

## 2. Prif Eitemau/Main Items

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210129	08-02-2021	Mr and Mrs C Jones	Use of caravan for holiday let.	Pantyperan, Llandre, SY24 5BS	Refuse
2	A210699	15-07-2021	Mr Szebeni	Conversion of large three storey 7 bedroomed house in multiple occupation (HMO) into 4no. self contained residential units to include demolition, improvements, renovations and associated works.	14 Rheidol Terrace, Aberystwyth. SY23 1JU	Approve Subject to Conditions
3	A210712	21-07-2021	Mr and Mrs Ricketts	Change of use of agricultural field for the siting of 3 No. camping pods and associated works for holiday let.	Llys Meurig, Penrhynoch, Aberystwyth, Ceredigion, SY23 3EY	Refuse
4	A210722	22-07-2021	Oliver Davies	Proposed Retirement Bungalow.	Bayview Garage, Parcllyn, Cardigan, Ceredigion, SA43 2BT	Refuse

## 2.1. A210129



<b>Rhif y Cais / Application Reference</b>	A210129
<b>Derbyniwyd / Received</b>	08-02-2021
<b>Y Bwriad / Proposal</b>	Defnyddio carafan fel lle gwyliau
<b>Lleoliad Safle / Site Location</b>	Pantyperan, Llandre, SY24 5BS
<b>Math o Gais</b>	Cynllunio llawn
<b>Ymgeisydd / Applicant</b>	Mr a Mrs C Jones, Pantyperan, Llandre, Bow Street, Ceredigion, SY24 5BS
<b>Asiant / Agent</b>	K Hosker (Ty Gwyn Design Services), Tygwyn Farm, Ynyslas, Y Borth, Ceredigion, SY24 5LA

## Y SAFLE A HANES PERTHNASOL

Lleolir carafán sefydlog ar dir yn Fferm Pantyperan, Llandre ar ddarn o dir sy'n union ar bwys uned y fferm wedi ei leoli i'r de. Bu'r garafán yn y lleoliad yma ers dros 20 mlynedd ac fe'i defnyddiwyd fel estyniad i'r tŷ er mwyn i deulu aros yno yn y gorfennol. I'r dwyrain o'r safle mae'r B4353 a mae cefn gwlad agored i'r gogledd a'r gorllewin.

Dyma'r hanes cynllunio ar gyfer y safle:

A040087AL	Datblygiad Preswyl	Gwrthodwyd 22/01/2022
A081034	Trosi adeilad allanol i fwthyn gwyliau gan gynnwys estyniad a newidiadau i ffordd fynediad gyfredol.	Cymeradwywyd gydag amodau 03/03/2009
A110347	Adeiladu annedd 3 ystafell wely.	Gwrthodwyd 12/10/2011

## MANYLION Y DATBLYGIAD

Mae'r ymgeisydd yn ceisio adnewyddu'r garafán a'i defnyddio fel llety gwyliau.

## POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiau a chanllawiau cynllunio cenedlaethol:

- Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)
- Cymru'r Dyfodol 2040
- TAN12 Dyluniad (2016)
- TAN13 Twristiaeth (1997)
- TAN23 Datblygu Economaidd (2014)

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

- S01- Twf Cynaliadwy
- S04 - Datblygu mewn "Aneddiadau Cyswllt a Lleoliadau Eraill"
- LU14 - Safleoedd Llety Twristiaeth Ledled y Sir: Carafannau Sefydlog a Theithiol, Lleiniau Gwersylla, Cabanau a Chalets
- 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
- DM18 - Ardaloedd Tirwedd Arbennig

## 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 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.

Rhoddwyd 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 gwrdd â'u hanghenion eu hunain.

## YMATEBION YMGYNGHORI

Cyngor Cymuned Geneu'r Glyn - Dim sylwadau .

Priffyrdd - Dim Gwrthwynebiad ond bydd amodau

Draenio Tir - Dim Gwrthwynebiad ond bydd amodau.

Er nad yw'r awdurdod priffyrdd yn gwrthwynebu'r cynnig bydd angen iddynt dderbyn amod cyn dechrau gwaith i fod yn rhan o'r caniatâd. Golyga hyn bod angen manylion y lleiniau gweledd angenrheidiol.

Ni dderbyniwyd ymatebion ymgynghori trydydd parti o ran y cais yma.

## 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 cyfleu fel arall".

Mae polisi cynllunio cenedlaethol a lleol yn cefnogi darpariaeth llety i dwristiaid yng Ngheredigion. Fodd bynnag bu embargo hirdymor ar ddefnydd carafanau fel llety twristiaeth o fewn ardal yr arfordir ers y 1960au yn sgil effaith nifer fawr o garafanau ar y dirwedd. Mae hyn yn deillio o gydbwyso'r angen (neu'r diffyg hynny) am safleoedd carafanau newydd a'u heffaith gronol ar ddatblygiad yn ogystal ag effeithiau mwy lleol ar y dirwedd.

Mae'r cais arfaethedig ar gyfer defnyddio carafan sefydlog fel llety twristiaeth. Lleolir Llandre i'r gorllewin o'r A487 felly fe'i lleolir o fewn ardal yr arfordir ac y mae Maen Prawf 1a Polisi LU14 yn berthnasol iawn ac y mae'n nodi fel a ganlyn:

- a. ni chaniateir unedau ychwanegol o ran carafanau sefydlog, carafanau teithiol, cabanau na chalets;

Mae'r polisi'n glir - ni chaniateir carafanau sefydlog newydd at bwrpas twristiaeth i'r gorllewin o'r A487 lle mae darpariaeth sylweddol ar gyfer llety o'r fath eisoes mewn bodolaeth.

## Effeithiau Tirwedd

Derbynnir fod y cais dan sylw yn ystyried newid defnydd ar gyfer un carafan a fu yn y lleoliad dan sylw am nifer o flynyddoedd. Fodd bynnag mae'r newid defnydd arfaethedig yn gosod cynsail ar gyfer carafanau pellach fel llety twristiaeth mewn ardal arfordirol.

Mae'r gyfraith o ran lleoli carafanau yn gymhleth, fodd bynnag derbynnir nad oes angen caniatâd cynllunio ar gyfer carafanau a lleolir o fewn gardd eiddo preswyl pan ddefnyddir y garafan honno fel llety atodol i'r prif llety. Drwy gymeradwyo'r cais yma rydym mewn perygl o osod cynsail ar gyfer lleoli carafanau heb reolaeth mewn gerddi pobl gyda pherchnogion yn cyflwyno ceisiadau cynllunio am newid defnydd i lety gwyliau yn y dyfodol. Mae datblygiadau o'r fath mewn perygl o erydu ansawdd tirwedd arbennig ardal arfordir Ceredigion.

## **Materion eraill**

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

## **Casgliad**

Mae Polisi LU14 yn glir na chaniateir unrhyw unedau carafanau ychwanegol at ddibenion twristiaeth yn y parth arfordirol oherwydd yr effaith niweidiol a'r ansawdd tirwedd arbennig ardal arfordir Ceredigion. Ni ystyrir bod unrhyw ystyriaeth berthnasol i wyro oddi wrth y cynllun datblygu yn hyn o beth.

## **ARGYMHELLIAD:**

Gwrthod y cais am y rhesymau canlynol:

1. Nid yw'r datblygiad arfaethedig yn sgil ei leoliad i'r gorllewin o'r A487 yn cydymffurfio â gofynion Polisi LU14 Cynllun Datblygu Lleol Ceredigion 2007 - 2022 (mabwysiadwyd 2013).
2. Byddai effeithiau cronus carafanau i'r gorllewin o'r A487 yn cael effaith niweidiol ar ansawdd tirwedd arbennig ardal arfordirol Ceredigion.

## **RHESYMAU DROS CYFEIRIO'R CAIS AT Y PWYLLGOR RHEOLI DATBLYGU:**

Mae'r Cynghorydd Ray Quant wedi gofyn i'r cais gael ei gyfeirio at ystyriaeth y Pwyllgor Rheoli Datblygu am y rhesymau canlynol:

Mae'r cais yn ymwneud â newid defnydd carafan o ddomestig i dwristiaeth. Lleolwyd y garafan yma ers cryn amser fel llety ychwanegol i annedd. Mae ganddo gysylltiadau cyfredol â gwasanaethau cyfleustodau amrywiol. Oni bai am Barc Carafanau Riverside a leolir cryn bellter o safle'r cais nid wyf yn ymwybodol o unrhyw garafanau eraill caiff eu defnyddio ar gyfer llety twristiaeth yn Llandre felly nid wyf yn teimlo fod caniatáu newid defnydd yn effeithio ar gydbwysedd carafanau twristiaeth yn yr ardal.

