan safle'r cais yr hanes cynllunio perthnasol a ganlyn:

- A200409 Cymeradwyaeth Ymlaen Llaw. Codi sied amaethyddol ar gyfer cadw gwair. Angen caniatâd 25/06/2020.

MANYLION Y DATBLYGIAD

Gofynnir am ganiatâd cynllunio llawn ar gyfer codi adeilad fferm amaethyddol. Mae safle'r cais oddeutu 160m o'r adeilad amaethyddol sy'n bodoli eisoes. Bydd yr adeilad amaethyddol arfaethedig yn mesur 13.7m o hyd a 6m o led gan roi ôl troed 82.2 metr sgwâr. Uchder arfaethedig yr adeilad fydd 4.5m i'r bondo a 5.5m i'r grib. Bydd y defnyddiau'n cynnwys waliau dalen proffil bocs a tho gyda drysau dur.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiâu Cynllunio Cenedlaethol:

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

- Nodyn Cyngor Technegol 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (Gorffennaf 2010)

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

- S04 Datblygu mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'

- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirweddu
- DM17 Y Dirwedd yn Gyffredinol
- LU30 Diogelu

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

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

DEDDF CYDRADDOLDEB 2010

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

- cael gwared ag anfanteision y mae pobl yn eu dioddef oherwydd eu nodweddion gwarchoddedig neu eu lleihau;
- cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig lle mae'r rhain yn wahanol i angen 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.

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

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar y Cyngor i gymryd camau rhesymol wrth arfer ei swyddogaethau i gyflawni'r saith nod llesiant yn y Ddeddf. Paratowyd yr adroddiad hwn wrth ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y nodir yn Neddf 2015. Wrth gyrraedd yr argymhelliad, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu diwallu heb gyfaddawdu ar allu cenedlaethau'r dyfodol i ddiwallu eu hanghenion eu hunain.

YMATEBION I'R YMGYNGHORIAD

Cyngor Cymuned Llanfair Clydogau Community Council - Ni chafwyd dim ymateb

Priffyrdd - Dim Gwrthwynebiad yn Destun Amodau

Draenio Tir - Dim Gwrthwynebiad yn Destun Amodau

Ecoleg - Ni chafwyd dim ymateb

Cyfoeth Naturiol Cymru - Dim Gwrthwynebiad

Cafwyd un sylw gan drydydd parti oddi wrth Ymgyrch Diogelu Cymru Wledig yn nodi pryderon gan gynnwys pellter y sied arfaethedig o'r adeilad amaethyddol sy'n bodoli eisoes.

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".

Egwyddor y Datblygiad

Mae safle'r cais mewn lleoliad yng nghefn gwlad agored ac o ganlyniad, mae Polisi S04 y CDLI yn berthnasol. Fel y mae Polisi S04 yn nodi, yn 'Lleoliadau Eraill' rhaid iddo 'gydymffurfio â gofynion TAN 6'. Felly, er mwyn i egwyddor sied amaethyddol fod yn dderbyniol, rhaid bod cyfiawnhad rhesymol. Er mwyn helpu i benderfynu a oes cyfiawnhad rhesymol, gofynnwyd i holiadur amaethyddol gael ei gwblhau. Mae hyn yn nodi bod gan yr ymgeisydd 15.5 hectar. Ar y 15.5 hectar mae gan yr ymgeisydd 48 o ddefaid magu, 20 mamog gyfnewid ac 1 hwrdd ynghyd â 6 hectar wedi'u cadw ar gyfer cynydu. Mae adeilad amaethyddol sy'n bodoli eisoes ar y daliad (a roddwyd yn 2013). Mae hyn yn gyfagos i weddillion annedd sydd hefyd wedi cael caniatâd i adfer yr annedd (a roddwyd yn 2006). Oherwydd bod gan yr adeilad sy'n bodoli eisoes ddrws caead rholer, nid oedd yn bosibl gweld y tu mewn i'r adeilad yn ystod yr ymweliad safle. Fodd bynnag, cafwyd lluniau gan yr asiant ers hynny. Yn dilyn hyn, codir rhai pryderon ynghylch a oes cyfiawnhad rhesymol dros sied amaethyddol ychwanegol oherwydd nad yw rhannau o'r adeilad sy'n bodoli eisoes yn cael eu defnyddio at ddibenion amaethyddol h.y. cadw carafán. Felly, codir pryderon ynghylch a oes cyfiawnhad llawn dros egwyddor y datblygiad.

Lleoliad, Maint a Dyluniad

Prif bryder y datblygiad arfaethedig yw ei leoliad. Mae'r adeilad arfaethedig i'w godi oddeutu 160m ar hyd Ffordd Dosbarth C y Sir. Mae'r adeilad sy'n bodoli eisoes wedi'i leoli yn gyfagos i weddillion yr annedd gyda mynediad hefyd wedi'i ffurfio. Dylai unrhyw adeilad newydd gael ei leoli yn gyfagos i'r adeilad sy'n bodoli eisoes ac ni ddylai gael ei leoli 160m i ffwrdd mewn lleoliad yng nghefn gwlad agored. Mae'r lleoliad arfaethedig mewn lleoliad amlwg yn gyfagos i'r C1164. Nodwyd ar hysbysiad penderfyniad y cais blaenorol (A200409 Cymeradwyaeth Ymlaen Llaw) na fydd dim adeilad arfaethedig yn cael ei leoli yn ei leoliad arfaethedig ac y bydd wedi'i leoli yn gyfagos i'r ffurf adeiledig sy'n bodoli eisoes. Trafodwyd hyn gyda'r ymgeisydd a'r asiant, fodd bynnag, nid ydynt am newid y lleoliad arfaethedig. Felly, ystyrir bod y lleoliad arfaethedig yn annerbyniol ac yn groes i Bolisiau S04 a DM06 y CDLI a TAN 6.

