

1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210463	07-05-2021	Mr S Crane	Proposed erection of a single storey dwelling.	Land At Woodcroft Capel Dewi, Aberystwyth, SY23 3HR	Refuse
2	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

1.1. A210463



Rhif y Cais A210463

Derbyniwyd 07-05-2021

Y Bwriad Cynnig i adeiladu annedd un llawr

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

Math o Gais Cais Cynllunio Llawn

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

Asiant Mr Byron Jenkins (Ymgynghoriaeth Pensaernïol 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 Fferm Gelli Angharad. Mae safle'r cais wedi ei leoli yn ôl rywfaint o'r ffordd fawr. Ceir Gorchmynion 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.

POLISIĀU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)

Mae polisiâu 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 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 gwarchoddedig', sef oed; anabled; 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 gwarchoddedig;
- Cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig lle bo'r anghenion yn wahanol i rai pobl eraill;
- Annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

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

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION YMGYNGHORI

Priffyrdd 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 bŷngalo 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 meini prawf polisi, gan ei fod o fewn 'anheddiad' Capel Dewi a'i fod yn ei hanfod yn cynrychioli achos o ddatblygiad mewnlenwi. 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 pwynt y dylid rhoi cefnogaeth i anheddau 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 sylweddol'. Mae Canllawiau Cynllunio Atodol: Tai Fforddiadwy Ceredigion yn rhoi'r Cynllun Datblygu Lleol ar waith drwy osod manylion ynghylch isafswm y gofod llawr mewnol ar gyfer cartrefi fforddiadwy. Mae'r manylion hyn wedi eu cymryd o safon Gofynion Ansawdd Datblygu Llywodraeth Cymru: a chynnydd 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 y 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 strydlyn ac felly byddai'n cydymffurfio â pholisi DM06 a DM17 y Cynllun Datblygu Lleol.

Priffyrdd

Nid oes gan Awdurdod Priffyrdd Lleol Ceredigion unrhyw wrthwynebiad i'r cynnig sy'n bwriadu defnyddio'r un fynedfa â'r eiddo cyfagos, sef Woodcroft. Mae'r Awdurdod Priffyrdd 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.

Argymhelliad:

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 bolisïau lleol a chenedlaethol ac argymhellir gwrthod y cais hwn.

PWERAU DIRPRWYEDIG

Mae'r aelod lleol ar gyfer Ward y Faenor, y Cynghorydd 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 gorfod 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 Cynghorydd Roberts bod angen yr annedd ar gyfer ei rieni oedrannus).

RHESWM DROS OHIRIO:

Adroddwyd y cais i'r Pwyllgor Rheoli Datblygu ar 10 Tachwedd 2021 gydag argymhelliad i wrthod ar sail bod yn groes i bolisïau S01 ac S04 o'r Cynllun Datblygu Lleol. Penderfynodd y Pwyllgor ohirio penderfynu ar y cais am fis er mwyn caniatáu rhagor o amser neu gyfnod 'oeri' i ystyried y pwyntiau a godwyd gan yr Aelodau i gynnwys:

- barn Swyddogion Polisi Cynllunio ar ddyfodol Capel Dewi o fewn y CDLI, Polisi Cynllunio Cymru 4.2.5;
- Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 S5&7; a
- ar y cynnig o 10% o swm cymudo ac ar cyngor pellach ar arwyddocâd yr ymadawiad a'r risgiau cyn gwneud penderfyniad terfynol.

Cyfarfu'r Grŵp Gorchwyl a Gorffen ar 23 Tachwedd 2021, adolygwyd y cais, adroddiad y Pwyllgor a chofnodion y cyfarfod. Nododd y Grŵp fod Capel Dewi wedi'i grybwyll fel rhan o'r ardal ehangach o amgylch Aberystwyth i'w ystyried yn y dyfodol ac nad oedd gan y dref ddigon o dir datblygu i adeiladu arno. Nododd y Grŵp hefyd, er y gallai ffosffadau hefyd effeithio ar

ddatblygiadau yng Ngheredigion yn y dyfodol, fod ystadegau poblogaeth Ceredigion yn is nag o'r blaen gyda 294 o ganiatadau ymrwymiedig mewn grwpiau anheddu, a 50 mewn lleoliadau eraill yn ardal Aberystwyth. At hynny, awgrymodd mapiau lleoliad y byddai'n cael ei ystyried o fewn rhan o ffurf adeiledig yr ardal. Mewn perthynas â'r Ddeddf Lles Cymdeithasol, ni ddarparwyd unrhyw dystiolaeth i gefnogi hyn a chyfeiriwyd at ddatblygu eiddo fforddiadwy gan yr ymgeisydd a oedd yn awgrymu y gallai fod opsiynau amgen ar gael i'r ymgeisydd yn hytrach na datblygu ar y safle hwn.