<b>Rhif y Cais / Application Reference</b>	A210129
<b>Derbyniwyd / Received</b>	08-02-2021
<b>Y Bwriad / Proposal</b>	Use of caravan for holiday let.
<b>Lleoliad Safle / Site Location</b>	Pantyperan, Llandre, SY24 5BS
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr and Mrs C Jones, Pantyperan, Llandre, Bow Street, Ceredigion, SY24 5BS
<b>Asiant / Agent</b>	K Hosker (Ty Gwyn Design Services), Tygwyn Farm, Ynyslas, Borth, Ceredigion, SY24 5LA

## THE SITE AND RELEVANT PLANNING HISTORY

A Static caravan is sited on land at Pantyperan Farm in Llandre, on an area of land immediately adjacent to the farmstead to the south. The caravan has been in this position for over 20 years and has been in use as an extension to the house to accommodate family in the past. The site is bounded to the east by the B4353 and by open countryside to the north and west.

Below is a summary of the planning history of the site:

A040087AL	Residential development	Refused 22/01/2022
A081034	Conversion of outbuilding to holiday cottage, including extension and alterations to existing access	Approved STC 03/03/2009
A110347	Building of a 3 bedroomed dwelling.	Refused 12/10/2011

## DETAILS OF DEVELOPMENT

The applicant seeks to renovate the caravan and use it to provide holiday accommodation.

## RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant national planning policies and guidance:

- Future Wales: The National Plan 2040
- Planning Policy Wales (Edition 11, February 2021)
- TAN12 Design (2016)
- TAN13 Tourism (1997)
- TAN 23 Economic Development (2014)

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

- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- LU14 Countywide Tourism Accommodation Sites: Static and Touring Caravans| Camping pitches| Cabins and Chalets.
- DM06 High Quality Design and Placemaking
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape
- DM18 Special Landscape Areas (SLAs)

## OTHER MATERIAL CONSIDERATIONS

### CRIME AND DISORDER ACT 1998

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

### EQUALITY ACT 2010

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

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

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

## **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

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

## **CONSULTATION RESPONSES**

Cyngor Cymuned Geneu'r Glyn Community Council – No Observations

Highways – No Objection STC

Land Drainage – No Objection STC

While the local highways authority do not object to the proposal, they would require a pre-commencement condition to be attached, which requires details of the required visibility splays.

No third party consultation responses have been received in regard to this application.

## **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**

Both local and national planning policy support the provision of tourism accommodation within Ceredigion. There has however been a longstanding 'embargo' on the development of new sites and pitches for tourism accommodation within the coastal zone since the 1960s owing to the landscape impact of a large number of caravan pitches. This arises from balancing the need (or lack of it) for new caravan sites and their accumulative impact of development as well as more local impacts on landscape.

The proposed application is for the use of a static caravan as tourism accommodation. Llandre is located westwards of the A487 and is therefore situated within the coastal area where policy LU14 Criterion 1a is of most relevance and reads as follows:

- a. no additional units relating to static caravans, touring caravans, cabins and chalets will be permitted;

The policy is clear, that no new static caravans will be permitted for tourism purposes westward of the A487 where there is significant provision for this form of accommodation already in existence.

## **Landscape Impacts**

While it is accepted that the application under consideration here is for the change of use of one caravan that has been sited in its current location for many years, the cumulative impacts of allowing such applications risk eroding the special landscape quality of Ceredigion's coastal zone.

The law behind the siting of caravans is complex, but it is accepted that the siting of a caravan within the garden of a residential property does not require planning permission when used as ancillary accommodation to the main dwelling. This application if supported risks setting a precedent for the uncontrolled siting of caravans in peoples gardens, with owners

then submitting applications for the change of use to holiday accommodation at a later date, the result being detrimental effect to the special landscape quality of Ceredigion's coastal zone.

### **Other Matters**

The Local Planning Authority and CCC Land Drainage Department are content that the development can be implemented without giving rise to any identifiable harm in respect of surface water disposal or highways impact.

### **Conclusion**

Policy LU14 is clear that no additional caravan units for tourism purposes will be permitted in the coastal zone owing to the detrimental impact of caravans on the special landscape quality of the coastal zone. There is not considered to be any material consideration to depart from the development plan in this instance.

### **RECOMMENDATION:**

Refuse for the following reasons:

1. The proposed development by virtue of its location westward of the A487 does not comply with the requirements of Policy LU14 of the adopted Ceredigion Local Development Plan 2007-2022 (adopted 2013).
2. The cumulative impacts of caravans westward of the A487 would have a detrimental impact on the special landscape quality of Ceredigion's coastal zone.

### **REASONS FOR REFERRING THE APPLICATION TO THE DEVELOPMENT CONTROL COMMITTEE:**

Councillor Ray Quant has requested the application be referred to the Development Control Committee for consideration for the following reasons:

The application is in respect Change of Use from Domestic to Tourism of a long established siting of a caravan, formerly used as additional household accommodation. It has existing connections to the various utility services. Other than the Riverside Caravan Park, which is situated some distance from the application site, I am not aware of any other caravans being used for promoting tourism accommodation in Llandre, therefore I don't see granting a change of use would upset the balance of tourism caravans in the area.



## 2.2. A210699



<b>Rhif y Cais / Application Reference</b>	A210699
<b>Derbyniwyd / Received</b>	15-07-2021
<b>Y Bwriad / Proposal</b>	Conversion of large three storey 7 bedroomed house in multiple occupation (HMO) into 4no. self contained residential units to include demolition, improvements, renovations and associated works.
<b>Lleoliad Safle / Site Location</b>	14 Rheidol Terrace, Aberystwyth. SY23 1JU
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr Szebeni, 7 Sefton Road Croydon, CR0 7NS
<b>Asiant / Agent</b>	Mr B Simkin (Barry Simkin Planning & Building Consultant), Barry Simkin, 63 Bridge Street, Aberystwyth, Ceredigion, SY23 1QD

## Y SAFLE A HANES PERTHNASOL

Mae Rhif 14 yn eiddo teras trillawr traddodiadol wedi'i leoli ar ochr orllewinol y briffordd yn Rhes Rheidol yng nghanol tref a theryfynau anheddiad Aberystwyth. Mae estyniad deulawr hefyd i gefn yr adeilad presennol ar y safle.

Rhoddwyd caniatâd i gadw'r eiddo yn dŷ amlfeddiannaeth ar 14<sup>ed</sup> Ebrill 1992.

Ar yr 8<sup>fed</sup> o Fedi 2021, tynnwyd cais am ganiatâd ardal gadwraeth (cyf A210700) yn ôl mewn perthynas â dymchwel wal derfyn yr eiddo yn y cefn.

## MANYLION Y DATBLYGIAD

Mae'r cais cynllunio sydd o dan ystyriaeth yn ceisio caniatâd cynllunio llawn i addasu tŷ amlfeddiannaeth cyfredol yn fflatiau preswyl x 4, (yn cynnwys 2 x stiwdio, 1 x rhandy un ystafell wely a 1 x rhandy dwy ystafell wely).

Yn ystod proses ystyried y cais hwn, mae rhoi lle parcio yn y cefn wedi'i hepgor o'r cynllun gan y byddai ei gynnwys wedi golygu dymchwel wal derfyn hanesyddol yn y cefn, a fyddai wedi cael effaith annerbyniol ar fudd a chymeriad pensaernïol arbennig yr ardal gadwraeth, yn ogystal â phryderon ynghylch hawliau mynediad.

## POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiau a chanllawiau cynllunio cenedlaethol:

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

Mae'r polisiau a ganlyn o'r Cynllun Datblygu Lleol yn berthnasol wrth wneud penderfyniad ynghylch y cais hwn:

- DM06: Dylunio a Chreu Lle o Safon Uchel
- DM07 Ardaloedd Cadwraeth
- LU07 Isrannu'r Anheddau Presennol
- S01 Twf Cynaliadwy
- S02 Datblygu mewn Gwasanaethau Canolfannau Trefol
- S05 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. Rhoddwyd 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 gwarchoddedig' sef oedran; anabledd; ailbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw

prïodol i hyrwyddo cydraddoldeb yn golygu:

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

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

## **DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015**

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

## **YMATEBION I'R YMGYNGHORI**

Cyngor Cymuned Tref Aberystwyth - Ni chafwyd sylwadau.

Priffyrdd - Dim gwrthwynebiad

Draenio Tir - Sylwadau Cyffredinol

Ecoleg - Ni chafwyd sylwadau

Dŵr Cymru Welsh Water – Dim gwrthwynebiad

Derbyniwyd llythyron trydydd parti mewn perthynas â'r cais yn gwrthwynebu'r cynnig datblygu gan ganolbwyntio ar niwedd i amwynderau, diffyg cyfleuster parcio, colli cartrefi teuluol a hawliau mynediad yng nghefn yr eiddo.