Nid yw'r maint na'r defnyddiau a gynigir yn codi pryderon mawr. Pe bai'r adeilad arfaethedig mewn lleoliad addas, yna ni ystyrir bod y maint na'r defnyddiau yn achosi dim niwed.

Materion Eraill

Mae safle'r cais wedi'i leoli yn Nalgylch Ardal Cadwraeth Arbennig Afon Teifi. Oherwydd bod natur y bwriad at ddibenion storio yn hytrach nag ar gyfer rhoi da byw dan do (gellir ei ddefnyddio o bosibl yn ystod ŵyna yn unig), ni ystyrir ei fod yn achosi cynnydd mewn crynhoad neu faint o ddŵr gwastraff.

Nid yw'r Awdurdod Priffyrdd Lleol na'r adran draenio tir wedi codi dim gwrthwynebiadau yn destun amodau.

Pwerau Dirprwyedig

Mae'r Cynghorydd Odwyn Davies wedi datgan buddiant yn y cais.

ARGYMHELLIAD:

Bod y cais yn cael ei wrthod am y rheswm a ganlyn:

1. Ystyrir bod lleoliad yr adeilad arfaethedig yn annerbyniol ac yn groes i Bolisiâu S04 a DM06 y CDLI a TAN 6 gan nad yw wedi'i leoli yn gyfagos i'r ffurf adeiledig sy'n bodoli eisoes a chan ei fod mewn lleoliad yng nghefn gwlad agored.

Rhif y Cais / Application Reference	A210121
Derbyniwyd / Received	05-02-2021
Y Bwriad / Proposal	Erection of an agricultural farm building
Lleoliad Safle / Site Location	Abermarlais, Cellan, Lampeter, SA48 8JD
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr E Davies, Abermarlais, Cellan, Lampeter, Ceredigion, SA48 8JD
Asiant / Agent	Mr A Morgan (Mesur), 16 Station Terrace, Lampeter, Ceredigion, SA48 7HH

THE SITE AND RELEVANT PLANNING HISTORY

The application site relates to an agricultural field located in an open countryside location. The application site has the following relevant planning history:

- A200409 Prior Approval. Erection of an agricultural shed for storage of hay. Permission required 25/06/2020.

DETAILS OF DEVELOPMENT

Full planning permission is sought for the erection of an agricultural farm building. The application site is located approximately 160m from the existing agricultural building. The proposed agricultural building is to measure 13.7m in length and 6m in width providing a footprint of 82.2sqm. The proposed height of the building is to be 4.5m to eaves and 5.5m to ridge. The materials are to include box profile sheet walls and roof with steel doors.

RELEVANT PLANNING POLICIES AND GUIDANCE

National Planning Policies

- Future Wales: The National Plan 2040
- Planning Policy Wales Edition 11 (February 2021)
- Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities (July 2010)

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

- S04 Development in 'Linked Settlements and Other Locations'
- DM06 High Quality Design and Placemaking
- DM10 Design and Landscaping
- DM17 General Landscape
- LU30 Safeguarding

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 Llanfair Clydogau Community Council - No Response Received

Highways - No Objection Subject to Conditions

Land Drainage - No Objection Subject to Conditions

Ecology - No Response Received

Natural Resources Wales - No Objection

One third party representation has been received from the Campaign for the Protection of Rural Wales noting concerns including the distance of the proposed shed from the existing agricultural building.

CONCLUSION

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise".

Principle of Development

The application site is located within an open countryside location and consequently, Policy S04 of the LDP is applicable. As Policy S04 notes, in 'Other Locations' it must 'accord with the requirements of TAN 6'. Therefore, for the principle of an agricultural shed to be acceptable, there must be reasonable justification. To help in determining whether there is reasonable justification, it was requested that an agricultural questionnaire was completed. This notes that the applicant owns 15.5 hectares. On the 15.5 hectares the applicant has 48 breeding ewes, 20 flock replacements and 1 ram along with 6 hectares reserved for crops. There is an existing agricultural building on the holding (granted in 2013). This is adjacent to the remains of a dwelling which has also been granted permission for the reinstatement of the dwelling (granted in 2006). Due to the existing building having a roller shutter door, it was not possible to see inside the building during the site visit. However, photographs have since been received from the agent. Following this, some concerns are raised on whether there is reasonable justification for an additional agricultural shed due to parts of the existing building not being used for agricultural purposes i.e. storage of caravan. Therefore, concerns are raised on whether the principle of development is fully justified.

Siting, Scale and Design

The main concern of the proposed development lies with its siting. The proposed building is to be erected approximately 160m along the County Class C Road. The existing building is located adjacent to the remains of the dwelling with an access also formed. Any new building should be located adjacent to the existing building and not located 160m away in an open countryside location. The proposed location is in a prominent location adjacent to the C1164. It was noted on the decision notice of the previous application (A200409 Prior Approval) that any proposed building shall not be located in its proposed location and shall be located adjacent to the existing built form. This has been discussed with the applicant and agent however, they do not wish to change the proposed siting. Therefore, the proposed siting is considered unacceptable and contrary to Policies S04 and DM06 of the LDP and TAN 6.