Barn y mwyafrif o'r grŵp oedd nad oedd y ffactorau dewisol yn drech na pholisi cynllunio cenedlaethol na lleol a bod polisi yn y dyfodol yn amherthnasol heddiw.

Daethpwyd i'r casgliad bod y grŵp yn argymhell bod y Pwyllgor yn dilyn argymhelliad y Swyddog mewn perthynas â'r cais hwn.

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

CONSULTATION RESPONSES

Ceredigion Highways - No objection 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 streetsce 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).

REASON FOR DEFERRAL:

The application was reported to the Development Control Committee on 10th November 2021 with a recommendation to refuse on grounds of being contrary to policies S01 and S04 of the Local Development Plan. The Committee resolved to defer determination of the application for one month to allow further time or a 'cooling off' period to consider the points raised by Members to include:

- the views of the Forward Planning officers on the future of Capel Dewi within the LDP, PPW 4.2.5;
- the Social Services and Wellbeing (Wales) Act 2014 S5&7; and
- 10% commuted sum had been offered and so that the Committee received further advice on the significance of the

departure and risks prior to making a final decision.

The Task and Finish Group met on 23 November 2021, reviewed the application, the Committee report and the minutes of the meeting. The Group noted that Capel Dewi was mentioned as part of the larger area surrounding Aberystwyth for future consideration and that the town did not have sufficient development land to build on. The Group also noted that although phosphates may also impact future developments in Ceredigion the population statistics for Ceredigion was lower than previous with 294 outstanding consents in settlement groups, and 50 in other locations in the Aberystwyth area. Furthermore, location maps suggested that it fell to be considered within part of the built form of the area. In relation to the Social Wellbeing Act no evidence had been provided to support this and reference was made potential to affordable properties being developed by the applicant which suggested that there may be alternative options available to the applicant rather than developing at this site.

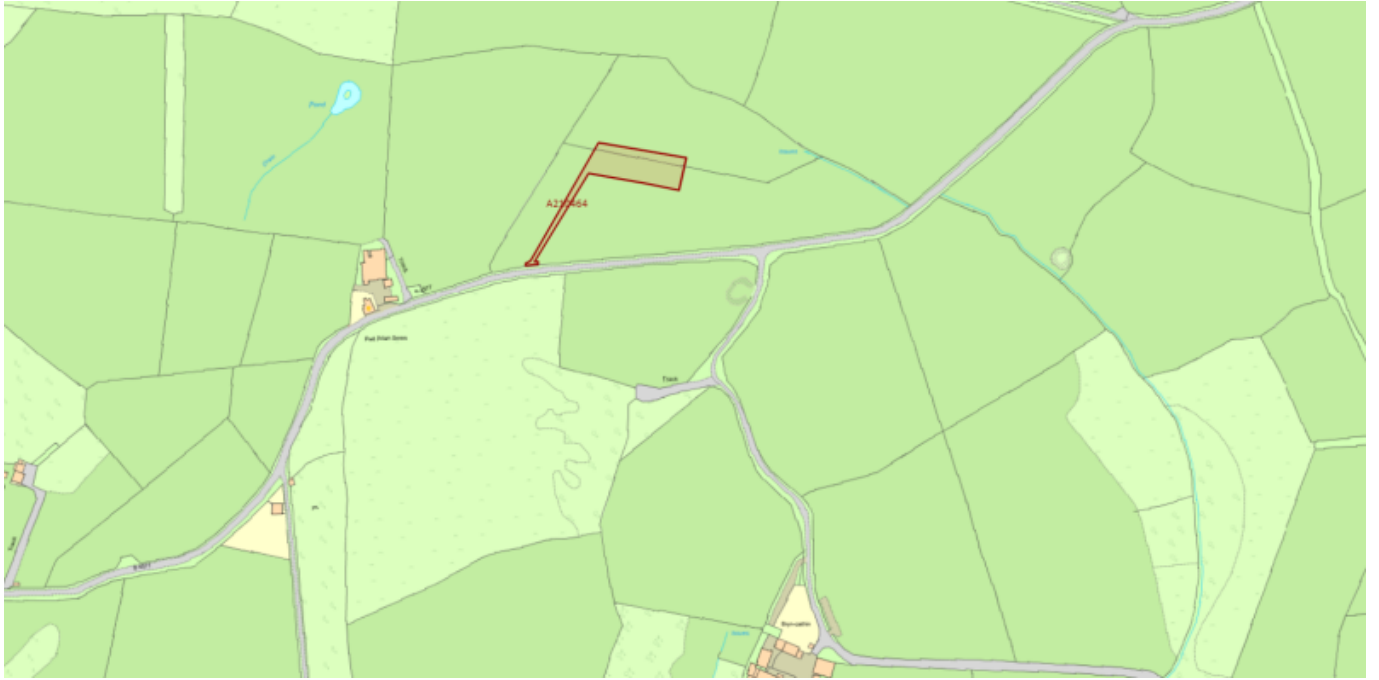
The majority view of the group was that the discretionary factors did not outweigh national or local planning policy and that future policy was irrelevant today.

