

2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbynwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210387	16-04-2021	Mr E Jenkins	Proposed affordable dwelling to include installation of vehicular access and package treatment plant.	Land adjacent to Glownant, Talsarn, SA48 8QE	Refuse
2	A210463	07-05-2021	Mr S Crane	Proposed erection of a single storey dwelling.	Land At Woodcroft Capel Dewi, Aberystwyth, SY23 3HR	Refuse
3	A210464	10-05-2021	Ms Naomi Mudie	Erection of steel framed storage shed to be used for the storage of machinery and fodder.	Tyncelyn Fields, Llangeitho, Tregaron, SY25 6QL	Refuse
4	A210468	11-05-2021	Mr and Mrs Arwyn & Rhian Jones	Proposed extension and alterations to dwelling to include removal of single storey element of dwelling.	16 Pen-y-graig, Aberystwyth, Ceredigion, SY23 2JA	Approve Subject to Conditions

2.1. A210387



Rhif y Cais / Application Reference	A210387
Derbyniwyd / Received	16-04-2021
Y Bwriad / Proposal	Proposed affordable dwelling to include installation of vehicular access and package treatment plant.
Lleoliad Safle / Site Location	Land adjacent to Glownant, Talsarn, SA48 8QE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr E Jenkins, Llechwedderi Uchaf, Llanwnnen, Lampeter, Ceredigion, SA48 7LF
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen, Llanrhystud, Ceredigion, SY23 5ED

Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn ymwneud â chae amaethyddol wedi'i leoli rhyw 2.2km o bentref Talsarn. Nid oes hanes cynllunio perthnasol yn perthyn i safle'r cais.

MANYLION Y DATBLYGIAD

Gofynnir am ganiatâd cynllunio llawn i godi anedd fforddiadwy ynghyd â mynediad a chyfleuster parod i drin carthion. Bwriedir i'r anedd fesur 11.5m wrth 8.55m gan ddarparu ôl troed o rhyw 98 metr sgwâr. Darperir ar gyfer ystafell fyw, cegin/ystafell fwyt a cynllun agored, swyddfa, cegin fach ac ystafell ymolchi ar y llawr gwaelod. Bwriedir i'r llawr cyntaf, sydd ag ôl troed o 57 metr sgwâr, ddarparu tair ystafell wely ac ystafell ymolchi. Mae'r mynediad arfaethedig ar yr ystlyslun. Mae'r wedd flaen i gael tair ffenestr ddormer ar y llawr cyntaf.

Mae deunyddiau'r anedd arfaethedig yn cynnwys waliau llyfn wedi'u rendro a'u peintio, a godreon bric; ffenestri, drysau, ffasgiâu a soffitau uPVC llwyd tywyll ynghyd â tho o lechi naturiol. Mae uchder yr anedd yn rhyw 2.8m i'r bondo a 6.6m i'r crib to.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisi Cynllunio Cenedlaethol Perthnasol

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)

- TAN12 - Dylunio (2016)
- TAN2 - Cynllunio a Thai Fforddiadwy (2006)
- TAN5 - Cynllunio a Chadwraeth Natur (2009)
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Mae'r polisiau a ganlyn o'r Cynllun Datblygu Lleol yn berthnasol wrth wneud penderfyniad ynghylch y cais hwn:

S01 Twf Cynaliadwy

- S04: Datblygu Mewn Aneddiadau Cyswllt a Lleoliadau Eraill
- S05 Tai Fforddiadwy
- LU02 Gofynion sy'n ymwneud â phob Datblygiad Preswyl
- LU04 Diwallu Amrywiaeth o Anghenion Tai
- LU05 Sicrhau Cyflenwi Datblygiad Tai
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM06: Dylunio a Chreu Lle o Safon Uchel
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DM10 Dylunio a Thirwedd

- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol

Canllawiau Cynllunio Atodol Mabwysiedig Perthnasol:

- Canllawiau Cynllunio Atodol Safonau Parcio Cyngor Sir Ceredigion
- Canllawiau Cynllunio Atodol Dylunio a'r Amgylchedd Adeiledig
- Canllawiau Cynllunio Atodol Gwarchod Natur
- Canllawiau Cynllunio Atodol Tai Fforddiadwy
- Taflenni Cymorth Canllawiau Cynllunio Atodol Tai Fforddiadwy

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 gweithredu'r swyddogaethau hynny ar droseddau ac anhrefn yn ei ardal, ac i wneud popeth y gall, yn rhesymol, i atal troseddau ac anhrefn. Rhoddyd ystyriaeth i'r ddyletswydd hon wrth werthuso'r cais hwn. Ystyrir na fyddai cynnydd mawr neu annerbyniol mewn troseddau ac anhrefn o ganlyniad i'r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn dynodi nifer o 'nodweddion gwarchodedig' sef oedran; anabledd; ailbennu rhywedd; beichiogrwydd a mamaolaeth; hil; crefydd neu gred; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw priodol i hyrwyddo cydraddoldeb yn cynnwys:

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

Rhoddyd ystyriaeth briodol i'r uchod wrth wneud penderfyniad yngylch y cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol i bobl â nodweddion gwarchodedig nac yn cael effaith arnynt yn fwy nag ar unrhyw un arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn rhoi dyletswydd ar y Cyngor i gymryd camau rhesymol wrth ymarfer ei swyddogaethau i fodloni'r saith nod llesiant sy'n rhan o'r Ddeddf. Paratowyd yr adroddiad hwn gan ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy', fel y'i gosodir yn Neddf 2015. Wrth bennu'r argymhelliaid, 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 I'R YMGYNGHORI

Cyngor Cymuned Nantcwnlle - Cefnogi

Priffydd - Dim gwrthwynebiad yn ddibynnol ar amodau.

Draenio Tir - Dim gwrthwynebiad yn ddibynnol ar amodau

Ecoleg - Ni dderbyniwyd ymateb

Cyfoeth Naturiol Cymru - Dim gwrthwynebiad

Dŵr Cymru Welsh Water - Dim gwrthwynebiad yn ddibynnol ar amodau

Derbynwyd tri llythyr o gefnogaeth yn nodi bod tai fforddiadwy yn bwysig er mwyn caniatáu i deuluoedd lleol fyw a chefnogi

cymunedau.

Codir pryderon gan Ymgrych Diogelu Cymru Wledig ynghylch maint yr annedd fforddiadwy arfaethedig a'i lleoliad.

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 Datblygu

Mae safle'r cais yn gorwedd o fewn 'lleoliadau eraill' fel a nodir yn y Cynllun Datblygu Lleol mabwysiedig lle bo datblygiadau'n cael eu rheoli'n dynn er mwyn cyflawni datblygu cynaliadwy ac amddiffyn cefn gwlad agored. Mae Polisi S04 y Cynllun Datblygu Lleol yn nodi bod tai yn gyffredinol yn anaddas mewn 'lleoliadau eraill' oni bai y cyflawnheir eu bod ar y sail eu bod yn bodloni angen nas diwallwyd am dai fforddiadwy yn yr ardal, ac y gellir dangos hynny. Mae'r Polisi hefyd yn ei gwneud yn ofynnol i dai fforddiadwy gael eu lleoli yn union gerllaw grwpiau o anheddu sy'n bodoli, yn unol â bwiadau Polisi Cynllunio Cymru, paragraff 9.2.22. Er bod Polisi Cynllunio Cymru wedi'i ddiweddar ers hynny, mae paragraff 3.60 yn parhau i'w gwneud yn ofynnol i ddatblygiadau yng nghefn gwlad fod wedi'u lleoli o fewn aneddiadau cyffiniol lle y gellir darparu orau ar eu cyfer o ran seilwaith, mynediad, cadwraeth cynefinoedd a thirwedd ac mae'n datgan y gall mewnlenwi neu roi estyniadau bach ar aneddiadau sy'n bodoli fod yn dderbyniol yn enwedig pan fônt yn diwallu angen lleol am dai fforddiadwy, ond bod yn rhaid parhau i reoli'n dynn adeiladau newydd yng nghefn gwlad sydd i ffwrdd o aneddiadau sy'n bodoli.

