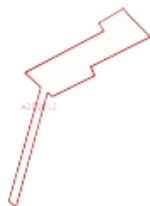


1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A201012	01-12-2020	Mr O Jones	Change of Use of Agricultural Land to Glamping Pod site	Fields South East of Pantyfod, Llanddewi Brefi, Tregaron. SY25 6PE	Refuse
2	A220250	27-03-2022	Mr D J Evans	Erection of a detached block of flats, six storeys in height (sixth storey within roof space), containing 24 units with associated car parking and communal amenity spaces.	Area of land adjacent to the Brynderw Building, Stanley Road, Aberystwyth. SY23 1LB	Approve Subject to Conditions

1.1. A201012



Rhif y Cais / Application Reference	A201012
Derbyniwyd / Received	01-12-2020
Y Bwriad / Proposal	Change of Use of Agricultural Land to Glamping Pod site
Lleoliad Safle / Site Location	Fields South East of Pantyfod, Llanddewi Brefi, Tregaron. SY25 6PE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr O Jones, Penlanwen, Llanddewi Brefi, Tregaron, Ceredigion, SY25 6PE
Asiant / Agent	Emmanuel Kincaid (Living Design Consultancy), Glyn, Llanddewi Brefi, Tregaron, Ceredigion, SY25 6RL

Y SAFLE A HANES PERTHNASOL

Mae Penlanwen wedi'i leoli mewn ardal cefn gwlad agored, tua milltir i'r de o bentref Llanddewi Brefi. Mae Penlanwen yn fferm fynydd 550 acer gyda diadell o 800 o ddefaidd mynydd Cymreig.

Mae safle'r cais wedi'i leoli tua 0.5km i'r dwyrain o fferm Penlanwen, ac mae'n cael ei ddefnyddio ar hyn o bryd fel tir pori amaethyddol.

Does dim hanes cynllunio blaenorol i'r safle.

MANYLION Y DATBLYGIAD

Mae'r cais yn un llawn ac mae'n gofyn caniatâd cynllunio i ddarparu pedwar pod glampio ar gyfer llety gwyliau. Mae'r perchnogion am arallgyfeirio i gynhyrchu incwm ychwanegol at fusnes y fferm. Mae'r cynnig hefyd yn cynnwys trac mynediad at y podiau glampio, a gosod pecyn trin carthffosiaeth i gael gwared â charthion. Mae'r cais yn cynnwys cynllun gwarchod coed a thirwedd, sy'n cynnig plannu gwrych i sgrinio'r safle.

Mae'r podiau wedi'u gosod mewn rhes ar ben deheuol cae llethrog sy'n wynebu'r gogledd. Bydd y podiau'n cael eu gosod tua 0.5km o Benlanwen ei hun. Bydd mynediad i gerbydau ar hyd trac presennol, a mynediad o'r briffordd ar hyd y lôn unffordd annosbarthedig. Bydd y podiau'n rhai unllawr 3m o uchder at y grib. Y deunyddiau arfaethedig yw Cladin Pren Naturiol gyda ffenestri a drysau uPVC llwyd.

Cyflwynwyd Asesiad o'r Effaith ar Ddatblygiad ac Anghenion Twristiaeth i gefnogi'r cais.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiau Cynllunio Cenedlaethol perthnasol:

- Cymru'r Dyfodol – Y Cynllun Cenedlaethol 2040 (2021)
- PPW11 Polisi Cynllunio Cymru (argraffiad 11, Chwefror 2021)
- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)

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 Statig a Theithiol, Lleiniau Gwersylla, Cabanau a Chalets
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirlunio
- DM13 Systemau Draenio Cynaliadwy
- DM17 Y Dirwedd yn Gyffredinol

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

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

Mae'r ddyletswydd uchod wedi cael ystyriaeth briodol wrth wneud penderfyniad am y cais hwn. Ystyrir nad yw'r datblygiad arfaethedig yn un sydd â goblygiadau sylweddol o ran pobl sydd â nodwedd warchoddedig, nac yn un a fydd yn cael effaith sylweddol arnynt, o'i gymharu ag unrhyw un arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

Mae Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar y Cyngor i gymryd camau rhesymol i ymarfer ei swyddogaethau i fodloni'r saith nod llesiant a geir yn y Ddeddf. Mae'r adroddiad hwn wedi'i baratoi gan ystyried dyletswydd y Cyngor a'r 'egwyddor datblygu cynaliadwy' fel y'i gosodir yn Neddf 2015. Wrth bennu'r argymhellid, 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 Llanddewi Brefi – Dim Ymateb

Priffyrdd – Dim Gwrthwynebiad Yn Unol ag Amodau

Draenio Tir – Dim Gwrthwynebiad, Angen Cymeradwyaeth SuDS

Ecoleg – Cynhaliwyd Prawf o Effaith Arwyddocaol Debygol (TLSE) ac Asesiad Priodol am fod safle'r cais yn agos at ACA Afon Teifi. Cafodd y cynnig ei sgrinio fel un nad oedd yn debygol o gael effaith ar Afon Teifi o ganlyniad i ollwng mwy o ffosffad i'r afon. Dim gwrthwynebiad yn amodol ar gontract.

Naturiol Cymru – Rydym wedi adolygu'r Asesiad Priodol ac wedi dod i'r casgliad na fyddai'r cynnig yn cael unrhyw effaith andwyol ar ACA Afon Teifi. Nid oedd gan Cyfoeth Naturiol Cymru unrhyw wrthwynebiad i'r cynnig.

Sylwadau Trydydd Parti

Derbyniwyd tri llythyr o gefnogaeth i'r cais.

Derbyniwyd un llythyr yn gwrthwynebu gosod y podiau mor bell oddi wrth y brif fferm.

CASGLIAD

Mae Adran 38 (6) o Ddeddf 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 wedi'i leoli o fewn cefn gwlad agored a nodir ei fod o fewn 'lleoliadau eraill' fel y'u diffinnir yn y CDLI mabwysiedig. Mae polisiâu lleol a chenedlaethol yn nodi y dylai datblygiadau o fewn 'lleoliadau eraill' fod dan reolaeth lem, i sicrhau bod yna ddatblygu cynaliadwy ac i amddiffyn nodweddion cefn gwlad agored.

Mae Polisi S04 y CDLI yn cyfeirio at ddatblygu o fewn 'lleoliadau eraill' ac yn nodi bod angen rhywfaint o ddatblygu i ddiwallu anghenion cymunedau presennol, ond fe'u hystyrir yn leoliadau llai cynaliadwy ar gyfer datblygu. O ganlyniad, mae maen prawf 4 yn gofyn bod unrhyw ddatblygiad o fewn 'lleoliadau eraill' yn nhermau ei leoliad ffisegol, yn cydymffurfio â TAN 6. Mae'r cynnig yn rhan o gynllun arallgyfeirio amaethyddol sy'n gysylltiedig â'r gweithgareddau ffermio ym Mhenlanwen, ac fel y cyfryw, mae'n bodloni gofynion TAN 6 a Pholisi S04.

Er nad oes unrhyw bolisi penodol yn ymwneud â chynigion glampio o fewn y CDLI, ystyrir ei bod hi'n rhesymol asesu'r datblygiad dan Bolisi LU14, sy'n cyfeirio at safleoedd gweryslla a chalets. Mae safle'r cais wedi'i leoli tu allan i'r ardal arfordirol am ei fod i'r dwyrain o'r A487 ac felly mae'n dod dan ofynion Polisi LU14.

Yn ôl Polisi LU14, y tu allan i'r ardal arfordirol :

a. *Caniateir safleoedd newydd ar gyfer carafannau teithiol, gwersylla a llety cabanau ar yr amod:*

i. *Y bydd hynny, lle bo modd, yn cefnogi canolbwyntiau twristiaeth strategol;*

ii. *Y 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;*

iii. *Nad yw'r cyfleusterau a gynigir drwy'r safle yn effeithio ar ddichonoldeb gwasanaethau sydd eisoes yn bodoli yn yr anheddiad agosaf; a*

iv. *Bod Asesiad o'r Effaith ar Ddatblygiad ac Anghenion Twristiaeth yn cael ei gyflwyno fel rhan o'r broses ymgeisio.*

Mae Rhan 7.90 o'r CDLI yn nodi:

"Mewn ardaloedd y tu allan i Ardal yr Arfordir, caniateir safleoedd newydd ar gyfer carafannau teithiol, gan gynnwys cartrefi modur, a meysydd gwersylla, cyn belled â'u bod yn briodol i'r lleoliad. Dylai safleoedd mwy o faint gael eu lleoli o fewn neu gerllaw Canolfannau Gwasanaethau Trefol a Chanolfannau Gwasanaethau Gwledig, lle dylai amrywiaeth ehangach o gyfleusterau a gwasanaethau fodoli'n barod. 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. Mae'r drefn hon yn cydfynd â Pholisïau S02-S04."

Mae polisïau ategol yn cefnogi safleoedd glampio llai ar yr amod eu bod wedi'u lleoli gerllaw ffermydd, er budd y dirwedd ac at ddibenion swyddogaethol. Ni ystyrir bod y cynnig wedi'i leoli gerllaw'r fferm. Bydd y podiau wedi'u gosod tua 450m i ffwrdd o'r fferm, gyda nifer o gaeau'n gwahanu'r datblygiad arfaethedig oddi wrth fferm Penlanwen ei hun. Dylai'r podiau glampio fod wedi'u gosod yn nes at y gweithgareddau amaethyddol ym Mhenlanwen at ddibenion swyddogaethol, i helpu i reoli safle wersylla fach, ac i leihau effaith y datblygiad ar y dirwedd mewn lleoliad cefn gwlad agored.

Mae'r cais yn cynnwys ystyriaethau dilyniannol i gyflawnhau safle arfaethedig y podiau glampio. Mae'r materion a godwyd yn y prawf dilyniannol yn cynnwys cyfyngiadau topograffaid, fferm foch gerllaw, tir anaddas a chyfyngiadau o ran y briffordd. Fodd bynnag, mae'r Awdurdod Cynllunio Lleol o'r farn y gellid gosod y podiau'n nes at y ffem ei hun. Dylai'r ymgeiswyr edrych ar opsiynau i leoli'r podiau glampio mewn man llai amlwg gerllaw fferm Penlanwen.