It was concluded that the group recommend that Committee follow the Officer recommendation in relation to this application.

RECOMMENDATION:

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

1.2. A210464



Pwyllgor / Committee

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 ddr 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 pwysu 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 ddr rhychiog.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Mae'r polisïau 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 Thirweddu
- 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

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. Ystyrir na fyddai cynnydd sylweddol neu annerbyniol mewn troseddau ac anhrefn o ganlyniad i'r penderfyniad arfaethedig.

DEDDF CYDRADDOLDEB 2010

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

Mae rhoi sylw priodol i hyrwyddo cydraddoldeb yn golygu:

- dileu neu leihau anfanteision a wynebir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl sy'n perthyn i grwpiau gwarchoddedig pan fydd yr anghenion hyn yn wahanol i anghenion pobl eraill;
- annog pobl o grwpiau gwarchoddedig i gymryd rhan mewn bywyd cyhoeddus neu mewn gweithgareddau eraill lle bo'u cyfranogiad yn anghyfartal o isel.

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

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION I'R YMGYNGHORIAD

Cyngor Cymuned Llangeitho – Dim sylw

Priffyrdd – 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 ystyrir 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 ystyrir 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 ystyrir bod angen gweithredol ar gyfer y datblygiad arfaethedig yn y lleoliad hwn.

Ystyrir 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 Bolisiâu DM06 a DM17 o'r Cynllun Datblygu Lleol.

Materion eraill

Nid yw'r Awdurdod Priffyrdd 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 ystyrir y byddai'n cael effaith andwyol ar dirwedd a chymeriad yr ardal.

ARGYMHELLIAD:

Gofynnir am bŵer dirprwyedig gan yr Aelod Lleol/ Gwrthod.

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 ganiatáu 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 ystyrir 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 Bolisiâu DM06 a DM17 o'r Cynllun Datblygu Lleol.

Awdurdod a ddirprwyir

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

Rheswm dros y Gohirio

Ar ôl cyflwyno'r cais, mae'r ymgeisydd wedi darparu datganiad cynllunio mewn perthynas â'r cais. Ni ystyriwyd y datganiad cynllunio ar adeg ysgrifennu adroddiad gwreiddiol y pwyllgor. Felly gohiriodd y pwyllgor cynllunio ystyriaeth o'r cais hyd nes y gellid ystyried y datganiad cynllunio yn iawn. Ystyriodd y Grŵp Tasg a Gorffen y cais ymhellach hefyd.

Mae'r ymgeisydd wedi cadarnhau bod ganddi dir ychwanegol i'r 5ha yn y lleoliad hwn a elwir bellach yn Bryn Caseg. Mae 9 ha wedi'u lleoli ym Mhenuwch, 5ha yn Trawsgoed gyda 4ha arall yn cael ei ffermio ar ran ei rhieni yn Tynllidiart / Rhos y Gell. Mae 23ha yn eiddo i'r ymgeisydd.