## **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".

Saif safle'r cais o fewn ffin anheddiad dynodedig Aberystwyth a ddynodir yn Ganolfan Gwasanaethau Trefol o fewn y Cynllun Datblygu Lleol. Mae Polisi S01 y Cynllun Datblygu Lleol yn ymwneud â Thwf Cynaliadwy ac mae'n dynodi bod datblygu rhyw 6,544 o anheddau yn ofynnol erbyn diwedd cyfnod y cynllun yn 2022, a dylai o leiaf 51% o'r anheddau hyn fod wedi'u cyflenwi yn y Canolfannau Gwasanaethau Trefol.

Mae Polisi S02 y Cynllun Datblygu Lleol yn ymwneud â 'Datblygu mewn Canolfannau Gwasanaethau Trefol' ac mae'n ei gwneud yn ofynnol bod pob datblygiad o fewn terfynau diffiniedig y Ganolfan Gwasanaethau Trefol. Mae datblygu yn angenrheidiol yn Aberystwyth hefyd er mwyn cyfrannu at ei phwysigrwydd cenedlaethol a'i rôl fel y ganolfan strategol ar gyfer Canolbarth Cymru a chefnogi amcanion cyfredol a chynlluniau gweithredu sy'n ymwneud â'i Statws Adfywio Strategol.

Y cyfanswm sy'n angenrheidiol o ran cyflenwi tai yn Aberystwyth, fel a nodir yn y Cynllun Datblygu Lleol, yw 1877. Mae ffigurau monitro tai diweddaraf y Cynllun Datblygu Lleol (Hydref 2021) yn dangos mai dim ond 576 o anheddau a gwblhawyd yn y Ganolfan Gwasanaethau Trefol, a bod caniatâd ar gael ar gyfer 244 o anheddau eraill. Felly, gan gymryd dymchweliadau ac addasiadau i ystyriaeth, mae capasiti ar gyfer 1128 o anheddau eraill yn Aberystwyth. O'r herwydd, ystyrir y byddai'r cynigion yn cydymffurfio â Pholisïau S01 ac S02 y Cynllun Datblygu Lleol a derbynir yr egwyddor o ddatblygu.

Nid oes gan y Cynllun Datblygu Lleol unrhyw bolisïau yn ymwneud â cholli neu isrannu Tai Amlfeddiannaeth. Fodd bynnag, mae Polisi LU07 yn ymwneud ag 'Isrannu'r Anheddau Presennol' ac mae'n nodi y caniateir addasu unedau preswyl mawr yn fflatiau yn amodol ar bum maen prawf fel a nodir isod:

1. Mae'r annedd o faint a chynllun addas y gellid ei haddasu heb ymestyn yn sylweddol;
2. Nid yw'r datblygiad yn effeithio'n andwyol ar amwynderau'r preswylwyr cyfagos ac yn cynnwys ynysu rhag sain rhwng unedau;

3. Nid yw'r datblygiad yn arwain at broblemau parcio sylweddol;

4. Mae darpariaeth ddigonol ar gyfer storio sbwriel; a

5. Mae darparu fflatiau 3 a 4 ystafell wely'n rhan o'r cymysgedd a ddarperir, lle mae tystiolaeth o anghenion lleol sydd heb eu diwallu ac mae capasiti ffisegol priodol yn yr adeilad.

Nid yw'r cais yn ceisio ymestyn yr eiddo er mwyn darparu ar gyfer fflatiau ychwanegol. Ystyrir bod maint y fflatiau arfaethedig yn dderbyniol a byddant yn cynnig safon byw gweddus i breswylwyr y dyfodol ac felly ystyrir eu bod yn cydymffurfio â maen prawf 1 o LU07.

Gan fod yr adeilad yn HMO ar hyn o bryd, mae'r gwaith addasu arfaethedig yn debygol o arwain at welliant o ran yr amwynder preswyl a gynigir i eiddo cyfagos gan fod cyfanswm yr ystafelloedd gwely a'r lefel ddeiliadaeth yn gostwng.

Gellir gosod amodau er mwyn mynd i'r afael ag ynysu o ran sain rhwng yr unedau preswyl. Ystyrir, felly, bod y datblygiad arfaethedig yn cydymffurfio â maen prawf 2 o LU07.

Nid oes gan yr HMO presennol unrhyw le parcio oddi ar y stryd. Byddai'r datblygiad yn lleihau cyfanswm yr ystafelloedd gwely ac, o ystyried y lleoliad cynaliadwy yng nghanol y dref, yn agos at ystod o hybiau trafnidiaeth gyhoeddus, mae'n addas ar gyfer datblygiad di-geir. Nid oes gan yr Awdurdod Tai Lleol unrhyw wrthwynebiad i'r datblygiad arfaethedig. Ystyrir, felly, bod y datblygiad arfaethedig yn cydymffurfio â maen prawf 3, LU07.

Darperir ar gyfer storio biniau y tu allan ar gyfer pob fflat arfaethedig yn unol â maen prawf LU07.

Bydd y datblygiad hefyd yn cynnwys darpariaeth 2 fflat stiwdio, Rhandy 2 ystafell wely a Rhandy 1 ystafell wely. Felly, bydd y datblygiad yn darparu cymysgedd ac ystod addas o unedau o ran maint, gan gymryd faint o gartrefi a ddarperir, yn unol â maen prawf 5, LU07.

### **Cymeriad Gweledol ac Ardal Gadwraeth**

Mae'r cais yn ceisio cymeradwyaeth ar gyfer nifer cyfyngedig o addasiadau allanol. Mae'r rhain yn cynnwys newid y ffenestri yng nghefn yr eiddo yn falconïau Juliet. Darperir gwybodaeth gyfyng yn y cais o ran manylion y ffenestri a'r drysau. Fodd bynnag, gellid gosod amod er mwyn darparu ar gyfer y wybodaeth hon.

### **Niwed i Amwynderau Eiddo Cyfagos**

Fel a drafodwyd, ystyrir bod y datblygiad arfaethedig yn arwain at welliant o ran amwynderau cyfagos gan y bydd deiliadaeth yr adeilad yn gostwng. Os bydd unrhyw niwed yn codi o ganlyniad i'r datblygiad, ni ystyrir y bydd hyn yn fwy na'r hyn y gellir ei ddisgwyl mewn lleoliad yng nghanol tref, yn sgil mwy o fynd a dod. Gellid gosod amod wedi'i eirio'n briodol er mwyn mynd i'r afael â niwed yn codi o swm.

### **Amodau Byw Preswylwyr y Dyfodol**

Mae polisïau creu lle Polisi Cynllunio Cymru, y ddogfen bolisi Adeiladu Lleodedd Gwell a Pholisi DM06 y Cynllun Datblygu Lleol yn ceisio darparu cartrefi o ansawdd da sy'n cefnogi lles a gwell iechyd meddwl a chorfforol. Ystyrir bod y fflatiau arfaethedig ar y llawr cyntaf yn fach ond byddai maint y llety a'r cyfleusterau ystafell ymolchi yn bodloni safonau gofod iechyd yr amgylchedd. Nid oes safonau gofod cynllunio yn berthnasol i anheddau marchnad agored. Gellir darparu'r cyfleusterau sy'n angenrheidiol i gydymffurfio â Gofynion Ansawdd Datblygu (DQR). Mae'r lefel man amwynder yn gymesur â chymeriad eiddo arall yn y lleoliad hwn yng nghanol y dref.

Cadarnhawyd hyn mewn penderfyniad apêl diweddar mewn perthynas ag addasiad tebyg yn Stryd Cambria, Aberystwyth.

### **Tai Fforddiadwy**

Mae Polisi S05 y Cynllun Datblygu Lleol yn ymwneud â Thai Fforddiadwy ac mae'n nodi, lle bo cynnig yn rhoi gofyniad tŷ fforddiadwy nad yw'n uned lawn, yna bydd swm gohiriedig o 10% o werth cyfatebol y datblygiad ar y farchnad agored yn ofynnol, wedi'i brisio adeg gwneud y cais.

Mae Canllawiau Cynllunio Atodol y Cyngor 'Tai Fforddiadwy' yn ehangu ar y polisi hwn ac yn nodi, mewn perthynas ag un uned breswyl mewn Canolfan Wasanaeth neu Anheddiad Cyswllt, y bydd Swm Gohiriedig o 10% ar bris gwerthu'r cartref gorffenedig, a brisiwyd o'r cynllun adeg cyflwyno cais, yn daladwy pan fydd yr eiddo yn cael ei werthu neu ei drosglwyddo gyntaf.

Mae Polisi S05 y Cynllun Datblygu Lleol hefyd yn nodi y bydd yn ofynnol i ddatblygwyr sy'n ceisio negodi gostyngiad mewn darpariaeth tai fforddiadwy gyflwyno manylion i ddangos diffyg hyfywedd y safle dan sylw. I gefnogi'r cais, cyflwynir asesiad hyfywedd a wnaed gan ddefnyddio cymysgedd tai/swm gohiriedig a chyfrifiad hyfywedd Cyngor Sir Ceredigion sy'n dangos

nad yw darparu swm gohiriedig yn lle cyfraniadau tai fforddiadwy y safle yn ariannol hyfyw yn yr achos hwn.