Ar hyn o bryd nid yw'r podiau wedi'u lleoli gerllaw fferm Penlanwen, ac felly nid yw'r cynnig yn cydymffurfio â Pholisi LU14 y CDLI

Yn ogystal, mae safle'r cais wedi'i leoli mewn man agored, amlwg, gyda golygfeydd yn ymestyn dros Ddyffryn Teifi a thu hwnt. Mi fydd y podiau wedi'u gosod yn agos at y grib ar lethr gogledd orllewinol sy'n wynebu'r dyffryn, a byddant i'w gweld o'r briffordd a thu hwnt. Mi allai lleoliad y podiau amharu ar olwg yr ardal a byddant yn elfen anodweddiadol o leoliad cefn gwlad agored, sydd heb ei ddatblygu fel arall. Mae paragraff 3.34 o Bolisi Cynllunio Cymru'n dweud, "*Rhaid cadw a gwella cefn gwlad, yn unol â datblygu cynaliadwy ac egwyddorion cynllunio cenedlaethol, ar gyfer ei werth fel tirwedd*". Ystyrir bod adeiladu llwybr mynediad newydd a 4 pod glampio mewn lleoliad gwledig agored, i ffwrdd o unrhyw adeiladau, yn gyfystyr â datblygu gwasgaredig o fewn cefn gwlad agored nad yw'n cadw nac yn gwella'r dirwedd, ac sy'n cael effaith andwyol ar gymeriad yr ardal. Mae'r datblygiad felly yn mynd yn groes i nodau polisïau cenedlaethol a pholisïau DM06 a DN17 y CDLI.

O ran ystyriaethau perthnasol eraill, ni dderbyniwyd unrhyw wrthwynebiad i'r cynnig o bersbectif priffyrdd, draenio nac ecoleg. Am fod y safle'n agos at ACA Afon Teifi, cafodd y cynnig, gan gynnwys y trefniadau carthffosiaeth, ei sgrinio am ei botensial i gynyddu'r ffosffad a ollyngir i'r ACA. Daeth y TLSE a'r Asesiad Priodol i'r casgliad na fyddai'r cynnig yn cael unrhyw effaith andwyol ar yr ACA.

Nodwyd y sylwadau o gefnogaeth a gwrthwynebiad gan drydydd partion.

Cyn adroddwyd y cais i'r Pwyllgor, derbyniwyd gwybodaeth ychwanegol gan yr asiant yn ceisio cyfiawnhau lleoliad y cais a pham na ellid ystyried safle arall yn nes at y fferm ynghyd â engreiffiau o geisiadau eraill â gymeradwywyd a oedd cryn bellter wrth y brif fferm.

Roedd y rhesymau a roddwyd yn erbyn ystyried safleoedd a oedd yn agosach at y fferm yn cynnwys cyfeiriad at y ffaith fod tir sy'n nes at y fferm yn serth, yn gorsiog ac yn anaddas ar gyfer podiau. Darparwyd gwybodaeth hefyd a oedd yn ceisio dangos y byddai'r rhaid diystyru safleoedd sy'n agosach at Benlanwen oherwydd na allent gydymffurfio â gofynion CNC ynghylch gollyngiadau ffosffad. Fodd bynnag, ni ellid diystyru addasrwydd y safleoedd hyn heb gynnal ARhC.

Roedd y wybodaeth hefyd yn cynnwys cyfeiriad at gyfraith achosion a oedd yn nodi nad oedd y testun ategol yn bolisi ac felly ni allai'r ACLI fynnu bod unrhyw gais yn gyfagos i'r fferm fel yr awgrymwyd yn y testun. Mewn ymateb, cydnabyddir na ellir ystyried y testun ategol fel polisi ei hun ond fel gwybodaeth ategol sy'n ceisio cynorthwyo dehongli'r polisi ei hun. Serch

hynny, nodir er nad yw'r testun ategol efallai'n rhan o'r polisi, mae PCC yn berthnasol wrth ystyried y cais ac yn nodi bod yn rhaid i unrhyw gynnis gydymffurfio â gofynion PCC a TAN6. Mae PCC a TAN6 yn nodi y dylai datblygiadau fod o fewn cyfadeiladau fferm ac nid mewn lleoliad cefn gwlad agored.

I gloi, mae'r egwyddor o ddatblygu safle glampio bach ym Mhenlanwen fel rhan o gynllun arallgyfeirio amaethyddol yn un a gefnogir gan bolisiâu lleol a chenedlaethol. Fodd bynnag, nid yw'r safle wedi'i leoli gerllaw'r fferm ei hun nac unrhyw adeiladau eraill, ac fel y cyfryw, mae'r datblygiad yn mynd yn groes i Bolisi LU14. Mae'r safle mewn lleoliad amlwg o fewn ardal cefn gwlad agored, ar lethr gyda golygfeydd yn ymestyn dros y dyffryn; byddai 4 pod glampio a'r ffordd fynediad yn amharu ar gymeriad y dirwedd, ac mae'n gyfystyr â datblygu gwasgaredig o fewn cefn gwlad agored. Mae'r datblygiad felly yn mynd yn groes i bolisiâu DM06 a DM17 y CDLI.

RHESYMAU DROS GYFEIRIO'R MATER AT SYLW'R PWYLLGOR RHEOLI DATBLYGU:

Mae'r cais yn cael ei adrodd i'r Pwyllgor Rheoli Datblygu i'w ystyried gan fod yr aelod lleol, y Cynghorydd Rhodri Evans, wedi datgan diddordeb yn y cais.

RHESWM DROS OHIRIO:

Yn ei gyfarfod ar 14eg Mehefin, 2023 penderfynodd y Pwyllgor gyfeirio'r cais i'r Panel Archwilio Safle i'w ystyried yn unol â Pharagraffau 2 a 3 o feini prawf mabwysiedig y Cyngor.

Cyfarfu'r Panel Archwilio Safle ar 29 Mehefin, 2023 ac roedd yn cynnwys y Cyng Rhodri Davies (Cadeirydd); Cynghorwyr Gethin Davies, Ifan Davies, Meirion Davies a Maldwyn Lewis. Hefyd yn bresennol roedd y Cyng Rhodri Evans (Aelod Ward Lleol mewn swyddogaeth arsylwi), Mrs Catrin Newbold (Rheolwr Datblygu - Rheolwr Gwasanaeth) a Mr Jonathan Eirug (Arweinydd Tîm Rheoli Datblygu (Gogledd)).

Disgrifiodd yr Arweinydd Tîm Rheoli Datblygu (Gogledd) y cais, safle'r cais, fframwaith polisi ac adroddodd ar yr ymatebion i'r ymgynghoriad. Hysbyswyd y Panel mai'r prif fater mewn perthynas â'r cais oedd a ystyriwyd bod y cynnis yn cydymffurfio â pholisiâu S04 ac LU14 y CDLI yn yr ystyr y byddai cyfleusterau twristiaeth ar raddfa fach naill ai'n cael eu cynnwys mewn aneddiadau cysylltiedig neu'n gyfagos iddynt neu gerllaw ffermydd ac yn cael ei ystyried dan gynllun arallgyfeirio ffermydd. Nodwyd bod safle'r cais 500m o fferm gysylltiedig Penlanwen ac mewn lleoliad amlwg ar lethr sy'n wynebu'r gogledd orllewin yn edrych dros Ddyffryn Teifi. Barn yr ACLI oedd er bod egwyddor y datblygiad yn dderbyniol, y gellid gosod y podiau glampio mewn lleoliad llai ymwithiol yn nes at y brif fferm. Roedd y cais yn groes i bolisi LU14 a pholisiâu DM06 a DM17 a oedd yn ceisio gwarchod a gwella cymeriad ac edrychiad gwledol yr ardal leol a'r dirwedd ehangach.

Archwiliwyd safle'r cais gan y Panel gan nodi ei leoliad amlwg gryn bellter i ffordd o ffermydd Penlanwen. Cyfeiriwyd at y ffaith bod y safle ei hun o dan y crib ac wedi'i sgrinio gan goed i'r de ddwyrain ac na ellid gweld y safle ei hun o'r ffordd Sirol gyfagos. Nodwyd hefyd bod y safle wedi'i ddewis fel un a allai oresgyn unrhyw broblemau draenio ffosffad, ond cydnabuwyd nad oedd hyn wedi'i gadarnhau trwy gynnal asesiadau priodol o leoliadau eraill yn agosach at y fferm ei hun. Fodd bynnag, dywedodd y Panel hefyd y gallai gwasanaethu'r podiau glampio fod yn broblemus o ystyried y pellter o Benlanwen .

Aeth y Panel yn ei flaen i archwilio tir yn nes at y brif fferm ei hun gan nodi bod y tir ger cyfadeilad y fferm yn serth, yn agos at afon gyfagos a bod y mynediad i'r fferm ei hun, yn eu barn hwy, yn annigonol. I gael mynediad i dir y tu cefn i'r ffermydd byddai'n rhaid croesi'r brif fferm a oedd yn gweithredu'n amaethyddol llawn amser.

Wedi ystyried rhinweddau a chyfyngiadau'r cais a thra'n cydnabod gwrthwynebiad y polisi i leoli'r podiau gryn bellter i ffordd o'r fferm, roedd y Panel o'r farn mai safle'r cais oedd yr unig leoliad dichonadwy ar gyfer lleoli'r podiau eu hunain. Fodd bynnag, mynegodd y Panel bryder y gallai cefnogi'r cynnis ar safle'r cais osod cynsail ar gyfer cymeradwyo cynlluniau tebyg y gellir eu cyfiawnhau ar sail arallgyfeirio fferm ond sy'n gwrthdaro â'r gofyniad polisi ei fod yn gyfagos i'r brif fferm ac y gellid ei waredu o bosibl fel menter fusnes unigol nad oedd yn gysylltiedig â'r busnes fferm a oedd yn cyfiawnhau'r cynllun. O ganlyniad, argymhellodd y Panel petai'r cais yn cael ei ganiatáu y dylai hefyd fod yn destun cytundeb A106 o dan ddarpariaethau Deddf Cynllunio Gwlad a Thref 1990 yn clymu'r datblygiad arfaethedig â'r busnes amaethyddol ym Mhenlanwen ac i'r gwrthwyneb . Awgrymwyd hefyd y dylid darparu sgrinio ychwanegol a lefelu'r podiau.

ARGYMHELLIAD:

GWARTHOD y cais ar sail y ffaith ei fod yn mynd yn groes i bolisi LU14 y CDLI. Bydd y cynnis hefyd yn cael effaith andwyol ar gymeriad cefn gwlad agored y dirwedd, ac mae felly'n mynd yn groes i bolisiâu DM06 a DM17 y CDLI.

Rhif y Cais / Application Reference	A201012
Derbyniwyd / Received	01-12-2020
Y Bwriad / Proposal	Change of Use of Agricultural Land to Glamping Pod site
Lleoliad Safle / Site Location	Fields South East of Pantyfod, Llanddewi Brefi, Tregaron. SY25 6PE
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr O Jones, Penlanwen, Llanddewi Brefi, Tregaron, Ceredigion, SY25 6PE
Asiant / Agent	Emmanuel Kincaid (Living Design Consultancy), Glyn, Llanddewi Brefi, Tregaron, Ceredigion, SY25 6RL

THE SITE AND RELEVANT PLANNING HISTORY

Penlanwen lies in an open countryside location, approximately 1 mile to the south of the village of Llanddewi Brefi. Penlanwen is a 550 acre hill farm, which has a flock of 800 welsh mountain ewes.