The scale and materials proposed do not raise large concerns. If the proposed building were to be suitably sited, then the scale and materials are not considered to cause any harm.

Other Matters

The application site is located within the River Teifi SAC Catchment Area. Due to the nature of the proposal being for storage purposes rather than for housing livestock (may possibly be used during lambing only), it is not considered to cause an increase in concentration or amount of wastewater.

The LHA and land drainage have raised no objections subject to conditions.

Delegated Powers

Cllr Odwyn Davies has declared an interest in the application.

RECOMMENDATION:

The application be refused for the following reason:

1. The siting of the proposed building is considered unacceptable and contrary to Policies S04 and DM06 of the LDP and TAN 6 as it is not located adjacent to the existing built form and is within an open countryside location.

2.3. A210575



Rhif y Cais / Application Reference	A210575
Derbyniwyd / Received	11-06-2021
Y Bwriad / Proposal	Re-surfacing of the existing car park, allocation of 30 parking spaces for the hotel (as required under condition 4 of planning permission A190141) and associated works.
Lleoliad Safle / Site Location	St Michael's Church Car Park, Laura Place, Aberystwyth, SY23 2AU
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr J O'Rourke (Prifysgol Aberystwyth University), Prifysgol Aberystwyth University Penglais, Aberystwyth, SY23 3FL
Asiant / Agent	Mr Dylan Green (Asbri Planning), Asbri Planning Ltd, Unit 9, Oak Tree Court, Mulberry Drive, Cardiff Gate Business Park, Cardiff, CF23 8RS

Y SAFLE A HANES PERTHNASOL

Mae'r safle sy'n rhan o'r cais hwn o fewn tir Eglwys Sant Mihangel a'r Holl Angylion yn Aberystwyth.

Mae'r Eglwys yn adeilad rhestredig gradd II, sydd hefyd yn ardal gadwraeth Aberystwyth.

Mae amgylchoedd y safle yn gyfoethog o ran gwerth treftadaeth, sy'n cynnwys Castell Aberystwyth sy'n heneb gofrestredig, Yr Hen Goleg sy'n adeilad rhestredig gradd I, ynghyd â nifer o adeiladau rhestredig gradd II* a gradd II, yn fwyaf nodedig Maes Lowri sydd yn uniongyrchol i'r gogledd-ddwyrain ac i'r de o'r safle.

O ran yr hanes cynllunio, gwnaed y ceisiadau canlynol yn yr Eglwys o'r blaen:

- 891899 – Estyniad i ddarparu cyfleusterau toiled ac addasiadau mewnol – Eglwys Sant Mihangel, Maes Lowri, Aberystwyth. Cymeradwywyd yn destun amodau – 31-1-1990.
- 891900 – Addasiadau mewnol ac estyniad – Eglwys Sant Mihangel, Aberystwyth. Tynnwyd yn ôl – 18-1-1990.
- 960187 – Estyniad i'r maes parcio – Eglwys Sant Mihangel. Cymeradwywyd yn destun amodau – 11-4-1996.
- A040618AV – Arddangos arwyddion – Eglwys Sant Mihangel, Aberystwyth. Caniatâd wedi'i roi – 5-8-2004.
- A061031 - Gosod antenau, dysgl a blychau telathrebu, yn nhŵr cloch yr Eglwys - Eglwys Sant Mihangel, Maes Lowri, Aberystwyth. Gwrthodwyd - 29-3-2007.
- A070347LB – Adeiladu Canolfan Dreftadaeth Gristnogol ddeulawr yn ymgorffori adeilad y Festri a fydd yn ffurfio'r ardal astudio – Eglwys Sant Mihangel, Maes Lowri, Aberystwyth. Gwrthodwyd ar apêl – 9-1-2008.
- A070369 – Codi adeilad newydd ac addasu adeilad festri yn Ganolfan Dreftadaeth Gristnogol – Eglwys Sant Mihangel, Maes Lowri, Aberystwyth. Gwrthodwyd ar apêl – 9-1-2008.
- A080840LB – Codi llechen Gymreig – Cyn festri i ail Eglwys Sant Mihangel, Aberystwyth. Caniatâd wedi'i roi – 12-11-2008.
- A090752 – Cadw ac aildddefnyddio (gan gynnwys ail-doi ac ail-bwyntio) gweddillion adfeiliedig oedd yn bodoli eisoes i Eglwys flaenorol Sant Mihangel. Adeiladu elfen unllawr atodedig o'r newydd gyda thirweddau a pharcio cysylltiedig i ddarparu Canolfan Dreftadaeth Gristnogol Gymreig a Chaffi – Eglwys Sant Mihangel, Maes Lowri, Aberystwyth. Gwrthodwyd – 15-2-2010.
- A090753LB – Cadw ac aildddefnyddio (gan gynnwys ail-doi ac ail-bwyntio) gweddillion adfeiliedig oedd yn bodoli eisoes i Eglwys flaenorol Sant Mihangel. Adeiladu elfen unllawr atodedig o'r newydd gyda thirweddau a pharcio cysylltiedig i ddarparu Canolfan Dreftadaeth Gristnogol Gymreig a Chaffi – Eglwys Sant Mihangel, Maes Lowri, Aberystwyth. Gwrthodwyd – 15-2-2010.
- A110149 – Gwaith cadwraeth, addasu ac ychwanegu elfen unllawr a adeilidir o'r newydd i'w haildddefnyddio - Eglwys Sant Mihangel, Maes Lowri, Aberystwyth. Gwaredwyd Erthygl 25(11) a – 8-3-2011.
- A110150LB – Gwaith cadwraeth, addasu ac ychwanegu elfen unllawr a adeilidir o'r newydd i'w haildddefnyddio - Eglwys Sant Mihangel, Maes Lowri, Aberystwyth. Tynnwyd yn ôl 8-3-2011.

