

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	A220638	17-08-2022	Mr D Evans (Cartrefi Dyfed Homes Ltd)	Phase 4 - Erection of 8 dwellings to include 2 affordable dwellings.	Cae John, Cross Inn, Llanon, SY23 5NT	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 barseil 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 argymhellad, 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 daer 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 dalgyloch 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.

RHESWM PELLACH DROS OHIRIO:

Cyflwynwyd gwybodaeth ychwanegol ar gyfer y prawf cymalog ar 10 Hydref 2023, y diwrnod cyn cyfarfod y Pwyllgor ar 11 Hydref 2023. Felly tynnwyd y cais yn ôl o'r agenda i ganiatáu i'r wybodaeth ychwanegol gael ei hystyried.

ASESIAD AWDURDOD CYNLLUNIO LLEOL O WYBODAETH ATODOL AR GYFER Y PRAWF CYMALOG

Ymgynghorodd yr asiant â Chronfa Ddata Eiddo Busnes Cymru ar gyfer tir masnachol a gwefan eiddo ar gyfer adeiladau masnach sy'n cwmpasu Canolbarth Cymru, Gorllewin Cymru a De Orllewin Cymru.

Nodwyd Station Yard yn Llandysul, ond roedd yr asiant yn dadlau bod y safle'n rhy fach ac nid oes unrhyw sgôp i ehangu a byddai angen buddsoddiad sylweddol er mwyn ei addasu ar gyfer pwrpas ei ddefnydd.

Nodwyd Uned Gweithgynhyrchu Frank's yn Ystad Ddiwydiannol Capel Hendre, Rhydaman, ond cafodd ei ddiystyru gan ei fod wedi'i leoli yn Rhydaman ac wedi'i wneud er mwyn gweithgynhyrchu bwyd yn hytrach na defnydd masnachol ac nid yw o fewn cyllideb yr ymgeisydd

Nodwyd Clos y Prior / Heol y Ffwrnais, Caerfyrddin, Sir Gâr ond cafodd ei ddiystyru oherwydd ei fod wedi'i leoli yng Nghaerfyrddin a bod angen buddsoddiad sylweddol er mwyn addasu'r adeilad at ddefnydd masnachol.

Nodwyd hefyd datblygiad yn Heol Parc y Ffair, Crymymch, Sir Benfro. Er bod yr ymgeisydd yn cydnabod fod gan y safle amrywiaeth o adeiladau o faint da, diystyrwyd gan ei fod yn rhy bell ar gyfer teithio ac adleoli staff.

Yn ôl yr ymgeisydd, maen nhw wedi bod mewn cysylltiad â pherchnogion safle Treftadaeth Cymru yn Llanwnnen. Er nad yw'r safle ar y farchnad, byddent yn fodlon derbyn cynnig o tua £600,000 ar gyfer y safle 3 erw. Byddai costau ailddatblygu o £280,000 er mwyn codi gweithdy/ ailfodelu sied bresennol sy'n dod â chyfanswm y costau i £880,000 gan ei gwneud yn anhyfyw yn ariannol.

Mae'r asiant yn datgan eu bod hefyd wedi bod mewn cyswllt â thirfeddiannwr ger Llanybydder sy'n berchen ar safle 6 erw sydd ag adeilad masnachol 75' x 60' ac yn ystyried cynigion o tua £850,000 gyda chost ychwanegol o £180,000 gan ymestyn cyfanswm y gost i £1,000,000 gan ei wneud yn anhyfyw yn ariannol.

Mae'r ymgeisydd yn nodi eu bod hefyd wedi ystyried plot o dir tua 7 erw ym Mhentrebach ger Llanwnnen. Penderfynwyd ar ymweliad i'r safle na fyddai'r safle'n dderbyniol gan na fyddai llain ddigonol yn medru cael ei ddarparu i fodloni Gwasanaethau Prifffyrdd.

Er bod yr asiant wedi darparu prawf cymalog manylach, mae'r cais yn parhau i fod yn groes i Bolisiâu 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 ADLAN 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.

FURTHER REASON FOR DEFERRAL:

Additional information for the sequential test was submitted on 10 October 2023, the day before the Committee meeting on 11 October 2023. The application was therefore withdrawn from the agenda to allow for the additional information to be considered.