The application site itself lies some 0.5km to the south of Penlanwen farm, and is currently used as agricultural grazing land.

The site has no former planning history.

DETAILS OF DEVELOPMENT

The application is in full and seeks planning permission for the provision of four glamping pods for holiday purposes. The owners wish to diversify in order to generate additional income into the farming business. The proposal also includes an access track to serve the glamping pods and the installation of a package treatment plant to dispose of foul sewage. The application includes a landscape and tree protection plan, which proposes hedge planting to screen the proposal.

The pods are positioned in a row on the southern end of the sloping field, which faces north. The pods will be sited approx. 0.5km from Penlanwen itself. Vehicle access is gained from an existing track and highway access from the unclassified single-track road. The pods will be single storey and are 3m high to ridge. The proposed materials are Natural Timber Cladding with Grey uPVC windows and doors.

The application is supported by a Tourism Needs and Development Impact Assessment.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy:

- Future Wales - The National Plan 2040 (2021)
- PPW11 Planning Policy Wales (edition 11, February 2021)
- TAN6 Planning for Sustainable Rural Communities (2010)

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
- DM10 Design and Landscaping
- DM13 Sustainable Drainage Systems
- 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.

CONSULTATION RESPONSES

Cyngor Cymuned Llanddewi Brefi Community Council – No Response

Highways – No Objection Subject to Conditions

Land Drainage – No Objection, SuDS Approval required

Ecology – A Test of Likely Significant Effects (TLSE) and Appropriate Assessment was undertaken in view of the application's site proximity to the River Teifi SAC. The proposal was screened out as not likely to have an impact on the river Teifi from increased phosphate discharge. No objections STC.

NRW - We have reviewed the Appropriate Assessment and your conclusions that as a result of the proposal there would be no adverse effects on the integrity of the River Teifi SAC. NRW offer no objection to the proposal.

Third Party Representations

Three letters were received in support of the application.

One letter was received in objection to the siting of the proposal some distance away from the main farm holding.

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 in the open countryside and identified as being within 'other locations' as set out in the adopted LDP. National and local planning policy outlines that development in 'other locations' should be strictly controlled in the interest of achieving sustainable development and protecting the qualities of the open countryside.

LDP Policy S04 refers to development in 'other locations' and states that they require a degree of development to meet the needs of existing communities, but they are considered to be less sustainable locations for development. As a result, criterion 4 requires all development, in terms of both its physical location, within 'other locations' to accord with TAN6. The proposal forms part of an agricultural diversification scheme in connection with the farming activities at Penlanwen, and as such satisfies the requirements of TAN6 and Policy S04.

Whilst there is no specific policy relating to glamping proposals within the LDP, it is considered reasonable to assess the development under Policy LU14, which refers to camping sites and chalets. The application site lies outside the coastal area as it is eastwards of the A487 and is therefore subject to the requirements of Policy LU14:

Policy LU14 states that Outside the Coastal Area:

- a. *New sites for touring caravans camping and cabin accommodation will be permitted provided that:*
 - 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.*

Part 7.90 of the LDP states that:

"In areas outside of the Coastal Area development of new touring caravan, which includes motorhomes, and camping sites will be permitted providing that it is appropriate in relation to the location. Larger sites should be located within or adjacent to USCs and RSCs where a wider range of facilities and services should already be present. 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. This approach accords with Policies S02-S04."

Supporting policy supports smaller glamping sites subject to the siting being adjacent to farmsteads for both landscape and functional purposes. The proposal is not considered adjacent to the farmstead. The pods will be located approx. 450m away from the farmstead with several fields separating the proposed development from the main built form at Penlanwen. The glamping pods should be sited closer to the farming activities at Penlanwen for functional purposes to assist in managing a small camping site, and to lessen the impact of development on the landscape in an open countryside location.

The application includes a sequential approach to justify the proposed siting of the glamping pods. The issues raised in the sequential test includes topographical constraints, a nearby pig farm, and unsuitable land and highway constraints. However, the Local Planning Authority are of the opinion that the pods could be sited closer to the farmstead. The applicants should explore options to locate the glamping pods in a less intrusive location adjacent to the farmstead at Penlanwen.

Currently, the pods are not sited adjacent to the farmstead of Penlanwen, as such the proposal falls short of Policy LU14 of the LDP.

Additionally, the application site is located in an open visually prominent location with wide reaching views over the Teifi Valley and beyond. The pods will be sited close to the ridgeline on a north western facing slope facing the valley and will be visible from the highway and further afield. The setting of the pods could be visually obtrusive and will present an uncharacteristic element in an otherwise undeveloped open countryside location. Planning Policy Wales paragraph 3.34 states, "*The countryside in line with sustainable development and national planning principles must be conserved, and enhanced for its landscape value*". Constructing a new access path and four glamping pods in an exposed rural location away from any built form is considered sporadic development in the open countryside and would fail to conserve or enhance the landscape and detrimentally impact the character of the area. The development is therefore in conflict with national policy aims and policies DM06 and DM17 of the LDP.

With regard to other material considerations, no objections were received to the proposal from a highway, drainage or ecological perspective. In view of the site's proximity to the River Teifi SAC the proposal including its foul water disposal arrangements were screened in respect of potential increase in phosphates emission into the SAC. The TLSE and Appropriate Assessment concluded that there would not be an impact on the integrity of the SAC as a result of the proposal.

The third party correspondence of support and objection are noted.

Prior to reporting the application to Committee, additional information was received from the agent seeking to justify the location of the proposal and why other site closer to the farmstead could not be considered together with examples of similar applications which were approved where the application sites were some distance from the main farmstead.

Reasons as to why the site could not be closer to Penlanwen included reference to land closer to the farmstead being steep, boggy and unsuitable for pods. Information was also provided which sought to demonstrate that sites closer to Penlanwen would have to be discounted as not being able to comply with NRW requirements regarding phosphate discharges. However, the suitability of these sites could not be discounted without the undertaking of a HRA.

The information also contained reference to caselaw which indicated that supporting text was not policy and therefore the LPA could not insist on any application being adjacent the farmstead as the text suggested. In response, it is acknowledged the supporting text cannot be regarded as policy itself but rather as supporting information which seeks to aid the interpretation of the policy itself. Nevertheless, it is noted that whilst supporting text may not form part of the policy, PPW is material to the consideration of the application and states that any proposal must accord with PPW and TAN6 requirements. Both PPW and TAN6 stipulates that development should be within farm complexes and not in an open countryside location.

In conclusion, the principle of developing a small glamping site at Penlanwen as part of a farm diversification scheme is supported by both National and local policy. However, the proposal is not sited adjacent to the farmstead or any built form, as such; the development runs contrary to Policy LU14. The site is in an exposed and prominent open countryside location

on the hillside with wide ranging views over the valley; the proposed 4 glamping pods and access road will detriment the character of the landscape and constitutes sporadic development in the open countryside. The development is therefore in conflict with policies DM06 and DM17 of the LDP.

REASONS FOR REFERRAL TO THE DEVELOPMENT MANAGEMENT COMMITTEE:

The application is reported to the Development Management Committee for consideration as the local member, Cllr Rhodri Evans, has declared his interest in the application.

REASON FOR DEFERRAL:

The Committee at its meeting on 14th June, 2023 resolved to refer the application to the Site Inspection Panel for consideration in accordance with Paragraphs 2 and 3 of the Council's adopted criteria.

The Site Inspection Panel met on the 29th June, 2023 and comprised Cllr Rhodri Davies (Chairman); Cllrs Gethin Davies, Ifan Davies, Meirion Davies and Maldwyn Lewis. Also in attendance were Cllr Rhodri Evans (Local Ward Member in an observational capacity), Mrs Catrin Newbold (Development Management - Service Manager) and Mr Jonathan Eirug (Development Management Team Leader (North)).

The Development Management Team Leader (North) described the application, the application site, policy framework and reported the consultation responses. The Panel were informed that the main issue in relation to the application was whether the proposal was considered to be in compliance with policies S04 and LU14 of the LDP in that small scale tourism facilities shall either be accommodated in or adjoining linked settlements or adjacent to farmsteads and considered under farm diversification. It was noted that the application site was 500m from the associated farmstead of Penlanwen and in a prominent location on a north western facing slope overlooking the Teifi Valley. It was the opinion of the LPA that although the principle of the development was acceptable, the glamping pods could be sited in a less intrusive location closer to the main farmstead. The application was contrary to policy LU14 and policies DM06 and DM17 which sought to protect and enhance the character and visual appearance of the locality and wider landscape.

The Panel inspected the application site and noted its prominent location some distance away from the farmstead of Penlanwen. Reference was made to the fact that the actual site was below the ridge line and screened by trees to the south east and that the site itself could not be viewed from the nearby County road. It was also noted that the site was chosen as potentially overcoming any phosphate drainage problems however it was acknowledged that this had not been confirmed through the undertaking of appropriate assessments of alternative locations closer to the farmstead itself. The Panel however also commented that the servicing of the glamping pods could prove problematic given the distance from Penlanwen.

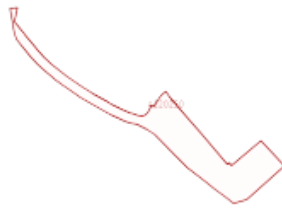
The Panel proceeded to inspect land closer to the main farmstead itself and noted that the land close to the farm complex was steep, close to an adjoining river and that the access to the farm itself was, in their opinion, inadequate. To gain access to land to the rear of the farmhouse would necessitate traversing through the main farmyard which was in full time agricultural operation.

Having considered the merits and constraints of the application and whilst acknowledging the policy objection to the siting of the pods some distance away from the farmstead it was the Panel's opinion that the application site was the only feasible location for the siting of the pods themselves. The Panel however expressed concern that supporting the proposal at the application site could set a precedent for approving similar schemes which are justified on farm diversification grounds but are in conflict with the policy requirement that it be adjoining the main farmstead and which could potentially be disposed of as an individual business enterprise unassociated with the farm business which justified the scheme. As a result the Panel recommended that should the application be approved that it should be also the subject of a S106 agreement under the provision of the Town and Country Planning Act 1990 tying the proposed development to the agricultural business at Penlanwen and vice versa. It was also suggested that additional screening and leveling of the pods be provided.

RECOMMENDATION:

To REFUSE the application on grounds of being contrary to policies LU14 of the LDP. The proposal will also have a detrimental impact on the open countryside character of the landscape, and is therefore in conflict with policies DM06 and DM17 of the LDP.

