

1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210757	03-08-2021	Mr Peter Jones	Proposed horsebox fabrication building, to include installation of vehicular access and package treatment plant.	Land Adjacent B4338, from junction with C1279 and junction with C1060, Llanybydder, SA40 9UH	Refuse
2	A220035	10-01-2022	Mr and Mrs G & B Davies	Erection of a rural enterprise dwelling and workshop.	Fferm Cwmcoedog, Mydroilyn, Lampeter, SA48 7RL	Refuse
3	A220774	13-10-2022	Mr and Mrs E & E James	Proposed reinstatement of dwelling to be used as a holiday unit to include installation of package treatment plant and new vehicular access.	Ty'n Bwlch, Lledrod, SY23 4TD	Refuse

1.1. A210757



Rhif y Cais / Application Reference	A210757
Derbyniwyd / Received	03-08-2021
Y Bwriad / Proposal	Codi adeilad gwneud faniau ceffylau, gan gynnwys gosod mynedfa i gerbydau a safle trin pecynnau.
Lleoliad Safle / Site Location	Tir gerllaw'r B4338, rhwng y gyffordd â'r C1279 a'r gyffordd â'r C1060, Llanybydder, SA40 9UH
Math o Gais / Application Type	Cynllunio Llawn
Ymgeisydd / Applicant	Mr Peter Jones, Glan Yr Afon, Cwrtnewydd, Llanybydder, Ceredigion, SA40 9YS
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen Llanrhystud, Aberystwyth, SY23 5ED

Y SAFLE A HANES PERTHNASOL

Mae safle'r cais yn barsel o dir amaethyddol sydd wedi'i leoli ar hyd y B4338 600m i'r gorllewin o Lanybydder. Mae'r safle o natur wledig ac mae wedi'i amgylchynu â chaeau amaethyddol.

Does dim hanes datblygu perthnasol ar gyfer y safle.

MANYLION Y DATBLYGIAD

Mae'r cynnig yn ymwneud â chodi adeilad gwneud faniau ceffylau, gan gynnwys gosod mynedfa i gerbydau a safle trin pecynnau. Bydd yr adeilad arfaethedig yn mesur 49.5m o hyd, 15.8m o ddyfnder a bydd yn 7.5m o uchder ar y mwyaf, a bydd yn darparu gweithdy ar gyfer gwneud faniau ceffylau. Mae yna gât i'r cae ar hyn o bryd, a fydd yn cael ei chau i greu mynedfa newydd.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiau Cynllunio Cenedlaethol Perthnasol:

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru

TAN 6: Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy

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

S04: Datblygu Mewn Aneddiadau Cyswllt a Lleoliadau Eraill

DM06: Dylunio a Chreu Lle o Safon Uchel

DM14: Cadwraeth Natur a Chysylltedd Ecolegol

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; anabled; 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 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 argymhelliaid, mae'r Cyngor wedi ceisio sicrhau bod anghenion y presennol yn cael eu bodloni heb amharu ar allu cenedlaethau'r dyfodol i gwrdd â'u hanghenion eu hunain

YMATEBION YMGYNGHORI

Cyfoeth Naturiol Cymru – Mae'r safle o fewn dalgylch Ardal Cadwraeth Arbennig (ACA) Afon Teifi. Os nad yw'r datblygiad yn debygol o gael effaith sylweddol ar yr ACA, ni fyddai gennym unrhyw wrthwynebiad i'r cynnig.

Ecoleg – dim gwrthwynebiad yn unol ag amodau'n sicrhau darpariaeth o welliannau ecolegol, a datganiad dull trawsleoli, i sicrhau trawsleoliad y gwrych ar hyd ymyl y ffordd. Mae'r cynnig wedi'i sgrinio ac ni fyddai'n cael effaith sylweddol ar yr Afon Teifi o safbwynt cynyddu ffosffadau.

Awdurdod Priffyrdd – dim gwrthwynebiad yn unol ag amodau.

Draenio Tir – yn argymhell amodau mewn perthynas â rheoli dŵr wyneb, suddfannau dŵr ac arwynebau caled.

Derbyniwyd gwrthwynebiadau gan 9 trydydd parti hefyd, ar sail y ffaith na fydd yr adeilad yn cydweddu â'r ardal gyfagos, ac mi fyddai'n arwain at fwy o lifogydd. Effaith ar goed ac ecoleg, mwy o traffig, sŵn a diogelwch.

Derbyniwyd un llythyr o gefnogaeth yn nodi y byddai'n rhoi hwb i'r economi drwy ddarparu cyfleoedd cyflogaeth.

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”.

Egwyddor Datblygu

Mae safle'r cais yn gorwedd y tu allan i ffiniau unrhyw anheddiad ac felly mae o fewn 'lleoliadau eraill' fel y'u diffinnir o fewn y CDLI, lle mae datblygu'n cael ei reoli'n llym er mwyn sicrhau datblygu cynaliadwy ac i warchod ardaloedd cefn gwlad.

Mae Polisi S04 yn caniatáu datblygu o fewn 'lleoliadau eraill' a bwrw bod y cynnig yn cydymffurfio â gofynion TAN 6, yn nhermau menter wledig, ac yn nhermau ei leoliad ffisegol, ei fod yn union gerllaw'r ardal adeiledig bresennol.

Er bod y Cyngor yn cefnogi'r economi wledig er mwyn darparu cyfleoedd gwaith lleol, nid yw codi adeilad ar gyfer gwneud faniau ceffylau ar y lleoliad hwn, sydd wedi'i amgylchynu â chaeau amaethyddol, yn cwrdd â gofynion TAN 6. Nid yw Polisi S04 yn caniatáu codi adeilad ar y safle hwn felly ac mae'n mynd yn groes i brif amcan y polisi, sef gwarchod cefn gwlad a thirwedd ddiwylliannol yr ardal wledig hon.

Hefyd, ni ystyrir bod yna angen y gellir ei gyfiawnhau'n rhesymol am adeilad ar y lleoliad hwn. Mae'r egwyddor datblygu'n annerbyniol felly.

Tirwedd

Mae amddiffyn cefn gwlad rhag datblygu amhriodol wedi bod, ac mae'n parhau i fod yn amcan cynllunio pwysig. Nod Polisi DM17 yw atal effaith andwyol ar rinweddau a nodweddion arbennig y dirwedd weledol. Byddai'r datblygiad arfaethedig yn amharu ar ardal cefn gwlad agored, ac yn sgil ei faint a'i fâs, ystyrir y byddai'n ansensitif ac yn anghydnaws â'r lleoliad, ac yn

mynd yn gwbl groes i amcanion y Polisi hwn.

Dyluniad a Chymeriad

Mae DM06 y CDLI yn gofyn bod pob datblygiad newydd yn rhoi ystyriaeth lawn, ac yn cyfrannu mewn ffordd bositif at gyd-destun ei leoliad a'r cyffiniau. Hefyd, mae'r polisi'n gofyn bod y datblygiad yn adlewyrchu dealltwriaeth glir o egwyddorion dylunio, a'r cyd-destun ffisegol, cymdeithasol, economaidd ac amgylcheddol lleol. Mae'r polisi'n cynnwys rhestr o feini prawf y dylai pob datblygiad geisio'u bodloni. Yn arbennig o berthnasol i'r cais hwn y mae meini prawf 2 a 7 o'r polisi, sy'n gofyn bod datblygiad newydd yn cydweddu â'r safle a'i gyffiniau.

Mae Maen Prawf 2 o Bolisi DM06 yn pwysleisio bod yn rhaid i ddatblygiad gydweddu â'r safle a'i gyffiniau yn nhermau cynllun, parchu golygfeydd i mewn ac allan o'r safle, cynhyrchu ffurf gydlynol yn nhermau maint, uchder a chyfrannedd yr adeiladau presennol. Ymddengys na fyddai maint ac uchder yr adeilad arfaethedig yn cydweddu â chymeriad a golwg yr ardal leol.

Byddai'r datblygiad arfaethedig yn amharu ar ardal cefn gwlad agored, ac yn sgil ei faint a'i fâs, ystyrir y byddai'n ansensitif ac yn anghydnaws â'r lleoliad, ac yn mynd yn gwbl groes i ofynion Polisi DM17.

Priffyrdd

Bwriedir adleoli'r fynedfa bresennol i'r cae a chreu mynedfa newydd tua phen deheuol y safle, gan gau'r fynedfa bresennol. Cyflwynwyd datganiad trafniadaeth, a adolygwyd gan yr Awdurdod Priffyrdd, sydd heb fynegi unrhyw wrthwynebiad i'r fynedfa arfaethedig.

Ecoleg

Mae'r safle'n gorwedd o fewn dalgylch Ardal Cadwraeth Arbennig (ACA) Afon Teifi. Mi allai unrhyw ddatblygiad a allai gynyddu maint y ffosffad (neu ffosfforws) o fewn dalgylch ACA yr afon gael effaith niweidiol ar yr ACA, a byddai angen sgrinio'r datblygiad i bennu ei effaith ar yr ACA. Dywedodd Cyfoeth Naturiol Cymru, os na fyddai'r datblygiad yn cael effaith sylweddol ar yr ACA, na fyddai ganddynt unrhyw wrthwynebiad.

Yn yr achos hwn, mae'r sgrinio'n dangos nad yw'r cynnig yn debygol o gael unrhyw effaith sylweddol ar yr Afon Teifi o ran cynyddu'r lefelau ffosffad, yn unol â Chyngor Cynllunio Cyfoeth Naturiol Cymru, ac nid oes angen unrhyw arolwg na gwelliannau pellach.

Cynhaliwyd Asesiad Ecolegol Cychwynnol gan Wyndrush Wild. Mae'r safle'n cynnwys un cae o laswelltir wedi'i wella gydag ardal fach o laswelltir corsiog a gwrychoedd cyffiniol. Cafodd y safle ei asesu fel un heb unrhyw gynefinoedd addas ar gyfer pathewod, moch daear, ymlusgiaid nac amffibiaid, ac fel un o ychydig werth yn unig ar gyfer adar nythu a manau clwydo ar gyfer ystlumod. Ni nodwyd unrhyw rywogaethau ymledol anffodorol ar y safle.

Mi fydd y datblygiad arfaethedig yn gofyn bod darn o'r gwrych yn cael ei dynnu i ddarparu'r llain gwelededd gofynnol. Mae Ecolegydd y Cyngor yn awgrymu gosod amod i sicrhau na fydd unrhyw waith i drawsleoli'r gwrych ar hyd ymyl y ffordd yn digwydd nes bod datganiad dull trawsleoli wedi'i gyflwyno.

Cyflogaeth

Mae angen yr adeilad arfaethedig ar yr asiant i ddarparu gwasanaeth mwy proffesiynol a chyfleusterau modern i gwrdd â'r galw cynyddol. Ar hyn o bryd mae iard ar gael ym Moelfre a bydd y gwaith yn symud i'r safle arfaethedig.

Yn ôl y ffurflen gais, ni fydd unrhyw swyddi ychwanegol yn cael eu creu, ond yn hytrach mae 7 aelod staff presennol a'r bwriad yw cyflogi 7. Ar sail yr hyn a gyflwynwyd, ni ellir dweud y bydd y cynnig yn creu cyflogaeth uwchlaw'r lefelau presennol, ond mae'n bosib y bydd cyfleoedd gwaith yn cael eu creu yn y dyfodol ar gyfer trigolion Llanybydder, sydd cwta 600m i ffwrdd, yn sgil y galw cynyddol a ddisgrifir gan yr asiant. Mi fyddai hynny'n cydymffurfio â TAN 6.

ARGYMHELLIAD:

Gwrthod am y rhesymau canlynol:

1. Mae safle'r cais yn gorwedd y tu allan i ffiniau'r anheddiad ac felly mae o fewn 'lleoliadau eraill' fel y'u diffinnir o fewn y CDLI, lle mae datblygu'n cael ei reoli'n llym i sicrhau datblygu cynaliadwy ac i warchod ardaloedd cefn gwlad. Nid yw Polisi S04 felly yn caniatáu codi adeilad i wneud faniau ceffylau yn y lleoliad hwn. Mae'r egwyddor datblygu'n annerbyniol felly.
2. Byddai'r datblygiad arfaethedig yn amharu ar ardal cefn gwlad agored ac yn sgil ei faint a'i fâs, ystyrir ei fod yn ansensitif ac yn anghydnaws â'r lleoliad hwn, a'i fod yn mynd yn gwbl groes i ofynion Polisi DM17.

RHESYMAU DROS OHIRIO:

Penderfynodd y Pwyllgor Rheoli Datblygu ar yr 8fed o Fawrth 2023 gyfeirio'r cais i'r Panel Ymweld Safleoedd (SIP) yn unol â pharagraff 5 o feini prawf mabwysiedig y cyngor, a hefyd i'r Grŵp Oeri / Ailfeddwl i'w ystyried ymhellach, cyn gwneud penderfyniad terfynol ar y cais.

Cyfarfu'r Panel Ymweld Safleoedd ar y 21ain o Fawrth 2023. Yn ystod yr ymweliad, sylwodd yr aelodau nad oedd y pellter i Lanybydder yn ormodol, nad oedd unrhyw faterion gorlifo ar safle'r cais (yn wahanol i rannau o Lanybydder), roedd y tir ar lefel is na'r briffordd gyhoeddus ac yn elwa o lefel da o sgrinio naturiol, a hefyd nad oedd yna dai preswyl yn yr ardal a allai gael eu effeithio gan y bwriad.

Ymwelodd y panel hefyd a safle busnes presennol yr ymgeisydd ar fferm Moelfre, lle nodwyd ei bod yn ymddangos bod y busnes wedi tyfu'n rhy fawr i'r safle presennol. Fferm weithiol ydoedd ac roedd y gosodiad a'r agosrwydd at y fferm yn amhriodol, roedd diffyg cyfleusterau ym Moelfre yn creu problem lles i weithwyr a byddai'r mynediad / allanfa ar gyfer y traffig a achosir gan y datblygiad yn anodd ar hyd lôn serth y fferm. Nodwyd hefyd mai prin oedd y cyfle i ehangu'r busnes yn y lleoliad hwn oherwydd yr adeiladau fferm presennol a thopograffi'r tir. Roedd yr ymgeisydd hefyd yn gallu cadarnhau nad oedd yr adeiladau fferm presennol yn eiddo iddo. Nodwyd ymhellach nad oedd cymeriad gweledol fferm weithiol yn rhoi argraff da i ddarpar gwsmeriaid oedd yn ymweld â'r busnes.

Roedd yr aelodau'n cydnabod nad oedd y safle presennol yn addas ar gyfer ehangu ac y byddai angen lleoliad newydd ar gyfer y busnes er mwyn ei gadw o fewn y sir.

Fodd bynnag, roedd yr Aelodau o'r farn bod angen gofyn am wybodaeth ychwanegol oddi wrth yr ymgeisydd ynghylch y dull dilyniannol a ddefnyddiwyd wrth ddewis y safle sy'n destun y cais hwn.

Dilynodd cyfarfod o'r Grŵp Oeri / Ailfeddwl ar y 23ain o Fawrth 2023. Cytunodd y Grŵp Oeri / Ailfeddwl yn unfrydol i ofyn am y wybodaeth ychwanegol ganlynol i gefnogi'r cais:

1. **Prawf dilyniannol mwy trylwyr i gymharu'r safle arfaethedig â safleoedd eraill sydd ar gael.** Fel rhan o'r ymarfer hwn, gofynnwyd i'r ymgeisydd roi rhesymau pam nad yw safle presennol fferm Moelfre yn addas ar gyfer y bwriad. Roedd hyn i'w ddilyn gan asesiad o unrhyw adeiladau eraill o fewn perchnogaeth / rheolaeth yr ymgeisydd, unrhyw adeiladau neu eiddo sydd ar gael o fewn neu gerllaw aneddiadau cyfagos neu o fewn stadau diwydiannol presennol yn yr ardal, ynghyd ag ystyriaeth o unrhyw adeiladau gwag presennol yn yr ardaloedd mwy gwledig. Yn y bôn, er bod yr aelodau am gadw'r busnes yng Ngheredigion er mwyn cefnogi'r economi leol, serch hynny roeddent am fod yn sicr nad oedd safleoedd eraill ar gael cyn gwneud penderfyniad terfynol ar y cais.