### **Priffyrdd**

Yn debyg i'r rhan fwyaf o eiddo yn y rhan hon o Abersytwyth, mae Rhif 14, Rhes Rheidol yn eiddo aml-lefel mawr a fyddai, yn ei gyflwr gwreiddiol, yn annedd sengl a allai gynnwys rhyw 6/7 ystafell wely ac eto nid oes unrhyw gyfleuster parcio oddi ar y stryd yn perthyn i'r eiddo.

Mae Cynllun Datblygu Lleol Ceredigion - Canllawiau Cynllunio Atodol ar gyfer Safonau Parcio yn nodi ei bod yn angenrheidiol i Aberystwyth (Canolfan Gwasanaethau Trefol) fod yn bragmataidd o ran ei safonau parcio yn y dref yng nghyd-destun y strategaeth rheoli trafndiaeth ar gyfer Aberystwyth, sydd ar hyn o bryd yn cynnig gwasanaethau trafndiaeth gyhoeddus lleol cymharol dda a mesurau trafndiaeth gynaliadwy o ran cysylltiadau teithio llesol a chyfleusterau i gerddwyr. Darperir storfa feiciau yn rhan o'r cynnig datblygu.

Mae lleoliad safle'r datblygiad yn Aberystwyth yn gyfleus i'r holl gyfleusterau lleol ac anogir dulliau amgen o symud heb ddibynnu ar y defnydd o gar/ceir.

### **Materion Eraill**

Nid yw adain ddraenio tir Cyngor Sir Ceredigion na Dwr Cymru/Welsh Water wedi gwrthwynebu'r cynnig datblygu o ran draenio tir yn ddibynnol ar amodau.

Nid yw ecolegydd mewnol Cyngor Sir Ceredigion wedi rhoi sylwadau ar y cais ond oherwydd lleoliad, maint a natur y datblygiad arfaethedig, ni ystyrir y bydd y cynnig yn arwain at unrhyw niwed i rywogaethau a warchodir neu asedau dynodedig.

### **ARGYMHELLIAD:**

Cymeradwyo'r cais yn ddibynnol ar amodau.

### **RHESYMAU DROS CYFEIRIO'R CAIS I'R PWYLLGOR RHEOLI DATBLYGU:**

Mae'r Cynghorydd Endaf Edwards wedi cyfeirio'r cais i'r pwyllgor gan na ddarperir parcio digonol yn rhan o'r datblygiad.

<b>Rhif y Cais / Application Reference</b>	A210699
<b>Derbyniwyd / Received</b>	15-07-2021
<b>Y Bwriad / Proposal</b>	Conversion of large three storey 7 bed roomed house in multiple occupation (HMO) into 4no. self contained residential units to include demolition, improvements, renovations and associated works.
<b>Lleoliad Safle / Site Location</b>	14 Rheidol Terrace, Aberystwyth. SY23 1JU
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr Szebeni, 7 Sefton Road Croydon, CR0 7NS
<b>Asiant / Agent</b>	Mr B Simkin (Barry Simkin Planning & Building Consultant), Barry Simkin, 63 Bridge Street, Aberystwyth, Ceredigion, SY23 1QD

## THE SITE AND RELEVANT PLANNING HISTORY

No 14 is a traditional three storey terraced property located on the western side of the highway of Rheidol Terrace within the town centre and settlement limits of Aberystwyth. The existing building within the site also has a two storey rear projection.

Permission was granted for the retention of the property as a house of Multiple Occupation on the 14th of April 1992.

An application for conservation consent (ref A210700) in respect of the demolition of the rear boundary wall at the property was withdrawn on 8<sup>th</sup> of September 2021.

## DETAILS OF DEVELOPMENT

The planning application under consideration here seeks full planning permission for the conversion of an existing House in Multiple Occupation (HMO) into 4 x residential flats (comprising of 2no. x Studio, 1no. x One bedroom and 1no. x 2 bedroom apartments).

## RELEVANT PLANNING POLICIES AND GUIDANCE

National 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
- DM07 Conservation Areas
- LU07 Subdivision of Existing Dwellings
- S01 Sustainable Growth
- S02 Development in Urban Service Centres (USCs)
- S05 Affordable Housing

## 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 Tref Aberystwyth Community Council - Did not comment

Highways – No Objection

Land Drainage – General Observations

Ecology – Did not comment

Dwr Cymru Welsh Water - No Objection

Third party letters have been received in respect of the application objecting to the development proposal focusing on amenity harm, lack of parking, loss of family homes and access rights at the rear.

## **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”.

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

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

The total requirement for housing delivery within the Aberystwyth as set out in the LDP is 1877. The latest LDP housing monitoring figures (October 2021) shows that only 576 dwellings have been completed in the Urban Service Centre with extant permission for a further 244 dwellings. Therefore accounting for demolitions and conversions there is capacity for a further 1128 dwellings in Aberystwyth. As such, it is considered that the proposals would comply with Policies S01 and S02 of the LDP and the principle of development is accepted.

The LDP has no policies relating to loss or sub-division of HMOs. However, Policy LU07 relates to 'Subdivision of Existing Dwellings' and this states that the conversion of large residential units to flats will be permitted subject to five criteria as set out below:

1. The dwelling is of a suitable size and layout capable of conversion without substantial extension;
2. The development does not adversely affect the amenity of the adjoining occupants and includes adequate soundproofing between units;
3. The development does not result in significant parking problems;
4. There is adequate provision for the storage of refuse; and

5. Provision of 3 and 4 bedroom apartments is included as part of the mix, where there is evidence of unmet local need for larger flats and the property has appropriate physical capacity.

The application does not seek to extend the property in order to accommodate additional flats. The size of the proposed flats is considered acceptable and will afford a decent standard of living to future occupiers, and is therefore considered to comply with criterion 1 of LU07.

As the building is currently in use as a HMO the proposed conversion is likely to lead to a betterment in terms of residential amenity afforded to neighbouring properties as the total number of bedrooms and occupancy levels are reduced.

Soundproofing between residential units can be dealt with by way of condition. The proposed development is therefore considered to comply with criterion 2 of LU07.

The existing HMO does not benefit from any-off street parking spaces. The development would reduce the overall number of bedrooms and given the sustainable town centre location, in close proximity to a range of public transport hubs, is suitable for a car free development. The LHA have raised no objection to the proposed development. The proposed development is therefore considered to comply with criterion 3 of LU07.

Provision is made for external bin storage to be provided for each of the proposed flats in accordance with criterion 4 of LU07.

The development will include the provision of a 2no Studio apartments, 1no. 2 Bedroom apartment, and 1no. 1 Bedroom apartment. Therefore, the development will provide a suitable mix and range of unit sizes, given the overall quantum of housing provided in accordance with criterion 5 of LU07.

### **Visual Character and Conservation Area**

The application seeks approval for a limited amount of external alterations. These include the change of windows to the rear of the property to Juliet balconies. Limited information is provided as part of the application in respect of window and door details, however this information can be provided by way of condition.

### **Amenity Harm on neighbouring properties**

As discussed the proposed development is considered to result in a betterment in terms of neighbouring amenity as the occupancy of the building will be reduced. If any harm is to arise as a result of the development it is not considered that this will be above that which can be expected in a town centre location by virtue of increased comings and goings. Harm arising from noise can be dealt with via a suitably worded condition.

### **Living Conditions of Future Occupiers**

The placemaking policies of Planning Policy Wales, the recent Building Better Places policy document and LDP Policy DM06 seek the provision of good quality homes that support well-being and better physical and mental health. The proposed ground floor flats are considered to be small however the size of the accommodation and bathroom facilities would meet the environmental health space standards. There are no planning space standards that apply to open market dwellings. The facilities necessary to comply with DQR can be provided. The level of amenity space is commensurate with the character of other properties in this town centre location.

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

### **Affordable Housing**

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

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

Policy S05 of the LDP also states that developers seeking to negotiate a reduction in affordable housing provision will need to submit detail to show lack of viability of the specific site. Submitted in support of the application is a viability assessment undertaken using Ceredigion County Council's housing mix / commuted sum and viability calculator which demonstrates that the provision of a commuted sum in lieu of onsite affordable housing contributions is not financially viable in this instance.

### **Highways**



Similar to most of the properties in this part of Aberystwyth, No.14 Rheidol Terrace is a large multi-level property which in its original state as a single dwelling could contain in the region of 6/7 bedrooms, and yet, does not have any dedicated off-street parking facilities.

The Ceredigion Local Development Plan - Supplementary Planning Guidance for Parking Standards states that Aberystwyth (Urban Service Centre) requires the pragmatic application of parking standards in the town in the context of the wider transport management strategy for Aberystwyth, which currently offers relatively good local public transport services and sustainable transport measures in terms of active travel links and pedestrian facilities. Cycle storage is provided as part of the development proposal.