1.2. A220250



Rhif y Cais / Application Reference	A220250
Derbyniwyd / Received	27-03-2022
Y Bwriad / Proposal	Erection of a detached block of flats, six storeys in height (sixth storey within roof space), containing 24 units with associated car parking and communal amenity spaces.
Lleoliad Safle / Site Location	Area of land adjacent to the Brynderw Building, Stanley Road, Aberystwyth. SY23 1LB
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY
Asiant / Agent	Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

Y SAFLE A HANES PERTHNASOL

Mae Bryn Derw yn adeilad gweddol fodern pum llawr yn ardal Buarth yn Aberystwyth. Mae'r safle wedi'i amgylchynu gan anheddau preswyl i'r gogledd, ardal goediog i'r dwyrain, bloc uchel o swyddfeydd i'r de ac adeiladau Prifysgol Aberystwyth i'r gorllewin. Defnyddiwyd yr adeilad yn flaenorol gan y Brifysgol fel llety ac roedd yn cynnwys 146 o ystafelloedd gwely. Roedd yr adeilad wedi bod yn wag am nifer o flynyddoedd ond ers hynny mae wedi cael ei drawsnewid i 30 o fflatiau. Mae'r safle o fewn ardal gadwraeth y dref.

Hanes Cynllunio

A900351	Newid defnydd i swyddfeydd	Cymeradwywyd gydag Amodau 30/04/1990
A951196	Newid defnydd o swyddfeydd i ddarparu llety gyda 121 fflat un ystafell a fflat warden	Tynnwyd yn ôl 14/02/1996
A960835	Newid defnydd, addasu ac ymestyn i 30 o fflatiau.	Cymeradwywyd 27/11/1996
A210388	Amrywio amod 2 y caniatâd cynllunio 960835 (cynlluniau diwygiedig).	Cymeradwywyd gydag Amodau 07/07/2021

MANYLION Y DATBLYGIAD

Mae'r cais sy'n cael ei ystyried yma yn gofyn am ganiatâd cynllunio llawn ar gyfer adeiladu datblygiad preswyl o fewn y parcel o dir sy'n gysylltiedig â Brynderw, Ffordd Stanley, Aberystwyth. Mae hyn yn ychwanegol at y 30 o anheddau preswyl sydd eisoes wedi'u cymeradwyo.

Wrth benderfynu ar y cais, mae maint yr adeilad wedi'i ostwng o un llawr. Mae hyn wedi arwain at ddiddymu dwy uned o'r cynllun.

Mae cyfanswm o 24 o fflatiau bellach yn cael eu cynnig dros chwe llawr (y chweched llawr yng ngofod y to) gyda'r disgrifiad o'r datblygiad wedi'i ddiweddarau'n unol â hynny (drwy gydsyniad y ddwy ochr) ac ar y sail hon y penderfynwyd ar y cais.

Mae'r gymysgedd tai yn cynnwys 4 fflat symudedd 2 ystafell wely ar y llawr gwaelod gyda gweddill y fflatiau'n unedau 2 ystafell wely. Mae gan bob uned gegin/lolfa/ystafell fwyta cynllun agored.

Byddai gan y fflatiau ar yr ochr dde-orllewinol falconi.

Yn allanol, byddai'r adeilad yn cael ei orffen gyda rendrad llyfn gydag ardaloedd cyferbyniol o gladin. Byddai'r manylion gwaith saer yn cael eu gorffen mewn llwyd tywyll (anthracite), a byddai balwstrad y balconïau yn cael ei orffen mewn gwyrdd. Byddai'r to ar oledf yn cael ei orffen mewn llechen naturiol.

Ni chynigir unrhyw welliannau i'r mynediad presennol i'r safle sydd oddi ar Ffordd Stanley.

Yn allanol, mae'r cynllun tirlunio a gyflwynwyd yn dangos sut bydd coed a gwrychoedd newydd brodorol yn cael eu plannu o flaen yr adeilad a'r tu ôl iddo. Bydd man amwynder ar gael hefyd yng nghefn yr adeilad i breswylwyr presennol a rhai'r dyfodol a bydd meinciau picnic yn cael eu darparu.

Mae ardaloedd dan orchudd ar gyfer storio sbwriel yn cael eu cynnig hefyd.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

- DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Iaith Gymraeg
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM05 Datblygu Cynaliadwy a Lles Cynllunio
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM07 Ardaloedd Cadwraeth
- DM08 Arwyddion Dwyieithog ac Enwau Llefydd
- DM09 Dylunio a Symud
- DM10 Dylunio a Thirweddu
- DM11 Dylunio ar gyfer y Newid yn yr Hinsawdd
- DM12 Seilwaith Cyfleustodau
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol

- DM19 Tirweddau Hanesyddol a Diwylliannol
- DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd
- DM22 Gwarchod a Gwella'r Amgylchedd yn Gyffredinol
- LU02 Gofynion sy'n ymwneud â phob Datblygiad Preswyl
- LU04 Diwallu Amrywiaeth o Anghenion Tai
- LU05 Sicrhau Cyflenwi Datblygiadau Tai
- LU06 Dwysedd Tai
- LU24 Darparu Mannau Agored Newydd
- S01 Twf Cynaliadwy
- S02 Datblygu mewn Canolfannau Gwasanaethau Trefol
- S05 Tai Fforddiadwy
- Canllawiau Cynllunio Atodol Cymuned a'r Gymraeg 2015
- Canllawiau Cynllunio Atodol Mannau Agored Ebrill 2014
- Taflen Gymorth Canllawiau Cynllunio Atodol Cymuned a'r Gymraeg 2015
- Canllawiau Cynllunio Atodol Safonau Parcio Cyngor Sir Ceredigion 2015
- Canllawiau Cynllunio Atodol Asesiad Trafnidiaeth 2015
- Canllawiau Cynllunio Atodol Ynni Adnewyddadwy 2015
- Canllawiau Cynllunio Atodol Amgylchedd Adeiledig a Dylunio 2015

- Canllawiau Cynllunio Atodol Cadwraeth Natur 2015
- Canllawiau Cynllunio Atodol Tai Fforddiadwy 2014
- Taflenni Cymorth Canllawiau Cynllunio Atodol Tai Fforddiadwy 2014
- Cymru'r Dyfodol: Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)
- TAN10 Gorchmynion Cadw Coed (1997)
- TAN12 Dylunio (2016)
- TAN16 Chwaraeon, Hamdden a Mannau Agored (2009)
- TAN18 Trafnidiaeth (2007)
- TAN2 Cynllunio a Thai Fforddiadwy(2006)
- TAN20 Cynllunio a'r Gymraeg (2017)
- TAN5 Cynllunio a Chadwraeth Natur(2009)

YSTYRIAETHAU PERTHNASOL ERAILL

DEDDF TROSEDD AC ANHREFN 1998

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

DEDDF CYDRADDOLDEB 2010

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

- dileu neu leihau anfanteision a ddioddefir gan bobl oherwydd eu nodweddion gwarchoddedig;
- cymryd camau i ddiwallu anghenion pobl o grwpiau gwarchoddedig lle mae'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 mae eu cyfranogiad yn anghymesur o isel.

Rhodddwyd ystyriaeth ddyledus i'r ddyletswydd uchod wrth benderfynu ar y cais hwn. Ystyrir nad oes gan y datblygiad arfaethedig unrhyw oblygiadau sylweddol i bersonau sy'n rhannu nodwedd warchoddedig, nac ydyw'n cael effaith arnynt, yn fwy nag unrhyw berson arall.

DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

YMATEBION I'R YMGYNGHORIAD

Cyngor Tref Aberystwyth – Gwrthwynebu'n Gryf

Priffyrdd – Dim Gwrthwynebiad yn Destun Amodau

Draenio Tir – Angen cymeradwyaeth System Ddraenio Gynaliadwy

Ecoleg – Dim Gwrthwynebiad yn Destun Amodau

Cyfoeth Naturiol Cymru – Dim Gwrthwynebiad yn Destun Amodau

Dŵr Cymru – Dim Gwrthwynebiad yn Destun Amodau

Tân ac Achub Canolbarth Cymru – Dim Gwrthwynebiad yn Destun Amodau

Mae Cyngor Tref Aberystwyth yn Gwrthwynebu ar sail y traffig a gynhyrchir, gorddatblygu'r safle, colli mannau gwyrdd a choed, diffyg lle i storio sbwriel, diffyg llefydd parcio, dim darpariaeth trafndiaeth gynaliadwy, dim tai fforddiadwy a diystyru ymgynghoriad cyn ymgeisio. Mae Cyngor Tref Aberystwyth yn gofyn hefyd, petai caniatâd yn cael ei roi, bod amod yn cael ei atodi yn sicrhau bod yr unedau'n cael eu defnyddio fel tai annedd, yn cael eu defnyddio fel unig neu brif breswylfeydd ac nid fel lleu gwylliau.

Derbyniwyd cyfanswm o 23 o wrthwynebiadau gan 17 trydydd parti, gyda sylwadau'n adleisio'r pryderon a godwyd gan Gyngor Tref Aberystwyth ond yn cynnwys pryderon ynghylch effaith weledol, effaith ecolegol, sefydlogrwydd tir, cyd-gloi, sŵn, effaith ar ardal gadwraeth, ac ymddygiad gwrthgymdeithasol.

Mynegwyd pryderon hefyd ynghylch y posibilrwydd o ddatblygiadau pellach ar y safle yn ychwanegol at yr hyn sydd eisoes wedi'i gynnig yma.

Materion sy'n ymwneud ag effaith y datblygiad arfaethedig ar gadernid strwythurol adeiladau cyfagos yw materion yr ymdrinnir â hwy o dan y Rheoliadau Adeiladu ac fel materion preifat rhwng y partiön sy'n ymwneud yn uniongyrchol, ac nid ydynt yn effeithio ar rinweddau cynllunio'r cynigion sy'n cael eu hystyried.

CASGLIAD

Mae adran 38(6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn nodi os oes angen rhoi sylw i'r cynllun datblygu at ddiben unrhyw benderfyniad sydd i'w wneud o dan y Deddfau cynllunio, rhaid i'r penderfyniad gael ei wneud yn unol â'r cynllun oni bai bod ystyriaeth berthnasol yn nodi fel arall.

Egwyddor Datblygu

Mae'r polisi cynllunio cenedlaethol yn cydnabod rôl Aberystwyth fel ardal twf rhanbarthol ar gyfer rhanbarth y canolbarth.