Mae tri eiddo o fewn 100m o'r safle ac mae'r anheddiad agosaf rhyw 2.2km i ffwrdd (Talsarn). Felly, nid yw'r cais wedi'i leoli o fewn anheddiad (neu grŵp) ac mae'n groes i bolisi lleol a chenedlaethol, sef Polisi Cynllunio Cymru a pholisiau S01 ac S04 y Cynllun Datblygu Lleol gan ei fod wedi'i leoli mewn cefn gwlad agored.

Mae'r ymgeisydd wedi nodi yn y datganiad cefnogi ei fod yn gwneud gwaith ar fferm y teulu (a gwaith llawnamser fel Rheolwr TG). Felly, os mai dyma'r rheswm am yr angen am annedd yn y lleoliad hwn, mae wedi cael ei nodi i'r ymgeisydd y dylai'r cais fod am annedd fenter wledig yn hytrach nag annedd fforddiadwy. Fodd bynnag, nid yw'r ymgeisydd yn dymuno hyn.

O ran yr angen am annedd fforddiadwy, mae'r asiant wedi cyflwyno datganiad yn nodi bod yr ymgeisydd wedi cael y tir yn rhodd gan ei rieni ac nad yw cost y llain tir, felly, yn ystyriaeth. Mae manylion am dai eraill sydd ar werth wedi'u darparu. Gwerthfawrogor bod nifer ohonynt y tu hwnt i gyllideb yr ymgeisydd; eto i gyd y mae rhai eiddo o fewn y gyllideb hon ac nid yw'r rhesymau a roddir ynghylch eu hanaddasrwydd yn hynod o gryf.

Gofynion o ran Nodweddion Corfforol

Amlinellir isafswm ac uchafswm yr arwyneb llawr net ar gyfer tŷ fforddiadwy yn atodiad 4 Taflenni Cymorth Canllawiau Cynllunio Atodol Tai Fforddiadwy (gweler tudalen 10). Mae'r uchafswm safon yn 137 metr sgwâr. Fel a nodir uchod, mae'r arwyneb llawr net yn rhyw 155 metr sgwâr ac felly'n fwy na'r uchafswm a ganiateir am dŷ fforddiadwy.

Effaith ar Amwynder Preswyl

Gan fod lleoliad y cynnig mewn cefn gwlad agored, nid yw'r eiddo cyfagos yn hynod o agos iddo. Felly, ni fydd y cynnig yn effeithio ar amwynder unrhyw eiddo.

Materion Eraill

Nid yw'r Awdurdod Prifffyrdd Lleol a'r adran draenio tir wedi codi unrhyw wrthwynebiad yn ddibynnol ar amodau.

Mae safle'r cais wedi'i leoli y tu allan i Ddalgylch Ardal Cadwraeth Arbennig y Teifi.

Pwerau Dirprwyedig

Mae'r Cynghorydd Lynford Thomas wedi gofyn ar i'r cais cael ei ddwyn ger bron y Pwyllgor Rheoli Datblygu i benderfynu arno am y rhesymau a ganlyn:

1. Cefnogi unrhyw deulu Cymraeg lleol sydd am godi tŷ yn ei ardal leol.
2. Nid yw'n cytuno bod y safle mewn lleoliad 'cefn gwlad agored' gan fod tai gerllaw.
3. Mae angen tai fforddiadwy yng nghefn gwlad Ceredigion.
4. Mae'r ymgeisydd wedi cydymffurfio â gofynion yr Adran Gynllunio.
5. Cefnogi cwpl ifanc a fydd yn cefnogi'r busnes teuluol a'r gymuned leol.

ARGYMHELLIAÐ:

Argymhellir bod y cais yn cael ei wrthod am y rhesymau a ganlyn:

1. Byddai'r cais yn golygu bod annedd fforddiadwy newydd mewn cefn gwlad agored a lleoliad anghynaliadwy na

ellid ei gyflawnhau, yn groes i bolisi cynllunio cenedlaethol a nodir ym Mholisi Cynllunio Cymru a Nodyn Cyngor Technegol 2: Cynllunio a Thai Fforddiadwy (2006) a'r Cynllun Datblygu Lleol mabwysiedig, polisiau S01 ac S04.

Rhif y Cais / Application Reference	A210387
Derbyniwyd / Received	16-04-2021
Y Bwriad / Proposal	Proposed affordable dwelling to include installation of vehicular access and package treatment plant.
Lleoliad Safle / Site Location	Land adjacent to Glownant, Talsarn, SA48 8QE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr E Jenkins, Llechwedderi Uchaf, Llanwnnen, Lampeter, Ceredigion, SA48 7LF
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen, Llanrhystud, Ceredigion, SY23 5ED

THE SITE AND RELEVANT PLANNING HISTORY

The application site relates to an agricultural field located approximately 2.2km from the village of Talsarn. The application site has no relevant planning history.

DETAILS OF DEVELOPMENT

Full planning permission is sought for the erection of an affordable dwelling along with an access and package treatment plant. The dwelling is proposed to measure 11.5m by 8.55m providing a footprint of approximately 98sqm. The ground floor is to accommodate a living room, open plan kitchen/dining, home office, utility and bathroom. The first floor, which has a footprint of 57sqm is proposed to accommodate three bedrooms and a bathroom. The access is proposed to be on the side elevation. The front elevation is to have three dormer windows on the first floor.

The materials of the proposed dwelling are to include smooth painted render walls with a brick plinth; anthracite grey uPVC windows, doors, fascias and soffits along with a natural slate roof. The height of the dwelling is approximately 2.8m to eaves and 6.6m to ridge.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

- Future Wales: The National Plan 2040
- PPW Planning Policy Wales (edition 11, February 2021)
- TAN12 Design (2016)
- TAN2 Planning and Affordable Housing (2006)
- TAN5 Nature Conservation and Planning (2009)

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

- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- S05 Affordable Housing
- LU02 Requirements Regarding All Residential Developments
- LU04 Meeting a Range of Housing Needs
- LU05 Securing the Delivery of Housing Development
- DM03 Sustainable Travel
- DM04 Sustainable Travel Infrastructure as a Material Consideration
- DM06 High Quality Design and Placemaking
- DM10 Design and Landscaping
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape

Relevant adopted Supplementary Planning Guidances:

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

- Affordable Housing SPG Help Sheets

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 (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 Nantcwnlle Community Council - Support

Highways - No Objection Subject to Conditions

Land Drainage - No Objection Subject to Conditions

Ecology -

Natural Resources Wales -

Dwr Cymru Welsh Water - No Objection Subject to Conditions

3 letters of support have been received noting that affordable housing is important to allow local families to live and support the communities.

Concerns are raised by the Campaign for the Protection of Rural Wales on the scale of the proposed affordable dwelling and siting.

CONCLUSION

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

Principle of Development:

The application site lies within 'other locations' as identified within the adopted Local Development Plan (LDP) where

development is strictly controlled in the interest of achieving sustainable development and protecting the open countryside. LDP Policy S04 states that general housing is inappropriate within 'other locations' unless justified on the basis that it meets a demonstrated unmet affordable housing need in the locality. The Policy also requires affordable housing to be located immediately adjacent to existing groups of dwellings in line with the intentions of Planning Policy Wales (PPW) paragraph 9.2.22. Whilst PPW has since been updated, paragraph 3.60 continues to require development in the countryside to be located within and adjoining settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscaping conservation, and states that infilling or minor extensions to existing settlements may be acceptable in particular where they meet a local need for affordable housing, but that new building in the open countryside away from existing settlements must continue to be strictly controlled.

There are three properties within 100m of the site with the nearest settlement being approximately 2.2km away (Talsarn). Therefore, the proposal is not located within a settlement (nor group) and is contrary to national and local policy, namely PPW and LDP policies S01 and S04, as it is located within an open countryside location.

The applicant has noted in the supporting statement that he undertakes work on the family farm (full-time work as an IT Manager). Therefore, it has been noted to the applicant that if this is the case for needing a dwelling at this location, the proposal should instead be for a rural enterprise dwelling and not an affordable dwelling. The applicant however does not wish for this.

In terms of affordable housing need, a statement has been submitted by the agent which states that the applicant has been gifted the land by his parents and therefore, the cost of a plot is not an issue. Details on other houses that are for sale have been provided. Whilst it is appreciated that many are over the applicants' budget, there are some properties within this budget and the reasons given for why they are not suitable are not extremely strong.