The development site's location within Aberystwyth is conveniently located to all local facilities and alternative methods of movement will be encouraged without reliance on the use of car(s).

#### **Other Matters**

Neither CCC land drainage nor Dwr Cymru/Welsh Water have an objection to the development proposal in respect of land drainage subject to conditions.

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

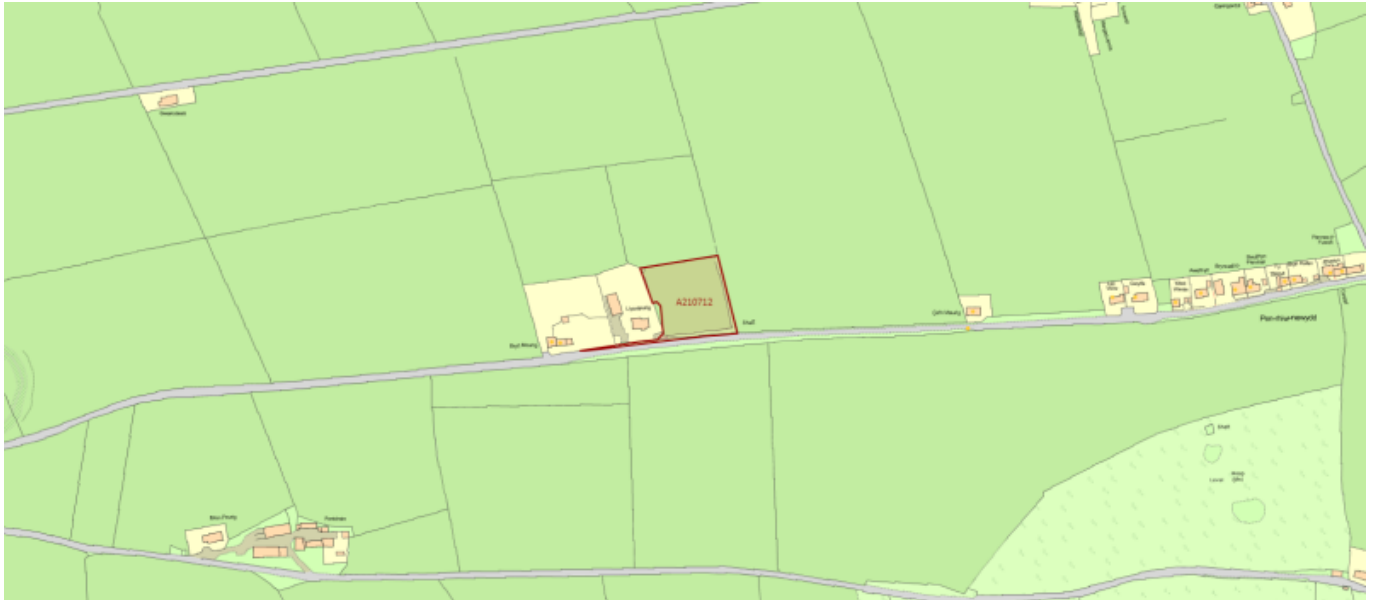
#### **RECOMMENDATION:**

Approve the application subject to conditions.

#### **Reasons for referring the application to the Development Control Committee:**

Cllr Endaf Edwards has referred the application to the Development Control Committee, as insufficient parking has been provided as part of the application.

## 2.3. A210712



<b>Rhif y Cais / Application Reference</b>	A210712
<b>Derbyniwyd / Received</b>	21-07-2021
<b>Y Bwriad / Proposal</b>	Change of use of agricultural field for the siting of 3 No. camping pods and associated works for holiday let.
<b>Lleoliad Safle / Site Location</b>	Llys Meurig, Penrhyncoch, Aberystwyth, Ceredigion, SY23 3EY
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr and Mrs Ricketts, Llys Meurig, Penrhyncoch, Aberystwyth, Ceredigion, SY23 3EY
<b>Asiant / Agent</b>	Mr Iwan Jones, Gellimanwydd, Talybont, Ceredigion, SY24 5HJ

## Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn rhan o gae a ddefnyddir at ddibenion amaethyddol/bugeilio ar hyn o bryd. Mae ar siâp petryal yn fras ac mae'n estyn rhyw 0.44 ha. Mae ffordd ddosbarthiadol yn ffinio â'r safle i'r de. Mae'r safle'n anghysbell ac mae Penrhyn Coch rhyw 1.5km i'r gorllewin.

Cafodd cais blaenorol mewn perthynas â'r datblygiad, o dan gyfeirnod A200782, ei dynnu'n ôl.

## MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio llawn i newid defnydd cae amaethyddol er mwyn lleoli tri 'pod' gweryslla yno, a gwaith cysylltiedig, i'w gosod at ddibenion twristiaeth. Bwriedir gosod mynediad o'r ffordd i'r de. Bydd llwybr o gerrig mân hydraiddd yn rhoi mynediad i gerbydau i le parcio canolog a storfa sbwriel ac ailgylchu. Bydd llwybrau o gerrig mân yna'n rhoi mynediad i bob un o'r cabanau arfaethedig.

Mae'r cabanau arfaethedig yn rhyw 6m x 3.2m o faint ac wedi'u gorffen â chladin pren. Mae seilwaith cysylltiedig yn cynnwys darpariaeth storfa feiciau a thanciau carthion.

## POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiau a chanllawiau cynllunio cenedlaethol:

- Dyfodol Cymru: Y Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (Rhifyn 11, Chwefror 2021)
- TAN12 - Dylunio (2016)
- TAN13 - Twristiaeth (1997)
- TAN5 Cynllunio a Chadwraeth Natur (2009)
- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)

Mae'r polisiau a ganlyn o'r Cynllun Datblygu Lleol yn berthnasol wrth wneud penderfyniad ynghylch y cais hwn:

- LU14: Safleoedd Llety Twristiaeth Ledled y Sir: Carafanau Sefydlog a Theithiol, Lleiniau Gweryslla, Cabanau a Chalets
- S01 Twf Cynaliadwy
- S04 Datblygu Mewn Aneddiadau Cyswllt a Lleoliadau Eraill
- 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

## 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. Rhoddwyd 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 gwarchoddedig' sef oedran; 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 cynnwys:

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

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

## **DEDDF LLESIAENT CENEDLAETHAU'R DYFODOL (CYMRU) 2015**

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

## **YMATEBION I'R YMGYNGHORI**

Cyngor Cymuned Trefeurig - Gwrthwynebiad

Priffyrdd - Dim gwrthwynebiad yn destun amodau

Draenio Tir - Dim gwrthwynebiad yn destun amodau

Ecoleg - Ni chafwyd sylwadau

Cyfoeth Naturiol Cymru - Dim gwrthwynebiad.

Swyddog Llwybrau Tramwy - Dim gwrthwynebiad, er gwybodaeth gyffredinol

Yn ychwanegol at hyn, derbyniwyd sylwadau trydydd parti mewn perthynas â phryderon ynghylch priffyrdd.

## **CASGLIAD**

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

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

Mae safle'r cais yn ymwneud â chae amaethyddol, rhyw 1.5 km i'r dwyrain o anheddiad Penrhyn Coch. Saif y safle o fewn 'lleoliadau eraill' at ddibenion polisi cynllunio lleol, lle bo'r polisi cynllunio lleol a chenedlaethol yn ei gwneud yn glir y dylid cadw rheolaeth dynn ar ddatblygu.

Mae'r datblygiad arfaethedig yn ymwneud â newid defnydd tir i ganiatáu ar gyfer lleoli 3 uned wersylla ar hyd y seilwaith cysylltiedig, felly Polisi LU14 y Cynllun Datblygu Lleol sy'n bennaf berthnasol wrth wneud penderfyniad ynghylch y cais. Saif y safle y tu allan i'r Ardal Arfordirol gan ei fod i'r dwyrain o'r A487 ac felly mae maen prawf 2 y polisi yn berthnasol. Mae'r polisi yn caniatáu safleoedd newydd ar gyfer gweryslla cyn belled â bod y datblygiad yn bodloni'r pedwar maen prawf a ganlyn:

- bydd hynny, lle'n bosibl, yn cefnogi canolbwyntiau twristiaeth strategol
- bydd yn cefnogi rôl a swyddogaeth yr anheddiad y bwriedir lleoli'r safle ynddo (neu, fel arall, yr anheddiad agosaf), lle mae'n bosibl, drwy ddarparu cyfleusterau ychwanegol sydd ar gael at ddefnydd y gymuned;
- nid yw'r cyfleusterau a gynigir drwy'r safle yn effeithio ar ddichonoldeb gwasanaethau sydd eisoes yn bodoli;
- cyflwynir asesiad o'r Anghenion Twristiaidd ac Effeithiau Datblygu fel rhan o'r broses ymgeisio.

