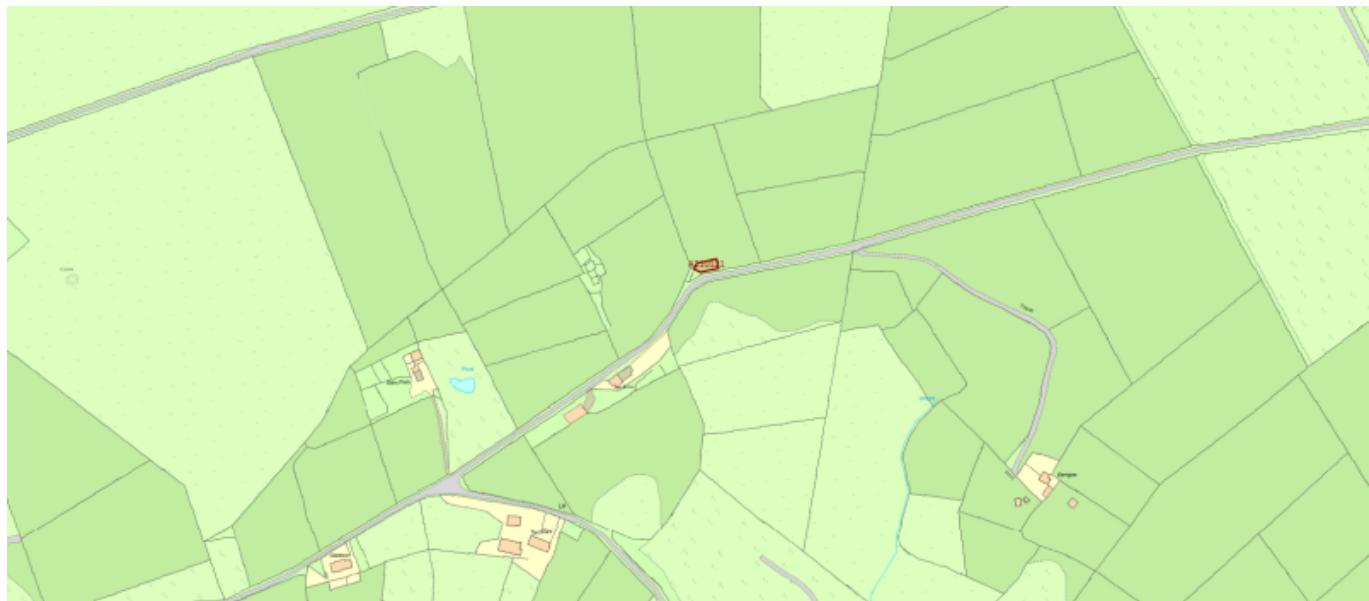


1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbynwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210121	05-02-2021	Mr E Davies	Erection of an agricultural farm building	Abermarlais, Cellan, Lampeter, SA48 8JD	Refuse

1.1. 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.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiau 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 polisiau 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 gwarchodedig', sef oed; anabledd; 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 gwarchodedig neu eu lleihau;
- cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchodedig lle mae'r rhain yn wahanol i angen pobl eraill; ac
- annog pobl o grwpiau gwarchodedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle

mae eu cyfranogiad yn anghymesur o isel.

Rhoddyd ystyriaeth ddyledus i'r ddyletswydd uchod wrth benderfynu ar y cais hwn. Ystyri'r na fyddai'r datblygiad arfaethedig yn peri gobl ygiadau sylweddol i bobl â nodweddion gwarchodedig 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 Nedd 2015. Wrth gyrraedd yr argymhelliaid, 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 Clydoga Community Council - Ni chafwyd dim ymateb

Priffyrrd - 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 cnydau. 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 ymwelliad 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 carafân. Felly, codir pryderon ynghylch a oes cyfiawnhad llawn dros egwyddor y datblygiad.

Lleoliad, Maint a Dyluniad

Prif bryder y datblygiad arfaethedig yw ei lleoliad. 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 lleoliad 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 ydnt am newid y lleoliad arfaethedig. Felly, ystyri'r bod y lleoliad arfaethedig yn annerbynol 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 ystyri'r 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 wyna yn unig), ni ystyri'r ei fod yn achosi cynnydd mewn crynhoad neu faint o ddŵr gwastraff.

Nid yw'r Awdurdod Priffyrrd 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.

Rheswm dros Ohirio

Aethwyd â'r cais i'r Pwyllgor Rheoli Datblygu ar y 13eg o Hydref a phenderfynodd Aelodau'r Pwyllgor y dylid gohирio'r cais i ofyn am gyflawnhad pellach dros leoliad yr adeilad arfaethedig. Mae'r asiant wedi darparu'r rhesymau canlynol pam fod yr adeilad amaethyddol arfaethedig wedi'i leoli i ffwrdd o'r adeilad amaethyddol presennol:

- Bydd yr adeilad yn storio bwyd anifeiliaid a gwair i weini anifeiliaid ar y tir lle mae i'w adeiladu.
- Bydd y dŵr glaw yn cael ei ddefnyddio ar gyfer dŵr yfed anifeiliaid.
- Mae'r ffermwyr angen lleihau'r nifer o weithiau mae e'n teithio yn ôl ac ymlaen o'r brif fferm.
- Mae'r ymgeisydd angen defnyddio'r mynediad cyfredol i'r briffordd heb greu agoriad newydd yn y ffens.

ARGYMHELLIAD:

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

- 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 gwlaid agored.

Rhif y Cais / Application Reference	A210121
Derbyniwyd / Received	05-02-2021
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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 CymunedLlanfair Clydoga 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 consideration 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.

Reasons for Deferral

The application was taken to Development Control Committee on the 13th of October and the Committee Members decided that the application be deferred to seek further justification on the location of the proposed building. The agent has provided the following reasons as to why the proposed agricultural building is sited away from the existing agricultural building:

1. The shed will store feed and hay to serve animals on the land where it is to be built
2. The water from rain will be used for animal drinking water.
3. Farmer would like to reduce his transportation of goods back and forth from the main farm
4. Would like to utilise current access to highway without creating new opening in fence line.

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.