Physical Characteristics Requirements

The minimum and maximum net floor area for an affordable home is set out within appendix 4 of the Affordable Housing SPG Help Sheets (see page 10). The absolute maximum standard is 137sqm. As noted above the net floor area is approximately 155sqm and is therefore, above the maximum allowed for an affordable dwelling.

Impact on Residential Amenity

Due to the location of the proposal being within the open countryside, the nearby properties are not within extremely close proximity. Therefore, the proposal will not impact on the amenity of any properties.

Other Matters

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

The application site is located outside of the Teifi SAC Catchment Area.

Delegated Powers

Cllr Lynford Thomas has requested that the application be taken to Development Control Committee to be decided for the following reasons:

1. Support any local Welsh family that want to build in their local area.
2. Does not agree that the site is within an 'open countryside' location as there are houses nearby.
3. Need affordable houses in Ceredigion's countryside.
4. Applicant has complied with requirements of Planning Department.
5. Support a young couple that will be a support to the family business and local community.

RECOMMENDATION:

The application is recommended for refusal for the following reasons:

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

2.2. A210463



Rhif y Cais A210463

Derbyniwyd 07-05-2021

Y Bwriad Cynnig i adeiladu annedd un llawr

Lleoliad Tir yn Woodcroft, Capel Dewi, Aberystwyth, SY23 3HR
Safle

Math o Gais Cais Cynllunio Llawn

Ymgeisydd Mr S Crane, Woodcroft, Capel Dewi, Aberystwyth, SY23 3HR

Asiant Mr Byron Jenkins (Ymgynghoriaeth Pensaerniol Byron Jenkins), Capel Afan, Llanafan, Aberystwyth, Ceredigion, SY23 4AY

Y SAFLE A HANES PERTHNASOL

Mae Capel Dewi yn anheddiad bach sydd wedi ei leoli tua 4.8 cilometr i'r dwyrain o Aberystwyth. Yn wreiddiol, datblygodd y pentref o amgylch y groesffordd â'r ffordd fawr - yr A4159, lle'r adeiladwyd nifer o fythynnod bychan. Mae datblygiad diweddar wedi bod ar ffurf linellol gyda býngalos a thai mawr ar hyd yr A4159 i'r de o'r pentref.

Mae safle'r cais ger pen deheuol yr anheddiad, ar ochr orllewinol cefnffordd yr A4159, gyferbyn â'r ffordd sy'n arwain at Ffwrnais Gelli Angharad. Mae safle'r cais wedi ei leoli yn ôl rywfaint o'r ffordd fawr. Ceir Gorchmynt Cadw Coed ar hyd y tir o flaen y safle ac i'r cefn. Ar hyn o bryd, mae'r safle'n cynnwys tir pori a gynhelir ac mae wedi ei leoli rhwng yr eiddo Woodcroft ac adeilad sy'n floc o stablau ymhellach i'r de. Ymhellach i'r de, mae eiddo preswyl o'r enw North Lodge (Porthdy'r Gogledd).

O ran hanes cynllunio, cafwyd tri chais blaenorol i adeiladu annedd ar y safle penodol hwn, yn 2012, 2014 a 2020. Cafodd pob un o'r ceisiadau hyn eu tynnu yn ôl.

MANYLION Y DATBLYGIAD

Mae'r cais hwn yn cael ei gyflwyno'n llawn ac mae'n ceisio caniatâd cynllunio i adeiladu býngalo ar ffurf L. Mae'r cynlluniau'n dangos eiddo dwy ystafell wely ynghyd â garej integrol. Mae ôl troed allanol y býngalo oddeutu 265 metr sgwâr. Bydd yr adeilad yn cael ei orffen â rendrad llyfn a bydd llechi naturiol neu synthetig ar yr adeilad.

Bydd ardal ar gyfer parcio a throi yn cael ei darparu i'r gogledd o'r býngalo ac mae'r cynlluniau'n dangos mwy na digon o fan amwynder ar gyfer yr eiddo. Bydd tanc carthion yn ymdrin â dŵr brwnt.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)

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

DM06 Dylunio a Chreu Lle o Safon Uchel

DM13 Systemau Draenio Cynaliadwy

DM14 Cadwraeth Natur a Chysylltedd Ecolegol

DM15 Cadw Bioamrywiaeth Leol

DM17 Y dirwedd yn gyffredinol

S01 Twf Cynaliadwy

S04 Datblygu mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'

YSTYRIAETHAU PERTHNASOL ERAILL

Mae Adran 17(1) Deddf Troseddau ac Anhreftadau 1998 yn rhoi dyletswydd ar yr Awdurdod Lleol i arfer ei swyddogaethau gan ystyried effaith debygol gweithredu'r swyddogaethau hyn ar droseddau ac anhreftadau yn ei ardal, ac i wneud popeth y gall yn

rhesymol i atal troseddau ac anhreftn. Mae'r ddyletswydd hon wedi'i hystyried wrth werthuso'r cais hwn. Ystyrir na fyddai cynnydd sylweddol neu annerbyniol mewn troseddau ac anhreftn o ganlyniad i'r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

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

- Gwaredu neu leihau'r anfanteision y mae pobl yn eu dioddef yn sgil eu nodweddion gwarchodedig;
- Cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchodedig lle bo'r anghenion yn wahanol i rai pobl eraill;
- Annog pobl o grwpiau gwarchodedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

Rhoddwyd sylw dyledus i'r ddyletswydd uchod wrth benderfynu yngylch y cais hwn. Ystyrir na fyddai'r datblygiad arfaethedig yn peri goblygiadau 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 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 argymhelliaid, 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

Priffyrrd Ceredigion – Dim gwrthwynebiad, ond bydd rhai amodau

Draenio Ceredigion - Dim sylwadau anffafriol

Dŵr Cymru – Dim sylw

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

Cais llawn yw hwn i godi býngalo yn anheddiad Capel Dewi. Mae Capel Dewi o fewn Grŵp Aneddiadau Aberystwyth, fodd bynnag nodir yng Nghynllun Datblygu Lleol Ceredigion ei fod o fewn y categori 'lleoliad arall'. Yn sgil hynny, y prif bolisi perthnasol wrth ystyried y cais yw polisi S04 Cynllun Datblygu Lleol Ceredigion sy'n ymdrin â chynigion i ddatblygu mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'.

Er bod polisi S04 yn cydnabod yr angen am rywfaint o ddatblygiad o fewn lleoliadau eraill er mwyn bodloni anghenion cymunedau sydd eisoes yn bodoli, mae'r polisi yn ceisio sicrhau rheolaeth ar amlhau datblygiadau mewn lleoliadau anghynaliadwy. Felly, dim ond mewn achosion lle ceir angen y gellir ei gyfiawnhau o ran menter wledig yn unol â Nodyn Cyngor Technegol (TAN6) y caniateir datblygiad newydd yn ôl y polisi, neu er mwyn bodloni angen am dai fforddiadwy, ac nad yw'r angen hwnnw eisoes wedi ei fodloni, yn unol â S05. O ran tai fforddiadwy, yn unol â pholisi cynllunio cenedlaethol, dim ond pan fo'r datblygiad wedi ei leoli o fewn neu yn union ar bwys aneddiadau sy'n bodoli eisoes y rhoddir caniatâd i ddatblygu mewn lleoliadau eraill.

Yn yr achos hwn, ystyrir y byddai lleoliad y cais yn dderbyniol o ran bodloni meinu prawf polisi, gan ei fod o fewn 'anheddiad' Capel Dewi a'i fod yn ei hanfod yn cynrychioli achos o ddatblygiad mewlenwi. Gan mai felly y mae yn yr achos hwn, byddai cefnogaeth yn cael ei gwarantu ar gyfer annedd fforddiadwy ar yr amod ei bod yn diwallu'r angen am dai fforddiadwy yn yr ardal ac nad yw'r angen hwnnw eisoes wedi ei fodloni.