Mae Polisi S01 y CDLI yn ymwneud â Thwf Cynaliadwy ac mae hyn yn nodi ei bod yn ofynnol i tua 6,544 o anheddau gael eu datblygu erbyn diwedd cyfnod y cynllun yn 2022. Strategaeth y CDLI yw y bydd 51% o ddatblygiadau tai newydd ar draws y Sir yn digwydd yn y Canolfannau Gwasanaethau Trefol, dros gyfnod y cynllun, bydd 24% yn y Canolfannau Gwasanaethau Gwledig a bydd 25% mewn aneddiadau a lleoliadau eraill (gan gynnwys aneddiadau cyswllt).

Mae safle'r cais o fewn ffin aneddiad diffiniedig Aberystwyth, sy'n cael ei dynodi'n Ganolfan Gwasanaethau Trefol yn y Cynllun Datblygu Lleol (CDLI).

Mae Polisi S02 y CDLI yn ymwneud â 'Datblygu mewn Canolfannau Gwasanaethau Trefol' ac mae hyn yn ei gwneud yn ofynnol bod pob datblygiad o fewn terfynau diffiniedig y Canolfannau Gwasanaethau Trefol. Yn Aberystwyth, mae'n ofynnol i ddatblygiad gyfrannu hefyd at gynnal ei statws fel anheddiad o bwys cenedlaethol ac fel canolfan strategol i'r Canolbarth ac mae'n cefnogi amcanion a chynlluniau gweithredu cyfredol sy'n ymwneud â'i statws o ran Adfywio Strategol.

Cyfanswm y gofyniad ar gyfer darparu tai yn Aberystwyth fel y nodir yn y CDLI yw 1877. Mae ffigurau diweddaraf (Ionawr 2023) CDLI ar gyfer monitro tai yn dangos mai dim ond 583 o anheddau sydd wedi'u cwblhau yn y Ganolfan Gwasanaethau Trefol gyda chaniatâd ar gyfer 294 yn rhagor o anheddau. Felly, gan gyfrif dymchweliadau ac addasiadau (-71) mae lle i 1071 yn rhagor o anheddau eraill yn Aberystwyth. O'r herwydd, ystyrir y byddai'r cynigion yn cydymffurfio â Pholisïau S01 a S02 y CDLI a derbynir yr egwyddor o ddatblygu.

Y Gymraeg

Ar gyfer polisi DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Iaith Gymraeg, mae angen darparu Asesiad o'r Effaith ar Gymuned a'r Effaith Ieithyddol mewn perthynas â datblygiadau tai mewn canolfannau gwasanaethau lle byddai'r datblygu'n digwydd yn gyflymach na'r hyn y cyfeirir ato yn natganiad y Grŵp Aneddiadau.

Ni fyddai'r datblygiadau tai arfaethedig yn digwydd yn gyflymach na'r hyn y cyfeirir ato yn Natganiad y Grŵp Aneddiadau, ac o'r herwydd ystyrir y gellir cyflawni'r datblygiad heb effeithio'n negyddol ar broffil Cymunedol ac Ieithyddol Aberystwyth.

Tai Fforddiadwy

Mae Polisi S05 – 'Tai Fforddiadwy' yn ei gwneud yn ofynnol i bob datblygiad preswyl ddarparu tai fforddiadwy ar y safle neu gyfraniad tuag at ddarpariaeth tai fforddiadwy. Yn yr achos hwn, er mwyn bodloni polisi S05, mae'n ofynnol i nifer sy'n cyfateb i 4.8 annedd fforddiadwy gael ei ddarparu naill ai ar y safle neu drwy swm gohiriedig.

Cyflwynir gwybodaeth ariannol i gefnogi'r cais, sy'n dangos nad yw'r cynllun yn hyfyw wrth sicrhau datblygiad 4.8 uned.

Felly, mae'r cais sy'n cael ei ystyried yma yn ceisio darparu 4 uned tai fforddiadwy ar y safle, heb unrhyw

swm gohiriedig yn daladwy. Bydd pob un o'r pedair uned fforddiadwy ar y llawr gwaelod a byddant yn hygyrch i gadeiriau olwyn. Yn gyntaf, bydd yr unedau fforddiadwy yn cael eu dyrannu fel Rhenti Canolradd gyda'r opsiwn o fewn cytundeb A106 i newid i Ar Werth am Bris Gostyngol. Ymgynghorwyd â'r gofrestr anghenion tai fel rhan o ystyriaeth o'r cais ac ystyrir bod y cymysgedd hwn o dai fforddiadwy yn dderbyniol i'r Awdurdod Cynllunio Lleol.

Effaith ar Amwynder Preswyl

Mae Maen Prawf 7 Polisi DM06 yn ceisio diogelu amwynder deiliaid eiddo cyfagos rhag niwed sylweddol mewn perthynas â phreifatrwydd, sŵn a golygon. Mae eiddo preswyl yn agos iawn at y safle.

Mae'r cynlluniau gweddlyn a gyflwynwyd fel rhan o'r cais yn dangos na fydd yr eiddo yn fwy na chrib y bloc o fflatiau presennol ac oherwydd topograffi'r tir bydd y safle islaw eiddo cyfagos ar Goed y Buarth.

Mae cynllun safle yn dangos sut y gellid gosod y bloc o fflatiau arfaethedig er mwyn sicrhau na fyddai'r datblygiad arfaethedig yn arwain at unrhyw niwed andwyol i amwynder preswyl preswylwyr presennol.

Ystyrir hefyd y gallai'r datblygiad arfaethedig gael ei gyflawni er mwyn sicrhau pellter gwahanu digonol rhwng ystafelloedd cyfanheddol yr anheddau unigol fel y nodir gyda Chanllawiau Cynllunio Atodol Amgylchedd Adeiledig a Dylunio Ceredigion.

Nid oes unrhyw reswm i gredu y byddai lleoliad, dyluniad neu adeiladu'r datblygiad arfaethedig yn debygol o arwain at effeithiau sŵn afresymol ar eiddo cyfagos. Pe bai gweithrediadau adeiladu yn mynd yn afresymol, byddai trigolion lleol yn gallu troi at ddeddfwriaeth iechyd yr amgylchedd.

Dylunio ac Effaith Weledol

DM06 yw polisi creu lle y CDLI ac mae'n nodi y dylai Datblygiad roi ystyriaeth lawn i gyd-destun ei leoliad a'i amgylchedd a chyfrannu'n gadarnhaol ato. Dylai datblygiad adlewyrchu dealltwriaeth glir o egwyddorion dylunio, y gyd-destun ffisegol, cymdeithasol, economaidd ac amgylcheddol lleol a dylai hyrwyddo dylunio arloesol gan roi sylw dyledus yr un pryd i nodweddion unigryw lleol a threftadaeth ddiwylliannol o ran ffurf, dyluniad a deunydd. Dylai cynigion datblygu ategu'r safle a'i amgylchedd hefyd o ran cynllun, parchu golygfeydd o'r safle ac i'r safle, gan gynhyrchu ffurf gydlynus mewn perthynas â graddfa, uchder a chyfran y ffurf adeiledig bresennol.

Mae Canllawiau Cynllunio Atodol Dylunio ac Amgylchedd Adeiledig y mae'r cyngor wedi'i fabwysiadu yn rhoi DM06 ar waith ac mae'n rhoi arweiniad ar y materion y mae angen eu hystyried wrth ddatblygu adeiladau amrywiol. Mae Adran 2 y Canllawiau yn ystyried sut dylai cynigion ymateb i Gymeriad Ceredigion. Mae Ceredigion yn ffodus o gael hanes cyfoethog, sy'n aml yn cael ei adlewyrchu yn nifer o'i adeiladau a'i lefydd. Er mwyn gwella ansawdd amgylchedd adeiledig Ceredigion, mae'n hanfodol bod datblygiad newydd yn seiliedig ar asesiad trylwyr o gymeriad lleol.

Mae'r Canllawiau Cynllunio Atodol yn rhoi arweiniad ar yr elfennau perthnasol i'w hystyried wrth ddylunio cynnig sy'n ymateb i Gymeriad lleol Ceredigion, a phobl a chysylltedd yw dwy o'r pedair prif elfen bresennol i'w hystyried.

Ystyrir bod maint a dyluniad y datblygiad arfaethedig yn adlewyrchu maint a dyluniad adeilad presennol Brynderw. Ystyrir lleoliad y datblygiad arfaethedig i ategu'r safle a'r ardal gyfagos drwy ddarparu canolbwynt wrth i bobl groesi'r safle.

Ystyrir y byddai dyluniad ac ymddangosiad gweledol y datblygiad arfaethedig yn cael ei wella ymhellach gan gynllun tirweddu a fyddai'n cael ei sicrhau drwy amod.

Effeithiau Treftadaeth

Mae'r safle yn ardal gadwraeth Canol Tref Aberystwyth ac mae Adeilad Edward Davies, sy'n adeilad rhestredig Gradd II*, union wrth ymyl y safle. Mae'r Adeilad wedi'i restru am ei fod ymhlith y labordai cemegol cynharaf pwrpasol i gael eu hadeiladu unrhyw le yn y byd a'r cyntaf yng Nghymru. Caiff nifer fawr o adeiladau rhestredig ychwanegol eu nodi hefyd fel rhai sydd o fewn cyffiniau'r safle gan gynnwys Llyfrgell Genedlaethol Cymru, adeilad rhestredig Gradd II*.

Mae'r asedau treftadaeth hyn yn benodol mewn lleoliadau amlwg ar ochr y bryn ac maent i'w gweld yn hawdd o Goedlan y Parc, un o'r prif lwybrau i mewn i ganol tref Aberystwyth.

Ystyrir bod y datblygiad arfaethedig wedi'i ddylunio'n sensitif fel nad yw'n cystadlu â'r ased o ran amlygrwydd ar ochr y bryn, yn hytrach mae wedi'i ddylunio fel pe bai'n israddol i'r Adeilad Brynderw presennol. O'r herwydd, ni ystyrir bod y datblygiad arfaethedig yn achosi niwed andwyol i leoliad yr adeiladau rhestredig hyn na'r ardal gadwraeth ehangach.

Dwysedd

Mae'r ffin llinell goch a ddarperir yn mesur tua 0.360 hecтар. Yn seiliedig ar ddatblygu 24 uned, mae hyn yn cyfateb i ddwysedd o tua 66 annedd yr hecтар. Ystyrir bod hyn yn briodol yn unol â pholisi LU06 y CDLI, lle argymhellir dwysedd o 30-80 uned yr hecтар yn y craidd trefol, fodd bynnag dylid nodi hefyd o dan Bolisi LU24:

Mannau Agored Cyhoeddus

mae darparu Mannau Agored Newydd yn ei gwneud yn ofynnol i ddatblygiad ar safleoedd heb eu dyrannu i ddarparu man agored os yw'r datblygiad yn arwain at ddarparu cyfanswm o fwy na 10 ystafell wely.