Ac;

2. **Cadarnhad o lefelau daear a llawr presennol ac arfaethedig.**

O ganlyniad, ar y 27ain o Ebrill 2023, derbyniwyd Arfarniad Prawf Dilyniannol, cadarnhad nad yw safle presennol fferm Moelfre ym mherchnogaeth na rheolaeth yr ymgeisydd, ynghyd â llythyr cymhelliant pellach.

1. Y Prawf Dilyniannol:

Mae'r prawf dilyniannol yn defnyddio TAN4 (Canolfannau Manwerthu a Masnachol) fel arweiniad.

Mae gofynion allweddol yr ymgeisydd yn cynnwys adeilad gweithredol sydd o leiaf yn 7500 troedfedd sgwâr, iard gylchredeg fawr, mynediad da i flaen y ffordd, digon o le parcio, tir ar gyfer yr anifeiliaid wrth ddelio â bocys ceffylau sydd wedi torri i lawr, uchder da ar gyfer offer codi, a lleoliad o fewn 10 milltir i'r gweithrediad presennol.

Dadleuwyd nad oedd yr adeilad presennol ym Moelfre yn addas gan nad yw'r tir o fewn perchnogaeth nac o dan reolaeth yr ymgeisydd, ac felly nid yw'n cyflwyno unrhyw opsiwn i ehangu, gwella neu ailddatblygu. Hyn, yn ôl y prawf dilyniannol, oedd y brif ystyriaeth ar gyfer adleoli'r gweithrediad.

Nodwyd 4 safle o fewn radiws 10 milltir o'r safle presennol fel rhan o'r prawf dilyniannol. Mae'r rhain yn cynnwys Safle 1: Parc Busnes Llambod (Dyraniad CDLI E0501), Safle 2: Hen Safle Mart (Dyraniad CDLI E0502), Safle 3: Tir oddi ar Station Terrace, Llanybydder, Sir Gaerfyrddin, Safle 4: Unedau 1-4, Ystâd Ddiwydiannol Pentood, Aberteifi. Penderfynwyd bod pob safle yn anhyfyw ac nad oedd ar gael i'w ddefnyddio gan y busnes.

Aseswyd safleoedd amrywiol eraill hefyd trwy ehangu'r meini prawf chwilio i fod o fewn 40 milltir i'r safle presennol heb unrhyw gyfyngiad ar ddefnydd y tir na chyllideb. Aseswyd y safleoedd sydd ar gael ar Rightmove Commercial hefyd. Arweiniodd hyn at ystyried ardal drefol Abertawe, lle y canfuwyd eu bod yn anhyfyw am wahanol resymau gan gynnwys pris, pellter oddi wrth y busnes presennol, defnyddiau cyfyngedig, cyfyngiadau gweithredol a chostiau datblygu.

Cafodd safleoedd yn Aberteifi eu hystyried hefyd, fodd bynnag, nid oedd rhain o fewn dalgyllch y busnes, byddent yn creu problemau adleoli staff, costau uchel o sicrhau eiddo, problemau parcio a diffyg lle i letya anifeiliaid. Ystyriwyd bod y safleoedd hyn yn anaddas.

I gloi, mae'r Prawf Dilyniannol yn nodi nad oes unrhyw safleoedd amgen sy'n addas ar gyfer gweithrediad y busnes.

2. Cais am gadarnhad o lefelau daear a llawr presennol ac arfaethedig.

Mewn e-bost oddi wrth yr asiant sy'n dyddiedig 27ain o Ebrill, 2023, darparwyd cadarnhad ysgrifenedig na fydd unrhyw newidiadau rhwng y lefelau cae presennol ac arfaethedig.

ASESIAD YR ACLI O'R PRAWF DILYNIANNOL CYNTAF:

Ar ôl ystyried y wybodaeth a gyflwynwyd, mae'r Awdurdod Cynllunio Lleol yn pryderu bod nifer y safleoedd yr edrychwyd arnynt fel rhan o'r prawf dilyniannol yn rhy gyfyngedig, ac ychydig o dystiolaeth sydd wedi cael ei ddarparu bod yr ymgeisydd wedi gwneud ymdrech ar y cyd i gaffael safle mwy addas a chynaliadwy.

I gloi, mae'r Awdurdod Cynllunio Lleol o'r farn nad oes digon o dystiolaeth wedi'i chyflwyno i gyfiawnhau gwyro oddi wrth bolisi cynllunio cenedlaethol a lleol yn yr achos hwn.

O ganlyniad, mae'r argymhelliad i wrthod yn parhau.

RHESWM PELLACH DROS OHIRIO:

Cafodd y cais ei ystyried yn y Pwyllgor Rheoli Datblygu ar 13 Medi 2023. Penderfynodd y Pwyllgor ohirio penderfyniad ar y cais am fis er mwyn i'r ymgeisydd gyflwyno prawf dilyniannol mwy trylwyr i gefnogi'r cais. Yn dilyn hynny, cyflwynwyd prawf dilyniannol atodol gan yr asiant ar 27 Medi 2023.

ASESIAD YR ACLI O'R PRAWF DILYNIANNOL YCHWANEGOL:

Ymgynghorodd yr asiant ag Arwyn Davies, y Rheolwr Corfforaethol ar gyfer Twf a Menter a darparodd restr o bedwar safle a gafodd eu hasesu a'u graddio allan o 5. Mae'r safleoedd yn adlewyrchu'r trafodaethau a gafodd yr asiant gyda'r Cyngor, gan ystyried pellteroedd teithio staff, gan fod y rhan fwyaf o'r staff yn byw yn lleol.

Cafodd y safle yn Welsh Heritage Construction Ltd yn Llanwnnen, Llanbedr Pont Steffan sgôr o 3 allan o 5. Dadleuwyd bod y safle hwn yn anaddas gan nad yw ar y farchnad ar hyn o bryd, ni all yr ymgeisydd fforddio'r safle a byddai addasu'r safle yn rhy ddrud.

Yr ail safle, sydd hefyd yn sgorio 3 allan o 5, yw'r safle gerllaw Gwili Jones, Llanbedr Pont Steffan. Ystyriwyd ei bod yn annerbyniol gan nad yw'r safle ar y farchnad ar hyn o bryd ac nid oes caniatâd cynllunio ar waith. Yn ogystal, mae eiddo preswyl yng nghefn y safle ac ni all yr ymgeisydd fforddio prynu safle masnachol ac adeilad newydd.

Y trydydd safle, sy'n sgorio 2 allan o 5, yw'r plotiau yng Ngwasg Gomer yn Llandysul. Ni all yr ymgeisydd fforddio'r safle.

Mae'r pedwerydd safle a aseswyd ym Maes Awyr Gorllewin Cymru yn Aberporth, gan sgorio 0 allan o 5. Ystyriwyd bod y safle hwn yn amhriodol gan ei fod yn rhy bell o'r lleoliad busnes presennol, mae potensial marchnata lleol yn gyfyngedig oherwydd bod yr arfordir ar un ochr i'r safle, ac ni all yr ymgeisydd fforddio prynu'r safle.

Cafodd dau safle posibl arall yn Heol yr Orsaf, Tregaron eu diystyru hefyd, ar y sail bod yr unedau'n rhy fach ac yn seiliedig ar ddfyf compownd diogel ar gyfer anifeiliaid byw.

Pwysleisiodd yr asiant ei bod yn bwysig bod y busnes wedi'i leoli'n ganolog ac i ffwrdd o'r arfordir, gyda mynediad da i rwydwaith ffyrdd yr M4 a marchnad geffylau boblogaidd de a dwyrain Cymru ger ardaloedd Llanybydder a Llanbedr Pont Steffan.

Yn Aberystwyth, byddai'r cyfleoedd yn gyfyngedig i Ystâd Ddiwydiannol Glanyrafon, lle, yn ôl yr asiant, nad oes llawer o argaeledd ac mae'r safleoedd yn rhy fach.

Dywed yr asiant fod 30-40 o ffermwyr o fewn ardal weithredu'r cleient wedi cael eu cysylltu ond nad oeddent yn fodlon cynorthwyo.

Mae'r wybodaeth atodol hefyd yn datgan na all yr ymgeisydd ddibynnu ymhellach ar rentu / prydlesu adeilad, gan fod ansicrwydd preswyliaeth yn atal sgôp a'r gallu i ehangu'r busnes, ac yn hollbwysig, yn rhwystro'r gallu i fenthycu os oes angen.

Mae'r asiant wedi darparu prawf dilyniannol mwy manwl, fodd bynnag, mae'r cais yn parhau i fod yn groes i bolisiau S04 a DM17.

O ganlyniad, mae argymhelliad yr Awdurdod Cynllunio Lleol i wrthod y cais yn parhau.

DEDDF CYNLLUNIO GWLAD A THREF 1990 – CAIS I ALW I MEWN O DAN ADRAN 77

Ar 20fed o Ebrill, 2023, rhoddodd Llywodraeth Cymru wybod i Gyngor Sir Ceredigion bod Gweinidogion Cymru wedi cael eu gofyn i alw'r cais i mewn am benderfyniad.

Mae'r hysbysiad gan Lywodraeth Cymru hefyd yn cyfarwyddo Cyngor Sir Ceredigion i beidio â rhoi caniatâd cynllunio mewn perthynas â'r cais, nac i unrhyw ddatblygiad arall o'r un math sy'n destun y cais ar unrhyw safle sy'n cynnwys neu'n ffurfio rhan o'r tir y mae'r cais yn berthnasol iddo.

Mae'r cais galw i mewn yn dal i gael ei ystyried gan Lywodraeth Cymru, a chyn gwneud penderfyniad, mae angen rhoi gwybod iddynt a yw'r pwyllgor wedi penderfynu caniatáu neu wrthod y cais. Unwaith y bydd Llywodraeth Cymru wedi cael gwybod am benderfyniad y pwyllgor, byddant wedyn yn ystyried y cais galw i mewn ymhellach.

Yn y cyfamser, mae'r cyfeiriad yn parhau yn ei le.

Rhif y Cais / Application Reference	A210757
Derbyniwyd / Received	03-08-2021
Y Bwriad / Proposal	Proposed horsebox fabrication building, to include installation of vehicular access and package treatment plant.
Lleoliad Safle / Site Location	Land Adjacent B4338, from junction with C1279 and junction with C1060, Llanybydder, SA40 9UH
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr Peter Jones, Glan Yr Afon, Cwrtnewydd, Llanybydder, Ceredigion, SA40 9YS
Asiant / Agent	Mr Gareth Flynn (Morgan & Flynn Architectural Services), Tan Y Dderwen Llanrhystud, Aberystwyth, SY23 5ED

THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to a parcel of agricultural land which is located along the B4338 600m to the west of Llanybydder. The site is rural in nature and bound by agricultural fields.

There is no relevant planning history for the site.

DETAILS OF DEVELOPMENT

The proposal relates to the construction of a horsebox fabrication building, to include installation of vehicular access and package treatment plant. The proposed building will measure 49.5m in length, 15.8m deep with a maximum height of 7.5m and will provide for a workshop to fabricate horseboxes. There is an existing field gate which will be closed up to accommodate a new access point.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policies

Future Wales: The National Plan 2040

Planning Policy Wales

TAN 6: Planning for Sustainable Rural Communities

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

S04: Development in Linked Settlements and Other Locations

DM06: High Quality Design and Placemaking

DM14: Nature Conservation and Ecological Connectivity

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

NRW – The site is within the catchment of the River Teifi Special Area of Conservation (SAC). If the development is not likely to have a significant effect on the SAC, we would have no objection to the proposal.

Ecology – no objection subject to conditions securing the provision of ecological enhancements and a translocation method statement to secure the translocation of the roadside hedge. The proposal has been screened out and would not have a significant effect on the Afon Teifi from increase phosphates.

Highway Authority – no objection subject to conditions.

Land Drainage – recommend conditions relating to surface water management, soakaways and hard surfacing.

9 third party objections have also been received on the grounds that the building will not appear in keeping with the surrounding area and would give rise to increased flooding. Impact on trees and ecology, increased traffic, noise and security.

1 letter of support has been received commenting that it would boost the economy by providing employment opportunities.

CONCLUSION

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

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

Principle of Development

The application site lies outside of any settlement boundary and is therefore within 'other locations' as identified within the LDP where development is strictly controlled in the interest of achieving sustainable development and to protect the open countryside.

Policy S04 only permits development within 'other locations' where the proposal accords with the requirements of TAN 6 in terms of a rural enterprise and in terms of its physical location, it is immediately adjacent to the substantial built form.

Whilst the Council supports the rural economy to provide local employment opportunities, the construction of a building for the fabrication of horseboxes in this location, surrounded by agricultural fields, does not meet the requirements of TAN 6. The erection of a building in this location is therefore not permitted by Policy S04 and represents a conflict with the overarching policy objective of protecting the countryside and cultural landscape of this rural area.

Furthermore, it is not considered that there is a reasonably justified need for the building in this location. The principle of development is therefore unacceptable.

Landscape

The protection of the countryside from inappropriate development has been and continues to be, an important planning objective. Policy DM17 seeks to prevent adverse effect on the qualities and special characters of the visual landscape. The proposed development would represent an intrusion into the open countryside and by virtue of its scale and massing, is considered insensitive and unsympathetic within this location and in direct conflict with the aims of this Policy.

Design and Character

Policy DM06 of the LDP requires all new development to have full regard, and positively contribute to the context of its location and surroundings. Furthermore, the policy requires development to reflect a clear understanding of design principles, and the local physical, social, economic and environmental context. The policy includes a list of criteria in which all development should seek to meet. Of particular relevance to this application are criteria 2 and 7 of the policy, which requires new development to complement the site and its surroundings (criterion 2).

Criterion 2 of the Policy DM06 highlights that the development must complement the site and its surrounding 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 scale and height of the proposed building would appear incongruous with the character and appearance of the local area.

The proposed development would represent an intrusion into the open countryside and by virtue of its scale and massing, is considered insensitive and unsympathetic within this location and in direct conflict with the requirements of DM17.

Highways

It is proposed to relocate an existing field access to accommodate a new access towards the southern end of the site and close off the existing access. A transport statement was submitted which has been reviewed by the Highway Authority who raise no objections to the proposed access.

Ecology

The site lies within the catchment of the Afon Teifi Special Area of Conservation (SAC). Any development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC and the development would need to be screened to determine whether the development is likely to have a significant effect on the SAC. NRW advised that if the development would not result in a significant effect on the SAC, then no objections would be raised.

In this case, the proposal has been screened out as not likely to have a significant effect on the Afon Teifi from increased phosphates in accordance with NRW Planning Advice and no further survey work nor enhancements are necessary.

A Preliminary Ecological Assessment was carried out by Wyndrush Wild. The site comprises a single field of improved grassland with a small area of marshy grassland and adjoining hedges. The site was assessed as having no habitats suitable for dormice, badgers, reptiles and amphibians and of minor value for nesting birds and roosting bats. No invasive non-native species were identified on site.

The proposed development will require a section of hedge to be removed to provide the required visibility splay. The Council's Ecologist recommends a condition to ensure that no works to translocate the roadside hedge should take place until a translocation method statement has been submitted.

Employment

The proposed building is required by the agent to provide a more professional service and modern facilities to meet increased demand. Currently, there is an existing yard at Moelfre and the operations will move to the proposed site.

According to the application form, no additional jobs will be created, rather 7 staff members are existing and 7 are proposed. Based on what has been submitted, it cannot be said that the proposal will create employment above existing levels, however, it may be possible for future employment opportunities to be created for the residents of Llanybydder, which is only 600m away, due to the increased demand described by the agent. This would be in accordance with TAN6.

RECOMMENDATION:

Refuse for the following reasons:

1. The application site lies outside of the settlement boundary and is therefore within 'other locations' as identified within the LDP where development is strictly controlled in the interest of achieving sustainable development and to protect the open countryside. The erection of a horsebox fabrication building in this location is therefore not permitted by Policy S04. The principle of development is therefore unacceptable.
2. The proposed development would represent an intrusion into the open countryside and by virtue of its scale and massing, is considered insensitive and unsympathetic within this location and in direct conflict with the requirements of Policy DM17.