Mae gan yr ymgeisydd 80 o ddefaid i gyd, gyda bwriadau i gynyddu maint y ddiadell i 150. Mae'r rhain wedi'u lleoli ar draws pob lleoliad o fewn rheolaeth yr ymgeisydd gyda'r eithriad tir yn Trawsgoed sydd wedi'i gadw ar gyfer y gwair. Ar draws pob safle mae'r ymgeisydd wedi cadarnhau bod oddeutu 10.4ha wedi'u cadw ar gyfer gwair. (5ha yn Trawsgoed, 2.8 ha ym Mhenuwch a 2.8 ha ar gaeau Bryn Caseg / Tyncelyn) gyda'r posibilrwydd o gynnwys tir yn Tynllidiart / Rhos y Gell ar gyfer cynhyrchu'r gwair. Fodd bynnag, ni ystyrir bod cyfiawnhad dros adeilad o 412 metr sgwâr o arwynebedd ar gyfer 10.6ha o gynhaeaf gwair.

Nodir bod nifer o geisiadau am adeiladau amaethyddol wedi'u cymeradwyo yn Rhos y Gell, mae'n ymddangos bod y caniatâd hwn wedi'i weithredu a'r adeiladau wedi'u codi. Dangosir bod yr adeiladau hyn yn yr ardal a ffermir gan yr ymgeisydd yn y wybodaeth ategol a ddarperir. Ni ddarparwyd unrhyw gyfiawnhad pam na fyddai'r adeiladau hyn yn addas ar gyfer cynnal busnes fferm.

Mae'r ymgeisydd wedi cadarnhau bod ei phartner yn rhedeg busnes contractio amaethyddol sy'n darparu gwaith daear i ffermydd yn yr ardal. Mae hyn yn cynnwys cynnal a chadw traciau a ffensys, draenio tir a pharatoi safleoedd ar gyfer codi adeiladau amaethyddol. Mae'r ymgeisydd hefyd wedi cadarnhau bod ei phartner yn gwneud rhywfaint o waith adeiladu nad yw'n gysylltiedig ag amaethyddiaeth. Felly, ystyrir bod y gwaith a wnaed gan bartner yr ymgeisydd yn gyfystyr â gwaith adeiladu yn hytrach nag amaethyddiaeth ddilys, ac felly nid oes angen swyddogaethol i'r busnes gael ei leoli mewn lleoliad cefn gwlad agored anghynaliadwy.

Bu'r Grŵp Tasg a Gorffen hefyd yn ystyried y cais mewn cyfarfod a gynhaliwyd ar 23 Tachwedd 2021.

Cyfeiriwyd yr achos hefyd at y Grŵp Tasg a Gorffen.

Adolygodd yr aelodau'r cais, adroddiad y pwyllgor, cyflwyniad ysgrifenedig yr ymgeisydd a chofnodion y cyfarfod.

Nododd y Grŵp Tasg a Gorffen mai argymhelliad y Swyddogion oedd gwrthod y cais am y seiliau a ganlyn:

- Mae hwn yn gais am sied 412 metr sgwâr ar safle 5 hectar ar gyfer storio peiriannau a phorthiant, ond ni ddarparwyd unrhyw gyfiawnhad i gefnogi'r cais am ddatblygiad yng nghefn gwlad agored, nid yw wedi'i leoli'n agos at ffurf adeiledig, ac mae'r safle mewn lleoliad amlwg yr ystyrir ei fod yn cael effaith niweidiol ar dirwedd a chymeriad yr ardal.

Nododd y Grŵp Tasg a Gorffen fod yr ymgeisydd yn y pwyllgor wedi cyfeirio nad oedd yr holl wybodaeth wedi'i hystyried, gan nad oedd y Swyddog wedi ystyried tir sydd wedi'i leoli'n achlysurol o amgylch y sir i gynnwys 13 erw yn Trawsgoed, 10 erw yn Rhosygell, tir yn Tynllidiart (maint heb ei nodi) a thir yn Llanio (maint heb ei nodi).