Ystyrir bod y cynnig yn debygol o fodloni'r meini prawf uchod. Fodd bynnag, mae'n bwysig nodi bod paragraff cefnogi 7.90 yn datgan y caniateir datblygu meysydd gweryslla newydd mewn ardaloedd y tu allan i'r Ardal Arfordirol cyn belled â'u bod yn briodol o ran eu lleoliad. Mae'n mynd ymlaen i nodi y gellir lleoli safleoedd llai, nad ydynt efallai ond yn darparu 5 llain ac yn cynnig cyfleusterau sylfaenol, mewn Aneddiadau Cyswllt neu gerllaw ffermydd os ydynt wedi'u sgrinio'n briodol.

Ni saif safle'r cais o fewn ffin unrhyw anheddiad dynodedig, nac yn agos i ffin o'r fath. Yn ychwanegol at hyn, ni saif safle'r cais gerllaw fferm flaenorol.

At hynny, ystyrir bod lleoliad amlwg safle'r cais ar ael y bryn ac i ffwrdd o unrhyw ffurf adeiledig sylweddol yn ansensitif ac anghydnewts â'r tirlun a bydd yn golygu, felly, y bydd yr effaith weledol yn annerbyniol ac yn gwrthdaro'n uniongyrchol â pholisi DM17 y Cynllun Datblygu Lleol.

Am y rhesymau uchod, ystyrir bod y cais yn gwrthdaro'n uniongyrchol â pholisïau S01, S04, LU14 a DM17 y Cynllun Datblygu Lleol.

#### **ARGYMHELLIAD:**

Argymhellir bod y datblygiad yn cael ei wrthod am y rhesymau a ganlyn

1. Mae'r cynnig mewn lleoliad anghynaliadwy ac ystyrir ei fod yn gwrthdaro â pholisïau S01, S04 ac LU14, Cynllun Datblygu Lleol Ceredigion 2007-2022 (A fabwysiadwyd 25<sup>ain</sup> Ebrill, 2013).
2. Ystyrir bod lleoliad y cynnig yn golygu y bydd effaith weledol annerbyniol ar y tirlun ehangach.

#### **Awdurdod Dirprwyedig:**

Mae'r Cynghorydd Dai Mason wedi cyfeirio'r cais i'r Pwyllgor Rheoli Datblygu i'w ystyried am y rhesymau a ganlyn:

1. Mae'r safle y drws nesaf i gartref yr ymgeisydd ac ni fydd yn amharu o gwbl gan fod clawdd yn ei guddio.

<b>Rhif y Cais / Application Reference</b>	A210712
<b>Derbyniwyd / Received</b>	21-07-2021
<b>Y Bwriad / Proposal</b>	Change of use of agricultural field for the siting of 3 No. camping pods and associated works for holiday let.
<b>Lleoliad Safle / Site Location</b>	Llys Meurig, Penrhyncoch, Aberystwyth, Ceredigion, SY23 3EY
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Mr and Mrs Ricketts, Llys Meurig, Penrhyncoch, Aberystwyth, Ceredigion, SY23 3EY
<b>Asiant / Agent</b>	Mr Iwan Jones, Gellimanwydd, Talybont, Ceredigion, SY24 5HJ

## THE SITE AND RELEVANT PLANNING HISTORY

The application site forms part of a field currently in agricultural/pastoral use. Broadly rectangular in shape the site extends to approximately 0.44 ha. A classified road borders the site to the south. The site is remote with Penrhyn Coch being approximately 1.5km to the west.

A previous application in respect of the development made under reference number A200782 was subsequently withdrawn

## DETAILS OF DEVELOPMENT

The application seeks full planning permission for the change of use of an agricultural field to allow for the siting of three camping pods and associated works to be let out for tourism purposes. Access is to be taken from the road to the south. A permeable gravel driveway will provide vehicular access to a central parking area, refuse and recycling store. Individual gravel paths will then provide access to each of the proposed cabins.

The proposed cabins measure approximately 6m x 3.2m in size and are finished in timber cladding. Associated infrastructure includes the provision of bike storage and septic tanks.

## RELEVANT PLANNING POLICIES AND GUIDANCE

National planning policies and guidance:

- Future Wales: The National Plan 2040
- Planning Policy Wales (edition 11, February 2021)
- TAN12 Design (2016)
- TAN13 Tourism (1997)
- TAN5 Nature Conservation and Planning (2009)
- TAN6 Planning for Sustainable Rural Communities (2010)

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

- LU14 Countywide Tourism Accommodation Sites: Static and Touring Caravans| Camping pitches| Cabins and Chalets.
- S01 Sustainable Growth
- S04 Development in Linked Settlements and Other Locations
- DM06 High Quality Design and Placemaking
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape

## 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 Trefeurig Community Council - Objection

Highways – No Objection STC

Land Drainage – No Objection STC

Ecology – Did not Comment

Natural Resources Wales - No objection.

Rights of Way Officer – No objection, general informative.

Additionally, a third party comment has been received in respect of highway concerns.

## **CONCLUSION**

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

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

The application site relates to an agricultural field, some 1.5 km to the east of the settlement of Penrhyn Coch. The site lies within 'other locations' for the purpose of local planning policy, where both national and local planning policy make clear that development should be strictly controlled.

The proposed development relates to the change of use of the land to allow for the siting of 3 camping units along with associated infrastructure, therefore LDP Policy LU14 is of main relevance in determining the application. The application site lies outside of the Coastal Area as it is eastwards of the A487 and therefore criterion 2 of the policy applies. The policy allows for new sites for camping provided that the development meets with the following 4 criteria:

- i. "Where possible it supports strategic tourism nodes;
- ii. It supports the role and function of the settlement within which it is proposed (or otherwise nearest settlement), where possible, by providing additional facilities that are available for use by the community;
- iii. Facilities offered via the site do not affect the vitality of services which already exist within the nearest settlement; and
- iv. Tourism Needs and Development Impact Assessment is submitted as part of the application process"

It is considered that the proposal is likely to meet with the above criteria. However, importantly, supporting paragraph 7.90 states that in areas outside of the Coastal Area development of new camping sites will be permitted providing that it is appropriate in relation to the location. It goes on to state that smaller sites, which perhaps only cater for 5 pitches and offer basic facilities, can be accommodated in Linked Settlements or adjacent to farmsteads where suitably screened.

The application site does not lie within, nor adjacent to any identified settlement boundary. In addition the application site

does not lie adjacent to a former farmstead.

Furthermore it is considered that the prominent location of the application site on the brow of a hill and detached from any existing substantial built form is insensitive and unsympathetically sited within the landscape and will therefore give rise to an unacceptable visual impact in direct conflict with LDP policy DM17.

For the above reasons the proposal is considered to be in direct conflict with policies S01, S04, LU14, and DM17 of the LDP.

**ARGYMHELLIAD / RECOMMENDATION:**

It is recommended that the above development is refused for the below reasons:

1. The proposal is considered to be in conflict with policies S01, S04 & LU14 of the Ceredigion Local Development Plan 2007-2022 (Adopted 25th April, 2013)
2. The siting of the proposal is considered to give rise to an unacceptable visual impact on the wider landscape

**Delegated Authority**

Cllr Dai Mason has referred the application to the Development Management Committee for consideration for the following reasons:

1. The site is next to the applicants home, and will not be intrusive as it will be hidden by a hedge.



## 2.4. A210722



<b>Rhif y Cais</b>	A210722
<b>Derbyniwyd</b>	22-07-2021
<b>Y Bwriad</b>	Byngalo Ymddeol Arfaethedig
<b>Lleoliad Safle</b>	Garej Trem y Bae, Parcllyn, Aberteifi, Ceredigion, SA43 2BT
<b>Math o Gais</b>	Caniatâd Cynllunio Amlinellol - gyda'r holl faterion/rhai materion wedi'u cadw yn ôl
<b>Ymgeisydd</b>	Oliver Davies, Garej Trem y Bae, Parcllyn, Aberteifi, Ceredigion, SA43 2BT
<b>Asiant</b>	Mr Stewart Corbett (Archi-Tech), Uned 3 Canolfan Teifi Pendre, Aberteifi, Ceredigion, SA43 1JL

## Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn cyfeirio at dir sy'n rhan o Garej Trem y Bae, wedi'i leoli ger cyffordd Hilltop Way a'r B4333 ar gyrion Parcllyn ac Aberporth. Lleolir y safle i'r gogledd o adeilad y garej ac mae'n rhan o'r maes parcio/ardal storio. Mae'r safle'n gymharol wastad ac mae coed a chloddiau ar hyd y ffiniau i'r gogledd, dwyrain a'r gorllewin. Ceir mynediad iddo drwy fynedfa'r garej yn uniongyrchol o'r ffordd i'r gorllewin.

Hanes cynllunio perthnasol:

- A070053 - Ailwampio garej fasnachol a chodi annedd ar gyfer y gweithredwr/perchennog. Cymeradwywyd gydag amodau a Chytundeb Adran 106 12-12-2008. Argymhellwyd gan yr Awdurdod Cynllunio Lleol bod y cais yn cael ei wrthod gan na ellid cyfiawnhau'r angen am annedd; fodd bynnag, cafodd y cais ei gymeradwyo gan aelodau o'r Pwyllgor Cynllunio.