- A120782LB – Addasu ac ychwanegu elfen unllawr newydd i'w hailddefnyddio – Cyn Ffestri, Eglwys Sant Mihangel, Maes Lowri, Aberystwyth. Rhoddwyd caniatâd 13-2-13.

MANYLION Y DATBLYGIAD

Mae'r cais hwn yn gofyn am ganiatâd cynllunio llawn ar gyfer ail-ddylunio ac arwynebu'r maes parcio sy'n bodoli eisoes sydd o fewn cwrtil yr Eglwys.

Gwnaed y cais gan Brifysgol Aberystwyth ac fe'i gwnaed mewn ymateb i'r caniatâd cynllunio llawn a roddwyd eisoes ar gyfer ailldatblygu'r Hen Goleg (gweler cyfeirnod cais cynllunio A190141). Mae'r caniatâd hwn yn caniatáu ar gyfer canolfan arddangos, man dysgu, canolbwynt ar gyfer cychwyn busnesau, gwesty bwtfc a chyfleusterau cynadledda yn y coleg.

Mae amod rhif 4 caniatâd cynllunio A190141 yn ei gwneud yn ofynnol i 30 o leoedd parcio ceir gael eu dyrannu ym maes parcio Eglwys Sant Mihangel, cyn dechrau'r defnyddion a gymeradwywyd. Felly mae'r cais cyfredol hwn mewn ymateb i ofyniad amod rhif 4.

Cafodd yr Awdurdod Cynllunio Lleol hefyd gais cyfatebol am ganiatâd adeilad rhestredig ar gyfer y gwaith arfaethedig (gweler cyfeirnod A210576).

Mae'r cais am ganiatâd adeilad rhestredig eisoes wedi'i atgyfeirio at CADW ac wedi'i ystyried ganddynt ac maent wedi cadarnhau nad oes angen atgyfeirio'r cynlluniau at Lywodraeth Cymru. O ganlyniad, mae'r caniatâd adeilad rhestredig eisoes wedi'i roi gan yr Awdurdod Cynllunio Lleol.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisi Cynllunio Cenedlaethol Perthnasol

- Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)
- TAN 5 Cynllunio a Chadwraeth Natur (2009)
- TAN12 Dylunio (2016)
- TAN18 Trafnidiaeth (2007)
- TAN23 Datblygu Economaidd (2014)
- TAN24 Yr Amgylchedd Hanesyddol (2017)

Polisi Cynllunio Lleol Perthnasol

Mae'r polisiau Cynllun Datblygu Lleol hyn yn berthnasol wrth benderfynu ar y cais hwn:

- S01 - Twf Cynaliadwy
- S02 – Datblygu mewn Canolfannau Gwasanaethau Trefol
- DM06 – Dylunio a Chreu Lleoedd o Safon Uchel
- DM07 – Ardaloedd Cadwraeth
- DM09 – Dylunio a Symud
- DM10 – Dylunio a Thirweddu
- DM13 – Systemau Draenio Cynaliadwy
- DM14 – Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 – Cadw Bioamrywiaeth Leol
- DM17 - Y Dirwedd yn Gyffredinol
- DM19 – Y Dirwedd Hanesyddol a Diwylliannol

Canllawiau Cynllunio Atodol perthnasol a fabwysiadwyd:

- Safonau Parcio Cyngor Sir Ceredigion (2015)
- CSC Amgylchedd Adeiledig a Dylunio (2015)
- CSC Cadwraeth Natur (2015)

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

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

penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

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

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

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

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar y Cyngor i gymryd camau rhesymol wrth arfer ei swyddogaethau i gyflawni'r saith nod llesiant yn y Ddeddf. Paratowyd yr adroddiad hwn wrth ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y nodir yn Deddf 2015. Wrth gyrraedd yr argymhelliad, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu diwallu heb gyfaddawdu ar allu cenedlaethau'r dyfodol i ddiwallu eu hanghenion eu hunain.

YMATEBION YMGYNGHORI

- Priffyrdd a Gwasanaethau Amgylcheddol Cyngor Sir Ceredigion (Priffyrdd) – Dim gwrthwynebiad, yn destun amodau.
- Priffyrdd a Gwasanaethau Amgylcheddol Cyngor Sir Ceredigion (Draenio Tir) – Dim gwrthwynebiad, yn destun amodau. Mae cais SDCau wedi'i gyflwyno ac yn y broses.
- Cyngor Tref Aberystwyth – Dim gwrthwynebiad ond hoffai'r Cyngor Tref weld

A) Arwyneb ecogyfeillgar mwy hydraiddd yn lle tarmac e.e. briciau concrit sy'n caniatáu tyfiant a;

B) Mwy o wyrddni e.e. plannu cwpl o goed brodorol

- Ymddiriedolaeth Archaeolegol Dyfed – Dim gwrthwynebiad yn destun amodau.