Dylid darparu man agored yn unol â meincnodau a nodwyd ym Mhecyn Cymorth Gofod Gwyrdd Cyngor Cefn Gwlad Cymru (CCGC) (Cyfoeth Naturiol Cymru erbyn hyn) a Safonau Meysydd Chwarae Cymru (FIT). Mae Canllawiau Cynllunio Atodol Mannau Agored Ceredigion yn rhoi eglurder pellach ar y ddarpariaeth ofynnol ar gyfer manau agored a nodir fel 2.8ha fesul 1000 o bobl. Mae'r fformiwla ar gyfer cyfrifo cyfanswm y man agored sydd ei angen fel a ganlyn:

2.8ha fesul 1000 o'r boblogaeth 2.8/1000 * nifer yr ystafelloedd gwely = gofod cyffredinol.

Mae'r datblygiad arfaethedig yn darparu ar gyfer 48 ystafell wely. O ddefnyddio'r fformiwla uchod mae angen 0.13 hecтар o Fannau Agored Cyhoeddus fel rhan o'r cynnig datblygu.

Ystyrir y gellir darparu ar gyfer y lefel hon o fannau agored cyhoeddus o fewn y tir y tu ôl i adeilad presennol Brynderw.

Priffyrdd

Mae Polisi DM03 yn cynghori y bydd datblygiad yn cael ei leoli er mwyn lleihau'r angen i deithio. Mae Polisi DM03 hefyd yn nodi y dylid darparu manau parcio fel rhan o gynigion datblygu yn unol â'r Canllawiau Cynllunio Atodol Safonau Parcio Ceredigion.

Byddai mynediad i gerbydau i'r datblygiad arfaethedig ar hyd Ffordd Stanley a bydd cyfanswm o 54 o lefydd parcio ceir yn cael eu darparu i wasanaethu'r cyfanswm arfaethedig o 54 o fflatiau (y 30 presennol a'r 24 sydd mewn golwg yn y cais hwn).

Byddai'r datblygiad arfaethedig yn gwneud darpariaeth hefyd i gerbydau droi ar y safle gan allu mynd i mewn ac allan o'r safle heb orfod gyrru am yn ôl. Mae'r cynnig yn cael ei ystyried felly i gyd-fynd â'r safonau parcio a fabwysiadwyd fel y'u nodir yn y Canllawiau Cynllunio Atodol o ddarparu rhwng 0.5 ac 1 lle parcio ceir fesul fflat.

Mae Polisi DM04 yn tynnu sylw ymgeiswyr at yr angen i wneud y mwyaf o'r cyfleoedd ar gyfer cerdded, beicio a defnyddio trafnidiaeth gyhoeddus. Dylid cyflawni hyn drwy ddarparu cysylltiadau â llwybrau presennol o ddatblygiadau newydd, ail-sefydlu seilwaith sydd bellach yn segur lle bydd yn gwasanaethu datblygiad newydd mewn ffordd gynaliadwy a darparu gwell iechyd ac ansawdd bywyd drwy ymgorffori nodweddion mewn datblygiad sy'n manteisio ar gysylltiadau â dulliau teithio nad ydynt yn geir i gludo pobl a nwyddau.

Mae'r safle'n agos at ardal ganolog Aberystwyth ac mae'r Stryd Fawr yn cynnig arlwy cynhwysfawr yng nghanol y dref gan gynnwys siopau dillad, caffis i gael paned a brechdanau, siopau elusen a fferyllfa ochr yn ochr â sawl banc a chymdeithas adeiladu a swyddfa bost. Hefyd, mae Parc Manwerthu Ystwyth a pharc manwerthu Rheidol o fewn pellter cerdded hawdd i'r safle ac yn darparu nifer o amwynderau gan gynnwys archfarchnadoedd, siop anifeiliaid anwes a sawl siop ddillad a

nwyddau cartref.

Mae cyfleoedd da iawn i gerdded yn yr ardal leol gyda'r rhydwraith ehangach o briffyrdd yn darparu llwybrau troed gyda goleuadau stryd.

Mae Gorsafoedd Bysiau a Rheilffordd Aberystwyth o fewn 6 munud ar droed o'r datblygiad arfaethedig ac yn cynnig gwasanaethau rheolaidd i gyrchfannau yn lleol ac mewn mannau eraill yn y rhanbarth.

Ymgynghorwyd â'r Awdurdod Priffyrdd Lleol ar y cais ac mae'n derbyn data a dadansoddiad yr arolwg traffig sydd wedi'i gynnwys yn yr Asesiad Trafnidiaeth a gyflwynwyd (gan Acstro Ltd, dyddiedig Hydref 2022), ac nid yw'n cynnig gwrthwynebiad i'r datblygiad arfaethedig yn destun amodau.

Mae Gwasanaeth Tân ac Achub Canolbarth Cymru wedi ystyried y cais ac nid oes ganddynt unrhyw sylwadau i'w gwneud mewn perthynas â Mynediad i Gerbydau Argyfwng, na mynediad at gyflenwadau dŵr.

Ar y cyfan, ystyrir na fydd y datblygiad arfaethedig yn cael effaith andwyol annerbyniol ar ddiogelwch a symudiadau priffyrdd, ac mae digon o gapasiti o fewn y rhydwraith priffyrdd presennol i amsugno'r traffig sy'n cael ei greu o ganlyniad i'r datblygiad hwn, ac felly mae'n cydymffurfio ag egwyddorion creu lleoedd Polisi Cynllunio Cymru, Cymru'r Dyfodol, TAN18, a pholisïau DM03 a DM04 Cynllun Datblygu Lleol Ceredigion.

Ecoleg

Mae DM14 a DM15 y Cynllun Datblygu Lleol yn ceisio cynnal a gwella bioamrywiaeth a diogelu safleoedd pwysig gwarchoddedig. Caniateir safleoedd, cynefinoedd neu rywogaethau a warchodir naill ai'n uniongyrchol, yn anuniongyrchol neu ar y cyd, dim ond os gellir dangos bod y cynnig yn cyfrannu at amddiffyn, wella neu reoli'n gadarnhaol y safle, y cynefin neu'r rhywogaethau, neu mewn amgylchiadau penodol eraill a nodir yn y polisi. Mae Canllawiau Cynllunio Atodol y Cyngor ar fioamrywiaeth yn darparu canllawiau ar asesu effaith datblygiad ar safleoedd dynodedig neu rywogaethau a warchodir.

Cynhaliwyd Arfarniad Ecolegol Rhagarweiniol gan gynnwys arolwg cynefin estynedig ym mis Rhagfyr 2021. Y cynefinoedd a fydd yn cael eu heffeithio'n syth gan y datblygiadau arfaethedig yw coetir a phrysgwydd cymysg a blannwyd, glaswelltir sydd wedi'i wella a wal. Roedd y cynefin yn addas ar gyfer poblogaethau o adar bridio, moch daear a draenogod. Roedd y cynefin ehangach yn addas hefyd ar gyfer ymlusgiaid.

Mae'r cynefinoedd sydd wedi'u nodi o werth ecolegol isel. Fodd bynnag, mae'r cysylltedd â choetir cyfagos yn cyfrannu at ei werth ecolegol.

Y coed sydd i'w tynnu oddi yno er mwyn hwyluso'r datblygiad yw pinwydd Corsica ac nid ydynt yn gynhenid i'r Deyrnas Unedig. Ni ystyrir bod gan y coed sydd i'w tynnu oddi yno nodweddion o werth ecolegol.

Mae DM22 y CDLI yn caniatáu i goed gael eu colli pan fo manteision cynnig yn gorbwysu'r niwed, a phan fo cynigion yn gallu darparu cynllun digolledu drwy rywogaethau brodorol a fyddai'n helpu i sicrhau enillion priodol o ran bioamrywiaeth.

Ymgynghorwyd â'r Ecolegydd Cynllunio Sirol wrth ystyried y cais cynllunio ac nid yw'n codi unrhyw wrthwynebiad i'r datblygiad arfaethedig yn destun amodau.

Draenio Tir a pherygl Llifogydd

Ystyrir bod y safle ym mharth llifogydd A fel y dangosir ar Fap Cyngor Datblygu CNC, a Pharth Llifogydd 1 fel y dangosir ar y Map Llifogydd ar gyfer cynllunio sef yr wybodaeth ddiweddaraf a'r wybodaeth orau sydd ar gael mewn perthynas â llifogydd. O'r herwydd, ni ystyrir bod y datblygiad arfaethedig mewn perygl o lifogydd.

Mae adran gwasanaethau technegol y cyngor ei hun wedi cynghori bod angen cymeradwyaeth System Ddraenio Gynaliadwy ac yn rhoi manylion am sut i leihau'r risg o lifogydd dŵr wyneb. Felly, ystyrir y gellid rheoli'n briodol y broses o waredu dŵr wyneb drwy broses gymeradwyo Systemau Draenio Cynaliadwy, ac felly ni ystyrir bod y datblygiad arfaethedig yn cynyddu'r risg o lifogydd.

RHESWM DROS OHIRIO:

Yn ei gyfarfod ar 14eg Mehefin, 2023 penderfynodd y Pwyllgor gyfeirio'r cais i'r Panel Archwilio Safle i'w ystyried yn unol â Pharagraffau 3 a 7 o feini prawf mabwysiedig y Cyngor.

Cyfarfu'r Panel Archwilio Safle ar 29 Mehefin, 2023 ac roedd yn cynnwys y Cynghorydd Rhodri Davies (Cadeirydd); Cyng Gethin Davies, Ifan Davies, Meirion Davies a Maldwyn Lewis. Hefyd yn bresennol roedd y Cyng Alun Williams (Aelod Ward Lleol mewn swyddogaeth arsylwi), Mr Steve Hallows (Datblygu Priffyrdd - Rheolwr Gwasanaeth), Mrs Catrin Newbold (Rheolwr Datblygu - Rheolwr Gwasanaeth) a Mr Jonathan Eirug (Arweinydd Tîm Rheoli Datblygu (Gogledd)).

Disgrifiodd yr Arweinydd Tîm Rheoli Datblygu (Gogledd) y cais, safle'r cais, fframwaith polisi ac adroddodd ar yr ymatebion i'r ymgynghoriad. Hysbyswyd y Panel bod y datblygiad arfaethedig yn cynrychioli datblygiad cynaliadwy yn y ganolfan gwasanaeth trefol, bod digon o gapasiti ar gael ar gyfer datblygiad preswyl yn nhref Aberystwyth, nad oedd unrhyw effaith canfyddedig ar gymeriad yr ardal a mwynderau unrhyw eiddo cyfagos ac adroddwyd nad oedd gwrthwynebiadau statudol i'r cynnig gan gynnwys o safbwynt priffyrdd a pharcio. Argymhelliad yr ACLI oedd caniatáu'r cais yn dilyn cwblhau cytundeb A106 o dan ddarpariaethau Deddf Cynllunio Gwlad a Thref 1990 mewn perthynas â thai fforddiadwy.