## MANYLION Y DATBLYGIAD

Mae'r cais yn gofyn am ganiatâd cynllunio amlinellol, gyda phob mater wedi'i gadw'n ôl, i godi byngalo. Mae materion yn ymwneud â mynediad, cynllun, golwg, graddfa a thirweddu wedi'u cadw'n ôl i'w hystyried o dan gais materion wedi'u cadw'n ôl dilynol.

Mae cynllun bloc dangosol yn cyd-fynd â'r cais sy'n nodi y bydd y byngalo wedi'i leoli yng nghanol y plot adeiladu, gydag ardal ardd i'r gogledd, y dwyrain a'r gorllewin a lle i barcio i'r de. Bydd y mynediad o'r ffordd gyffiniol i'r gorllewin a gerllaw y fynedfa bresennol i'r garej. Bydd y clawdd presennol yn cael ei gadw a phlennir clawdd newydd ar hyd ffiniau'r gogledd a'r dwyrain, a gosodir ffens bren ar hyd y ffin i'r de.

Mae datganiad cefnogi gan yr ymgeisydd, Mr Davies, yn cyd-fynd â'r cais sy'n bwriadu byw yn yr annedd ac ef yw perchennog presennol a gweithredwr Garej Trem y Bae. Mae'n nodi bod Mr Davies yn byw yn y fflat uwchben y garej ar hyn o bryd ond ei fod am gamu'n ôl o redeg y garej oherwydd ei oedran. Felly, byddai'r byngalo yn rhoi cartref ymddeol iddo a byddai'n caniatáu iddo barhau i fyw ar y safle i roi cymorth, cyngor a phrofiad i bwy bynnag a fydd yn cymryd yr awenau i redeg y garej, ac yn caniatáu iddo yntau barhau i fyw yn yr ardal leol.

Darperir y graddfa ganlynol:

Uchder - 6.5-7 metr

Hyd - 10-14 metr

Lled - 8-10 metr

## POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

### Canllawiau a Pholisi Cynllunio Cenedlaethol Perthnasol

- Cymru'r Dyfodol: y cynllun cenedlaethol 2040
- Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)
- TAN12 - Dylunio (2016)
- TAN18 - Trafnidiaeth (2007)
- TAN2 Cynllunio a Thai Fforddiadwy (2006)
- TAN5 Cynllunio a Chadwraeth Natur (2009)
- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)
- Cylchlythyr Llywodraeth Cymru 008/2018 - (Cysylltiadau Draenio Dŵr Budr)

### Polisi Cynllunio Lleol Perthnasol:

Mae'r polisiâu a ganlyn o'r Cynllun Datblygu Lleol yn berthnasol wrth wneud penderfyniad ynghylch y cais hwn:

- S01 Twf Cynaliadwy
- SO4 Datblygu Mewn Aneddiadau Cyswllt a Lleoliadau Eraill
- S05 Tai Fforddiadwy
- LU05 Sicrhau Cyflenwi Datblygiadau Tai
- DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Iaith Gymraeg
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM06: Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirweddu
- 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 2015
- Canllawiau Cynllunio Atodol Asesiad Trafnidiaeth 2015
- Canllawiau Cynllunio Atodol Dylunio a'r Amgylchedd Adeiledig 2015
- Canllawiau Cynllunio Atodol Gwarchod Natur 2015
- Canllawiau Cynllunio Atodol Tai Fforddiadwy 2014

## 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. Rhoddwyd 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 gwarchoddedig' sef oedran; anabled; ailbennu rhywedd; beichiogrwydd a mamolaeth; hil; crefydd neu gred; rhyw; cyfeiriadedd rhywiol; priodas a phartneriaeth sifil. Mae rhoi sylw priodol i hyrwyddo cydraddoldeb yn golygu:

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

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

### DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

### YMATEBION I'R YMGYNGHORI

- **Cyngor Cymuned Aberporth** - Ni dderbyniwyd ymateb
- **Priffyrdd** - Dim gwrthwynebiad yn ddibynnol ar amodau.
- **Draenio Tir** - Cyngor Safonol. Cymeradwyaeth Systemau Draenio Cynaliadwy yn angenrheidiol gan y Corff Cymeradwyo Draenio Cynaliadwy
- **Ecoleg** - Ni dderbyniwyd ymateb
- **Cyfoeth Naturiol Cymru** - Dim Gwrthwynebiad
- **Dŵr Cymru Welsh Water** - Lleoliad a statws y garthffos yn anhysbys

Ni dderbyniwyd sylwadau gan drydydd parti.

## **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 y tu allan i ffiniau anheddiad Aberporth/Parcllyn ac felly o fewn 'lleoliadau eraill' fel y'u dynodir yn y Cynllun Datblygu Lleol. Mae Polisi S04 y Cynllun Datblygu Lleol yn nodi bod datblygiadau tai mewn 'lleoliadau eraill' yn anaddas oni bai y cyfiawnheir eu bod yn seiliedig ar fodloni angen am i) dai fforddiadwy nas diwallwyd yn yr ardal, a'i fod yn cydymffurfio â Pholisi S05; neu ii) bod angen am annedd menter wledig yn unol â TAN6. At hynny, mae'r polisi yn mynnu bod pob datblygiad o fewn 'lleoliadau eraill' yn cyd-fynd â TAN6. Mae'r ymgeisydd wedi cynghori na fyddai annedd fforddiadwy yn cwrdd â'i anghenion.

Mae'r cynnig ar gyfer darparu byngalo ymddeol i'r ymgeisydd sydd ar hyn o bryd yn berchen ar Garej gyffiniol Trem y Bae, ac ef sydd yn ei rhedeg. Nid yw'r cynnig ar gyfer tŷ fforddiadwy neu am annedd menter wledig ac felly mae'n methu bodloni polisi S04 y Cynllun Datblygu Lleol gan ei fod yn cynrychioli annedd marchnad agored o fewn 'lleoliadau eraill'.

Mae'r caniatâd cynllunio a roddwyd ar gyfer garej gyda fflat breswyl uwchben yn ddibynol ar rwymedigaeth gynllunio wedi'i sicrhau drwy gytundeb adran 106, sy'n nodi na chaiff y fflat ei gwerthu ar wahân i'r busnes a adwaenir fel Garej Trem y Bae, neu fel arall, ac na chaiff ei meddiannu hyd nes bydd y busnes yn weithredol. Mae'r fflat, felly, yn darparu cyfleoedd ar gyfer llety i reolwr/gweithiwr mewn perthynas â'r garej os yw rhywun yn dymuno byw ar y safle - er, ni ystyrir bod angen gweithredol i reolwr/gweithiwr fyw ar y safle er mwyn rheoli'r garej yn briodol.

### **Tai Fforddiadwy:**

Mae'r safle'n gorwedd o fewn 'lleoliadau eraill' felly dim ond annedd fforddiadwy sy'n bodloni diffiniadau Canllawiau Cynllunio Atodol y Cyngor y gellid ei hystyried yn dderbyniol yn y lleoliad hwn. Fodd bynnag, nid cynnig ar gyfer annedd fforddiadwy yw hwn ac er y byddai'n rhoi cyfraniad ariannol tuag at dŷ fforddiadwy (swm gohiriedig ar 'werth sy'n cyfateb' i 10% o werth Marchnad Agored y datblygiad) nid yw'n cyflawni gofynion y polisi.

### **Ecoleg:**

Nid yw Cyfoeth Naturiol Cymru wedi codi unrhyw wrthwynebiad i'r datblygiad arfaethedig yn amodol ar y gwaith yn cael ei gyflawni yn unol â'u canllawiau atal llygredd fel na fydd draeniau dŵr wyneb a chysiau dŵr lleol yn cael eu llygru. Gellir ychwanegu hwn fel gwybodaeth i'r caniatâd.

Mae'r safle arfaethedig yn cael ei ddefnyddio ar hyn o bryd fel maes parcio ychwanegol ar gyfer y garej gerllaw, ac ni fydd coed na chloddiau yn cael eu tynnu yn rhan o'r cynnig. Felly, ni ystyrir ei fod yn cael unrhyw effaith andwyol ar rywogaethau a warchodir.

### **Draenio Dŵr Brwnt:**

Mae Cyfoeth Naturiol Cymru yn nodi bod safle'r cais wedi'i leoli yn nalgylch prif garthffos gyhoeddus felly byddai angen i unrhyw ddraenio dŵr brwnt fynd i'r brif system garthffosiaeth fel a nodir yng nghylchlythyr Llywodraeth Cymru 008/2018. Mae Dŵr Cymru Welsh Water wedi cynghori bod yr ymgeisydd yn cysylltu â nhw i ddarganfod lleoliad a statws y garthffos.