Cafwyd un sylw gan drydydd parti mewn perthynas â chais cynllunio A210575, sy'n codi gwrthwynebiad am y rhesymau a ganlyn:

- Nid yw'r cais yn cynnwys yr is-orsaf drydanol.
- Yn poeni bod dau bwynt ar gyfer cerbydau trydan yn annigonol.

Cafwyd sylw gan drydydd parti hefyd mewn perthynas â chais caniatâd adeilad rhestredig A210576. Fodd bynnag, bydd y sylw yn cael ei ystyried o dan y cais cynllunio llawn hwn yn lle, gan ei fod yn codi materion yn ymwneud â chynllunio ac nid materion a fyddai wedi ymwneud â'r cais am ganiatâd adeilad rhestredig. Mae'r materion a godwyd fel a ganlyn:

- Seilwaith annigonol o ran cerbydau trydan ac effaith ar fusnesau a thrigolion lleol.
- Cynlluniau yn eisiau o ran is-orsaf angenrheidiol i ateb y costau o ran cerbydau trydan a'r galw am ddatblygu gwesty.

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".

Un o'r materion allweddol wrth ystyried y cais yw effaith y cynlluniau ar bwysigrwydd hanesyddol a phensaernïol yr adeilad rhestredig ei hun (yr ymdriniwyd â hi yn bennaf o dan y cais cyfatebol am ganiatâd adeilad rhestredig) ond hefyd effaith debygol y gwaith ar leoliad yr adeilad a'i gyd-destun ehangach sydd o werth uchel o safbwynt treftadaeth.

Mae adrannau 16 a 66 Deddf Adeiladau Rhestredig ac Ardaloedd Cadwraeth 1990 yn ei gwneud yn ofynnol i awdurdodau sy'n ystyried ceisiadau am ganiatâd cynllunio a / neu ganiatâd adeilad rhestredig ar gyfer gwaith sy'n effeithio ar adeilad rhestredig roi sylw arbennig i rai materion, gan gynnwys dymunoldeb diogelu lleoliad yr adeilad.

Mae'r Datganiad Cynllunio ac Asesiad yr Effaith ar Dreftadaeth a gyflwynwyd yn cydnabod y byddai'r bwriad yn arwain at gollu man gwyrrdd yng nghornel ogledd-ddwyreiniol mynwent yr eglwys, sy'n cynrychioli rhan o'r man agored a oedd unwaith yn Erddi Lowri.

Serch hynny, mae'r cyflwyniad o'r farn na fyddai dim niwed sylweddol yn cael ei achosi i'r adeilad rhestredig nac i leoliad ehangach y grŵp.

Bydd plannu o'r newydd yn gwneud iawn am y golled hon a byddai'r bwriad yn arwain at ffurfioli a gwella maes parcio sy'n is-safonol ar hyn o bryd.

Byddai'r bwriad hefyd yn cynorthwyo i adfywio adeilad yr Hen Goleg a dod ag ef yn ôl i'w aildefnyddio'n fuddiol.

Mae'r Awdurdod Cynllunio Lleol yn cytuno â'r safbwyntiau a amlinellir yn Asesiad yr Effaith ar Dreftadaeth ac yn cytuno bod y cynlluniau yn dderbyniol ac na fyddent yn arwain at ddim niwed sylweddol i'r adeilad rhestredig ei hun nac i'r lleoliad ehangach. Mae'r bwriad yn debygol o arwain at wella golwg y cwrtil a bydd yn gweithredu fel un o'r catalyddion yn ailddatblygiad yr Hen Goleg. Felly, ystyrir bod y cynlluniau yn dderbyniol o safbwynt treftadaeth ac mae'r farn hon wedi'i hategu gan benderfyniad CADW i beidio ag atgyfeirio'r cais am ganiatâd adeilad rhestredig at Lywodraeth Cymru. Felly ystyrir bod y cynlluniau yn cydymffurfio â'r polisiau cenedlaethol a lleol a nodir uchod.

Fodd bynnag, mae chwiliad gan Ymddiriedolaeth Archaeolegol Dyfed wedi datgelu bod y safle dan sylw yn agos iawn at weddillion y Castell canoloesol o bwys cenedlaethol yn Aberystwyth (PRN CD008). Cofnodir hefyd fod llawer o'r ardal o amgylch yr eglwys bresennol yn safle hen fynwent (PRN 100624). Yn ogystal, credir bod y capel canoloesol gwreiddiol yn ogystal â strwythur diweddarach o'r 18fed ganrif a godwyd i gymryd lle'r adeilad cynharach, wedi'u lleoli gerllaw.

Yn dilyn hynny, mae'n bosibl y gall dyddodion claddedig, gan gynnwys y posibilrwydd o weddillion dynol, ymestyn i ardal y cais a chael eu difrodi neu eu dinistrio. Felly, er mwyn diogelu buddiannau archaeolegol posibl, mae Ymddiriedolaeth Archaeolegol Dyfed yn argymhell os rhoddir caniatâd y dylid atodi amod Cynllun Ymchwilio Ysgrifenedig. Nid oes gan yr Awdurdod Cynllunio Lleol wrthwynebiad i osod amod o'r fath.