Nid yw'r ymgeisydd wedi gofyn i'r cais gael ei ystyried yn annedd fforddiadwy ond mae'n fodlon cefnogi annedd marchnad agored a gwneud cyfraniad o 10% tuag at dai fforddiadwy yn unol â pholisi S05 y Cynllun Datblygu Lleol. Maent yn gwneud y pwyt y dylid rhoi cefnogaeth i anheddu marchnad agored yn yr aneddiadau a'r pentrefi eraill o fewn y Grŵp Aneddiadau hwnnw, gan nad yw'r Ganolfan Wasanaethau (Aberystwyth) yn diwallu ei chapasiti llawn o ran dyraniad tai.

Er nad yw'n hollol berthnasol, gan i'r ymgeiswyr wrthod caniatáu i'r cais gael ei ystyried yn uned fforddiadwy, wrth ystyried cynigion ar gyfer tai fforddiadwy, mae'r Cynllun Datblygu Lleol yn tynnu sylw at yr angen i sicrhau nad yw cartrefi fforddiadwy yn cael eu hadeiladu i safonau isel annerbyniol neu i greu 'tai sy'n rhy fawr neu'n dai sylwedol'. Mae Canllawiau Cynllunio Atodol: Tai Fforddiadwy Ceredigion yn rhoi'r Cynllun Datblygu Lleol ar waith drwy osod manylion yngylch isafswm y gofod llawr mewnol ar gyfer cartrefi fforddiadwy. Mae'r manylion hyn wedi eu cymryd o safon Gofynion Ansawdd Datblygu Llywodraeth Cymru: a chynnnydd o uchafswm o 20% ar y lleiafswm o ran gofod cyffredinol y llawr mewnol. Isafswm arwynebedd y llawr yn ôl safon y Gofynion Ansawdd Datblygu ar gyfer tŷ fforddiadwy pedair ystafell wely yw 114 metr sgwâr. Felly, yr uchafswm a ganiateir yng Ngheredigion yw 136 metr sgwâr, sydd 20% yn uwch na ffigwr Gofynion Ansawdd Datblygu.

O'r cynlluniau llawr a ddarparwyd, byddai gan yr annedd arfaethedig ôl troed allanol o oddeutu 265 metr sgwâr a fyddai'n awgrymu bod y gofod llawr mewnol oddeutu 240 metr sgwâr. Byddai hynny hefyd yn groes i'r polisi.

Yn hynny o beth, o ran datblygiad mewn 'lleoliadau eraill', ystyrir bod y cynnig yn gwrthdaro â pholisïau lleol a chenedlaethol.

Tirwedd

Mae safle'r cais wedi ei leoli yn anheddiad Capel Dewi lle ceir mathau amrywiol o dai o ran eu maint a'u gwedd. Mae'r cynnig am fýngalo eithaf mawr mewn rhes o unedau preswyl eithaf modern. Ystyrir na fyddai'r cynnig yn tynnu oddi ar y strydlun ac felly byddai'n cydymffurfio â pholisi DM06 a DM17 y Cynllun Datblygu Lleol.

Priffyrrd

Nid oes gan Awdurdod Priffyrrd Lleol Ceredigion unrhyw wrthwynebiad i'r cynnig sy'n bwriadu defnyddio'r un fynedfa â'r eiddo cyfagos, sef Woodcroft. Mae'r Awdurdod Priffyrrd wedi nodi y gellir cefnogi'r cais ond bod amodau.

Trefniadau Draenio Tir a Dŵr Brwnt

Mae draenio tir yn fodlon gyda'r dulliau arfaethedig ar gyfer draenio dŵr wyneb, ond bod amodau.

Gan nad oes system garthffosiaeth gyhoeddus yng Nghapel Dewi, yna rhaid cael gwared ar ddŵr brwnt drwy ddulliau preifat. Y bwriad yw darparu tanc carthion ar gyfer hyn a byddai hwnnw'n ddarostyngedig i reoliadau Rheoli Adeiladu.

Argymhelliaid:

I gloi, yn annibynnol ar y faith bod y safle wedi'i leoli mewn anheddiad, byddai darparu annedd marchnad agored yn y lleoliad hwn yn groes i bolisiau lleol a chenedlaethol ac argymhellir gwrthod y cais hwn.

PWERAU DIRPRWYEDIG

Mae'r aelod lleol ar gyfer Ward y Faenor, y Cyngropydd J Roberts, wedi gofyn i'r cais gael ei gyfeirio er ystyriaeth at y Pwyllgor Rheoli Datblygu, am y rhesymau canlynol:-

- Cafodd y cais hwn ei dynnu'n ôl y tro diwethaf a hynny am yr ail dro, gan fod yr ymgeisydd wedi gorfol mynd i'r ysbyty;
- Nid yw'n gallu mynd i fyny'r grisiau ac mae angen býngalo arno. Rwy'n deall y bydd ei ferch yn symud i'r prif dŷ, er mwyn bod yn agos ato a chynorthwyo os bydd angen cymorth;
- Ni ddywedodd wrthyf ei fod yn gwneud cais eto, felly nodyn yw hwn dim ond i ddweud fy mod yn cefnogi ei gais am fýngalo

(Nodir bod yr ymgeisydd wedi dweud o'r blaen wrth y Cyngropydd Roberts bod angen yr annedd ar gyfer ei rieni oedrannus).

ARGYMHELLIAD

GWRTHOD gan ei fod yn groes i bolisiau S01 ac S04 Cynllun Datblygu Lleol Ceredigion.

Rhif y Cais / Application Reference	A210463
Derbyniwyd / Received	07-05-2021
Y Bwriad / Proposal	Proposed erection of a single storey dwelling.
Lleoliad Safle / Site Location	Land At Woodcroft Capel Dewi, Aberystwyth, SY23 3HR
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr S Crane, Woodcroft, Capel Dewi, Aberystwyth, Ceredigion, SY23 3HR
Asiant / Agent	Mr Byron Jenkins (Byron Jenkins Architectural Consultancy), Capel Afan, Llanafan, Aberystwyth, Ceredigion, SY23 4AY

THE SITE AND RELEVANT PLANNING HISTORY

Capel Dewi is a small settlement situated approx 4.8km east of Aberystwyth. The village originally developed around the cross roads with the main A4159 road, where a number of small cottages were built. Recent development has taken the form of a linear of large bungalows and houses along the A4159 to the south of the village.

The application site is located adjacent to the southern extremity of the settlement, on the western side of the A4159 trunk road, opposite the access road to Lovesgrove Farm. The application site is set back slightly from the main road. There are Tree Preservation Orders along the frontage of the site and to the rear. The site currently consists of maintained grazing land and is sandwiched between the property of Woodcroft and a stable block building further south. Further to the south is the residential property known as the North Lodge.

In terms of planning history there have been three previous applications for the erection of a dwelling on this particular site, namely in 2012, 2014 and 2020. All applications were withdrawn.

DETAILS OF DEVELOPMENT

This application is submitted in full and seeks planning permission for the erection of an L shaped bungalow. The plans show the provision of a two bedroomed property together with an integral garage. The external footprint of the bungalow is in the region of 265m². The building will be finished in a smooth render and will be either naturally or synthetically slated.

Parking and turning area will be provided to the north of the bungalow while the plans show more than adequate amenity space to serve the property. Foul water will be catered for via a septic tank.

RELEVANT PLANNING POLICIES AND GUIDANCE

- Future Wales: The National Plan 2040
- 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

DM13 Sustainable Drainage Systems

DM14 Nature Conservation and Ecological Connectivity

DM15 Local Biodiversity Conservation

DM17 General Landscape

S01 Sustainable Growth

S04 Development in Linked Settlements and Other Locations

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

CONSULTATION RESPONSES

Ceredigion Highways - No objection STC.

Ceredigion Drainage - No adverse comments.

Dŵr Cymru / Welsh Water - No observations.

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 Principle of Development

This is a full application for the erection of a bungalow in the settlement of Capel Dewi. Capel Dewi falls within the Aberystwyth Settlement Group, however it is identified in the Ceredigion Local Development Plan as being in an 'other location' classification. As such the main policy of relevance in considering the application is policy S04 of the Ceredigion Local Development Plan which deals with development proposals in 'Linked Settlements and Other Locations'.