### **Draenio Tir:**

Mae'r cais yn nodi y bydd dŵr wyneb yn cael ei waredu drwy ffosydd cerrig. Mae Swyddog Draenio Tir y Cyngor wedi cynghori y dylid cyflwyno mwy o wybodaeth i ddangos bod cyflwr y tir yn addas. Fodd bynnag, bydd angen cymeradwyaeth Systemau Draenio Cynaliadwy (SuDS) gan awdurdod Corff Cymeradwyo SuDS (SAB) cyn cychwyn ar y gwaith ar y safle felly ymdrinnir yn ddigonol â dŵr wyneb drwy'r broses hon.

### **Materion Eraill:**

Mae manylion materion yn ymwneud â mynediad, golwg, graddfa, cynllun a thirwedd wedi'u cadw yn ôl i'w hystyried yn rhan o gais materion wedi'u cadw yn ôl dilynol. Ni dderbyniwyd gwrthwynebiadau gan ymgynghoreion statudol ac ystyrir bod modd cael annedd a gynlluniwyd mewn modd addas, sy'n cydymffurfio â gwybodaeth ddangosol a gyflwynwyd yn rhan o'r cais, ar y safle hwn heb iddi gael effaith andwyol ar y tirlun, amwynderau trigolion cyfagos, diogelwch ar y briffordd.

### **Pwerau Dirprwy**

Mae'r Aelod Lleol, y Cyngorydd Gethin Davies, wedi gofyn i'r Pwyllgor Cynllunio ar Reoli Datblygu benderfynu ar y cais am y rhesymau a ganlyn:

- Cefnogi'r angen am gartrefi newydd yn y ward
- Dim yn cytuno ei fod yn gefn gwlad agored
- Mae yna dai yn agos iawn ac wrth ymyl i Garej Bayview.

**ARGYMHELLIAD:**

Argymhellir bod y cais yn cael ei wrthod gan ei fod yn groes i strategaeth dai y Cynllun Datblygu Lleol a bennir ym mholisiâu S01 ac S04 y Cynllun Datblygu Lleol.

<b>Rhif y Cais / Application Reference</b>	A210722
<b>Derbyniwyd / Received</b>	22-07-2021
<b>Y Bwriad / Proposal</b>	Proposed Retirement Bungalow.
<b>Lleoliad Safle / Site Location</b>	Bayview Garage, Parcllyn, Cardigan, Ceredigion, SA43 2BT
<b>Math o Gais / Application Type</b>	Outline Planning Permission - All/Some Matters Reserved
<b>Ymgeisydd / Applicant</b>	Oliver Davies, Bayview Garage, Parcllyn, Cardigan, Ceredigion, SA43 2BT
<b>Asiant / Agent</b>	Mr Stewart Corbett (Archi-Tech), Unit 3 Canolfan Teifi Pendre, Cardigan, Ceredigion, SA43 1JL

## THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to land forming part of Bayview Garage, located near to the junction of Hilltop Way and the B4333 on the outskirts of Parcllyn and Aberporth. The site is located to the north of the garage building and forms part of the car parking / storage area. The site is relatively flat and is bounded by trees and hedges along its north, east and west boundaries, and is accessed via the entrance to the garage directly from the road to the west.

Relevant planning history:

- A070053 - Refurbishment of commercial garage & erection of dwelling for operator/owner. Approved subject to conditions and a section 106 agreement 12-12-2008. The application was recommended for refusal by the LPA as the need for a dwelling was not justified, however the application was approved by members of the Planning Committee.

## DETAILS OF DEVELOPMENT

The application seeks outline planning permission, with all matters reserved, for the erection of a bungalow. Matters relating to access, layout, appearance, scale and landscaping are reserved for consideration under a subsequent reserved matters application.

The application is accompanied by an indicative block plan which shows that the bungalow will be located centrally within the plot, with garden area to its north, east and west, with parking to its south. Access will be from the adjoining road to the west and adjacent to the existing access to the garage. The existing hedgerow will be retained and a new hedge will be planted along the north and east boundaries, with a timber fence along the south boundary.

The application is accompanied by a supporting statement from the applicant, Mr Davies, who intends on occupying the dwelling and is the current owner and operator of Bayview Garage. It states that Mr Davies currently lives within the flat above the garage but is looking to take a step back from the running of the garage due to his age, and therefore the bungalow would provide him with a retirement home and would allow him to remain living on site to provide support, advice and experience to who ever will take over the running of the garage whilst also allowing him to continue to live in the local area.

The following scale parameters are provided:

- Height - 6.5-7 metres
- Length - 10-14 metres
- Width - 8-10 metres

## RELEVANT PLANNING POLICIES AND GUIDANCE

### Relevant National Planning Policy and guidance

- FW21 Future Wales: The National Plan 2040
- PPW21 Planning Policy Wales (edition 11, February 2021)
- TAN12 Design (2016)
- TAN18 Transport (2007)
- TAN2 Planning and Affordable Housing (2006)
- TAN5 Nature Conservation and Planning (2009)
- TAN6 Planning for Sustainable Rural Communities (2010)
- Welsh Government Circular 008/2018 - (Foul Drainage Connections)

### Relevant Local Planning Policy

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
- LU05 Securing the Delivery of Housing Development
- DM01 Managing the Impacts of Development on Communities and the Welsh Language
- 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 2015
- Transport Assessment SPG 2015
- Built Environment and Design SPG 2015
- Nature Conservation SPG 2015
- Affordable Housing SPG 2014

## **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**

- **Aberporth Community Council** - No response received
- **Highways** - No objection subject to conditions
- **Land Drainage** - Standard Advice. SuDS approval required from SAB
- **Ecology** - No response received
- **Natural Resources Wales** - No objection
- **Dwr Cymru Welsh Water** - Location and status of the sewer unknown

No responses received from third parties.

## 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**

The application site lies outside of the settlement boundary for Aberporth/Parclyn and therefore lies within 'other locations' as identified within the LDP. LDP policy S04 states that housing development within 'other locations' are inappropriate unless justified on the basis that it meets a demonstrated i) unmet affordable housing need in the locality and accords with Policy S05; or ii) need for a rural enterprise dwelling in line with TAN 6. Furthermore, the policy requires all developments within 'other locations' to accord with TAN 6. The applicant has advised that an affordable dwelling would not meet with his needs.

The proposal is to provide a retirement bungalow for the applicant who currently owns and runs the adjoining Bayview Garage. The proposal is not for an affordable housing nor for a rural enterprise dwelling, and therefore fails to meet with LDP policy S04 as it represents an open market dwelling within 'other locations'.

The planning permission that was granted for the garage with a residential flat above, is subject to a planning obligation, secured via a section 106 agreement, which states that the flat shall not be sold separately from the business known as Bay View Garage, or vice versa, and shall not be occupied until the business is up and running. The flat therefore provides opportunities for accommodation for a manager / worker in association with the garage, if one wishes to live on site - although it is not considered that there is a functional need for the proper management of the garage for a manager / worker to be living on site.

### **Affordable Housing:**

The proposed development will require a commuted sum at the 'equivalent value' of 10% of the Open Market Value of the development to be provided towards affordable housing, in line with LDP Policy S05.

### **Ecology:**

NRW has raised no objection to the proposed development subject to the works being carried out in accordance with their pollution prevention guidelines so to prevent contamination of surface water drains and local watercourse. This can be added as an informative to the permission.

The proposed site is currently used as overflow car parking for the adjacent garage, and no trees or hedges will be removed as part of the proposal. As a result it is not considered to have any adverse impact on protected species.

### **Foul Drainage:**

NRW state that the application site is located within a public mains sewer catchment area, therefore any foul water drainage would need to be discharged to the main sewerage system as stated within WG circular 008/2018. Dwr Cymru Welsh Water has advised that the applicant contacts them to establish the location and status of the sewer.

### **Land Drainage:**

The application states that surface water will be disposed of via soakaways. The Council's Land Drainage Officer has advised that further information should be submitted to demonstrate that the ground conditions are suitable. However, SuDS approval will be required from the Council's SAB authority prior to the commencement of work on site therefore surface water will be adequately dealt with through this process.

### **Other matters:**

Detailed matters relating to access, appearance, scale, layout and landscaping are reserved for consideration as part of a subsequent reserved matters application. No objections have been received from statutory consultees and it is considered that a suitably designed dwelling, which accords with the indicative information submitted as part of the application, can be achieved on this site without having an adverse impact on the landscape, the amenity of nearby occupiers, highway safety.

### **Power of delegation:**

The local member, Cllr Gethin Davies, has requested for the application to be determined by Development Control Planning Committee for the following reasons:

- To support the need for new homes in the ward



- Do not agree that it is open countryside
- There are houses very close by and besides the Bayview Garage.

**ARGYMHELLIAD / RECOMMENDATION:**

The application is recommended for refusal, as it is contrary to the LDP housing strategy set out within LDP policies S01 and S04.