Cafwyd sylwadau gan drydydd partiön sy'n gwrthwynebu'r cais am ddau reswm, sef seilwaith annigonol o ran cerbydau trydan ac nad yw'r cyflwyniad yn cynnwys dim manylion am yr is-orsaf angenrheidiol.

Mae dau bwynt ar gyfer gwefru cerbydau trydan yn cael eu darparu fel rhan o'r cynllun, sy'n caniatáu i 4 car wefru ar unrhyw un adeg. Fodd bynnag, mae'r Brifysgol wedi cadarnhau y gellir gwneud darpariaethau i gynyddu nifer y pwyntiau ar gyfer gwefru cerbydau trydan, pe bai'r galw yn dangos bod angen rhagor yn y dyfodol.

Mae'r cynrychiolwyr trydydd parti yn wir yn gywir yn yr ystyr bod angen is-orsaf ar gyfer ailddatblygu'r Hen Goleg, ond nid yw'r cais sydd gerbron yr Awdurdod Cynllunio Lleol ar hyn o bryd yn cynnig is-orsaf drydanol fel rhan o'r cynllun cyfredol hwn ac felly byddai'n afresymol i'r Awdurdod Cynllunio Lleol wrthod cais am ganiatâd cynllunio ar y sail nad yw'r seilwaith hwn wedi'i gynnwys.

Mae'r Brifysgol o'r farn bod cwrtil Eglwys Sant Mihangel yn lleoliad anaddas ar gyfer yr is-orsaf, gan ei bod yn debygol o fod yn niweidiol i gymeriad yr ardal pe bai wedi'i lleoli yma. Mae strwythur o'r fath yn debygol o gael effaith negyddol ar leoliad yr Eglwys, yn ogystal â'r eiddo rhestredig ar hyd Maes Lowri a Chastell Aberystwyth. Mae'r Awdurdod Cynllunio Lleol yn cytuno â'r farn hon.

O ganlyniad, mae'r Brifysgol wedi cadarnhau bod lleoliadau amgen a mwy ffafriol eraill yn cael eu ceisio i ddarparu'r is-orsaf. Felly ystyrir bod y gwrthwynebiad yn amherthnasol i'r cais penodol hwn gan nad yw is-orsaf yn cael ei chynnig fel rhan o'r cynllun.

O ran y sylwadau a wnaed gan Gyngor Tref Aberystwyth, mae gorffeniad yr arwyneb ar hyn o bryd ar gyfer y maes parcio yn cynnwys tarmac yn uniongyrchol o amgylch yr eglwys, a graean wedi'i rwyngwyo â chlai dros weddill ardal y maes parcio. Fel rhan o'r cais hwn, mae'r Brifysgol yn cynnig darnau newydd o arwyneb glaswelltog yn gyfagos i'r eglwys yn ogystal â gerddi dŵr glaw, a fydd yn gweithredu fel nodweddion SDCau i ganiatáu mwy o ymdreiddiad tra hefyd yn darparu cyfeintiau storio i leihau'r gollyngiad i ddraeniau presennol y briffordd. Mae hyn hefyd yn cyflwyno ardaloedd tirweddu i leddfu effaith datblygu ac i ganiatáu mwy o gyfleoedd ar gyfer gwelliannau o ran bioamrywiaeth. Bydd gweddill y gwaith arwynebu yn cynnwys asffalt hydraidd gyda cherrig palmant â chelloedd agored ar gyfer gwesty'r maes parcio a fydd yn bwydo i strategaeth y SDCau. Mae'r defnyddiau hyn yn cael eu hystyried fel y deunyddiau a ffefrir o safbwynt peirianeg a chynnal a chadw hirdymor a dyma hefyd y gellir ei ddarparu o ran ymarferoldeb a'r gyllideb sydd ar gael.

Yn olaf, nid oes dim gwrthwynebiadau o safbwynt priffyrdd, draenio, ecolegol nac amwynder.

I gloi felly ac yn sgil y sylwadau uchod, cyflwynir argymhelliad ffafriol i aelodau'r Pwyllgor Rheoli Datblygu.

ENW'R AELOD LLEOL: Y Cynghorydd Endaf Edwards

RHESYMAU A RODDWDYD GAN YR AELOD LLEOL DROS OFYN I'R PWYLLGOR RHEOLI DATBLYGU YSTYRIED Y CAIS:

- Mae'r Cynghorydd Edwards wedi datgan buddiant yn y cais cynllunio hwn ac felly mae'n rhaid i'r Pwyllgor Rheoli Datblygu ei benderfynu, yn unol â chyfansoddiad Cyngor Sir Ceredigion.

ARGYMHELLIAD

Cymeradwyo, yn destun amodau.

Rhif y Cais / Application Reference	A210575
Derbyniwyd / Received	11-06-2021
Y Bwriad / Proposal	Re-surfacing of the existing car park, allocation of 30 parking spaces for the hotel (as required under condition 4 of planning permission A190141) and associated works.
Lleoliad Safle / Site Location	St Michael's Church Car Park, Laura Place, Aberystwyth, SY23 2AU
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr J O'Rourke (Prifysgol Aberystwyth University), Prifysgol Aberystwyth University Penglais, Aberystwyth, SY23 3FL
Asiant / Agent	Mr Dylan Green (Asbri Planning), Asbri Planning Ltd, Unit 9, Oak Tree Court, Mulberry Drive, Cardiff Gate Business Park, Cardiff, CF23 8RS

THE SITE AND RELEVANT PLANNING HISTORY

The site which pertains to this application lies within the grounds of the St. Michael and All Angels Church in Aberystwyth.