LPA'S ASSESSMENT OF SUPPLEMENTARY INFORMATION FOR THE SEQUENTIAL TEST:

The agent consulted the Business Wales Property Database for commercial land and property website for commercial buildings covering Mid-Wales, West Wales and South West Wales.

Station Yard in Llandysul was identified but the agent argued that the site was too small with no further scope to expand and considerable investment would be needed to adapt it for the proposed use.

Frank's Manufacturing Unit in Capel Hendre Industrial Estate, Ammanford, was identified but ruled out as it is located in Ammanford and has been set up for food manufacturing rather than commercial use and it is not within the applicant's budget.

Priory Close / Furnace Bank, Carmarthen, Carmarthenshire was identified but ruled out due to its location being in Carmarthen and the site would require significant investment to adapt the building for commercial use.

A development in Newport Road, Crymch, Pembrokeshire was also identified. While the applicant acknowledged that the premises has a range of good-sized buildings, it was ruled out as it is too far for travelling and relocating staff.

According to the applicant, they have been in contact with the owners of the Welsh Heritage site in Llanwnnen. Although the site is not on the market, they would be willing to accept an offer of circa £600 000 for the 3 acre site. There would need to be redevelopment costs of £280 000 to erect a workshop/re model existing shed bringing total costs to £880,000 making it financially unviable.

The agent states that they have also been in contact with a landowner near Llanydder who owns a 6 acre site with a 75' x 60' commercial building and would consider offers of circa £850 000 with the extra cost of £180 000 to extend total cost excess of £1 000 000 making it financially unviable.

The applicant states that he also considered a plot of land approximately 7 acres in Pentrebach near Llanwnnen. They determined on a site visit that the site would not be acceptable as a sufficient splay could not be provided to satisfy Highways.

Whilst the agent has provided a more in-depth sequential test, 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. A220638



Rhif y Cais / Application Reference	A220638
Derbyniwyd / Received	17-08-2022
Y Bwriad / Proposal	Phase 4 - Erection of 8 dwellings to include 2 affordable dwellings.
Lleoliad Safle / Site Location	Cae John, Cross Inn, Llanon, SY23 5NT
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr D Evans (Cartrefi Dyfed Homes Ltd), Morawel, Nebo, Llanon, Ceredigion, SY23 5LE
Asiant / Agent	Mrs Gwennan Jenkins (JMS Planning and Development), Hafan Y Coed, Maeshyfryd, Lampeter, SA48 8AN

Y SAFLE A HANES PERTHNASOL

Mae'r cais yn ymwneud â thir sydd wedi'i leoli i'r dwyrain o ystad Cae John yn anheddiad Cross Inn (Llanon). Ceir mynediad i'r safle ar hyd ffordd bresennol yr ystad sy'n cysylltu â ffordd yr B4337 sy'n mynd drwy'r pentref. Ar hyn o bryd mae'r safle'n wag, yn wastad ac yn ffinio â ffurf adeiledig sydd i'r gorllewin yn union ohono. Mae gan y safle yr hanes cynllunio perthnasol canlynol:

- 790177 Caniatâd Cynllunio Amlinellol. Codi 4 byngalo. Cymeradwywyd yn unol ag amodau 26/04/1979.
- 801412 Caniatâd Cynllunio Amlinellol. Gwrthodwyd 22/01/1981.
- 870078 Caniatâd Cynllunio Amlinellol. Datblygiad Preswyl. Gwrthodwyd 5/08/1987.
- 880170 Caniatâd Cynllunio Amlinellol. 16 annedd i'w hadeiladu mewn dau gam. Gwrthodwyd 08/03/1989.
- A071038 Cynllunio Llawn. Datblygiad preswyl - 5 annedd (2 fforddiadwy). Cymeradwywyd yn unol ag amodau 18/06/2012.
- A160213 Addasu Ymrwymadau Cynllunio. Amrywiad ar yr ymrwymiad cynllunio i leihau'r ddarpariaeth o dai fforddiadwy ar y safle o 2 i 1 a chaniatáu meddiant o 1 annedd marchnad agored cyn cymryd meddiant o'r annedd fforddiadwy. Addaswyd 29/03/2017.
- A160354 Diwygiad Ansylweddol. Cynlluniau diwygiedig ar gyfer lleiniau 3 a 4 o ganiatâd cynllunio A071038. Cymeradwywyd 22/06/2016.
- A201064 – Cynllunio Llawn Cam 3 – Codi 7 annedd. Cymeradwywyd 06/07/2022.