REASONS FOR DEFERRAL:

The Development Management Committee on the 8th March 2023 resolved to refer the application to both the Site Inspection Panel (SIP) in accordance with paragraph 5 of Council's adopted criteria, and also to the Cooling Off Group for further consideration, before a final decision was taken on the application.

The Site Inspection Panel subsequently met on the 21st March 2023. During the SIP Members observed that the distance to Llanybydder from the application site was not excessive, that there were no flooding issues at the application site, (unlike parts of Llanybydder), that the land where the proposed building was to be situated was at a lower level than the public highway and benefited from a good level of natural screening and that there was limited residential units in the locality which may be affected by the proposal.

The panel also visited the applicant's current business premises at Moelfre Farm, during which it was noted that the business had appeared to have outgrown the existing premises. It was a working farm and the layout and the close proximity to the farm was inappropriate, the lack of facilities at Moelfre was creating a welfare issue for employees and the access/egress for the traffic induced by the development would be difficult along the steep and narrow farm track. It was also noted that there was limited opportunity to expand the premises in this location owing to the existing farm buildings and the topography of the land. The applicant was also able to confirm that the existing farm buildings were not in his ownership. It was further noted that the visual character of a working farm did not give a good impression to potential customers visiting the premises.

Members recognised that the existing site was not suitable for expansion and a new location for the business would be necessary in order to retain the business within the County.

Members did however consider it necessary to request additional information from the applicant in regard the sequential approach that had been undertaken in choosing the site subject to this application.

A meeting of the Cooling Off Group followed on the 23rd March 2023. The Cooling off Group unanimously agreed to request the following additional information in support of the application:

1. **A more thorough sequential test to compare the proposed site with other available sites.** As part of this exercise, the applicant was asked to provide reasons why the existing site at Moelfre Farm is not suitable for the proposal. This was to be followed by an assessment of any other buildings within the applicant's ownership / control, any available buildings or premises within or adjacent to nearby settlements or within existing industrial estates in the area, and the consideration of any existing vacant buildings in the more rural areas. Essentially, whilst Members wanted to retain the business in Ceredigion in order to support the local economy, they nevertheless wanted to be satisfied that there were no other alternative sites available before taking a final decision on the application.

And;

2. **Confirmation of the existing and proposed ground and floor levels at the application site.**

Subsequently, a Sequential Test Appraisal, proof that the existing site at Moelfre Farm is not in the applicant's ownership or control, and a further letter of motivation was submitted on the 27th April 2023.

1. The sequential test:

The sequential test uses TAN4 (Retail and Commercial Centres) for guidance.

Key requirements for the applicant include as a minimum a 7500sqft operational building, a large circulation yard, good road frontage access, ample parking, land for animals to be secured when dealing with horsebox breakdowns, good height for lifting equipment and a location within a 10 mile radius of the existing operation.

It was argued that the existing building at Moelfre was not suitable as the land is not within the ownership nor under the control of the applicant and therefore does not present any option to expand, improve or redevelop. This, according to the sequential test, was the major consideration for the operation's relocation.

4 no. sites were identified within the 10 mile radius of the existing site and assessed as part of the sequential test. These include Site 1: Llambed Business Park (LDP Allocation E0501), Site 2: Old Mart Site (LDP allocation E0502), Site 3: Land off Station Terrace, Llanybydder, Carmarthenshire, Site 4: Units 1-4, Pentood Industrial Estate, Cardigan. All sites were determined to be non-viable and not available to be used by the business.

Various other premises were also assessed by expanding the search criteria to be within 40 miles of the existing site with no restricted land uses or budget. The sites available on Rightmove Commercial were also assessed. This resulted in the

consideration of the urban area of Swansea, which were found to be unviable for various reasons including price, distance from the existing business, restricted uses, operational constraints and cost to develop.

Sites in Cardigan were also considered however, these were not within the business' catchment area, would create staffing relocation issues, high costs of securing a premises, parking issues and lack of space of accommodating animals. These sites were deemed to be unsuitable.

In conclusion, the Sequential Test states that there are no alternative sites suitable for the business operation.

2. Request for confirmation of the existing and proposed ground and floor levels at the application site

In an e-mail from the agent dated 27th April, 2023, written confirmation was provided that there will be no changes in levels between the existing and proposed field levels.

LPA'S ASSESSMENT OF THE FIRST SEQUENTIAL TEST:

After considering the submitted information, the Local Planning Authority is concerned that the number of alternative sites looked at as part of the sequential test is too limited and there appears to be little evidence of the applicant having made a concerted effort to acquire an alternative and more sustainable site.

In conclusion, the Local Planning Authority considers that insufficient evidence has been submitted to justify a departure from national and local planning policy in this instance.

Consequently, the recommendation to refuse remains.

FURTHER REASON FOR DEFERRAL:

The application was considered at the Development Management Committee on the 13th September 2023. The Committee resolved to defer the determination of the application for one month for the applicant to submit a more thorough sequential test in support of the application. Subsequently, a supplementary sequential test was submitted by the agent on 27th September 2023.

LPA'S ASSESSMENT OF SUPPLEMENTARY SEQUENTIAL TEST:

The agent consulted Arwyn Davies, the Corporate Manager for Growth and Enterprise and provided a list of four sites which were assessed and rated out of 5. The sites reflect the discussions the agent had with the Council, taking into consideration staff travelling distances, as most of the staff live locally.

The site at Welsh Heritage Construction Ltd at Llanwnnen, Lampeter was allotted a rating of 3 out of 5. It was argued that this site is unsuitable as it is not currently on the market, the applicant cannot afford the site and converting the site would be too expensive.

The second alternative site, also scoring 3 out of 5, is the site adjacent to Gwili Jones, Lampeter. This site was deemed unacceptable as the site is not currently on the market and there is no planning permission in place. In addition, there are residential properties to the rear of the site and the applicant cannot afford the purchase of a commercial site and a new build.

The third alternative site, scoring 2 out of 5, are the plots at Gwasg Gomer in Llandysul. The applicant cannot afford the site.

The fourth site assessed is at West Wales Airport at Aberporth, scoring 0 out of 5. This site has been deemed inappropriate as it is too far from the existing business location, local marketing potential is limited due to the coast being on one side of the site, and the applicant cannot afford to purchase the site.

Two other possible sites at Station Road, Tregaron were also discounted, on the grounds that the units were too small and based on the lack of availability of a secure compound to accommodate livestock.

The agent emphasised that it is important that the business be located centrally and away from the coast, with good access to the M4 road network and the popular equestrian marketplace of south and east Wales near the Llanybydder and Lampeter areas.

In Aberystwyth, opportunities would be limited to Glanyrafon Industrial Estate, where, according to the agent, there is limited availability and the sites are too small.

The agent states that 30-40 farmers within the client's operating area were approached but were unwilling to assist.

The supplementary information also states that the applicant cannot rely any further on renting / leasing a building, as the uncertainty of occupation gives limited scope and ability to expand the business, and crucially a secured premises for

lending purposes if required.

The agent has provided a more in-depth sequential test, however, the application remains in contravention of policies S04 and DM17.

As a result, the LPA's recommendation to refuse the application remains.

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 CALL-IN REQUEST

On the 20th April, 2023, Welsh Government notified Ceredigion County Council that the Welsh Ministers had been asked to call in the application for their own determination.

The notification from Welsh Government also directs Ceredigion County Council not to grant planning permission in respect of the application, or to any other development of the same kind which is the subject of the application on any site which includes or forms part of the land to which the application relates.

The call-in request is still under consideration by Welsh Government, and prior to making a decision, they need to be informed as to whether the committee has resolved to grant or refuse the application. Once Welsh Government have been informed of the committee's resolution, they will then consider the call-in request further.

In the meantime, the direction remains in place.

1.2. A220035



Rhif y Cais / Application Reference	A220035
Derbyniwyd / Received	10-01-2022
Y Bwriad / Proposal	Codi annedd a gweithdy menter wledig.
Lleoliad Safle / Site Location	Fferm Cwmcoedog, Mydroilyn, Llanbedr Pont Steffan, SA48 7RL
Math o Gais / Application Type	Cynllunio Llawn
Ymgeisydd / Applicant	Mr a Mrs G a B Davies, Llanerch Y Felin, Heol Llyswen, Aberaeron, Ceredigion, SA46 0ED
Asiant / Agent	Mr Rhys ap Dylan (Morgan & Davies), Morgan & Davies, 4 Heol Farchnad, Aberaeron, SA46 0AS

DISGRIFIAD O'R SAFLE

Saif Fferm Cwmcoedog mewn lleoliad gwledig, ar dir uchel yn edrych dros y dyffryn cyfagos. Mae ffermdy Cwmcoedog yn annedd sengl 3 ystafell wely, mewn arddull traddodiadol, ar dir y fferm wreiddiol, wedi'i amgylchynu gan siediau amaethyddol modern a hŷn, sy'n rhannol wedi cael eu trawsnewid i ddau bwthyn gwyliau. Mae'r fferm yn gorwedd o fewn 'lleoliadau eraill' o dan y CDLI.

Saif y pump pod gwersylla a ganiatawyd o dan gais A120625 wrth ymyl buarth y fferm i'r gogledd ddwyrain.

Mae'r safle ar gyfer y cais mewn lleoliad gwledig i ffwrdd o'r ffermdy a'r ardal glampio, o fewn cae 1.29ha sy'n goleddu i lawr i gyfeiriad y gogledd i'r gogledd-ddwyrain o'r prif ffermdy.

Mae'r safle wedi'i amgylchynu ymhellach gan dir amaethyddol sy'n cael ei ffermio drwy gydol y flwyddyn ac sy'n eiddo i'r ymgeisydd. Cyflwynwyd asesiad menter wledig ochr yn ochr â'r cais hwn sy'n nodi bod safle'r cais yn cynnwys 64.36 hectar sy'n cael ei ffermio a bod 56.36 hectar yn eiddo iddynt lle mae yna amrywiaeth o stoc a chnydau gan gynnwys buchod sugno, mamogiaid bridio, hyrddod a silwair bêls mawr.

HANES PERTHNASOL

D1.413.86 – Caniatad cynllunio amlinellol ar gyfer codi annedd i weithiwr amaethyddol - Pt OS 180, Penlanfach Fields, Cribyn Road, Mydroilyn. Caniatawyd yn unol ag amodau 26/6/1986. (A elwir yn "Bryn Aur").

D1.913.86 – Cymeradwyo materion a gadwyd yn ôl – Codi annedd i weithiwr amaethyddol - Pt OS 180, Penlanfach Fields, Cribyn Road, Mydroilyn. Caniatawyd yn unol ag amodau – 31/10/1986. (A elwir yn "Bryn Aur").

A120625 - Lleoliad hyd at 5 Pod Gwersylla gydag 1 Pod Ymolchi - Cymeradwywyd gydag Amodau

A210593 – Meddiannu tŷ annedd gweithiwr amaethyddol heb cydymffurfio gyda'r amod perthnasol a osodwyd ar ganiatad cynllunio 860413. Tystysgrif wedi ei rhoi ar y 10/08/2021.

Sylwch fod yr annedd ar gyfer y gweithiwr amaethyddol y cyfeiriwyd ato uchod wedi ei leoli rhyw 1.8km i ffwrdd o'r fferm, i gyfeiriad de-ddwyreiniol.

DATBLYGIAD ARFAETHEDIG

Mae'r cynnig yn gofyn am ganiatâd cynllunio llawn ar gyfer codi annedd sengl a gweithdy. Mae'r wybodaeth a gyflwynwyd yn dangos bod yr ymgeisydd yn fab i'r tîrffeddiannwr ac yn berchennog y busnes fferm / llety twristiaeth yn y pen draw. Mae'r ymgeisydd yn berchen ar fusnes contractio amaethyddol ar wahân ac yn ceisio adeiladu annedd ar Gwmcoedog er mwyn aros yn agos at gartref y teulu a'r fferm wrth barhau i ddatblygu ei fusnes ei hun.

Byddai'r annedd arfaethedig yn cynnwys dyluniad to talcen gyda phortsh ar yr ochr flaen a strwythurau un llawr yn y cefn wedi'u gorffen gyda brics a chladin pren. Byddai'r annedd arfaethedig yn mesur 8.4m o ddyfnder x 16.85m o led x 8.7m o uchder, byddai'r portsh arfaethedig yn mesur 1.57m o ddyfnder x 3.5m o led x 5.8m o uchder a byddai'r strwythur un llawr yn y cefn yn mesur 6m o led x 7.9m o ddyfnder x 4.7m o uchder.

Byddai'r adeilad arfaethedig yn cynnwys cegin/ardal fwyta cynllun agored, ystafell fyw, parlwr bach, swyddfa, ystafell amlbwrpas, toiled a chawod a 4 ystafell wely, 2 gydag ystafell ymolchi en-suite ac ystafell ymolchi teuluol ar y llawr cyntaf.

Byddai'r gweithdy arfaethedig hefyd yn cynnwys ffurf to talcen, wedi'i orffen mewn deunyddiau tebyg i'r annedd arfaethedig a byddai'n mesur 29.5m o ddyfnder x 11.9m o led x 6.5m o uchder.

Deallir bod y gweithdy arfaethedig wedi'i ddylunio i ymateb i ofynion y busnes a dal offer amaethyddol gan gynnwys trelars a chloddiwr 1.5 tunnell.

CYD-DESTUN POLISI

POLISIAU A CHANLLAWIAU CYNLLUNIO CENEDLAETHOL:

Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040

Polisi Cynllunio Cymru (Rhifyn 11)

Nodyn Cyngor Technegol (TAN) 6: Cynllunio ar gyfer cymunedau gwledig cynaliadwy

Nodyn Cyngor Technegol (TAN) 12: Dylunio

POLISIAU CYNLLUNIO LLEOL:

Cynllun Datblygu Lleol Ceredigion (2007-2022)

S04 – Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill

LU02 – Gofynion sy'n ymwneud â phob datblygiad preswyl

DM06: Dylunio a Chreu Lle o safon uchel

DM09: Dylunio a Symud

DM10: Dylunio a Thirweddu

DM17: Y Dirwedd yn Gyffredinol

YMATEBION I'R YMGYNGHORIAD

Priffyrdd, Gwasanaethau technegol – Dim gwrthwynebiad yn destun amodau

Draenio Tir, Gwasanaethau technegol – Dim gwrthwynebiad yn destun amodau

Cyfoeth Naturiol Cymru – Nid oes gwrthwynebiad i'r datblygiad arfaethedig fel y'i cyflwynwyd, yn darparu cyfarwyddyd mewn perthynas â draenio dŵr budr ac atal llygredd pe bai caniatâd cynllunio yn cael ei roi.

Dŵr Cymru – Dim gwrthwynebiad

Cyngor Cymuned – Mae'r Cyngor yn dymuno cefnogi pâr ifanc sy'n dymuno aros yn eu cymuned a mynd ati eu hunain i adeiladu ar eu tir.

SYLWADAU TRYDYDD PARTI

Derbyniwyd 2 llythyr o gefnogaeth ac 1 llythyr o wrthwynebiad.

Mae un llythyr o gefnogaeth yn argymhell cymeradwyo yng ngoleuni elfen fusnes y cais a'i gyfraniad lleol posibl. Mae'r ail llythyr o gefnogaeth yn amlinellu nodiadau y dylid cefnogi'r cais gan fod y safle ehangach yn eiddo i deulu sydd wedi aros yno ers cenedlaethau.

Mae'r un llythyr o wrthwynebiad yn honni nad yw'r cynnig yn cael ei gefnogi gan bolisi cynllunio TAN6. Mae'r llythyr hefyd yn tynnu sylw'r ACLI at y ffaith bod y fenter ffermio eisioes wedi elwa o ganiatad cynllunio yn y gorffennol ar gyfer annedd gweithiwr amaethyddol ar y fferm.

YSTYRIAETHAU MATEROL

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; anabledd; ailbennu rhywedd; beichiogrydd 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 unrhyw 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.