The Church is a grade II listed building, which also lies within the Aberystwyth conservation area.

The site surroundings are rich in terms of heritage value, comprising of Aberystwyth Castle which is a scheduled ancient monument (SAM), The Old College which is a grade I listed building, along with numerous grade II* and grade II listed buildings, most notably Laura Place which lies immediately to the north-east and south of the site.

In terms of the planning history, the following applications have previously been made at the Church:

- 891899 – Extension to provide toilet facilities and internal alterations – St. Michael's Church, Laura Place, Aberystwyth. Approved subject to conditions – 31-1-1990.
- 891900 – Internal alterations and extension – St. Michael's Church, Aberystwyth. Withdrawn – 18-1-1990.
- 960187 – Extension to carpark – St. Michaels Church. Approved subject to conditions – 11-4-1996.
- A040618AV – Display of signage – St. Michael's Church, Aberystwyth. Consent granted – 5-8-2004.
- A061031 – Installation of telecoms antennas, dish & cabinets in bell tower of Church – St. Michaels Church, Laura Place, Aberystwyth. Refused – 29-3-2007.
- A070347LB – Construction of a two storey Christian Heritage Centre incorporating the Vestry building which will form the study area – St. Michaels Church, Laura Place, Aberystwyth. Dismissed on appeal – 9-1-2008.
- A070369 – Erection of new building & conversion of vestry building to Christian Heritage Centre – St. Michaels Church, Laura Place, Aberystwyth. Dismissed on appeal – 9-1-2008.
- A080840LB – Erection of a Welsh slate plaque – Former vestry to the second St. Michael's Church, Aberystwyth. Consent granted – 12-11-2008.
- A090752 – Conservation and reuse (including re-roofing and repointing) of existing dilapidated / ruined remains to the previous St. Michaels Church. Construction of attached single storey new-build element with associated landscaping and parking to provide Welsh Christian Heritage Centre and Café – St. Michaels Church, Laura Place, Aberystwyth. Refused – 15-2-2010.
- A090753LB – Conservation and reuse (including re-roofing and repointing) of existing dilapidated / ruined remains to the previous St. Michaels Church. Construction of attached single storey new-build element with associated landscaping and parking to provide Welsh Christian Heritage Centre and Café – St. Michaels Church, Laura Place, Aberystwyth. Refused – 15-2-2010.
- A110149 – Conservation works, conversion and addition of new-build single-storey element for reuse – St. Michaels Church, Laura Place, Aberystwyth. Disposed of Article 25(11)a – 8-3-2011.
- A110150LB – Conservation works, conversion and addition of new-build single-storey element for reuse – St. Michaels Church, Laura Place, Aberystwyth. Withdrawn 8-3-2011.
- A120782LB – Conversion and addition of new single storey element for reuse – Former Vestry, St. Michael's Church, Laura Place, Aberystwyth. Consent granted 13-2-13.

DETAILS OF DEVELOPMENT

This application seeks full planning permission for the re-design and re-surfacing of the existing car park area which lies within the curtilage of the Church.

The application has been made by Aberystwyth University and is made in response to the full planning permission which has already been granted for the re-development of the Old College (see planning application reference A190141). This permission allows for an exhibition centre, place of learning, a hub for business start-ups, boutique hotel and conference facilities at the college.

Condition no.4 of planning permission A190141 requires 30 car parking spaces to be allocated within St. Michaels Church car park, prior to the commencement of the approved uses. This current application is therefore in response to the requirement of condition no.4.

The Local Planning Authority also received a corresponding application for listed building consent (LBC) for the proposed works (see reference A210576).

The LBC application has already been referred to and considered by CADW and they have confirmed that the proposals do not need to be referred to the Welsh Government. Consequently, the listed building consent has already been issued by the Local Planning Authority.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

- Future Wales: The National Plan 2040
- PPW Planning Policy Wales (Edition 11, February 2021)
- TAN 5 Nature Conservation and Planning (2009)
- TAN12 Design (2016)
- TAN18 Transport (2007)
- TAN23 Economic Development (2014)
- TAN24 The Historic Environment (2017)

Relevant Local Planning Policy

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

- S01 - Sustainable Growth
- S02 – Development in Urban Service Centres (USCs)
- DM06 – High Quality Design and Placemaking
- DM07 – Conservation Areas
- DM09 – Design and Movement
- DM10 – Design and Landscaping
- DM13 – Sustainable Drainage Systems
- DM14 – Nature Conservation and Ecological Connectivity
- DM15 – Local Biodiversity Conservation
- DM17 - General Landscape
- DM19 – Historic and Cultural Landscape

Relevant adopted Supplementary Planning Guidance:

- Ceredigion County Council Parking Standards (2015)
- CCC Built Environment and Design (2015)
- CCC Nature Conservation (2015)

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

- CCC Highways & Environmental Services (Highways) – No objection, subject to conditions.
- CCC Highways & Environmental Services (Land Drainage) – No objection, subject to conditions. A SuDS application has been submitted and is in process.
- Aberystwyth Town Council – No objection but the Town Council would like to see

A) A more permeable eco-friendly surface instead of tarmac e.g. concrete bricks which allow growth and;

B) More greenery e.g. a couple of native trees planted

- Dyfed Archaeological Trust (DAT) – No objection subject to conditions.