While policy S04 recognises the need for a degree of development within other locations to meet the needs of existing communities, the policy seeks to ensure the control of the proliferation of development in unsustainable locations. The policy therefore allows new development only where there is a justifiable rural enterprise need in accordance with TAN6 or is required to meet an unmet affordable housing need in line with S05. In terms of affordable housing, development in other locations will only be permitted when located within or immediately adjacent to existing settlements in line with national planning policy.

In this instance it is considered that the application site would be acceptable in terms of meeting policy criteria in relation to its location as it is within the 'settlement' of Capel Dewi and represents in essence a case of infill development. As that is the position, support would be warranted for an affordable dwelling provided that it met an unmet affordable need in the locality.

The applicant has not requested that the application be considered as an affordable dwelling but is willing to support an

open market dwelling and make a 10% contribution for affordable housing in accordance with policy S05 of the LDP. They make the point that as the Service Centre (Aberystwyth) is not meeting its full capacity in terms of its housing allocation then support should be forthcoming for open market dwellings in the other settlements and villages within that Group.

Although not strictly relevant, as the applicants have declined the application be considered as an affordable unit, in considering proposals for affordable housing, the LDP draws attention to the need to ensure that affordable homes are not built to unacceptably low standards or to create 'overly large or substantial housing'. The Ceredigion Affordable Housing Supplementary Guidance gives effect to the LDP by applying minimum internal floor space specifications for affordable homes taken from the Welsh Government's Development Quality Requirements (DQR) standard: and a maximum of a 20% increase on the minimum specifications in overall internal floor space. The minimum floor area within the DQR standard for an affordable 4 bedroom house is 114m². The maximum therefore allowed within Ceredigion is 136m² which is 20% above the DQR figure.

From the floor plans provided, the proposed dwelling would have an external footprint of approximately 265m² which would give an indication of an internal floorspace of approx 240m² which would also be contrary to policy.

In that respect it is considered that the proposal is in conflict with both local and national policies with regard to development in other locations.

Landscape

The application site is located in the settlement of Capel Dewi where there is a mixture of housing types in terms of sizes and appearances. The proposal represents a fairly large bungalow in a row of fairly modern residential units. It is considered that the proposal would not detract from the streetscapes and therefore would be compliant with policy DM06 and DM17 of the LDP.

Highways

Ceredigion Local Highways Authority have no objection to the proposal which looks to utilise the same access with the neighbouring property of Woodcroft. They have indicated that the application can be supported subject to conditions.

Land Drainage and Foul Water Arrangements

Land drainage are content with the proposed means of surface water drainage subject to condition.

As there are no mains sewers in Capel Dewi then foul water disposal is to be served by private means. The intention is to provide a septic tank to cater for this provision which would be subject to Building Control regulations.

Recommendation

In conclusion, irrespective that the site is located within a settlement, the provision of an open market dwelling at this location would be contrary to both local and national policies and it is recommended that the application be refused.

DELEGATED POWERS

The local Member for the Faenor Ward, Cllr J Roberts has requested the application be referred to the Development Control Committee for consideration for the following reasons:-

- This application was withdrawn last time for a second time due to the applicant having to go into hospital;
- He is unable to go upstairs and requires a bungalow, I understand that his daughter will be moving into the main house to be near him and to assist if help is required;
- He did not tell me that he was applying again so this note is simply to say that I support his application for a bungalow.

(It is noted that the applicant indicated previously to Cllr Roberts that the dwelling was required for the applicant's elderly parents).

RECOMMENDATION:

REFUSE as contrary to policy S01 and S04 of the Ceredigion Local Development Plan.

2.3. A210464



Rhif y Cais / Application Reference	A210464
Derbyniwyd / Received	10-05-2021
Y Bwriad / Proposal	Erection of steel framed storage shed to be used for the storage of machinery and fodder.
Lleoliad Safle / Site Location	Tyncelyn Fields, Llangeitho, Tregaron, SY25 6QL
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Ms Naomi Mudie, Tyncelyn Fields Llangeitho, Llangeitho, SY25 6QL
Asiant / Agent	Mr Graham Leaver (Egis Consultancy Ltd), Lowendel Cliffords Mesne, Newent, Gloucester, GL18 1JT

Y SAFLE A'I HANES PERTHNASOL O RAN CYNLLUNIO

Cae amaethyddol agored yw'r safle dan sylw. Datblygwyd nifer o adeiladau anghyfreithlon ar y safle a hefyd lleolwyd carafán yn anghyfreithlon ar y safle. Pan gynhaliwyd ymweliad â'r safle roedd peiriannau adeiladu yn amlwg. Mae ffeil orfodaeth ar agor parthed y datblygu anghyfreithlon.

Hanes o ran cynllunio

A160747 - Cais am gymeradwyaeth ymlaen llaw ar gyfer codi adeilad storio ar gyfer contractwr amaethyddol – Angen caniatâd 04/09/2016

A200963 - Cais am gymeradwyaeth ymlaen llaw ar gyfer codi sied storio – Angen caniatâd 18/12/2020

A210117 - Codi sied storio o ffrâm ddur i gadw peiriannau a gwair – Gwrthodwyd 20/04/2021

MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio llawn ar gyfer codi adeilad amaethyddol ychwanegol.

Bydd y siec arfaethedig yn 22.86m o hyd a 10.67m o led gyda tho pwysog agored a fydd yn mesur 22.86m wrth 7.32m ar ochr y gogledd-ddwyrain. Bydd yr adeilad yn mesur 4.26m o uchder i'r bondo a 5.18m i grib y to. Bydd y sied arfaethedig yn gwbl gaeëdig ac iddi ddrysau dwbl ar ochr y gogledd-ddwyrain. Y deunyddiau fydd blociau concrid wrth fôn y waliau ac wedyn waliau a tho o ddur rhychiog.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

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

- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirwedd
- DM17 Y Dirwedd yn Gyffredinol
- S01 Twf Cynaliadwy
- S04 Datblygu mewn 'Aneddiadau Cyswllt a Lleoliadau Eraill'
- DM13 Systemau Draenio Cynaliadwy
- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

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

DEDDF CYDRADDOLDEB 2010

Mae Deddf Cydraddoldeb 2010 yn nodi nifer o ‘nodweddion gwarchodedig’, sef oed; anabledd; ailbennu rhywedd; beichiogwydd 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 anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchodedig;
- cymryd camau i ddiwallu anghenion pobl sy'n perthyn i grwpiau gwarchodedig pan fydd yr anghenion hyn yn wahanol i anghenion pobl eraill;
- annog pobl o grwpiau gwarchodedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

Rhoddyd sylw dyledus i'r ddyletswydd uchod wrth benderfynu ar y cais hwn. Ystyri'r datblygiad arfaethedig yn peri goblygiadau 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 rhoi dyletswydd ar y Cyngor i gymryd camau rhesymol wrth arfer ei swyddogaethau i fodloni'r saith nod llesiant a geir yn y Ddeddf. Paratowyd yr adroddiad hwn gan ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy' fel y'i nodir yn Neddf 2015. Wrth roi'r argymhelliaid, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu bodloni heb amharu ar allu cenedlaethau'r dyfodol i gwrdd â'u hanghenion eu hunain.

YMATEBION I'R YMGYNGHORIAD

Cyngor Cymuned Llangeitho – Dim sylw

Prifyrdd – Dim sylwadau

Draenio Tir – Dim gwrthwynebiad, yn ddibynnol ar amodau

Ecoleg – Dim sylw

Daeth un gwrthwynebiad i law gan drydydd parti parthed y cais. Mae'r sylwadau yn cwestiynu beth yw'r cyfiawnhad dros adeilad mawr o'r fath yn y lle hwn ac yn tynnu sylw at y datblygu anghyfreithlon sydd wedi digwydd ar y safle eisoes.

CASGLIAD

Dywed Adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004:

“Os rhoddir ystyriaeth i'r cynllun datblygu er mwyn gwneud penderfyniad o dan y Deddfau Cynllunio, bydd yn rhaid i'r penderfyniad hwnnw fod yn unol â'r cynllun oni bai fod ystyriaethau perthnasol yn awgrymu fel arall.”