CASGLIAD

Mae adran 38(6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn nodi, os oes angen rhoi sylw i'r cynllun datblygu at ddibenion 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 ystyriaethau perthnasol yn nodi fel arall.

Ceisir caniatâd cynllunio ar gyfer adeiladu annedd o dan bolisiâu TAN6. Cyflwynwyd y cais gydag Arfarniad Mentrau Gwledig yn unol â pharagraff 4.7 o TAN6.

Mae polisi CDLI S04 yn nodi bod 'lleoliadau eraill' yn amhriodol ar gyfer datblygu tai oni bai eu bod yn bodloni angen tai fforddiadwy sydd heb ei ddiwallu neu'n diwallu angen am annedd menter wledig yn unol â TAN6.

Mae polisiâu cenedlaethol yn ei gwneud yn ofynnol i dai newydd a datblygiadau newydd eraill yng nghefn gwlad agored, i ffwrdd o aneddiadau sefydledig, gael eu rheoli'n llym, a bod angen cyfiawnhad arbennig dros dai newydd ynysig yng nghefn gwlad agored yn erbyn y profion fel yr amlinellir yn TAN6.

Mae'r cynnig wedi cael ei ystyried yn erbyn profion TAN6 fel yr amlinellir isod.

Prawf Swyddogaethol

Mae'r prawf swyddogaethol yn mynd i'r afael â'r angen am weithiwr preswyl i'r fenter weithredu'n briodol.

Bydd yr angen swyddogaethol presennol yn hanfodol er mwyn i'r fenter weithredu'n briodol, i un neu ragor o weithwyr fod wrth law y rhan fwyaf o'r amser. Mae'r prawf yn ymwneud â'r hyn sy'n angenrheidiol yn hytrach nag yn ddymunol, gan adlewyrchu'r egwyddor polisi y dylid osgoi datblygiad diangen yng nghefn gwlad agored.

Mae p'un ai yw'r cynnig yn bodloni'r prawf swyddogaethol ychydig yn fwy cymhleth na chais arferol ar gyfer ail annedd ar fferm sefydledig, oherwydd yn yr achos hwn, bydd yr annedd arfaethedig 0.2 milltir o brif safle'r fferm. Byddai graddfa'r fenter yn ei chyfanrwydd, yn cynnwys y fferm, podiau glampio a busnes yr ymgeisydd yn awgrymu y gallai fod angen swyddogaethol i rywun fyw ar y safle yn agos at ble mae'r rhan fwyaf o'r gweithgarwch ffermio yn digwydd. Fodd bynnag, mae'r fferm eisioes yn elwa o annedd gweithiwr amaethyddol nad yw'n cael ei feddiannu gan weithiwr amaethyddol ar hyn o bryd. O ganlyniad, barn yr Adran Gynllunio yw nad yw ychwanegu tŷ annedd arall yn angenrheidiol, er gwaethaf y ffaith fod CLEUD wedi cael ei ganiatau mewn perthynas â thorri'r amod preswyliaeth amaethyddol a osodwyd.

Amlinellir yn yr arfarniad ariannol a gyflwynwyd y bydd un o bartneriaid y fenter a'i deulu yn byw yn yr annedd menter wledig arfaethedig er mwyn parhau i weithio gyda'i dad ar y fferm deuluol yn ogystal â chael ei fusnes ei hun yn datblygu a chynnal adeiladau amaethyddol. Mae'r arfarniad yn mynd ymlaen i ddatgan bod rhieni'r ymgeisydd yn byw ar y fferm ond ar hyn o bryd mae'r ymgeisydd a'i deulu yn byw 20 munud i ffwrdd yn Aberaeron ac felly byddai'r annedd menter wledig arfaethedig yn golygu y gallai'r ymgeisydd ysgwyddo agweddau mwy sylfaenol a llafurddwys ar y busnes yn ogystal â darparu presenoldeb ar y safle ar gyfer y mentrau cyfunol. Mae'n werth nodi fel yr amlinellwyd uchod bod tŷ annedd presennol ar y

safle y gellir eu defnyddio at ddibenion byw ar y fferm.

Roedd yr arfarniad ariannol yn cynnwys asesiad Gofynion Llafur sy'n nodi bod y fenter yn gofyn am o leiaf 2.79 o weithwyr llawn amser i redeg y fenter yn effeithiol.

Ystyrir bod cyfiawnhad digonol wedi'i gyflwyno ynghylch pam y gallai fod angen gweithwyr ychwanegol ar y safle i gynorthwyo gyda menter y fferm a busnes newydd, fodd bynnag mae yna safleoedd presennol y gellir eu defnyddio. Felly, ystyrir bod y cyfiawnhad dros godi annedd newydd yn annerbyniol yn hyn o beth.

Prawf Amser

Fel y trafodwyd uchod, nid yw'r angen swyddogaethol am annedd newydd wedi'i sefydlu o ystyried bod llety presennol ar gael ar y fferm. Rhoddwyd ystyriaeth i nifer y gweithwyr sydd eu hangen i ddiwallu anghenion y fenter wledig, ac mae graddfa a natur y fenter yn berthnasol yn hyn o beth. Prif elfen y fenter fyddai ffermio, gyda 45 o Fuchod Sugno, 650 o Famogiaid Bridio (Texel), 150 o Anifeiliaid Cadw – 150, 8 o Hyrddod ochr yn ochr â 25 hectar yr un o silwair claddfa a silwair bêls mawr. Byddai'r fenter hefyd yn cynnwys y glampio presennol a busnes newydd yr ymgeisydd ac felly byddai'n parhau i fod yn ddaliad o faint sylweddol.

Mae'r gofyniad llafur ar gyfer daliad o'r fath, fel y'i cyfrifir yn y cyflwyniad yn dod i gyfanswm o 6,146.40 o oriau gwaith safonol, sy'n cyfateb i 2.79 o weithwyr llawn amser. Priodolir y mwyafrif helaeth o'r oriau gwaith safonol i elfen ffermio'r busnes yn hytrach na busnes contractio amaethyddol yr ymgeisydd ei hun.

Prawf Ariannol

Mae'r polisi'n gofyn am dystiolaeth o incwm gwirioneddol gan y busnes i asesu cynaliadwyedd economaidd y busnes wrth ddarparu elw marchnad i'r holl weithredwyr a faint o waith rheoli a llafur sy'n ofynnol, gan gynnwys unrhyw gostau sy'n codi ar gyfer y datblygiad arfaethedig.

Cyflwynwyd cyfrifon ar gyfer y busnes, gan ddangos elw net bob blwyddyn rhwng 2018 a 2021. Mae'n amlwg bod y fenter yn broffidiol, ac mae'r dystiolaeth a gyflwynwyd yn dangos y byddai'r busnes yn parhau i fod yn broffidiol. Mae'r ffaith bod y busnes wedi'i sefydlu ers cyfnod hir wedi'i bwysleisio hefyd, ac mae ymrwymiad clir gan y partneriaid busnes i ddilyn ac ymgymryd â mentrau ffermio a thwristiaeth proffidiol.

Mae polisi TAN6 yn nodi'n glir bod yn rhaid i'r fenter sydd ar y safle gynhyrchu elw ariannol a fyddai'n cael ei ystyried yn rhesymol i fyw arno a chaniatáu buddsoddiad yn yr annedd ei hun, a gellid buddsoddi'r elw hwn yn yr anheddau presennol sydd ar yr eiddo. Mae'r arfarniad ariannol a gyflwynwyd yn dangos incwm rhesymol i ganiatáu i'r ymgeisydd adeiladu annedd.

Fodd bynnag, er bod y busnes yn cael ei ystyried yn gynaliadwy yn ariannol, ac y byddai trosiannau presennol yn caniatáu buddsoddiad mewn annedd ychwanegol, nid yw hyn ynddo'i hun yn cyfiawnhau'r angen am annedd ychwanegol.

Prawf Anheddau Eraill

Mae'r ymgeiswyr wedi amlinellu yn eu cyflwyniad bod angen lleoli'r annedd ar y safle i fodloni gofynion y fenter.

Mae'r arfarniad ariannol a gyflwynwyd yn dangos bod bythynnod gwyliau ar y fferm yn llawn am lawer o'r amser. Mae'r wybodaeth a gyflwynwyd yn nodi nad yw'r bythynnod yn addas ar gyfer dai preswyl llawn amser oherwydd bod y maint yn rhy fach i deulu fyw ynddo'n llawn amser a byddai meddiannaeth barhaol yn ei dynnu o incwm y fferm gan ei fod yn gwneud cyfraniad sylweddol at fywoliaeth y teulu.

Mae'r wybodaeth a gyflwynwyd yn honni hefyd nad yw byw mewn pentref cyfagos yn opsiwn ymarferol i'w ystyried oherwydd mae bod yn agos at y busnes fferm a thwristiaeth yn hanfodol.

Yn ystod y cais, cododd yr Awdurdod Cynllunio Lleol fater Bryn Aur gyda'r ymgeiswyr a holodd pam na allai'r tŷ hwn ddarparu ar gyfer anghenion yr ymgeiswyr a pham nad oedd wedi'i ddatgelu fel rhan o'r cais cynllunio. Mewn ymateb, mae'r ymgeiswyr wedi ymateb i egluro bod y byngalo wedi ei etifeddu gan dad a modryb yr ymgeisydd pan fu farw'r famgu. Yna prynwyd y byngalo gan rieni'r ymgeiswyr oddi wrth y fodryb. Mae'r ymgeiswyr wedi egluro ymhellach bod y byngalo'n cael ei etifeddu gan chwaer yr ymgeisydd nad yw'n ymwneud â'r fferm na'r business, a dyna pam y cyflwynwyd CLEUD yn barod ar gyfer ei phreswyl. Mae'r ymgeiswyr hefyd yn dadlau na allai'r eiddo a elwir Bryn Aur gynnwys yr adeilad allanol newydd sy'n ofynnol gan fusnes yr ymgeisydd.

Mewn ymateb fodd bynnag, ac yn unol â'r canllawiau a geir yn Nodyn Cyngor Technegol 6, ni ddangoswyd pam na ellir defnyddio'r annedd gweithiwr amaethyddol presennol hwn i ddiwallu anghenion y fenter na pham na ellir ad-drefnu trefniadau preswyl i sicrhau bod y llety presennol yn cael ei gadw i ddiwallu anghenion y fenter heb fod angen annedd arall. Ymellach, mae'n ymddangos bod y gofrestr tir yn dangos tir sy'n gysylltiedig â'r eiddo a adnabyddir fel Bryn Aur, sy'n dangos posibilrwydd y gellid ei ddefnyddio ar gyfer adeilad allanol yr ymgeisydd, yn ddarostyngedig ar gael y caniatadau

angenrheidiol wrth gwrs.

I grynhoi, nid yw'r cynnig yn bodloni'r gofynion a'r profion o dan TAN6 ac ni ystyrir bod yr egwyddor o annedd newydd yn dderbyniol, yn bennaf oherwydd bod y fferm eisioes yn elwa o annedd gweithiwr amaethyddol y gellid ei ddefnyddio i ddiwallu anghenion y fenter.

Mae TAN6 yn glir yn yr ystyr bod yn rhaid darparu tystiolaeth i ddangos nad oes annedd(au) nac adeiladau eraill ar gael i ddiwallu'r angen ac yn anfodus nid yw hyn wedi'i ddangos yn ddigonol yn yr achos hwn.

Ystyriaethau cynllunio perthnasol eraill

Lleoliad:

Mae TAN6 yn nodi y dylai lleoliad yr annedd arfaethedig berthyn yn agos i'r gweithgareddau y mae angen amdanynt. Yn y rhan fwyaf o achosion, bydd hyn yn golygu y dylid lleoli'r annedd newydd yn agos at adeiladau presennol ac yn achos anheddau ar gyfer mentrau amaethyddol, ni ddylai gael ei ynysu oddi wrth y fferm neu mewn lleoliadau a allai annog darnio fferm.

Yn ystod y cais, gofynnodd yr Awdurdod Cynllunio Lleol (ACLI) felly ai dyma'r lleoliad mwyaf addas ar gyfer yr annedd menter wledig, o ystyried ei lleoliad bant wrth clos y fferm. Gofynnodd yr ACLI a oedd safleoedd eraill mwy addas a oedd yn agosach at y fferm a allai gael eu hystyried yn welliant o ran lleoliad ac effaith ar y dirwedd.

Mewn ymateb, amlygodd yr ymgeisydd y cyfyngiadau topograffig a brofwyd ar y fferm a hefyd bod y safle wedi ei ddewis er mwyn darparu preifatrwydd rhwng eiddo'r rhieni a'r ymgeiswyr.

Maint y Plot:

Mae'r Awdurdod Cynllunio Lleol yn bryderus bod safle'r cais sydd ag ymyl coch yn gorchuddio'r holl gae y mae safle'r cais ynddo, sy'n cael ei ystyried yn ormodol.

Fodd bynnag, mae'r ymgeiswyr wedi nodi eu parodrwydd i leihau maint y safle yn sylweddol, er nad oes unrhyw gynlliau diwygiedig wedi'u derbyn yn ffurfiol gan yr Awdurdod Cynllunio Lleol hyd yma.

Maint yr annedd:

Mae pryderon hefyd wedi eu mynegi gan yr Awdurdod Cynllunio Lleol ynglyn â maint y tŷ arfaethedig, ac yn arbennig yr effaith y byddai hyn yn ei gael ar ei werth, yn enwedig gan fod yr amod ar gyfer annedd gweithwyr menter wledig yn rhaeadru i lawr i eiddo fforddiadwy.

Mae'r ymgeiswyr unwaith eto wedi nodi eu parodrwydd i leihau maint yr annedd, er bod angen trafodeth bellach yn hyn o beth, ynghyd â chyflwyno cynlluniau diwygiedig ffurfiol.

Priffyrdd

Byddai'r cynnig yn defnyddio'r mynediad presennol. Nid oes gan yr adran briffyrdd unrhyw wrthwynebiad i'r datblygiad arfaethedig yn destun amodau. Cynigir y caniateir darpariaeth parcio a throi y tu blaen i'r annedd arfaethedig. Mae pob lle parcio yn 2.4m o led ac yn 4.8m o hyd.

Casgliad

Mae'r datblygiad arfaethedig yn gofyn am ganiatâd cynllunio ar gyfer annedd newydd ar fenter wledig sefydledig.

Wrth ystyried y cynnig yn ei gyfanrwydd, ystyrir nad yw'r datblygiad arfaethedig yn bodloni gofynion polisïau TAN6 ac felly argymhellir ei wrthod, yn bennaf oherwydd bod y fferm eisioes yn elwa o annedd gweithiwr amaethyddol presennol. Felly nid oes angen tŷ pellach ar y fenter a dylid defnyddio'r eiddo presennol i gartrefu'r gweithiwr menter wledig.

Y RHESYMAU A RHODDWDYD GAN YR AELOD LLEOL DROS OFYN I'R CAIS CAEL EI GLYWED GAN Y PWYLLGOR RHEOLI DATBLYGU:

Fel cynghorydd lleol Ward Llanarth, wnaeth ymgeisydd cais A220035 gysylltu gyda fi cyn rhoi'r cais fewn er mwyn cadw fi yn y darlun. Ar ol trafod y cais, roedd gen i bryderon am faint y ty ond ar ol trafodaeth gyda'r adran rheoli datblygu, gan gynnwys trafodaeth am maint y plot, cytunwyd i leihau maint y ddau.

Cyfeirwyd hefyd at y ffaith fod yna annedd arall ynghlwm gyda fferm rhieni'r ymgeisydd. Dyw'r annedd yma ddim yn dod o dan berchnogaeth yr ymgeisydd o gwbl.

Wrth ystyried yr elfennau yma i gyd, rydw i, fel yr Aelod Lleol yn gwbl gefnogol i'r cais yma, sef y rheswm mae o ger eich bron chi fel Pwyllgor.