One third party representation has been received in respect of planning application A210575, which raises an objection on the following grounds:

- The application does not include the electrical substation.
- Concerned that two EV points is inadequate.

A third party representation was also received in relation to listed building consent application A210576. However the representation will be considered under this full planning application instead, as it raises planning related issues and not issues which would have concerned the LBC application. The issues raised are as follows:

- Inadequate EV infrastructure and impact on local business and residents.
- Missing plans of necessary substation to meet the EV charges and hotel development demand.

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".

One of the key issues in the consideration of the application is the impact of the proposals upon the historical and architectural importance of the listed building itself (*which has primarily been dealt with under the corresponding LBC application*) but also the likely impact of the works upon the setting of the building and its wider context which is of high heritage value.

Sections 16 and 66 of the Listed Buildings and Conservation Areas Act 1990 require authorities considering applications for planning permission and / or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building.

The submitted Planning Statement and Heritage Impact Assessment (HIA) acknowledges that the proposal would result in the loss of green space within the north-eastern corner of the Churchyard, which represents part of the open space that was once Laura Gardens.

The submission is nevertheless of the opinion that no significant harm would be caused to the listed building nor to the wider setting of the group.

New planting will compensate for this loss and the proposal would result in a currently sub-standard car park being formalised and improved.

The proposal would also aid in regenerating the Old College building and bringing it back into beneficial re-use.

The LPA concurs with the views outlined in the HIA and agrees that the proposals are acceptable and would not result in any significant harm to the listed building itself nor to the wider setting. The proposal is likely to result in an improvement to the appearance of the curtilage and will act as one of the catalysts in the re-development of the Old College. It is therefore considered that the proposals are acceptable from a heritage perspective and this view has been supported by CADW's decision not to refer the LBC application to the Welsh Government. The proposals are therefore considered to be in compliance with the national and local policies set out above.

A search by the Dyfed Archaeological Trust has revealed however that the site in question lies within immediate proximity to the remains of the nationally important medieval Castle at Aberystwyth (PRN CD008). Much of the area around the current church is also recorded to be the site of a former graveyard (PRN 100624). In addition, both the original medieval chapel as well as a later 18th century structure constructed to replace the earlier building, are thought to have been located nearby.

Subsequently, it is conceivable that buried deposits, including the possibility of human remains, may extend into the application area and become damaged or destroyed. Therefore, in order to protect potential archaeological interests, the Dyfed Archaeological Trust recommend that should consent be given that a Written Scheme of Investigation (WSI) condition be attached. The Local Planning Authority has no objection to such a condition being imposed.

Third party representations have been received which object to the application on two grounds, namely inadequate EV infrastructure and that the submission includes no details of the necessary substation.

There are two EV charging points being delivered as part of the scheme, which allows 4 cars to charge at any one time. However, the University has confirmed that provisions can be made to increase the amount of EV charging points, should demand demonstrate that more are required in the future.

The third party representatives are indeed correct in that a substation is required for the re-development of the Old College, however the application currently before the LPA does not propose an electrical substation as part of this current scheme and it would therefore be unreasonable for the LPA to refuse an application for planning permission on the grounds that this infrastructure has not been included.

The University are of the opinion that the curtilage of St. Michaels Church is an unsuitable location for the substation, as it is likely to be detrimental to the character of the area should it be sited here. Such a structure is likely to have a negative effect on the setting of the Church, as well as the listed properties along Laura Place and Aberystwyth Castle. The LPA concur with this view.

Consequently, the University has confirmed that other alternative and more favourable positions are being sought to deliver the substation. The objection is therefore considered to be irrelevant to this particular application as a substation is not being proposed as part of the scheme.

In respect of the comments made by Aberystwyth Town Council, the existing surface finish for the car park comprises of tarmac immediately around the church, and a gravel bound with clay over the remainder of the car park area. As part of this application, the University are proposing new areas of grassed surface adjacent to the church as well as rainwater gardens, which will act as SuDS features to allow increased infiltration whilst also providing storage volumes to lessen the discharge into the existing highway drains. This also introduces areas of landscaping to soften the impact of development and to allow increased opportunities for biodiversity enhancements. The remainder of the resurfacing works will comprise of permeable asphalt with open cell pavers for the car park hotel which will feed into the SuDS strategy. These materials are considered the preferred materials from an engineering and a long-term maintenance perspective and this is also what can be delivered in terms of viability and the budget that is available.

Finally, there are no objections from a highways, drainage, ecological or amenity perspective.

In conclusion therefore and in light of the above comments, a favourable recommendation is presented to members of the DC Committee.

NAME OF LOCAL MEMBER: Cllr. Endaf Edwards

REASONS GIVEN BY THE LOCAL MEMBER FOR REQUESTING THAT THE APPLICATION BE CONSIDERED BY THE DEVELOPMENT CONTROL COMMITTEE:

- Cllr. Edwards has declared an interest in this planning application and therefore it must be determined by the Development Control Committee, in accordance with Ceredigion County Council's constitution.

ARGYMHELLIAD / RECOMMENDATION:

Approve, subject to conditions.