Aeth y Panel yn ei flaen i archwilio'r safle a'r tir cysylltiedig. Nododd y Panel y ddarpariaeth parcio ar y safle ynghyd â'r llecyn y tu ôl i adeilad Brynderw a'r ffordd fynediad o Stanley Road. Nododd y Panel hefyd agoswydd y safle i adeilad rhestredig Edward Davies cyfagos a hefyd at yr anheddau cyfagos yng Nghoed y Buarth.

Mewn ymateb i ymholiadau ynglŷn â'r ddarpariaeth priffyrdd a pharcio, derbyniwyd cadarnhad gan y Rheolwr Gwasanaeth Datblygu Priffyrdd bod y bwriad ymhell o fewn canllawiau priffyrdd a bod darpariaeth parcio digonol yn cael ei darparu ar gyfer y datblygiad arfaethedig a'r datblygiad presennol ym Mrynderw. Roedd yr ymgeiswyr wedi cynnal Arolwg Traffig yn y lleoliad a gynhaliwyd ar amser a chyfnod priodol ac a oedd yn dangos bod y cynnydd mewn teithiau traffig o'r safle yn ddibwys ac na fyddai'n effeithio'n andwyol ar y rhwydwaith priffyrdd yn y cyffiniau agos. Roedd y cynnig yn cydymffurfio â diogelwch ffyrdd. Nododd y Panel hefyd fod nifer o lefydd parcio gwag ar y safle ac eu bod yn fodlon na fyddai unrhyw effaith ar dir priffyrdd.

Cyfeiriwyd at ymarferoldeb darparu tirlunio pellach a sgrinio naturiol ar y safle yn enwedig rhwng cefn yr adeilad arfaethedig a Choed y Buarth i'r gogledd ddwyrain o safle'r cais.

I gloi, roedd y Panel o'r farn bod y broses ddemocrataidd o ran gweithdrefnau'r Panel Archwilio Safle wedi'i dilyn a bod mewnbyn y Swyddog Priffyrdd wedi bod yn amhrisiadwy i alluogi'r Panel i ddod i argymhelliad gwybodus mewn perthynas â'r cais. Roedd y Panel yn unfrydol yn eu barn na fyddai unrhyw effaith o safbwynt priffyrdd a pharcio ar safle'r cais a'r ardal gyfagos ac na fyddai'r adeilad yn cael unrhyw effaith ar gymeriad yr ardal, yr adeilad rhestredig nac unrhyw eiddo cyfagos. Argymhellodd y Panel y dylid rhoi caniatâd cynllunio gydag amodau a chwblhau cytundeb A106 mewn perthynas â'r unedau fforddiadwy.

ARGYMHELLIAD:

Cymeradwyo gydag Amodau ac A106

(**Nodyn** - Mae'r cais hwn yn cael ei adrodd i'r Pwyllgor Rheoli Datblygu gan ei fod yn ddatblygiad mawr).

Rhif y Cais / Application Reference	A220250
Derbyniwyd / Received	27-03-2022
Y Bwriad / Proposal	Erection of a detached block of flats, six storeys in height (sixth storey within roof space), containing 24 units with associated car parking and communal amenity spaces.
Lleoliad Safle / Site Location	Area of land adjacent to the Brynderw Building, Stanley Road, Aberystwyth. SY23 1LB
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr D J Evans, Cae Pant, Rhydyfelin, Aberystwyth, Ceredigion, SY23 4PY
Asiant / Agent	Mr Mark Bedder (BCD-Architecture), Creative Units 2, Arts Centre Aberystwyth University Campus, Penglais, Aberystwyth, Ceredigion, SY23 3GL

THE SITE AND RELEVANT PLANNING HISTORY

Bryn Derw is a five storey fairly modern building located in the Buarth area of Aberystwyth. The site is surrounded by residential dwellings to its north, a wooded area to its east, a high block of offices to its south and Aberystwyth University buildings to its west. The building was formerly used by the University as accommodation and housed 146 bedrooms. The building had been vacant for a number of years but has since been converted to 30 flats. The site is located within the town's conservation area.

Planning History

A900351	Change of use to offices	Approved STC 30/04/1990
A951196	Change of use of offices to provide 121 bedsit accommodation & wardens flat	Withdrawn 14/02/1996
A960835	Change of use, conversion and extension into 30 flats.	Approved 27/11/1996
A210388	Variation of condition 2 of planning permission 960835 (amended plans).	Approved STC 07/07/2021

DETAILS OF DEVELOPMENT

The application under consideration here seeks full planning permission for the construction of a residential development within the parcel of land associated with Brynderw, Stanley Road, Aberystwyth. This is in addition to the 30 residential dwellings already approved.

During the course of determination of the application, the scale of the building has been reduced by a storey. This has resulted in the removal of two units from the scheme.

In total 24 flats are now proposed over six storeys (sixth storey within the roof space) with the description of development having been updated accordingly (by way of mutual consent) it is on this basis the application has been determined.

The housing mix includes 4no 2-bedroom mobility flats on the ground floor with the remainder of the flats being 2 bedroom units. Each unit benefits from an open plan kitchen/lounge/dining room.

Flats to the southwestern elevation would benefit from a balcony.

Externally the building would be finished in smooth render with contrasting areas of cladding. Joinery details would be finished in anthracite grey, with balcony balustrades finished in glass. The pitched roof would be finished in natural slate.

No amendments are proposed to the existing site access which is off Stanley Road.

Externally the submitted landscaping scheme shows how new native tree and hedge planting will be provided to the front and rear of the proposed building. An amenity space will also be made available to existing and future residence to the rear of the building with provision of picnic benches.

Covered refuse storage areas are also proposed.

RELEVANT PLANNING POLICIES AND GUIDANCE

- DM01 Managing the Impacts of Development on Communities and the Welsh Language
- DM03 Sustainable Travel
- DM04 Sustainable Travel Infrastructure as a Material Consideration
- DM05 Sustainable Development and Planning Gain
- DM06 High Quality Design and Placemaking
- DM07 Conservation Areas
- DM08 Bilingual Signs and Place Names
- DM09 Design and Movement
- DM10 Design and Landscaping
- DM11 Designing for Climate Change
- DM12 Utility Infrastructure
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- DM17 General Landscape

- DM19 Historic and Cultural Landscape
- DM20 Protection of Trees| Hedgerows and Woodlands
- DM22 General Environmental Protection and Enhancement
- LU02 Requirements Regarding All Residential Developments
- LU04 Meeting a Range of Housing Needs
- LU05 Securing the Delivery of Housing Development
- LU06 Housing Density
- LU24 Provision of New Open Space
- S01 Sustainable Growth
- S02 Development in Urban Service Centres (USCs)
- S05 Affordable Housing
- Community and the Welsh Language SPG 2015
- Open Space SPG April 2014
- Community and the Welsh Language SPG Help Sheet 2015
- CCC Parking Standards SPG 2015
- Transport Assessment SPG 2015
- Renewable Energy SPG 2015
- Built Environment and Design SPG 2015

- Nature Conservation SPG 2015
- Affordable Housing SPG 2014
- Affordable Housing SPG Help Sheets 2014
- Future Wales: The National Plan 2040
- Planning Policy Wales (edition 11, February 2021)
- TAN10 Tree Preservation Orders (1997)
- TAN12 Design (2016)
- TAN16 Sport, Recreation and Open Space (2009)
- TAN18 Transport (2007)
- TAN2 Planning and Affordable Housing (2006)
- TAN20 Planning and the Welsh Language (2017)
- TAN5 Nature Conservation and Planning (2009)

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 Tref Aberystwyth Town Council – Strongly Objects

Highways – No Objection STC

Land Drainage – SUDs approval required

Ecology – No Objection STC

Natural Resources Wales – No Objection STC

Dwr Cymru Welsh Water – No Objection STC

Mid Wales Fire and Rescue – No Objection STC

Aberystwyth Town Council object on the basis of traffic generation, over development of the site, loss of greenspace and trees, lack of refuse storage, lack of parking, no sustainable transport provision, no affordable housing and disregard to pre application consultation. Aberystwyth Town council also request that should permission be granted a condition be attached ensuring the units are used as a dwelling house, used as sole or main residences and not as holiday lets.

A total of 23 objections have been received from 17 third parties, representations echo the concerns raised by Aberystwyth Town Council but include concerns regarding visual impact, ecological impact, land stability, interlocking, noise, impact on conservation area, and anti-social behaviour.

Concerns were also raised regarding potential for further development at the site above what is already proposed here.

Matters relating to the impact of the proposed development on the structural integrity of neighbouring buildings are matters dealt with under the Building Regulations and as private matters between the parties directly involved, and do not affect the planning merits of the proposals being considered.

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

National planning policy recognises the role of Aberystwyth as a regional growth area for the mid wales region.

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 The Strategy of the LDP is that over the plan period 51% of new housing development across the County will occur in the Urban Service Centres, 24% in the Rural Service Centres and 25% in other settlements and locations (including linked settlements).

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 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 (January 2023) shows that only 583 dwellings have been completed in the Urban Service Centre with extant permission for a further 294 dwellings. Therefore, accounting for demolitions and conversions (-71) there is capacity for a further 1071 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.

Welsh Language

Policy DM01 managing the impacts of Development on Communities and the Welsh Language Requires a Community and Linguistic Impact Assessment (CLIA) to be provided in respect of housing developments within service centres where delivery would come forward at a rate faster than that referenced in the Settlement Group Statement.

The proposed housing delivery would not come forward at a rate faster than that referenced in the Settlement Group Statement, and as such it is considered that the development can be delivered without negatively impacting the Community and Linguistic profile of Aberystwyth.

Affordable Housing

Policy S05 – ‘Affordable Housing’ requires all residential development to provide onsite affordable housing or a contribution towards affordable housing provision. In this instance, in order to satisfy policy S05, there is a requirement for the equivalent value of 4.8 affordable dwellings to be provided either on site or by a commuted sum.

Submitted in support of the application is financial information which demonstrates that the scheme is not viable in securing the delivery of 4.8 units.

The application under consideration here therefore seeks the provision of 4 affordable housing units on site, with no commuted sum payable. The four affordable units will all be located on the ground floor and will be wheelchair accessible. The affordable units will firstly be allocated as Intermediate Rents with the option within the S106 agreement to flip to Discounted for Sale. The housing need register has been consulted as part of consideration of the application and this affordable housing mix is considered acceptable to the LPA.

Impact on Residential Amenity

Criterion 7 of Policy DM06 seeks to protect the amenity of occupiers of nearby properties from significant harm in relation to privacy, noise and outlook. There are residential properties to the immediate vicinity of the site.