Mi fyddai'n bresenol i siarad yn y Pwyllgor rheoli datblygu, felly wna'i ymestyn fwy ar y pwyntiau uchod ac ychwanegol bryd hynny

ARGYMHELLIAD:

Gwrthod caniatad cynllunio am y rheswm canlynol:

Oherwydd ei leoliad mewn "Lleoliad Arall" a'r ffaith bod llety preswyl ar gael ar y fferm bresennol, nid yw'r annedd newydd arfaethedig yn bodloni'r meini prawf ar gyfer annedd Menter Wledig newydd ac fe'i hystyrir yn ddatblygiad amhriodol o dan Bolisi CDLI S04 a TAN6.

RHESYMAU DROS OHIRIO:

Penderfynodd y Pwyllgor Rheoli Datblygu ar 14 Mehefin 2023 gyfeirio'r cais at y Grŵp Oeri i gael ei ystyried ymhellach, cyn i benderfyniad terfynol gael ei wneud ar y cais.

Dilynodd cyfarfod o'r Grŵp Oeri ar y 28 Mehefin 2023.

Cytunodd y Grŵp Oeri i ofyn am y wybodaeth ychwanegol ganlynol i gefnogi'r cais:

1. Rhesymau swyddogaethol dros leoli'r annedd arfaethedig ger Fferm Cwmcoedog, yn hytrach nag ym Mryn Aur

A;

2. Cadarnhad y gellir clymu yr holl dir y cyfeirir ato o fewn y cais (gan gynnwys Fferm Cwmcoedog), i'r annedd arfaethedig drwy gytundeb cyfreithiol A.106

O ganlyniad, darparodd yr asiant y wybodaeth ychwanegol ganlynol i gefnogi'r cais:

1. Y rhesymau swyddogaethol:

Ategodd yr ymgeisydd nad yw'r tŷ, Bryn Aur, ar gael i'r ymgeiswyr, pe bai hynny'n wir, yna byddai'n cael ei ystyried fel opsiwn hyfyw. Mae'r ymgeiswyr yn berchen ar y tir yng Nghwmcoedog a etifeddwyd a dyma lle mae'r ymgeiswyr wedi sefydlu eu busnes. Mae'r annedd, Bryn Aur, yn eiddo ar wahân gan un o rieni'r ymgeiswyr ac nid yr ymgeisydd. Am y rheswm hwn ni allai'r eiddo gael ei drosglwyddo na'i gaffael i'w ddefnyddio gan yr ymgeisydd.

Am y rheswm uchod barnwyd bod yr angen am brawf swyddogaethol yn amherthnasol gan yr ymgeisydd. Ymhellach, dywedwyd pe bai cyfle i brynu'r eiddo, byddai gwerth y tŷ hwnnw gyda'r tir ym Mryn Aur yn profi yn anhyfyw ac y tu allan i gyllideb yr ymgeiswyr. Byddai cost y cynigion i ddatblygu'r cartref a'r adeilad allanol yng Nghwmcoedog yn cael ei leihau'n fawr oherwydd bod yr ymgeisydd yn adeiladwr cymwys sy'n bwriadu cwblhau'r mwyafrif o'r tasgau strwythurol wrth law.

Gan ailadrodd yr angen i fod yng Nghwmcoedog, mynegwyd unwaith eto y byddai cael adeiladu eu cartref yng Nghwmcoedog yn rhoi'r cymorth ymarerfol sydd ei angen ar yr ymgeiswyr ar gyfer gweithredu'r busnes, sy'n cael ei rwystro ar hyn o bryd drwy orfod teithio ar hyd Dyffryn Aeron sy'n dioddef o eira a thywydd gwael bob gaeaf, yn ystod cyfnodau allweddol wyna a lloia.

2. Cadarnhad y bydd y tŷ ynghlwm wrth Fferm Cwmcoedog:

Mae'r ymgeiswyr wedi derbyn yr angen am glymu'r annedd i Fferm Cwmcoedog.

ASESIAD YR ACLI O'R WYBODAETH ATODOL A DDARPERIR:

Mae'r cadarnhad y gellir cysylltu'r holl dir y cyfeirir ato yn y cais, gan gynnwys Fferm Cwmcoedog, i'r annedd arfaethedig, yn cael ei groesawu gan yr ACLI.

Fodd bynnag, serch fod yr ymgeiswyr yn mynnu nad yw annedd Bryn Aur ar gael iddynt, ystyrir o hyd nad yw'r cynnig yn cydymffurfio â Nodyn Cyngor Technegol 6. Yn benodol, paragraff 4.5.3 sy'n nodi, "*Rhaid dangos hefyd fod yr olynydd-reolwr neu'r gweithiwr rhan amser yn hanfodol i lwyddiant parhaus busnes y fferm, ac na ellir diwallu'r angen mewn unrhyw ffordd resymol arall, e.e. drwy ail-drefnu cyfrifoldebau gwaith. Yn ychwanegol, lle bodlonir yr holl feini prawf uchod, dylai'r awdurdod cynllunio sicrhau bod yr annedd newydd ynghlwm wrth y daliad drwy gytundeb cyfreithiol*".

Mae'r ACLI o'r farn nad yw'r ymgeisydd wedi ystyried yr holl opsiynau mewn perthynas ag ad-drefnu cyfrifoldebau llafur a threfniadau byw dilynol. At hynny, ystyrir nad oes unrhyw gefnogaeth ym Mholisi S04 a Nodyn Cyngor Technegol 6 i gefnogi trydydd tŷ ar y fferm.

O ganlyniad mae argymhelliad yr Awdurdod Cynllunio Lleol i wrthod y cais yn parhau.

Rhif y Cais / Application Reference	A220035
Derbyniwyd / Received	10-01-2022
Y Bwriad / Proposal	Codi annedd a gweithdy menter wledig.
Lleoliad Safle / Site Location	Fferm Cwmcoedog, Mydroilyn, Llanbedr Pont Steffan, SA48 7RL
Math o Gais / Application Type	Cynllunio Llawn
Ymgeisydd / Applicant	Mr a Mrs G a B Davies, Llanerch Y Felin, Heol Llyswen, Aberaeron, Ceredigion, SA46 0ED
Asiant / Agent	Mr Rhys ap Dylan (Morgan & Davies), Morgan & Davies, 4 Heol Farchnad, Aberaeron, SA46 0AS

SITE DESCRIPTION

Fferm Cwmcoedog is set in a rural location, in an elevated position over the adjoining valley. Cwmcoedog farmhouse is a traditional, detached 3 bed dwelling positioned within the original homestead, surrounded by modern and older agricultural outbuildings, part of which have been converted into two holiday lets. The farm lies within an 'other location' for the purpose of the LDP.

The five camping pods permitted under application A120625, lie next to the farmyard to the north east.

The application site is set in a rural location and is located away from the homestead and glamping area, within a 1.29 ha field which slopes downwards in a northerly direction to the north-east of the main farmstead.

The site is further surrounded by agricultural land which is farmed throughout the year and owned by the applicant. A rural enterprise assessment has been submitted alongside this application that stipulates that 64.36ha is farmed and 56.36 hectares is owned with a variety of stocks and crops including suckler cows, breeding ewes, rams and big bale silage.

RELEVANT HISTORY

D1.413.86 – Outline planning permission for the erection of an agricultural workers dwelling - Pt OS 180, Penlanfach Fields, Cribyn Road, Mydroilyn. Approved, subject to conditions – 26th June, 1986. (Known as "Bryn Aur").

D1.913.86 – Approval of reserved matters – Erection of an agricultural workers dwelling – Pt OS 180, Penlanfach, Cribyn Road, Mydroilyn. Approved, subject to conditions – 31st October, 1986. (Known as "Bryn Aur").

A120625 - Siting of up to 5 Camping Pods with 1 Wash Pod - Approved Subject to Conditions

A210593 – CLEUD – Occupation of dwelling house in breach of an agricultural condition imposed on planning permission 860413. Certificate granted – 10/08/2021.

Note that the agricultural workers dwelling referred to above is located some 1.8km away from the farmstead, in a south-easterly direction.

PROPOSED DEVELOPMENT

The proposal seeks full planning permission for the erection of a detached dwelling and workshop. The submitted information indicates that the applicant is the son of the landowner and ultimate farm / tourist accommodation business owner. The applicant owns a separate agricultural contracting business and seeks to construct a dwelling on Cwmcoedog to remain close to the family homestead and farm while continuing to develop his own business.

The proposed dwelling would feature gable pitch design with front porch and single storey rear projections finished with brick and timber cladding. The proposed dwelling would measure 8.4m deep x 16.85m wide x 8.7m high, the proposed porch would measure 1.57m deep x 3.5m wide x 5.8m high and the single storey rear projection would measure 6m wide x 7.9m deep x 4.7m high.

The proposed dwelling would include open plan kitchen/dining area, living room, snug, office, utility room, w/c & shower and 4 bedrooms, 2 with en-suite and family bathroom at first floor level.

The proposed workshop would also feature a gable roof form, finished in similar materials to the proposed dwelling and would measure 29.5m deep x 11.9m wide x 6.5m high.

It is understood the proposed workshop has been designed to accommodate business requirements and agricultural equipment including trailers and a 1.5 tonne digger.

POLICY CONTEXT

NATIONAL PLANNING POLICIES AND GUIDANCE:

- Future Wales: The National Plan 2040
- Planning Policy Wales (Edition 11)
- Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)
- Technical Advice Note 12: Design (2009)

LOCAL PLANNING POLICIES AND GUIDANCE:

Ceredigion Local Development Plan (2007-2022)

S04 – Development in Linked Settlements and Other Locations

LU02 – Requirements regarding all residential development

DM06: High Quality Design and place making

DM09: Design and Movement

DM10: Design and Landscaping

DM17: General Landscape

CONSULTATION RESPONSES

Highways, Technical services – No objection subject to conditions

Land Drainage, Technical services – No objection subject to conditions

NRW – Has no objection to the proposed development as submitted. Provided guidance in relation to foul drainage and pollution prevention should planning permission be granted.

Dwr Cymru – No objection

Community Council – The Council wishes to support a young couple who wish to stay in their community and build on their land themselves.

THIRD PARTY REPRESENTATIONS

2 letters of support and 1 letter of objection has been received.

One letter of support, recommends approval in light of the business component of the application and its potential local contribution. The second letter of support outlines notes that the application should be supported as the wider site is owned by a family who have stayed there for generations.

The one letter of objection claims the proposal is not supported by TAN 6 planning policy. The letter also draws the LPA's attention to the fact that the farming enterprise has already benefitted from a grant of planning permission in the past for an agricultural workers dwelling on the farm.

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.

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 purposes of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Planning permission is sought for the construction of a dwelling under TAN6 policies. The application has been submitted with a Rural Enterprise Appraisal in line with para 4.7 of TAN 6.

LDP policy S04 states that 'other locations' are inappropriate for housing development unless it satisfies an unmet affordable housing need or meets a need for a rural enterprise dwelling in line with TAN6.

National policies require that new housing and other new development in the open countryside, away from established settlements, should be strictly controlled, isolated new houses in the open countryside require special justification against the tests as outlined in TAN6.

The proposal has been considered against the TAN 6 tests as outlined below.

Functional Test

The functional test addresses the need for a resident worker for the proper functioning of the enterprise.

The existing functional need shall be essential for the proper function of the enterprise, for one or more workers to be readily available at most times. The test is one of necessity rather than desirability, reflecting the policy principle that unnecessary development in the open countryside should be avoided.

Whether or not the proposal meets the functional test is somewhat more complex than a typical application for a second dwelling on an established farm, as in this case, the proposed dwelling is positioned 0.2 miles away from the main farm complex. The scale of the enterprise as a collective including the farm, glamping pods and the applicant's business would indicate that there may be a functional need for someone to live on site close to where the majority of the farming activity takes place. However, the farm already benefits from an agricultural worker's dwelling which is not currently occupied by an agricultural worker. The addition of another dwellinghouse is therefore not deemed necessary, despite the fact that a CLEUD has been granted in relation to the breach of the agricultural occupancy condition imposed.

It is outlined within the submitted financial appraisal that one of the partners of the enterprise and his family will reside at the proposed rural enterprise dwelling to continue to work with his father on the family farm as well as having his own business of developing and maintaining agricultural buildings. The appraisal continues to state that the applicants' parents live on the farm but currently the applicant and his family live 20 minutes away in Aberaeron and therefore the proposed rural enterprise dwelling would allow the applicant to take over the more fundamental and labour-intensive aspects of the business as well as providing an on-site presence for the collective enterprises. It is noteworthy as outlined above that there is an existing dwellinghouse associated with the farm that can be utilised for the function of living on the farm.

The financial appraisal included a Labour Requirements assessment that stipulates that the enterprise requires a minimum of 2.79 full time workers to effectively run the enterprise.

It is regarded that sufficient justification has been submitted as to why additional workers may be required on site to assist with the farm enterprise and new business, however there are existing premises that can be utilised. Therefore, the justification for the erection of a new dwelling is considered unacceptable in this regard.

Time Test

As discussed above, a functional need for a new dwelling has not been established given the availability of existing accommodation at the farm. Consideration has been given to the number of workers to meet the needs of the rural enterprise, for which the scale and nature of the enterprise is relevant. The main element of the enterprise would be farming, with 45 Suckler Cows, 650 Breeding Ewes (Texel), 150 Flock Replacements – 150, 8 Rams alongside 25 hectares each of clamp and big bale silage. The enterprise would also include the existing glamping and the applicant's new business and therefore would remain a substantially sized holding.

The labour requirement for such a holding, as calculated within the submission comes to 6,146.40 total standard man-hours, which equates to 2.79 full time workers. The vast majority of the standard man hours are attributed to the farming element of the business as opposed to the applicant's own agricultural contracting business.

Financial Test

The policy requires evidence of actual income from the business to assess the economic sustainability of the business in providing a market return for all operators and the amount of management and manual labour required, including any cost incurred for the proposed development.

Accounts have been submitted for the business, showing a net profit each year from 2018 to 2021. It is evident that the enterprise is profitable, and the evidence submitted would indicate that the business would remain profitable. Weight has also been given to the fact the business is long standing and there is a clear commitment by the business partners to undertaking and pursuing profitable farming and tourism enterprises.

TAN6 policy clearly states that the enterprise on site must yield a financial return which would be deemed reasonable to live off and allow the investment in the dwelling itself, this could be invested into the existing dwellings on the property. The submitted financial appraisal demonstrates a reasonable income to allow the applicant to build a dwelling.

However even though the business is considered financially sustainable, and current turnovers would allow investment in an additional dwelling, this in itself does not warrant the necessity for an additional dwelling.

Other Dwellings Test

The applicants have outlined within their submission that the dwelling needs to be located on site to meet the requirements of the enterprise.

The submitted financial appraisal indicates that there are holiday cottages on the farm that have high levels of occupancy. The information submitted states that the full time occupation of the holiday cottages is not viable due to the size being too small for a family to reside in full time and permanent occupation would remove these from the farm income as they contribute significantly to the livelihood of the family.

The submitted information also claims that living in a nearby village is not a viable option for consideration, as having to be in close proximity to the farm and tourism business is essential.

During the course of the application, the Local Planning Authority raised the issue of Bryn Aur with the applicants and enquired as to why this dwelling could not accommodate the needs of the applicants and why it hadn't been disclosed as part of the planning application. In response, the applicants have responded to explain that the bungalow was inherited by the applicant's father and aunt when the grandmother passed away. The bungalow was then purchased by the applicants parents from the aunt. The applicants have further explained that the bungalow is being inherited by the applicants sister who is not involved in the farm or business, which is why the CLEUD was submitted in readiness for her occupation. The applicants also argue that the property known as Bryn Aur could not accommodate the new outbuilding which is required by the applicant's own business.

In response however, and as per the guidance found in Technical Advice Note 6, it has not been demonstrated why this existing agricultural workers dwelling cannot be used to meet the needs of the enterprise or why residential arrangements cannot be re-organised to ensure that the existing accommodation is kept available to meet the needs of the enterprise without the need for a further dwelling. Furthermore, the land registry appears to show land associated with the property known as Bryn Aur, which suggests a possibility that it could be used as a base for the applicant's outbuilding, subject to obtaining the necessary consents.