Egwyddor Datblygu

Rhaid rheoli datblygiadau yn y cefn gwlad agored yn llym a dylai fod modd eu cyfiawnhau. Nid oes datganiad cyfiawnhau wedi'i gyflwyno i gefnogi'r cais. Mae'r rhesymau pam fod angen y datblygiad wedi'u nodi ar y ffurflen gais fel a ganlyn:

1. Mae'r safle lle mae'r peiriannau yn cael eu storio ar hyn o bryd wrthi'n cael ei werthu ac, fel tenant, mae'r ymgeisydd yn gorfod gadael yr adeilad hwnnw cyn gynted â phosib.
2. Mae'r ymgeisydd yn ffermio yn rhan-amser ond oherwydd costau cynyddol y byrnau silwair mae am leihau ei gostau porthiant. Er mwyn cyflawni hynny mae'r ymgeisydd eisiau gwneud gwair yn hytrach na byrnau silwair ac mae arno angen adeilad i gadw'r gwair."

Pan gynhaliwyd ymweliad safle roedd peiriannau adeiladu, ar ffurf offer symud pridd, yn amlwg ar y safle ac nid oedd llawer o dystiolaeth fod y safle yn cael ei ddefnyddio at ddibenion amaethyddol. Nid ystyri'r bod storio peiriannau adeiladu yn cyfiawnhau datblygu yn y cefn gwlad agored.

Mae Rheswm 2 yn ymwneud â chostau cynyddol byrnau silwair a'r angen i storio gwair. Mae'r datblygiad arfaethedig yn creu 412 metr sgwâr o ofod llawr ychwanegol. Ni roddir cyfiawnhad dros gael arwynebedd mor fawr i storio gwair. O ystyried maint yr uned amaethyddol, sef 5 hectar, nid ystyri'r ei bod yn angenrheidiol at ddibenion amaethyddol.

Ers hynny mae'r ymgeisydd wedi cadarnhau bod ei phartner yn rhedeg cwmni contractio amaethyddol o'r safle, felly nid ystyri'r bod angen gweithredol ar gyfer y datblygiad arfaethedig yn y lleoliad hwn.

Ystyri'r felly fod yr egwyddor o ddatblygu yn y lleoliad hwn yn annerbyniol a byddai datblygu heb gyfiawnhad yn y cefn gwlad agored yn groes i Nodyn Cyngor Technegol 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010).

Effaith ar y Tirwedd

Fel y nodwyd uchod, saif safle'r cais yn y cefn gwlad agored ac mae mewn lle amlwg. Mae gogledd y safle yn arbennig o agored o ran y tirwedd gan olygu fod y safle yn weladwy o sawl cilomedr i ffwrdd. O ganlyniad, byddai adeilad o'r maint hwn yn y lleoliad a gynigir yn niweidiol i dirwedd a chymeriad yr ardal. Ar hyn o bryd, nid oes yr un adeilad cyfreithlon ar y safle ac felly byddai'r datblygiad arfaethedig yn cyflwyno adeilad sydd heb gyfiawnhad a hynny mewn lle amlwg iawn ar y tirwedd. Felly mae'r cais yn groes i Bolisiau DM06 a DM17 o'r Cynllun Datblygu Lleol.

Materion eraill

Nid yw'r Awdurdod Prifyrdd Lleol na'r adran Draenio Tir yn gwrthwynebu'r datblygiad. Mae'r adran Draenio Tir yn argymhell amodau perthnasol.

Casgliad

Caiff adeiladau yn y cefn gwlad agored eu hannog i fod wrth ymyl y ffurf adeiledig. Felly, mae'r Awdurdod Cynllunio Lleol o'r farn fod y datblygiad arfaethedig yn annerbyniol oherwydd bod diffyg cyfiawnhad dros ddatblygu yn y lleoliad hwn. Yn ogystal, mae'r safle mewn lle amlwg yn y tirwedd ac ystyri y byddai'n cael effaith andwyol ar dirwedd a chymeriad yr ardal.

ARGYMHELLIAD:

Gwrthod am y rhesymau canlynol:

1. Nid yw'r cais yn llwyddo i ddangos bod angen y datblygiad arfaethedig yn y lleoliad hwn. Felly nid oes digon o gyfiawnhad dros ganiatâu datblygu yn y cefn gwlad agored, yn unol â'r polisi cynllunio cenedlaethol. Mae'r cais, felly, yn groes i Nodyn Cyngor Technegol 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010).
2. Saif safle'r cais mewn lle amlwg ar y tirwedd ac i ffwrdd oddi wrth unrhyw ffurf adeiledig gyfreithlon. Felly ystyri y byddai lleoliad a maint y datblygiad yn niweidiol i gymeriad a golwg yr ardal a'r tirwedd. Felly mae'r cais yn groes i Bolisiau DM06 a DM17 o'r Cynllun Datblygu Lleol.

Awdurdod a ddirprwyir

Mae'r Cyngorydd Rhodri Davies wedi datgan buddiant personol a buddiant sy'n rhagfarnu yn y cais hwn ac felly mae'n rhaid i'r cais gael ei ystyried gan y Pwyllgor Rheoli Datblygu.

Rhif y Cais / Application Reference	A210464
Derbyniwyd / Received	10-05-2021
Y Bwriad / Proposal	Erection of steel framed storage shed to be used for the storage of machinery and fodder.
Lleoliad Safle / Site Location	Tyncelyn Fields, Llangeitho, Tregaron, SY25 6QL
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Ms Naomi Mudie, Tyncelyn Fields Llangeitho, Llangeitho, SY25 6QL
Asiant / Agent	Mr Graham Leaver (Egis Consultancy Ltd), Lowendel Cliffords Mesne, Newent, Gloucester, GL18 1JT

THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to an open area of agricultural field. Numerous buildings have unlawfully been developed on the site, as well as the unlawful siting of a caravan. When a site visit was undertaken construction machinery was prevalent. An enforcement file is open in regards to the unlawful development.

Planning History

A160747 - Prior approval application for the Erection of a storage building for agricultural contractor - Permission required 04/09/2016

A200963 - Prior approval application for the erection of storage shed - Permission required 18/12/2020

A210117 - Erection of a steel framed storage shed to be used for the storage of machinery and fodder – Refused 20/04/2021

DETAILS OF DEVELOPMENT

This application seeks full planning permission for the erection of an additional agricultural building.

The proposed shed is to measure 22.86m in length and 10.67m in width with an open lean-to measuring 22.86m by 7.32m being positioned on the north east elevation. The building will have a height of 4.26mm to eaves and 5.18m to ridge. The proposed shed is to be fully enclosed with double doors to the south east elevation. The materials are to be concrete blockwork lower walls with corrugated steel walls and roof.

RELEVANT PLANNING POLICIES AND GUIDANCE

- Future Wales: The National Plan 2040
- 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
- DM10 Design and Landscaping
- DM17 General Landscape
- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- DM13 Sustainable Drainage Systems
- TAN6 Planning for Sustainable Rural Communities (2010)

YSTYRIAETHAU PERTHNASOL ERAILL / 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 Cymuned Llangeitho Community Council - Did not comment

Highways - No observations

Land Drainage - No objection STC

Ecology - Did not comment

1 Third party objection has been received in respect of the application. The representation questions the justification for such a large building in this location, and draws attention to the unlawful development which has already taken place on site.

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".

Principle of Development

Development in the open countryside must be strictly controlled and should be justified. No justification statement has been submitted in support of the application. The reasons why the development is required as stated on the application form read as follows.

- "1. The site where the machinery is currently stored is being sold and, as tenant, the applicant is having to vacate that building as soon as possible.
2. The applicant is farming on a part time basis, but due to the rising costs of silage bales wants to minimise the fodder costs. To meet this objective the applicant wants to make hay rather than baled silage and a building is required to store the hay."

When a site visit was undertaken construction machinery in the form of earth moving equipment was prevalent on site and there was little evidence of the site being used for agricultural purposes. The storage of construction machinery is not considered a justified use for development in the open countryside.

Reason 2 relates to the rising cost of silage bails and the need to store hay. The proposed development creates 412 sq meters of additional floor space. No justification is given as to why such a large area is required for the storage of hay. Given the size of the agricultural unit of 5ha, it is not considered necessary for agricultural purposes.

The applicant has since confirmed that her partner operates an agricultural contracting company from the premises, it is not therefore considered that a functional need exist for the proposed development in this location.