The elevation plans submitted as part of the application show that the property will be no more than the ridge of the existing apartment block and owing to the topography of the land will sit below neighbouring properties on Coed Y Buarth.

A site plan demonstrates how the proposed apartment block could be positioned as to ensure that the proposed development would not give rise to any detrimental harm to residential amenity of current residents.

It is also considered that the proposed development could be delivered as to ensure adequate separation distances between habitable rooms of individual dwellings as specified with the Ceredigion Built Environment and Design SPG.

There is no reason to believe that the location, design or the construction of the proposed development would be likely to result in unreasonable noise impacts upon neighbouring properties. If construction operations did become unreasonable local residents would have recourse through environmental health legislation.

Design and Visual Impact

DM06 is the place making policy of the LDP and states that Development should have full regard, and positively contribute to the context of its location and surroundings. Development should reflect a clear understanding of design principles, the local physical, social, economic and environmental context and should promote innovative design whilst having regard to local distinctiveness and cultural heritage in terms of form, design and material. Development proposals should also complement the site and its surroundings in terms of layout, respecting views into and out of the site, producing a cohesive form in relation to the scale, height and proportion of existing built form.

The councils adopted Design and Built Environment SPG gives effect to DM06 and provides guidance on the issues that need to be considered when developing various buildings. Section 2 of the SPG considers how proposals should respond to Ceredigion's Character. Ceredigion is fortunate to have a rich history, which is often reflected in many of its buildings and spaces. In order to improve the quality of Ceredigion's built environment it is essential that new development is based on a thorough assessment of local character.

The SPG provides guidance on the elements of relevance to consider when designing a proposal which responds to Ceredigion's local Character with people and connectivity with the existing two of the four main elements to consider.

The scale and design of the proposed development is considered to reflect that of the existing Brynderw building. The siting of the proposed development is considered to complement the site and its surrounding by providing a focal point as people transverse the site.

It is considered that the design and visual appearance of the proposed development would be further enhanced by a landscaping scheme which would be secured by way of condition.

Heritage Impacts

The site is situated within the Aberystwyth Town Centre conservation area and the grade II* listed Edward Davies Building is located immediately adjacent to the site. The Building is listed for being amongst the earliest purpose built chemical laboratories anywhere in the world and the first in Wales. A large number of additional listed buildings are also identified as being within the wider vicinity of the site including the grade II* listed National Library of Wales.

These heritage assets in particular occupy prominent locations on the hillside and are easily viewable from Park Avenue which forms one of the main approaches into Aberystwyth Town Centre.

The proposed development is considered to be sensitively designed as not to compete with the asset in terms of prominence on the hillside, rather it has been designed as to appear subservient to the existing Brynderw Building. As such the proposed development is not considered to give rise to detrimental harm to the setting of these listed buildings or the wider conservation area.

Density

The red line boundary provided measures approximately 0.360 ha. Based on the delivery of 24 units this equates to a density of circa 66 dwellings per hectare. This is considered appropriate in line with policy LU06 of the LDP where densities of 30-80 units per hectare are advocated within the urban core however it should also be noted that Policy LU24:

Public Open Space

Provision of New Open Space requires development on non-allocated sites to provide open space if the development results in the provision in total of more than 10 bedrooms.

Open space should be provided in line with benchmarks set out by Countryside Council for Wales (CCW) 'Greenspace Toolkit' (now Natural Resources Wales) and the Fields in Trust (FIT) Standards. Ceredigion Open Space SPG provides further clarity on the provision of open space required which is set out as 2.8ha per 1000 people. The formula for calculating the total amount of open space required is as follows:

$$\mathbf{2.8ha \text{ per } 1000 \text{ population } 2.8/1000 * \text{ number of bedrooms } = \text{ overall space.}}$$

The proposed development makes provision for 48 bedrooms. Applying the above formula 0.13 ha of POS is required as part of the development proposal.

It is considered that this level of public open space can be accommodated within the land to the rear of the existing Brynderw Building.

Highways

Policy DM03 advises that development will be located so as to minimise the need to travel. Policy DM03 also sets out that parking provision should be provided as part of development proposals in accordance with the Ceredigion Parking Standards SPG.

Vehicular access to the proposed development would be via Stanley Road with a total of 54 car parking spaces will be provided to serve the proposed total of 54 flats (existing 30 and proposed 24 subject to this application).

The proposed development would also make provision for the turning of vehicles on site as to enter and exit the site in the forward gear. The proposal is therefore considered to accord with the adopted parking standards as set out in the SPG of providing between 0.5 and 1 car parking space per apartment.

Policy DM04 draws the attention of applicants to the need to make the most of opportunities for walking, cycling and the use of public transport. This should be achieved by providing connections to existing routes from new development, re-instating infrastructure that has fallen into disuse where that will serve new development in a sustainable way and providing improved health and quality of life by incorporating features in development that take advantage of links to non-car travel modes for human and freight movement.

The site is located within close proximity to the central area of Aberystwyth with Great Darkgate street providing a comprehensive town centre offering including fashion shops, coffee and sandwich cafes, charity shops and a pharmacy alongside several banks and building societies and a post office. Also, Ystwyth Retail Park and Rheidol retail park are both located within easy walking distance of the site and provides a number of amenities including a supermarkets, pet shop and several fashion and homeware shops.

There are very good opportunities for walking in the local area with the wider highway network providing footways with street lighting.

Aberystwyth Bus and Railway Stations are within a 6-minute walk from the proposed development and offer frequent services to destinations locally and elsewhere within the region.

The Local Highway Authority have been consulted on the application and accepts the traffic survey data and analysis contained within the submitted Transport Assessment (by Acstro Ltd, dated October 2022), and offer no objection to the proposed development subject to conditions.

Mid Wales Fire and Rescue has considered the application and have no comments to make in respect of Emergency Vehicle Access, or access to water supplies.

Overall, it is considered that the proposed development will not have an unacceptable adverse impact on highway safety and movement, and there is sufficient capacity within the existing highway network to absorb the traffic created as a result of this development and is therefore compliant with the place making principles of PPW, Future Wales, TAN18, and policies DM03 and DM04 of the Ceredigion Local Development Plan.

Ecology

Policies DM14 and DM15 of the Local Development Plan seeks to maintain and enhance biodiversity and safeguard protected important sites. Protected sites, habitats or species either directly, indirectly or in combination will only be permitted where it can be demonstrated that the proposal contributes to the protection, enhancement or positive management of the site, habitat or species or in certain other circumstances set out in the policy. The Council's SPG on biodiversity provides guidance on assessing the impact of development on designated sites or protected species.

A Preliminary Ecological Appraisal including extended habitat survey was carried out in December 2021. The habitats that will be immediately impacted by the proposed developments are mixed planted woodland and scrub, improved grassland and a wall. The habitat was suitable for populations of breeding birds, badger and hedgehog. The wider habitat was also suitable for reptiles.

The habitats which have been identified are of low ecological value. However, the connectivity to adjacent woodland does contribute to its ecological value.

The trees to be removed to facilitate the development are Corsican pines and are not native to the United Kingdom. The trees to be removed are not considered to hold features of ecological value.

DM22 of the LDP allows for the loss of trees where the benefits of a proposal outweigh the harm, and proposals are able to provide compensatory measures by way of native species which would help to ensure appropriate biodiversity gain.

The County Planning Ecologist has been consulted during the consideration of the planning application and raises no objection subject to a condition.

Land Drainage and Flood risk

The site is considered to be in floodzone A as shown on NRW's Development Advice Map, and Flood zone 1 as shown on the Flood map for planning which is the most up to date and best available information in respect of flooding. As such the proposed development is not considered to be at risk of flooding.

The council's own technical services department have advised SUDs approval is required and provide details of how to minimize the risk of surface water flooding. It is therefore considered that surface water disposal could be appropriately managed by way of the SUDs approval process, as such the proposed development is not considered to increase the risk of flooding.

REASON FOR DEFERRAL:

The Committee at its meeting on 14th June, 2023 resolved to refer the application to the Site Inspection Panel for consideration in accordance with Paragraphs 3 and 7 of the Council's adopted criteria.

The Site Inspection Panel met on the 29th June, 2023 and comprised Cllr Rhodri Davies (Chairman); Cllrs Gethin Davies, Ifan Davies, Meirion Davies and Maldwyn Lewis. Also in attendance were Cllr Alun Williams (Local Ward Member in an observational capacity), Mr Steve Hallows (Highways Development - Service Manager), (Mrs Catrin Newbold (Development Management - Service Manager) and Mr Jonathan Eirug (Development Management Team Leader (North)).

The Development Management Team Leader (North) described the application, the application site, policy framework and reported the consultation responses. The Panel were informed that the proposed development represented sustainable development in the urban service centre, that there were adequate capacity available for residential development in the settlement of Aberystwyth, that there were no perceived impact on the character of the area and the amenities of any neighbouring properties and it was reported that there were no statutory objections to the proposal including from a highway and parking perspective. The recommendation of the LPA was that the application be approved following the completion of a S106 agreement under the provision of the Town and Country Planning Act 1990 in relation to affordable housing.

The Panel proceeded to inspect the site and associated land. The Panel noted the parking provision at the site together with space to the rear of the Brynderw building and the access road from Stanley Road. The Panel also noted the proximity of the site to the neighbouring listed Edward Davies building and also to the neighbouring dwellings at Coed y Buarth.

In response to enquiries regarding the highway and parking provision, confirmation was received from the Highways Development Service Manager that the proposal was well within highway guidance and that adequate parking provision was provided to cater for the proposed development and the existing development at Brynderw. The applicants had undertaken a Traffic Survey at the location which had been undertaken at an appropriate time and period and which indicated that the increase in traffic trips from the site was negligible and that it would not detrimentally impact the highway network in the immediate vicinity. The proposal was compliant with highway safety. The Panel also noted that there was a number of empty parking spaces at the site and were content that there would be no impact on highway grounds.

Reference was made to the feasibility of providing further landscaping and natural screening at the site especially between the rear of the proposed building and Coed y Buarth to the north east of the application site.

In conclusion the Panel were of the opinion that the democratic process in respect of the Site Inspection Panel procedures had been followed and that the input from the Highways Officer had been invaluable to enable the Panel to come to an informed recommendation in respect of the application. The Panel were unanimous in their opinion that there would be no impact from a highway and parking perspective at the application site and immediate area and that the building would have no impact on the character of the area, the listed building and any neighbouring properties. The Panel recommended that planning permission be granted subject to conditions and the completion of a S106 agreement in respect of the affordable units.

ARGYMHELLIAD / RECOMMENDATION:

Approve STC and S106

(**Note** - This application is being reported to the Development Management Committee, as it comprises of a major development).