In summary, the proposal fails to meet the requirements and tests under TAN 6 and the principle of a new dwelling is not

considered acceptable, primarily due to the fact that the farm already benefits from an agricultural workers dwelling which could be used to meet the needs of the enterprise.

TAN 6 is clear in that evidence must be provided to demonstrate that there are no other dwelling(s) or buildings that are available to meet the need and unfortunately this has not been adequately demonstrated in this instance.

Other relevant planning considerations:

Siting:

TAN6 states that the siting of any proposed dwelling should relate closely to the activities for which there is a need. In most cases, this will mean that the new dwelling should be sited in close proximity to existing buildings and in the case of dwellings for agricultural enterprises, should not be isolated from the farmstead or in locations that could encourage farm fragmentation.

During the course of the application, the Local Planning Authority posed the question therefore as to whether or not this is the most suitable location for the rural enterprise dwelling, given its slightly divorced location away from the main farmstead. The LPA asked whether or not there were other more suitable sites which were closer to the farmstead that could be considered instead, as an improvement in terms of siting and landscape impact.

In response, the applicant highlighted the topographical constraints experienced at the farm and also that the site had been chosen in order to provide privacy between the parents and applicants properties.

Large Plot Size:

The Local Planning Authority are concerned that the application site edged in red covers the entire field in which the application site is situated, which is considered to be excessive.

The applicants have however indicated their willingness to significantly reduce the size of the application site, although no revised plans have been formally received by the Local Planning Authority to date.

Size of dwelling:

Concerns have also been expressed by the Local Planning Authority in respect of the size of the proposed dwelling, and in particular the effect this would have on its value, especially as the occupancy condition for a rural enterprise workers dwelling cascades down to an affordable property.

The applicants have again indicated their willingness to reduce the size of the dwelling, although further negotiation is required in this regard, along with the submission of formal revised plans.

Highway consideration

The proposal would utilise the existing access. Highways have no objection to the proposed development subject to conditions. It is proposed that parking and turning provision will be allowed for to the front of the proposed dwelling. Each parking space is 2.4m wide and 4.8m in length.

Conclusion

The proposed development seeks planning permission for a new dwelling on an established rural enterprise.

On considering the proposal in its entirety, on balance it is considered the proposed development does not meet the requirements of TAN6 policies and as such is recommended for refusal, primarily due to the fact that the farm already benefits and has access to an existing agricultural workers dwelling. There is therefore no need for a further dwelling at the enterprise and use should be made of the existing property to house the rural enterprise worker.

REASONS GIVEN BY THE LOCAL WARD MEMBER FOR REQUESTING THAT THE APPLICATION BE HEARD BY THE DEVELOPMENT MANAGEMENT COMMITTEE:

As a local councillor for Llanarth Ward, the applicant of application A220035 contacted me before submitting the application in order to keep me in the picture. After discussing the application, I had concerns about the size of the house but after discussion with the development management department, including discussion about the size of the plot, it was agreed to reduce the size of both.

Reference was also made to the fact that there is another dwelling attached to the applicant's parents' farm. This dwelling does not come under the applicant's ownership at all.

When considering all these elements, I, as the local member am fully supportive of this application, which is the reason it is

before you as a Committee.

I will be present to speak at the Development Management Committee, so I will extend more on the above and make additional points then.

RECOMMENDATION:

That planning permission be **refused** for the following reason:

1. By reason of its siting in an Other Location and the availability of alternate residential accommodation within the existing farmstead, the proposed new dwelling fails to meet the criteria for a new Rural Enterprise dwelling and is considered inappropriate development under LDP Policy S04 and TAN6.

REASONS FOR DEFERRAL:

The Development Management Committee on the 14th June 2023 resolved to refer the application to the Cooling Off Group for further consideration, before a final decision was taken on the application.

A meeting of the Cooling Off Group followed on the 28th June, 2023.

The Cooling Off Group agreed to request the following additional information in support of the application:

- 1. Functional reasons as to why the proposed dwelling needs to be located near to Cwmcoedog Farm, as opposed to at Bryn Aur**

AND;

- 2. Confirmation that the entire land referred to within the application (including Cwmcoedog Farm), can be tied to the proposed dwelling by way of a S.106 legal agreement**

The agent subsequently provided the following additional information in support of the application:

1. The Functional Reasons:

The applicant has reiterated that the house, Bryn Aur, is not available to the applicants, if this was the case then it would be considered as a viable option. The applicants own the land at Cwmcoedog which was inherited and is where the applicants have established their business. The dwelling, Bryn Aur, is owned separately by one of the applicants parents and not the applicant. It is for this reason that the property could not simply be handed over or acquired for use by the applicant.

It is for the above reason that the need for a functional test was deemed irrelevant by the applicant. Furthermore, it was stated that if there was an opportunity to purchase the property, the value of said house with the land at Bryn Aur would prove financially unviable and outside of the budget of the applicants. The cost of the proposals to develop the home and outbuilding at Cwmcoedog would be greatly reduced owing to the applicant being a qualified builder who intends to complete the majority of the structural tasks to hand.

Reiterating the need to be based at Cwmcoedog, it was again stated that being established at home in Cwmcoedog would afford the applicants the functional support required for the operating of the business, which is currently being hampered by being a car drive away across a high-level valley which suffers from snow and bad weather every wintertime, during key lambing and calving periods.

2. Confirmation that the house will be tied to Cwmcoedog Farm:

The applicants have accepted the need for the dwelling to be tied to Cwmcoedog Farm.

LPA'S ASSESSMENT OF THE SUPPLEMENTARY INFORMATION PROVIDED:

Confirmation that the entire land referred to within the application, including Cwmcoedog Farm, can be tied to the proposed dwelling is welcomed by the LPA.

Despite the insistence by the applicants that Bryn Aur is not available to them, it is still considered that the proposal does not comply with Technical Advice Note 6. Specifically paragraph 4.5.3 states that, *"It must also be demonstrated that the management successor or part time worker is critical to the continued success of the farm business, and that the need cannot be met in any other reasonable way, e.g. through the re-organisation of labour responsibilities. In addition, where all the criteria specified above are met the planning authority should ensure that the new dwelling is tied to the holding by way of a legal agreement."*

The LPA considers that all options in relation to the re-organisation of labour responsibilities and subsequent living

arrangements have not been exhausted by the applicant. Furthermore, the creation of a third TAN 6 dwelling linked to the farm holding is considered to have no support in both LDP Policy S04 and Technical Advice Note 6.

As a result the LPA's recommendation to refuse the application remains.

1.3. A220774



Rhif y Cais / Application Reference	A220774
Derbyniwyd / Received	13-10-2022
Y Bwriad / Proposal	Adfer annedd i'w defnyddio fel uned wyliau, gan gynnwys gosod cyfleuster parod i drin carthion a mynedfa newydd i gerbydau.
Lleoliad Safle / Site Location	Ty'n Bwlch, Lledrod, SY23 4TD
Math o Gais / Application Type	Cynllunio Llawn
Ymgeisydd / Applicant	Mr a Mrs E ac E James, Henbant, Lledrod, Aberystwyth, Ceredigion, SY23 4HZ
Asiant / Agent	Mrs Gwennan Jenkins (JMS Planning & Development), Hafan Y Coed, Maeshyfyd, Llanbedr P.S. SA48 8AN

Y SAFLE A HANES CYNLLUNIO PERTHNASOL

Mae safle'r cais yn cynnwys annedd segur a thai allan cysylltiedig sydd wedi'u lleoli mewn ardal cefn gwlad agored, tua 0.8 milltir i'r gogledd-orllewin o bentref Lledrod. Y cwbl sydd ar ôl o'r annedd a'r tai allan yw darnau bach o wal garreg, simnai, a dwy ffenestr ac agoriad drws.

Cafodd cais blaenorol ar gyfer yr un datblygiad ei dynnu'n ôl ar 25-04-2022 (cyf: A211057).

MANYLION Y DATBLYGIAD

Mae'r cais ar gyfer caniatâd cynllunio llawn i adfer yr annedd i ddarparu uned wyliau hunangynhwysol. Mae'r cynnig yn cynnwys ail-adeiladu'r annedd i greu un deulawr gydag estyniad bach yn y cefn, gyda darn unllawr ynghlwm i'r ochr, lle'r oedd y tai allan gynt, gydag estyniad yn y cefn. Mae'r rhan deulawr yn mesur tua 9.2 metr ar hyd y gweddllun blaen, 8.2 metr ar hyd y gweddllun ochr, a 7 metr i fyny at y grib. Mae'r rhan unllawr ar yr ochr yn mesur tua 17 metr ar hyd y gweddllun blaen, 5.6 metr ar hyd y gweddllun ochr, a 4.6 metr i fyny at y grib. Mae'r estyniad yn y cefn oddeutu hanner ffordd ar ei hyd, ac mae'n ymwthio allan 2.6 metr a 5.2 metr ar draws.

Mi fydd gan yr adeilad waliau carreg naturiol, to llechi naturiol, a ffenestri a drysau upvc lliw glo carreg.

Yn nhermau llety, mi fydd yn darparu 2 ystafell wely en-suite, ystafell ymolchi, ystafell amlbwrpas, ystafell blanhigion, cegin fawr cynllun agored, ardal fwyta ac ardal fyw ar y llawr gwaelod. Bydd y llawr cyntaf yn darparu 2 ystafell wely en-suite, gyda wardrobau a chypyrddau dillad gwely.

Bydd mynedfa newydd yn cael ei chreu i'r gogledd o'r safle a fydd yn 16.5 metr o led, gyda lleiniau gweledd yn mesur 59 metr bob ochr. Bydd y gwrych yn cael ei drawsleoli y tu ôl i'r lleiniau gweledd. Bydd trac mynediad newydd 3 metr o led yn cael ei adeiladu gyda deunyddiau athraidd, ar hyd ymyl y gwrych ffiniol, gydag un man pasio, tua hanner ffordd, er mwyn cael mynediad at yr adeilad. Darperir ardal barcio a throi ar gyfer tri char y tu blaen i'r adeilad.

Bydd y gât fynedfa bresennol i'r llwybr ceffyl yn cael ei thynnu a'i hail-osod fe rhan o'r fynedfa newydd.

Bydd gwrych newydd o rywogaethau cymysg yn cael ei blannu ar hyd y ffin de-orllewinol, bydd coed newydd yn cael eu plannu ar y llethr gogledd-orllewinol, a bydd cymysgedd o hadau blodau gwyllt yn cael eu plannu ar y llethr yn y cefn. Bydd ffens weiar a physt gwrth-stoc, ynghyd â'r gwrych, yn ffurfio ffin y safle.

Bydd y dŵr budr yn mynd i becyn trin carthion parod newydd 'klargester' neu gyfleuster tebyg addas ar gyfer o leiaf 8 person, gan ollwng i suddfan sydd o leiaf 6m oddi wrth yr adeiladau.

Gwaredir dŵr wyneb drwy suddfannau dŵr a bydd gan y fynedfa a'r ardal barcio ar gyfer cerbydau un ai arwyneb craidd caled neu arwyneb athraidd.

POLISIÂU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisi Cynllunio Cenedlaethol Perthnasol

- Dyfodol Cymru: Y Cynllun Cenedlaethol 2040
- Polisi Cynllunio Cymru (rhifyn 11, Chwefror 2021)
- TAN5 Cadwraeth Natur a Chynllunio (2009)

- TAN6 Cynllunio ar gyfer Cymunedau Gwledig Cynaliadwy (2010)
- TAN12 Dylunio (2016)
- TAN13 Twristiaeth (1997)
- TAN23 Datblygu Economaidd (2014)

Polisi Cynllunio Lleol perthnasol

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

- S01 Twf Cynaliadwy
- S04 Datblygu mewn Aneddiadau Cyswllt a Lleoliadau Eraill
- LU09 Ail-ddefnyddio Anheddau Blaenorol/Segur
- LU16 Llety Twristiaeth – Mathau o Lety nad yw Polisi LU14 yn eu cwmpasu
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirlunio
- DM13 Systemau Draenio Cynaliadwy
- DM14 Cadwraeth Natur a Chysylltedd Ecolegol
- DM15 Cadw Bioamrywiaeth Leol
- DM17 Y Dirwedd yn Gyffredinol
- DM18 Ardaloedd Tirwedd Arbennig
- DM20 Gwarchod Coed, Gwrychoedd a Choetiroedd

Canllawiau Cynllunio Atodol perthnasol:

- CCA Ardaloedd Tirwedd Arbennig Ebrill 2014
- CCA Safonau Parcio CSC 2015
- CCA Dylunio'r Amgylchedd Adeiledig 2015
- CCA Cadwraeth Natur 2015

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 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 Lledrod** – Heb dderbyn ymateb
- **Priffyrdd – Yn argymhell amodau**
- **Draenio Tir** – Sylwadau safonol. Angen cymeradwyaeth SuDS
- **Ecoleg** – Yn argymhell amodau
- **Hawliau Tramwy Cyhoeddus** -Mae Hawl Tramwy Cyhoeddus 52/2 yn mynd ar hyd y trac mynediad i Ty'n Bwlch ac yn pasio'n agos at y cynlluniau arfaethedig. Bydd angen sicrhau bod hwnnw ar agor ac ar gael bob amser.
- **Ymddiriedolaeth Archaeolegol Dyfed** -Yn argymhell amod
- **Dŵr Cymru** – Dim sylwadau ar ei bod yn system breifat
- **Cyfoeth Naturiol Cymru** – Dim sylwadau

Derbyniwyd un ymateb gan drydydd parti cyfagos, yn nodi'r canlynol, yn gryno:

- Bydd sythu'r ffordd er mwyn cael y lleiniau gwelededd yn caniatáu i yrwyr fynd yn gyflymach ar hyd y rhan honno o'r ffordd
- Eisiau gwarant ysgrifenedig gan yr ymgeiswyr na fydd eu cyflenwad dŵr yn cael ei effeithio. Hefyd am gael sicrwydd ysgrifenedig na fydd unrhyw garthion ffo yn gallu halogi eu cyflenwad dŵr
- Ddim yn hapus o gwbl bod hwn yn lety gwyliau oherwydd yn teimlo'n gryf bod mwy na digon o eiddo gwyliau yn yr ardal eisoes a dylai unrhyw dai a adeiladir fod ar gyfer pobl leol.

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"*.

Egwyddor Datblygu

Mae'r llythyr eglurhaol yn esbonio bod Ty'n Bwlch ar un adeg yn ffermdy unigol gyda thai allan cysylltiedig. Prynwyd yr annedd gan dadcu'r ymgeisydd ar ddechrau'r 1960au. Roedd yn wag a doedd mo'i angen ar y fferm, a defnyddiwyd y tai allan i gadw gwartheg a defaid. Mae'r ymgeiswyr yn byw yn y fferm a elwir yn Henbant, sydd wedi'i lleoli i'r dwyrain o Lledrod. Mae'r fferm yn cynnwys 400 acer ac mae'n cadw 800 o famogiaid Cymreig a 100 o fuchod magu. Mae'r ymgeiswyr am arallgyfeirio ar y fferm er mwyn cael ail incwm i gefnogi'r teulu, gan gefnogi'r economi ar yr un pryd.

Mae safle'r cais wedi'i leoli mewn ardal cefn gwlad agored. Mae Polisi LU16 y CDLI yn cyfeirio at Lety Twristiaeth, gyda maen prawf 3 yn cefnogi troi adeiladau presennol o fewn lleoliadau y tu allan i aneddiadau dynodedig (h.y. lleoliadau eraill/cefn gwlad) yn fathau eraill o lety twristiaeth, cyn belled â bod yr adeiladau'n strwythurol gadarn ac nad oes angen newidiadau mawr allanol. Dim ond rhannau bach iawn o'r adeilad sydd ar ôl, gan gynnwys rhan fach o wal garreg – gyda dau agoriad ar gyfer ffenestri a drws, a simnai. Nid yw'r cynnig felly yn cydymffurfio â'r polisi hwn am nad yw'r adeilad yn strwythurol gadarn ac mae'n golygu codi adeilad newydd, yn hytrach na thrawsnewid adeilad presennol.