The principle of development at this location is therefore considered unacceptable and would be unjustified development in the open countryside contrary to Technical Advice Note 6: Planning for Sustainable Rural Communities (2010).

Impact on the Landscape

As noted above, the application site is located in the open countryside and is in a prominent location. The north of the site in particular is very open in its landscape which allows the site to be visible from several kilometres. Consequently, a building

of this scale in the proposed location would be detrimental to the landscape and character of the area. At present, there are no lawful buildings on the site and consequently, the proposed development would introduce an unjustified building in a very prominent location within the landscape. The proposal is therefore contrary to Policies DM06 and DM17 of the LDP.

Other Matters

The LHA, and land drainage department have no objection to the development with the land drainage department recommending relevant conditions.

Conclusion

Buildings in the open countryside are encouraged to be adjacent to the built form. Therefore, the LPA are of the opinion that the proposed development is unacceptable due to there being a lack of justification for development at this location.

Additionally, the site is in a prominent location within the landscape and is considered to have a detrimental impact on the landscape and character of the area.

ARGYMHELLIAD / RECOMMENDATION:

Refuse for the following reasons::

1. The application fails to demonstrate a need for the proposed development in this location. Therefore there is not sufficient justification for allowing development in the open countryside in line with national planning policy. The proposal is therefore contrary to Technical Advice Note 6: Planning for Sustainable Rural Communities (2010).
2. The application site is located in a prominent location in the landscape away from any lawful built form. Therefore, the siting and scale of the development is considered to be detrimental to the character and appearance of the landscape and area. Consequently, the proposed development is contrary to Policies DM06 and DM17 of the Local Development Plan.

Delegated authority:

Cllr. Rhodri Davies has declared a personal and prejudicial interest in this application and therefore the application must be considered by the Development Control Committee.

2.4. A210468



Rhif y Cais / Application Reference	A210468
Derbyniwyd / Received	11-05-2021
Y Bwriad / Proposal	Proposed extension and alterations to dwelling to include removal of single storey element of dwelling.
Lleoliad Safle / Site Location	16 Pen-y-graig, Aberystwyth, Ceredigion, SY23 2JA
Math o Gais / Application Type	Householder Planning
Ymgeisydd / Applicant	Mr and Mrs Arwyn & Rhian Jones, 29 Rhoshendre, Waunfawr, Aberystwyth, Ceredigion, SY23 3PT
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen, Llanrhystud, Ceredigion, SY23 5ED

Y SAFLE A HANES PERTHNASOL

Mae'r adeilad i'w adeiladu yn annedd deulawr a leolir ar wahân i adeiladau eraill gyda garej integredig sengl. Mae'r eiddo ar Ffordd Penygraig yn nhref arfordirol Aberystwyth. Mae cymeriad pennaf yr ardal yn lled drefol. Lleolir eiddo preswyl eraill ar bwys yr eiddo i'r gogledd a'r de. Y tu cefn i'r eiddo mae darn mawr o brysgwydd arfordirol. I'r gorllewin o'r annedd mae golygfeydd o'r môr.

780607 – Gwrthodwyd estyniadau 18/05/1978

781209 – Cymeradwywyd Estyniadau 0/01/1979

MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio deiliad annedd i godi dau estyniad. Lleolir un y tu blaen i'r eiddo a'r llall i'r tu cefn. Bydd y ddau estyniad yn darparu llety preswyl ychwanegol i'r eiddo.

Bydd y datblygiad y tu cefn i'r annedd yn cynnwys codi adeilad sengl ar lefel llawr gwaelod 4.4m x 2.3m ar gyfer ardal bwya mwy o faint. Bydd y mynediad i'r ardd o'r estyniad drwy ddrysau dwbl ar ddrychiad gogleddol yr annedd a bydd ffenest ar ddrychiad dwyreiniol yr eiddo yn edrych ar draws yr ardd.

Y ddatblygiad arfaethedig i brif ddrychiad yr eiddo bydd gwaredu cyntedd llawr gwastad sengl a chodi estyniad deulawr gan ymestyn llinell yr adeilad 1.37m. Y pwrras yw darparu lobi mwy o faint, swyddfa, ystafell fyw, ystafelloedd gwely ar y llawr uchaf ac *en-suite* a thŷ bach.

Yn weledol bydd yr estyniad newydd y tu blaen yr eiddo yn creu talcen dwbl wedi ei dorri i mewn i'r to cyfredol.

Bydd y deunyddiau allanol yn cynnwys rendr llyfn wedi ei baentio ar gyfer pob ochr y tŷ, to newydd fydd yn gweddu â'r teils llwyd cyfredol, ffenestri dwbl a drysau o liw glo carreg yn lle'r ffenestri sengl cyfredol. Caiff cafnau a pheipiau glaw newydd UPVC du eu gosod a bydd yr holl fyrrdau soffit a ffasgia o liw glo carreg a sil ffenestri o lechen.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

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

DM06 Dylunio a Chreu Lle o Safon Uchel

DM14 Cadwraeth Natur a Chysylltedd Ecolegol

DM15 Cadw Bioamrywiaeth Leol

DM17 Y dirwedd yn gyffredinol

CCA - Amgylchedd Adeiledig a Dyluniad - Ionawr 2015

FW 21 Cymru i'r Dyfodol: Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru 21 (argraffiad 11, Chwefror 2021)

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDDAU AC ANHREFN 1998

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

Deddf Cydraddoldeb 2010

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

Gwaredu neu leihau'r anfanteision y mae pobl yn eu dioddef yn sgil eu nodweddion gwarchodedig:

Cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchodedig lle bo'r anghenion yn wahanol i rai pobl eraill; ac

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

Rhoddwyd sylw dyledus i'r ddyletswydd uchod wrth benderfynu yngylch y cais hwn. Ystyrir na fyddai'r datblygiad arfaethedig yn peri goblygiadau 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 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 argymhelliaid, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu bodloni heb amharu ar allu cenedlaethau'r dyfodol i gwrdd â'u hanghenion eu hunain.

YMATEBION YMGYNGHORI

Cyngor Tref Aberystwyth - Dim gwrthwynebiad

Priffydd - Dim Gwrthwynebiad ond bydd amodau

Draenio Tir - Gwybodaeth Gyffredinol

Ecoleg - Dim sylwadau

Cyfoeth Naturiol Cymru - Dim gwrthwynebiad.

Derbyniwyd un gwrthwynebiad trydydd parti o ran y cais yma a oedd yn ffocysu ar niwed amwynderol i eiddo ar bwys i'r gogledd o ran colli preifatrwydd ac edrych drosodd.

CASGLIAD

Nodir yn Adran 38 (6) Deddf Cynllunio a Phrynu Gorfodol 2004: "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 cyfleo fel arall".

Egwyddor y Datblygiad:

Ystyrir bod yr estyniad arfaethedig wedi ei leoli'n briodol ac yn llai o faint na'r brif annedd. Mae eiddo eraill yn y stryd wedi eu hymestyn mewn gwahanol ffyrrd, ac o ganlyniad nid oes cysondeb bellach o ran ffurf na maint. Bydd y deunyddiau yn yr estyniad yn cydweddu â'r rheiny a welir mewn mannau eraill yn yr ardal.

Amwynder Cymdogion

Mae eiddo cymdogion yn union i'r gogledd a'r de o'r eiddo.

Mae'r cymdogion yn yr eiddo i'r gogledd wedi gwrthwynebu'r cynnig ar sail colli preifatrwydd ac ar sail colli golau.

Mae'r gwrthwynebiad ar golli preifatrwydd yn ffocysu ar leoliad ffenest newydd yn ochr yr estyniad, a phryderon am ffenest gyfredol ar y drychiad ochr yn cael ei newid o wydr cymylog i wydr clir yn dilyn ail-lunio cynllun mewnol y tŷ.

Gellir mynd i'r afael â'r pryderon yma drwy amod a eiriwyd yn briodol fydd yn sicrhau bod y ffenestri yma'n rhai cymylog am byth Mae'r gwrthwynebwyr yn hapus gyda'r trefniant yma.