Nododd yr Aelod fod y ffocws ar gyfer datblygu ar y darn hwn o dir, a'i bod yn anodd cyfiawnhau sied o'r maint hwn ar safle 5 hectar. Fe wnaethant nodi hefyd nad oedd yr ymgeisydd wedi cyflwyno gwybodaeth yn ymwneud ag addasrwydd lleoli'r sied yn un o'r safleoedd eraill, ac y byddai angen mwy o wybodaeth mewn perthynas â'r busnes amaethyddol, adeiladau eraill ger y safle a pherchnogaeth, gan ddwyn i mewn meddwl am yr angen i gefnogi busnesau amaethyddol.

Daethpwyd i'r casgliad bod y grŵp yn argymhell bod y Pwyllgor yn dilyn argymhelliad y Swyddog mewn perthynas â'r cais hwn.

Pwyllgor / Committee

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 HANES PERTHNASOL / 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 sting 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

MANYLION Y DATBLYGIAD / 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 4.26m 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.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL / RELEVANT PLANNING POLICIES AND GUIDANCE

Mae'r polisiâu canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn: / These Local Development Plan policies are applicable in the determination of this application:

- DM06 High Quality Design and Placemaking
- 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

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 considerations 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:

Delegated Power sought from Local Member/Refuse.

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 Evans has declared a personal and prejudicial interest in this application and has therefore requested that the application be referred to the Development Control Committee for consideration.

Reason for Deferral

Following the submission of the application the applicant has provided a planning statement in respect of the application. The planning statement was not considered at the time of writing the original committee report. The planning committee therefore deferred consideration of the application until such a time the planning statement could be properly considered. The Task and Finish Group also further considered the application.

The applicant has confirmed that she has additional land to the 5ha in this location which is now known as Bryn Caseg. 9 ha are located at Penuwch, 5ha at Trawsgoed with a further 4ha farmed on behalf of her parents at Tynllidiart/Rhos y Gell. In total 23ha are owned by the applicant.

- I. total the applicant has 80 sheep with aspirations to increase the size of the flock to 150. These are located across all locations within the applicants control save for land at Trawsgoed which is reserved for Hay. Across all sites the applicant has confirmed that approximately 10.4ha are reserved for hay. (5ha at Trawsgoed, 2.8 ha at Penuwch and 2.8 ha at Bryn Caseg/Tyncelyn fields) with the possibility of including land at Tynllidiart/Rhos y Gell for the production of Hay. It is not however considered that a building of 412 sqm of floor space is justified for 10.6ha of hay harvest.

It is noted that a number of applications for agricultural buildings have been approved at Rhos y Gell, it would appear as though these permissions have been implemented and the buildings constructed. These buildings are shown as being in the area farmed by the applicant within the supporting information provided. No justification has been provided as to why these buildings would not be suitable for the carrying out of farm business.

The applicant has confirmed that her partner runs an agricultural contracting business which provides ground works to farms in the locality. This includes track and fence maintenance, land drainage and the preparation of sites for the erection of agricultural buildings. The applicant has also confirmed that her partner carries out some building work not related to agriculture. The work undertaken by the applicants partner is therefore considered to constitute building work rather than genuine agriculture, and therefore no functional need exist for the business to be located in an unsustainable open countryside location.

The Task and Finish Group also considered the application at a meeting held on the 23rd of November 2021.

The case has also been referred to the Task and Finish Group.

Members reviewed the application, the committee report, the applicant's written submission and minutes of the meeting.

The Task and Finish Group noted that the Officers recommendation was to refuse the application on the following grounds:

- This is an application for a 412 sq m shed on a 5 hectare site for the storage of machinery and fodder, however no justification has been provided in support of the application for development in the open countryside, it is not located near to built form, and the site is in a prominent location which is considered to have a detrimental impact on the landscape and character of the area.

The Task and Finish Group noted that reference was made by the applicant in committee that not all the information had been considered, as Officer had not taken into consideration land which is sporadically located around the county to include 13 acres in Trawsgoed, 10 acres in Rhosygell, land in Tynllidiart (size not specified) and land in Llanio (size not specified).

Member noted that the focus for development was on this parcel of land, and that it is difficult to justify a shed of this size on a 5 hectare site. They also noted that the applicant had not put forward information relating to the suitability of locating the shed at one of the other sites, and that more information would be required in relation to the agricultural business, other buildings near the site and ownership, bearing in mind the need to support agricultural businesses.

It was concluded that the group recommend that Committee follow the Officer recommendation in relation to this application.