Mae'r 'llythyr eglurhaol' a gyflwynwyd fel rhan o'r cais yn nodi y byddai ystyriaeth hefyd yn cael ei roi i ddefnydd ohono fel annedd dan bolisi LU09 – ail-ddefnyddio anheddau blaenorol/segur. Ni fyddai'r cynnig yn cydymffurfio â'r polisi hwn am fod yr annedd wreiddiol wedi mynd â'i phen iddi i'r fath raddau fel na ellir ei hadfer. Mae hyn yn golygu codi adeilad cyfan newydd, ac mae'r polisi datgan y dylid felly ei ystyried fel tŷ newydd mewn ardal cefn gwlad agored.

Ystyrir bod y bwriad i greu llety gwyliau newydd hunangynhwysol, sydd wedi'i adeiladu'n bwrpasol mewn lleoliad cefn gwlad agored, yn mynd yn groes i bolisïau S01 ac S04 y CDLI, yn ogystal â pholisi cynllunio cenedlaethol, am na fyddai'n cynrychioli datblygiad cynaliadwy, ac am nad yw chwaith yn bodloni gofynion TAN 6. Mae'r safle wedi'i leoli i ffwrdd o wasanaethau a chyfleusterau allweddol ac felly mi fyddai ymwelwyr y llwyr ddibynnol ar eu car i fodloni eu hanghenion. Er bod y cais yn nodi y byddai'r cynnig yn golygu arallgyfeirio ar fferm yr ymgeisydd, gan ddarparu incwm, nid yw'r cynnig ar gyfer annedd menter wledig, ac nid yw'r polisïau'n cefnogi llety gwyliau a adeiladir yn bwrpasol fel ffurf ar arallgyfeirio.

Mae'r penderfyniad hwn yn gyson â phenderfyniad apêl a dderbyniwyd ym Mehefin 2019 mewn perthynas â'r bwriad i droi tŷ allan yn ddwy uned wyliau yn Ynys Greigiog, Eglwysfach, lle canfu'r Arolygydd bod yr adeilad wedi mynd yn adfail, ac mi fyddai felly'n gyfystyr ag adeilad newydd, sy'n groes i bolisi cynllunio lleol, yn ogystal â pholisi cynllunio cenedlaethol (cyf. apêl: APP/D6820/A/19/3225002; cyf. ACLI : A180564). Roedd y tŷ allan oedd yn destun yr apêl honno wedi cadw mwy o'i walliau a'i do na'r adeilad sy'n dan sylw yn y cais hwn.

Maint a Dyluniad

Mae'r adeilad arfaethedig o faint sylweddol, ac mae'r cais yn nodi ei fod yn dilyn ôl troed yr annedd a'r tŷ allan blaenorol, ond gyda mân estyniadau i'r cefn. Does dim gwrthwynebiad i faint y rhan deulawr o'r adeilad, ac er bod y rhan unllawr yn dilyn ôl

troed y tŷ allan blaenorol, mynegwyd gwrthwynebiad am faint y rhan yma yn nhermau ei hyd – sy'n mesur 17 metr. Mae hyn, o'i fesur gyda'r rhan deulawr, yn rhoi adeilad gyda chyfanswm hyd o ychydig dros 26 metr, sy'n sylweddol ac yn un na ellir ei gefnogi.

Nid oes unrhyw wrthwynebiad i ddyluniad y rhan deulawr o'r adeilad, sydd ar ffurf traddodiadol, gyda waliau cerrig naturiol a tho llechi, a ffenestri bach gyda'r pwyslais ar y fertigol. Tybir bod y rhan yma o'r adeilad yn parchu golwg gyffredinol yr annedd flaenorol. Er nad oes unrhyw wrthwynebiad mewn egwyddor i ddyluniad a deunyddiau'r rhan unllawr, sy'n cyd-fynd ar y cyfan â'r rhan deulawr, dylid ystyried cwtogi ar ei hyd, a fyddai'n arwain at ddyluniad llawer gwell yn gyffredinol.

Mi fydd creu mynedfa newydd o'r ffordd wledig, colli'r gwrych, a chreu thrac hir yn cael effaith negyddol ar y dirwedd, er bod y cynnig yn ceisio lleihau'r effaith drwy drawsleoli'r gwrych y tu ôl i'r lleiniau gweledd, a chael y trac yn rhedeg ochr yn ochr â'r gwrych ffiniol presennol. Bwriedir gwneud gwaith tirlunio hefyd, a fydd yn helpu i liniaru effaith y datblygiad.

Yn gyffredinol, bernir bod y cynnig, a ystyrir fel llety gwyliau newydd sydd wedi'i adeiladu'n bwrpasol mewn ardal cefn gwlad agored, ynghyd â maint y trac mynediad, yn un a fydd yn cael effaith negyddol ar y dirwedd. Mae pryderon hefyd am yr effaith gronol ar y dirwedd, os bydd cynigion o'r fath yn cael eu cymeradwyo'n rhy aml.

Amwynder Preswyl

Does dim eiddo cyfagos a fyddai'n cael ei effeithio gan y datblygiad arfaethedig.

Priffyrdd

Nid yw'r awdurdod priffyrdd lleol wedi mynegi unrhyw wrthwynebiad i'r cynnig, yn unol ag amodau yn ymwneud â'r fynedfa newydd a'r lleiniau gweledd cysylltiedig, y parcio a'r dŵr wyneb.

Nid yw'r gweledd i'r gorllewin o'r fynedfa ar dir sy'n berchen i'r ymgeisydd, ond cyflwynwyd llythyr gan y perchennog tir yn rhoi caniatâd i gynnal gwaith i greu'r lleiniau gweledd.

Hawliau Tramwy Cyhoeddus

Mae Hawl Tramwy Cyhoeddus 52/2 yn mynd ar hyd y trac mynediad i Ty'n Bwlch ac yn pasio'n agos at y cynlluniau arfaethedig. Bydd angen sicrhau bod hwnnw ar agor ac ar gael bob amser.

Draenio Tir

Mae'r cais yn nodi y bydd dŵr ffo'n cael ei waredu drwy suddfannau dŵr a bydd gan y fynedfa a'r ardal barcio ar gyfer cerbydau arwynebau craidd caled neu athraidd. Y flaenoriaeth yw bod dŵr wyneb yn cael ei waredu drwy system ddraenio gynaliadwy. Mi fydd angen cymeradwyaeth SuDS ar gyfer y datblygiad gan SAB y Cyngor, felly gellir ymdrin yn ddigonol â dŵr wyneb drwy'r broses honno.

Mae'r cynnig yn cynnwys gosod cyfleuster trin carthion newydd i ddelio â dŵr budr ac nid yw Cyfoeth Naturiol Cymru wedi mynegi unrhyw wrthwynebiad i hyn. Mae'r safle wedi'i leoli y tu allan i dalgylch ACA afon Teifi.

Ecoleg

Mae'r cais yn cynnwys Adroddiad Arfarniad Ecolegol Rhagarweiniol, sy'n ystyried y bydd y trac mynediad yn cael ei adeiladu ar laswelltir sydd wedi'i wella, nad yw o unrhyw arwyddocâd ecolegol. Fodd bynnag, mae cwrs dŵr/ffos agored sy'n gollwng i'r Afon Wyre wedi'i leoli i'r gorllewin yn union o'r trac arfaethedig, felly mi fydd angen i'r gwaith ddilyn arfer gorau, a dylid rhoi parth clustogi ar waith i osgoi llygru unrhyw ddŵr wyneb gan waddodion neu lygryddion eraill. Yn nhermau'r adfail ei hun, mae'r Arfarniad yn nodi na chofnodwyd unrhyw rywogaethau a warchodir nac arwyddion o rywogaethau a warchodir, ac mae'n nodi nad oes fawr ddim potensial iddo gael ei ddefnyddio gan ystumod, ac nad yw o fawr o werth i adar sy'n nythu. Mae'r Arfarniad yn nodi y gallai'r gwrych ar hyd ymyl y ffordd ddarparu cynefin nythu ar gyfer adar sy'n magu, a gall madfall cyffredin fod yn bresennol yng nghlawdd y gwrych. Mae'r Arfarniad yn argymhell gwella bioamrywiaeth drwy osod clwydi ystumod, blychau adar, a defnyddio'r pridd o'r trac i greu clawdd newydd ar hyd ochr dwyreiniol y trac.

Nid yw'r Ecolegydd Cynllunio sy'n cynghori'r ACLI wedi mynegi unrhyw wrthwynebiad i'r cais, yn amodol ar gyflwyno cynllun tirlunio manwl ac amserlen ôl-ofal, gwella bioamrywiaeth ymhellach, datganiad dull ar gyfer trawsleoli'r gwrych, cynllun goleuadau, a Chynllun Rheoli Amgylcheddol wrth Adeiladu, y gellir eu sicrhau drwy amodau.

Ymddiriedolaeth Archaeolegol Dyfed

Mae'r Ymddiriedolaeth wedi dweud bod yr adeilad wedi'i gofnodi fel un sy'n ffurfio rhan o fferm ôl-ganoloesol sy'n ymddangos ar fap Degwm Plwyf Lledrod 1844. Nid yw o'r farn, ar hyn o bryd, y bydd y datblygiad arfaethedig yn cael effaith sylweddol ar unrhyw adnodd archaeolegol claddedig, ond os bydd deunydd archaeolegol yn dod i'r fei yn ystod y datblygu, gellir trefnu ymweliad i gael cyngor pellach. Mae'r Ymddiriedolaeth yn argymhell gosod amod yn gofyn bod arolwg ffotograffig

yn cael ei gynnal, a'i gyflwyno i'r ACLI ei gymeradwyo.

Ymateb i'r trydydd parti

Mae'r sylw ynghylch sythu'r ffordd i greu'r lleiniau gweledd wedi'i nodi. Fodd bynnag, nid fyddai'r ffordd ei hun yn cael ei sythu o angenrheidrwydd o ganlyniad i'r cynnig, ond yn hytrach byddai'r gweledd yn cael ei wella. Hefyd, does dim troeon garw amlwg ar y rhan o'r ffordd lle bwriedir cael y fynedfa a'r lleiniau gweledd, sy'n golygu bod cerbydau'n gorfod arafu'n sylweddol. Hefyd, nid yw'r awdurdod priffyrdd lleol wedi gwrthwynebu'r cynnig.

Nid yw'r cais a wnaed mewn perthynas â'r cyflenwad dŵr yn fater cynllunio, ond yn fater preifat sy'n dod dan ddeddfwriaeth ar wahân. Yn nhermau carthion ffo a halogi dŵr, byddai gofyn bod y cyfleuster trin carthion yn bodlon'r safonau angenrheidiol, ac mae yna hefyd ddeddfwriaeth ar wahân sy'n ymwneud â halogi dŵr.

Mae'r sylw a wnaed am y ffaith bod y cynnig yn llety gwyliau wedi'i nodi, ond does dim polisi penodol yn ymwneud â gormodedd o dai gwyliau, ac mae polisiâu cynllunio'n cefnogi llety twristiaeth ar y cyfan.

Cynllun Dirprwyo

Mae'r aelod lleol, y Cynghorydd Wyn Evans, wedi gofyn bod y cais yn cael ei benderfynu gan y Pwyllgor Cynllunio am y rhesymau canlynol:

- Mae'n ystyried bod y cais yn dod o dan faen prawf LU16
- Helpu i sicrhau dyfodol fferm deuluol o fewn amgylchedd amaethyddol sy'n newid o hyd
- Mae gan yr ymgeiswyr bedwar o blant, ac mae pob un ohonynt yn angerddol am y fferm deuluol. Maent am ei gweld yn datblygu i gyfeiriadau gwahanol i ddarparu ffrydiau incwm gwahanol ar gyfer y busnes yn y dyfodol
- Mae'r safle'n hen, hen fferm, gyda darpariaeth dda o ddŵr, mae'r talcen a'r simnai dal yno ac mae'r lle tân i'w weld o hyd, mae'r wal gefn dal ar ei thraed ac mae rhai o estyll y to'n dal i orffwys rhwng y talcen a'r wal gefn
- Mae'r hen drac i fyny at y daliad i'w weld o hyd a daethpwyd i gytundeb â chymydog am y fynedfa

ARGYMHELLIAD:

Mae'r ACLI yn argymhell bod y cais yn cael ei wrthod am nad oes digon o'r adeilad ar ôl i'w drawsnewid. Yn hytrach, mae'r cynnig yn gyfystyr â llety gwyliau newydd a adeiladwyd i'r diben hwnnw mewn ardal cefn gwlad agored, sy'n mynd yn groes i bolisiâu S01, S04 ac LU17 y CDLI, a pholisiâu a chanllawiau cynllunio cenedlaethol.

RHESWM DROS OHIRIO:

Panel Arolygu Safle a Panel Oeri

Mewn cyfarfod a gynhaliwyd ar 9 Awst 2023, penderfynodd Aelodau'r Pwyllgor Rheoli Datblygu gyfeirio'r cais at y Panel Arolygu Safle yn unol â Pharagraff 5 o feini prawf mabwysiedig y Cyngor a gohirio'r cais i ganiatáu amser pellach ar gyfer cyfnod 'oeri'.

Cyfarfu'r Panel Arolygu Safle ar ddydd Gwener, 1 Medi 2023 ac yn bresennol oedd y Cynghorydd Rhodri Davies (Cadeirydd), y Cynghorydd Ifan Davies (Is-gadeirydd), y Cynghorydd Ceris Jones, y Cynghorydd Meirion Davies, y Cynghorydd Raymond Evans a'r Cynghorydd Wyn Evans fel aelod lleol, a Catrin Newbold, Rheolwr Gwasanaeth (Rheoli Datblygu) a Sian Holder, Arweinydd Tîm Rheoli Datblygu – De.

Cyflwynodd Mrs Holder y cais a'r prif resymau pam fod yr Awdurdod Cynllunio Lleol yn argymhell gwrthod y cais, sy'n seiliedig yn bennaf ar egwyddor datblygu ynghyd â phryderon ynghylch effaith weledol ar y dirwedd, ac felly ei ddiffyg cydymffurfiaeth â pholisiâu Cynllun Datblygu Lleol perthnasol, S01, LU09 a LU16 yn bennaf.

Archwiliwyd weddillion yr adeilad gan y Panel ac fe'i nodwyd bod rhannau o'r waliau cerrig, simnau a thyllau'r ffenestri'n yn dal yno. Roedd ôl yr hen adeilad allanol hefyd i'w weld. Roedd yr aelodau o'r farn bod yr adeilad yn ymddangos fel annedd o hyd, a bod y waliau cerrig a'r simnai yn ymddangos if od mewn cyflwr strwythurol da. Ar y cyfan, roedd yr Aelodau o'r fran bod digon o'r adeilad ar ôl. Sylwodd yr Aelodau hefyd fod y cynnig yn arallgyfeiriad i'r fferm ac y byddai'n helpu i ddod ag adeilad fferm hanesyddol yn ôl i'w bwrpas/ddefnyddio. Nodwyd gan yr Aelodau hefyd fod gan y safle wasanaethau fel dŵr a thrydan, a bod y trac arfaethedig yn dilyn y ffin bresennol, lle byddai'r trac hanesyddol weddi bod.

Sylwodd yr aelodau ar y dirwedd ehangach hefyd ac ystyriwyd gandnt na fyddai'r cynnig yn debygol o gael effaith weledol andwyol ar y dirwedd.

Cafodd y cyfarfod y Panel Arolygu Safle ei gau.

Cyfarfu'r Panel Oeri ddydd Gwener, 29 o Fedi 2023 lle ystyriwyd y cais yn fanwl. Rhoddodd yr Aelodau ystyriaeth lawn hefyd i'r adborth o'r cyfarfod Cynllun Integredig Sengl.

Yn dilyn cyfarfod y Cynllun Integredig Sengl, cynghorwyd gan Mrs Holder bod yr ymgeisydd wedi cadarnhau eu bod yn barod i ymrwmo i gytundeb s106 gan un safle'r cais â phrif fferm yr ymgeisydd yn Henbant a'r tir cyfan sy'n gysylltiedig â Henbant a Ty'n Bwlch. Ystyriwyd hyn gan y Panel Oeri.