Mae gwrthwynebiad y cymdogion o ran colli golau yn ffocysu ar y ffaith nad yw'r cynnig yn cydymffurfio â rheoli '45 gradd' fel y nodwyd yn y canllawiau cynllunio atodol ar yr Amgylchedd a Dylunio. Mae'r rheol 45 gradd yn rheol bawd a ddefnyddir i fesur effaith cynigion ar y golau sy'n cyrraedd eiddo ar bwys felly canllaw ydyw i fesur effaith yn hytrach na pholisi. Byddai codi estyniad yn y lleoliad yma'n methu'r prawf 45 gradd o ran y ffenest ar ddrychiad ochr yr eiddo sy'n ffinio fodd bynnag ffenest eilaidd yw'r ffenest dan sylw yn ystafell wely gefn yr eiddo ar bwys ac y mae ffenestr arall mwy o faint yn yr ystafell wely yma ar ddrychiad cefn yr eiddo nad yw'n cael effaith ar yr argymhellion caiff eu hystyried yma.

Mae'r gwrthwynebwyr yn nodi gan fod yr ystafell wely yma'n wynebu'r dwyrain mewn cysgod oleddf serth ac ychydig iawn o haul uniongyrchol sydd yno. Defnyddir y rheol 45 gradd i fesur golau dydd yn hytrach na golau'r haul am nad oes gan breswylwyr unrhyw hawl i haul uniongyrchol. Ystyriod y ffenest fawr yma yn medru darparu digon o olau i'r ystafell wely gefn.

Ystyriod felly fod yr estyniad wedi ei ddylunio mewn modd sensitif er mwyn osgoi effaith ar amwynder eiddo ar bwys mewn ffordd andwyol.

Bydd y deunyddiau a ddefnyddir ar yr estyniad yn cydweddu neu'n welliant ar y rheiny a ddefnyddiwyd ar yr eiddo cyfredol ac ystyriod bod y datblygiad arfaethedig yn cydymffurfio â pholisi DM06 y Cynllun Datblygu Lleol a fabwysiadwyd.

Ecoleg

Mae arolwg ystlumod yn gynwysedig sy'n nodi na chafwyd o hyd i dystiolaeth o ystlumod . Ni dderbyniwyd ymateb oddi wrth ecolegydd Cyngor Sir Ceredigion fodd bynnag nid yw Cyfoeth Naturiol Cymru wedi gwrthwynebu'r datblygiad arfaethedig.

Materion eraill

Nid yw uned draenio tir Cyngor Sir Ceredigion na'r awdurdod priffydd lleol wedi gwrthwynebu'r cynnig ac ystyriod y gellir gweithredu'r datblygiad heb unrhyw niwed ychwanegol yn amodol ar amod a eiriwyd yn briodol.

ARGYMHELLIAD:

Cymeradwyo gydag amodau

Dirprwyo Awdurdod

Hoffai'r Cynghorydd Mark Strong i'r cais gael ei gyfeirio at sylw'r Pwyllgor Rheoli Datblygu oherwydd y gwrthwynebiad a dderbyniwyd ac i ystyried ymhellach yr effaith ar drigolion cyfagos.

Rhif y Cais / Application Reference	A210468
Derbyniwyd / Received	11-05-2021
Y Bwriad / Proposal	Proposed extension and alterations to dwelling to include removal of single storey element of dwelling.
Lleoliad Safle / Site Location	16 Pen-y-graig, Aberystwyth, Ceredigion, SY23 2JA
Math o Gais / Application Type	Householder Planning
Ymgeisydd / Applicant	Mr and Mrs Arwyn & Rhian Jones, 29 Rhoshendre, Waunfawr, Aberystwyth, Ceredigion, SY23 3PT
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen, Llanrhystud, Ceredigion, SY23 5ED

THE SITE AND RELEVANT PLANNING HISTORY

The building under consideration is a detached two storey house with a single storey integrated garage. The property is on Penygraig Road in the coastal town of Aberystwyth. The prevailing character of the area is semi-urban. Further residential properties neighbour the dwelling to the north and south. To the rear of the property is a large area of coastal heath/scrub. To the west the dwelling benefit from views to the sea.

780607 – Extensions refused 18/05/1978

781209 – Extensions Approved 0/01/1979

DETAILS OF DEVELOPMENT

The application seeks householder planning permission for the erection of two extensions with one being located to the front of the property and one being to the a rear. Both extensions seek to provide additional living accommodation to the property.

The development of the rear would involve the erection of a single storey rear extension at ground floor level measuring 4.4m x 2.3m to provide an enlarged dining area. Access to the garden from the extension would be via French doors to the north elevation and a window in the eastern elevation would provide an open aspect over the garden.

The proposed development to the principle elevation of the property would see the removal of a single storey flat roofed porch and the erection of a two storey extension with the building line extended forward by 1.37m. The purpose being to provide larger lobby, study, living room, upper bedrooms and en-suite W/C

Externally the new front extension would result in a double gable feature cut into the existing roof.

External materials will include smooth painted render to all elevations, new roof coverings to match existing grey roofing tiles, double glazed anthracite windows and doors to replace all existing single glazed windows. All guttering and downpipes to be replaced with black UPVC variant, all fascia and soffit boards to be replaced with anthracite UPVC boards with Slate window cills

RELEVANT PLANNING POLICIES AND GUIDANCE

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

DM06 High Quality Design and Placemaking

DM14 Nature Conservation and Ecological Connectivity

DM15 Local Biodiversity Conservation

DM17 General Landscape

SPG6 Built Environment and Design SPG 2015

FW21 Future Wales: The National Plan 2040

PPW21 Planning Policy Wales (edition 11, February 2021)

TAN12 Design (2016)

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 generation's to meet their own needs.

CONSULTATION RESPONSES

Cyngor Tref Aberystwyth Town Council – No Objection

Highways – No Objection STC

Land Drainage – General informative

Ecology – Did not comment

Natural Resources Wales – No objection

One third party objection has been received in respect of the application which focuses on the amenity harm to the neighbouring property to the north through overshadowing and loss of privacy.

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 proposed extension is considered to be appropriately sited and will be of as subservient scale to the main dwelling. Other properties in the street have been extended in different ways, the result being there is no longer any uniformity in the form and massing of the dwellings. The materials of the extension will match those seen elsewhere in the vicinity.

Neighbouring amenity

There are neighbouring properties to the immediate north and south of the property.

The neighbours of the property to the north have objected to the proposal on the basis of loss of privacy and on the basis of loss of light.

The objection to the loss of privacy focuses on the positioning of a new window in the side elevation of the extension, and concerns in relation to an existing window on the side elevation of the house being changed from obscured glazing to clear glazing following a reconfiguration of internal layout.

This concern can be addressed by way of a suitably worded condition to ensure both windows remain obscured in perpetuity. The objectors are satisfied with this arrangement.

The neighbours objection in regard to loss of light focuses on the fact the proposal fails to conform the '45 degree rule' as set out in the Built Environment and Design SPG. The 45 degree rule is 'rule of thumb' used to measure the impact of proposals on the light afforded to neighbouring properties, and is therefore guidance used to measure impacts rather than policy. The erection of an extension in this location would fail the 45 degree test in regard to the window on the side elevation of the neighbouring property however, the window in question is a secondary window which serves the rear bedroom of the neighbouring property, and the rear bedroom benefits from a much larger window on the rear elevation of the property which is not effected by the proposals under consideration here.

The objectors contend that as this bedroom is east facing and shadowed by a steep bank in benefits from very little direct sunlight. The 45 degree rule is used to measure daylight rather than sunlight as residence have no right to direct sunlight. It is considered that this large window is capable of affording occupiers of the rear bedroom ample light.

It is therefore considered that the extension has been sympathetically designed as not to effect the amenity of the neighbouring properties to an adverse degree.

The materials of the extension will match or be an enhancement on those of the existing property, the proposed development is therefore considered to comply with policy DM06 of the adopted LDP.

Ecology

The application is accompanied by a Bat Activity Survey which found no evidence of bats. No response has been received from CCC county ecologist however NRW has raised no objection to the proposed development.

Other Matters

Neither CCC land drainage nor local highway authority raised any objection to the proposal and consider that the development can be implemented without giving rise to any additional harm subject to suitably worded condition.

RECOMMENDATION:

Approve STC

Delegated Authority

Councillor Mark Strong wishes for the application to be referred to the Development Control Committee owing to the objection received and to further consider the impact on neighbouring residents.