Fe gytunodd yr aelodau gydag arsylwadau'r Panel Arolygu Safle. Roedd yr aelodau o'r farn bod yr adeilad yn parhau i feddu ar agweddau gweledol annedd, a bod y cynnig, yn nhermau ei raddfa a'i ddyluniad, y byddai'n gweld yr adeilad yn cael ei ail-adeiladu yn unol â'i ymddangosiad a'i gymeriad traddodiadol, sy'n golygu, yn weledol, y byddai'n ymddangos fel trawsnewidiad, yn hytrach nag adeilad newydd. Nodwyd y pryderon a godwyd gan yr Awdurdod Cynllunio Lleol ar raddfa'r cynnig, fodd bynnag, roedd yr Aelodau o'r farn bod y raddfa yn dderbyniol gan ei bod yn dilyn ôl troed yr hen annedd a'r adeilad allanol. Roedd yr aelodau o'r farn y byddai cytundeb adran 106 sy'n clymu'r adeilad i'r brif fferm a thir cysylltiedig yn cryfhau'r achos dros arallgyfeirio fferm.

Ystyriodd yr Aelodau'r pryderon a godwyd gan yr Awdurdod Cynllunio Lleol ar yr effaith gronnol y byddai cynigion o'r fath yn ei chael ar y dirwedd pe caniateir hynny'n rhy aml. Fodd bynnag, roedd yr Aelodau o'r farn nad yw cynigion o'r fath yn cael eu cyflwyno'n rhy aml, a bod y cynnig hwn yn ail-adeiladu'r hyn a oedd yno o'r blaen, ac felly ni fyddai unrhyw effaith ar y dirwedd.

Rhif y Cais / Application Reference	A220774
Derbyniwyd / Received	13-10-2022
Y Bwriad / Proposal	Proposed reinstatement of dwelling to be used as a holiday unit to include installation of package treatment plant and new vehicular access.
Lleoliad Safle / Site Location	Ty'n Bwlch, Lledrod, SY23 4TD
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr and Mrs E & E James, Henbant, Lledrod, Aberystwyth, Ceredigion, SY23 4HZ
Asiant / Agent	Mrs Gwennan Jenkins (JMS Planning and Development), Hafan Y Coed, Maeshyfyrd, Lampeter, SA48 8AN

THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to a redundant dwelling and associated outbuildings located within the open countryside, approximately 0.8 miles to the north-west of the village of Lledrod. All that remains of the dwelling and outbuildings are small sections of a stone wall, a chimney breast, and two windows and a door opening.

A previous application for the same development was withdrawn on 25-04-2022 (ref: A211057).

DETAILS OF DEVELOPMENT

The application seeks full planning permission for the reinstatement of the dwelling to provide a self-contained holiday unit. The proposal includes re-building the dwelling to two storey with a small extension to the rear, and an attached single storey section to the side, where the outbuildings once stood, with a rear extension. The two storey section measures approximately 9.2 metres along the front elevation, 8.2 metres along the side elevation, and 7 metres to ridge height. The single storey section to the side measures approximately 17 metres along the front elevation, 5.6 metres along the side elevation, and 4.6 metres to ridge height. The extension to the rear is approximately halfway along its length, and projects outwards by 2.6 metres and 5.2m metres across.

The building will have natural stone walls, natural slate roof, and anthracite grey upvc windows and doors.

In terms of the accommodation, it will provide 2 bedrooms, en-suite, bathroom, utility room, plant room, and large open plan kitchen, dining and living area on ground floor. The first floor will provide two bedrooms, 2 en-suite, with wardrobes and linen cupboards.

A new access will be created to the north of the site which will be 16.5 metres wide, with visibility splays measuring 59 metres each side. The hedgerow will be translocated to behind the visibility splays. A new access track, 3 metres wide, will be constructed using permeable materials, alongside the boundary hedge with one passing place approximately halfway to provide access to the building. Parking and turning area for 3 cars will be provided to the front of the building.

The existing gated access to the bridal footpath will be removed and reinstated as part of the newly formed access.

A new mixed species hedgerow will be planted to south-west boundary, new trees will be planted on the north-west embankment, and the embankment to the rear will be planted with a wildflower seed mix. A post and stockproof wire fence along with hedges will form the boundary to the site.

Foul drainage will connect into new 'klargester' package treatment plant or similar suitable for minimum 8 persons to discharge into soakaway minimum 6m from buildings.

Surface water will be disposed of via soakaways and the vehicle access and parking will be provided in either hardcore or permeable surfaces.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy

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

- TAN13 Tourism (1997)
- TAN23 Economic Development (2014)

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
- LU09 The Re-use of Former/Abandoned Dwellings
- LU16 Tourism Accommodation Types of Accommodation not covered by Policy LU14
- 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
- DM18 Special Landscape Areas (SLAs)
- DM20 Protection of Trees| Hedgerows and Woodlands

Relevant adopted Supplementary Planning Guidances -

- Special Landscape Areas SPG April 2014
- CCC Parking Standards SPG 2015
- Built Environment and Design SPG 2015
- Nature Conservation SPG 2015

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

- **Lledrod Community Council** - No response received
- **Highways** - Recommended conditions

- **Land Drainage** - Standard comments. SuDS approved required
- **Ecology** - Recommended conditions
- **Public Rights of Way** - Public Right of Way 52/2 runs along the access track to Ty'n Bwlch and runs in close proximity to the proposed plans. and will need to remain open and available at all times.
- **Dyfed Archaeological Trust** - Recommended condition
- **Dwr Cymru Welsh Water** - No comments to make as private system
- **Natural Resources Wales** - No comments to make

One representation has been received from adjacent third party, noting the following, in summary -

- the straightening of the road layout to achieve the visibility splays will allow drivers to go faster along that particular stretch of road
- Want a guarantee from the applicants in writing that their water supply will not be affected. Also want something in writing to ensure that no sewage runoff can contaminate their water supply.
- Really not happy that this is a holiday home build as feel strongly that there are more than enough holiday properties in the area already and any houses built should be for locals.

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 covering letter explains that Ty'n Bwlch once stood as a standalone farmhouse with attached outbuildings. The dwelling was bought by the applicant's grandfather in the early 1960s, and was empty, and surplus to the requirements of the farm, with the outbuildings used to house cows and sheep. The applicants live at the farm known as Henbant which is located to the east of Lledrod. The farm comprises 400 acres and includes 800 Welsh breeding sheep and 100 breeding cows. The applicants wish to diversify the farm to enable a second income to support the family, whilst also supporting the economy.

The application site lies within an open countryside location. LDP Policy LU16 refers to Tourism Accommodation, with criteria 3 supporting the conversion of existing buildings within locations outside of identified settlements (i.e. other locations/countryside), to other types of tourist accommodation provided that the buildings are structurally sound and will not require major external alterations. Only very small parts of the building remains, which includes small section of stone wall - with two openings for windows and a door and a chimney breast. The proposal therefore fails to meet with this policy as the building is not structurally sound and constitutes the erection of a new building, rather than the conversion of an existing building.

The 'covering letter' submitted as part of the application notes that consideration would also be given to its use as a dwelling under policy LU09 - re-use of former/abandoned dwellings. The proposal would fail to meet this policy because the original dwelling has fallen into such a state of disrepair and is not capable of renovation. The entails the construction of a whole new building, where the policy states that it should then be considered as new housing in the open countryside.

The proposal is considered to represent a new purpose built, self-contained holiday accommodation within an open countryside location, which conflicts with LDP policies S01 and S04, as well as national planning policy, as it would not represent sustainable development nor does it meet with the requirements of TAN 6. The site is located away from key services and facilities and therefore visitors would be solely reliant on the car to meet their needs. Whilst the application states that the proposal would diversify the applicant's farm and provide an income, the proposal is not for a rural enterprise dwelling, and policies do not support purpose built holiday accommodation as a form of diversification.

This decision is consistent with an appeal decision, received in June 2019 for the proposed conversion of outbuilding into 2 no holiday units at Ynys Greigiog, Eglwysfach, where the Inspector found that the building had fallen into a dilapidated state of repair, and would be tantamount to a new building which was contrary to local, as well as national planning policy. (appeal ref: APP/D6820/A/19/3225002; LPA ref:A180564). The outbuilding the subject of the appeal had more of its walls and roof retained than the building under this application.

Scale and Design

The proposed building is of a substantial scale, with the application stating that it follows the footprint of the former dwelling and outbuilding, but with minor extensions to the rear. There is no objection to the scale of the two storey part of the building, and whilst the single storey section may follow the footprint of the former outbuilding, objections are raised to the scale of this section in terms of its length - which measures 17 metres. This, when measured together with the two storey section, results in a building with a total length of just over 26 metres which is substantial and not supported.

There are no objections raised to the design of the two storey part of the building, which is of a traditional form, with natural stone walls and slate roof, small windows with vertical emphasis. This part of the building likely respects the general appearance of the previous dwelling. Whilst there is no objection in principle to the design and materials of the single storey section which is generally inkeeping with the two-storey section, its length should be considerably reduced, which would result in a much better design overall.

The creation of the new access with the country road, the subsequent loss of hedgerow and the creation of a long track will have a negative impact on the landscape, although the proposal does seek to minimise the impact through translocating the hedge to behind the visibility splays, and with the track running in line with the existing boundary hedge. Landscaping is also proposed which will help to mitigate the impact of the development.

Overall, the proposal, which is viewed as a new purpose built holiday accommodation in the open countryside, along with the extent of the access track, is considered to have a negative impact on the landscape. Concerns are also raised with the cumulative impact on the landscape, if such proposals are granted too often.

Residential Amenity

There are no neighbouring properties in close proximity that would be affected by the proposed development.

Highways

The local highway authority has raised no objections to the proposal subject to conditions, relating to the new access and associated visibility splays, parking and surface water.

The visibility to the west of the entrance does not fall on land under the ownership of the applicant, however a letter has been submitted from the landowner giving consent for works to be undertaken to achieve the visibility splays.

Public Rights of Way

Public Right of Way 52/2 runs along the access track in close proximity to the proposed plans. The Council's Public Rights of Way Officer had advised that the PROW needs to remain open and available at all times.

Land Drainage

The application states surface water will be disposed of via soakaways and that the vehicle access and parking will be provided in either hardcore or permeable surfaces. The priority is for surface water to be dealt with via sustainable drainage system. The development will require SuDS approval from the Council's SAB therefore surface water can be adequately dealt with through this process.

The proposal includes the installation of a new package treatment plant to deal with foul drainage and NRW has raised no objections to this. The site falls outside of the river Teifi SAC catchment area.

Ecology

The application is accompanied by a Preliminary Ecological Appraisal (PEA) Report which considers that the access track will be constructed on improved grassland of no ecological significance, however a watercourse/open ditch that discharges into the Afon Wyre is located immediately west of the proposed track, therefore works will need to follow best practice and a buffer zone implemented to avoid any potential surface water pollution from sediment or other pollutants. In terms of the ruin itself, the PEA notes that no protected species or signs of protected species were recorded, and is identified as providing very limited potential for use by bats and of little value to nesting birds species. The PEA identifies that the roadside hedgerow could provide nesting habitat for breeding birds and that common lizards may be present within the roadside hedge-bank. The PEA recommends biodiversity enhancement, to include bat roost features, bird boxes, and use of the soil from the track to create a new hedge bank along the eastern edge of the track.

The Planning Ecologist advising the LPA has raised no objections to the proposal, subject to the submission of a detailed landscaping scheme and aftercare schedule, additional biodiversity enhancement, a hedgerow translocation method statement, lighting scheme, and a Construction Environmental Management Plan which can be secured through conditions.

Dyfed Archaeological Trust (DAT)

DAT has advised that the building is recorded as forming part of a post-medieval farmstead which appears on the 1844 Parish Tithe map for Lledrod. They do not believe, at this time, that the proposed development will have a significant impact upon any buried archaeological resource, however, if during development, material of archaeological interest comes to light, then a visit can be arranged with further advice provided. DAT recommends a condition requiring a photographic survey to be carried out and submitted to the LPA for approval.

Response to third party

The comment regarding the straightening of the road to achieve the visibility splays is noted, however the road itself would not necessarily be straightened as a result of the proposal, but rather visibility would be improved, and also there are no obvious sharp bends on the section of the road where the entrance and visibility splays are proposed, that results in vehicles having to materially reduce their speed. The local highway authority has also not objected to the proposal.

The request made in relation to water supply is not a planning matter, but a private matter dealt with under separate legislation. In terms of sewage run off and contamination of water, the package treatment plant would be required to meet with necessary standards and there is also separate legislation relating to water contamination.

The comment made regarding the proposal being a holiday accommodation is noted, however there is no specific policy relating to the issue of too many holiday homes, and planning policy is generally supportive of tourism accommodation.

Scheme of Delegation

The local member Cllr Wyn Evans has requested that the application is determined by members of the Planning Committee for the following reasons:

- falls into criteria of LU16
- help secure future of family farm by providing different income streams
- site is a very old farmstead with good provision of water
- the gable end and chimney stack are still there to be seen and also the fire place is still visible, the back wall is still standing and some roof timbers are still resting between the gable end wall and the back wall.
- the old track up to the holding is still visible and an agreement has been made with a neighbour regarding the entrance.

RECOMMENDATION:

The LPA recommends that the application is refused as there is not enough of the building left to constitute conversion, instead the proposal represents a new purpose built holiday accommodation in the open countryside which is contrary to LDP policies S01, S04 and LU17, and national planning policy and guidances.

REASON FOR DEFERRAL:

Site Inspection Panel and Cooling Off Panel

Members of the Development Management Committee, at its meeting on 9 August 2023, resolved to refer the application to the Site Inspection Panel (SIP) in accordance with Paragraph 5 of the Council's adopted criteria and to defer the application to allow further time for a 'cooling off' period.

The SIP met on Friday, 1 September 2023 and comprised Cllr Rhodri Davies (Chair), Cllr Ifan Davies (Vice Chair), Cllr Ceris Jones, Cllr Meirion Davies, Cllr Raymond Evans and Cllr Wyn Evans as local member, and Catrin Newbold, Service Manager (Development Management) and Sian Holder, Development Management Team Leader – South).

Mrs Holder introduced the application and the main reasons why the LPA are recommending that the application is refused, which is based mainly on principle of development along with concerns regarding visual impact on the landscape, and thus its non-compliance with relevant LDP policies, mainly S01, LU09 and LU16.

The Panel inspected the remains of the building and noted that it retains part of its stone walls, chimney, and window openings. The footprint of the former outbuilding was also visible. Members considered that the building still had the substantial appearance of a dwelling, and that the remaining stone walls and chimney appeared to be in a good structural state. Overall, Members considered that there was enough of the building left. Members also observed that the proposal is a farm diversification and will help bring back an historical farm building and holding into use. Members also noted that the site had services such as water and electric, and that the proposed track follows the existing boundary, where the track historically would have been.

Members also observed the wider landscape and considered that the proposal is unlikely to have an adverse visual impact on the landscape.

The SIP meeting was subsequently closed.

The Cooling Off Panel met on Friday, 29 of September 2023 where the application was considered in detail. Members also gave full consideration to the feedback from the SIP meeting.

Mrs Holder advised that following the SIP meeting, the applicant has confirmed that they would be willing to enter into a s106 agreement tying the application site, with the applicant's main farm holding at Henbant and the whole land associated with Henbant and Ty'n Bwlch. This was taken into account by members of the Cooling Off Panel.

Members agreed with the observations of the SIP. Members were of the opinion that the building retains its substantial appearance as a dwelling, and that the proposal, in terms of its scale and design, would see the building being rebuilt as per

its traditional appearance and character, meaning that, visually, it would appear as a conversion, and not a new build. The concerns raised by the LPA on the scale of the proposal were noted, however, Members considered the scale to be acceptable as it follows the footprint of the former dwelling and outbuilding. Members considered that a section 106 agreement tying the building to the main farm and associated land would strengthen the case for a farm diversification.

Members considered the concerns raised by the LPA on the cumulative impact that such proposals would have on the landscape if allowed too often. However, Members considered that such proposals are not submitted too often, and that this proposal is re-building what was previously there, and therefore there would be no impact on the landscape.