MANYLION Y DATBLYGIAD

Mae'r cais am ganiatâd cynllunio llawn i godi wyth annedd, gyda dwy o'r rheiny'n unedau fforddiadwy. Mae'r cynlluniau'n dangos bloc o ddwy uned un talcen ar ran ogleddol y safle a dwy res o dair annedd ar ran ogleddol a rhan ddeheuol y safle. Mae'r datblygiad wedi'i rannu i'r naill ochr a'r llall o'r ffordd ystâd arfaethedig. Mae pob uned yn darparu tair ystafell wely.

Y deunyddiau a fwriedir yw waliau wedi'u rendro, to llechi, a ffenestri a drysau uPVC. Darperir man parcio o flaen pob eiddo a bydd gan bob uned ardal amwynder breifat ddigonol yn y cefn.

POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL

Polisiâu Cynllunio Cenedlaethol perthnasol:

- Cymru'r Dyfodol – Y Cynllun Cenedlaethol 2040 (2021)
- PPW11 Polisi Cynllunio Cymru (argraffiad 11, Chwefror 2021)

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

- DM01 Rheoli Effeithiau Datblygu ar Gymunedau a'r Iaith Gymraeg
- DM03 Teithio Cynaliadwy
- DM04 Seilwaith Teithio Cynaliadwy fel Ystyriaeth Berthnasol
- DM05 Datblygu Cynaliadwy a Lles Cynllunio
- DM06 Dylunio a Chreu Lle o Safon Uchel
- DM10 Dylunio a Thirlunio

DM17 Y Dirwedd yn Gyffredinol

LU02 Gofynion sy'n Ymwneud â Phob Datblygiad Preswyl

LU06 Dwysedd Tai

LU24 Darparu Mannau Agored Newydd

LU30 Diogelu

S01 Twf Cynaliadwy

S04 Datblygu Mewn Aneiddiadau Cyswllt a Lleoliadau Eraill

S05 Tai Fforddiadwy

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

Ecoleg Ceredigion – Dim gwrthwynebiad yn unol ag amodau

Cyngor Cymuned Dyffryn Arth - Dim gwrthwynebiad

Cyfoeth Naturiol Cymru – dim gwrthwynebiad

Priffyrdd Ceredigion – Dim gwrthwynebiad yn unol ag amodau

Draenio Tir Ceredigion - Sylwadau

CASGLIAD

Mae Adran 38 (6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn datgan: *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material consideration indicate otherwise"*.

Mae'r cais hwn am gael caniatâd cynllunio llawn ar gyfer pedwerydd cam y datblygiad ar ystad Cae John yn anheddiad Cross Inn. Ar hyn o bryd mae'r ystad yn cynnwys 18 annedd a byddai'r cais arfaethedig, os caiff ei gymeradwyo, yn golygu bod cyfanswm yr unedau ar y safle yn 26.

Mae safle'r cais wedi'i leoli o fewn ffiniau anheddiad Cross Inn sydd wedi'i nodi'n anheddiad cyswllt yn y Cynllun Datblygu Lleol (CDLI). Felly, rhaid i'r cynnig gydymffurfio â gofynion Polisi S04 y CDLI, sef Datblygu Mewn Aneddiadau Cyswllt a Lleoliadau Eraill. Mae Cross Inn yn anheddiad cyswllt ar gyfer Grŵp Gwasanaethau Llanon. Mae wedi'i ddynodi at y diben hwnnw yn sgil y ffaith bod yr anheddiad wedi'i leoli i ffwrdd o drafnidiaeth gyhoeddus, bod yna wasanaethau cyfyngedig yno, a byddai gofyn defnyddio car i fyw yno a mynychu gwaith / ysgolion. Mae'n llai cynaliadwy o ran ei natur gynhenid felly na Llanon (neu Llanrhystud), sy'n elwa o drafnidiaeth gyhoeddus ac sydd o fewn pellter cerdded i wasanaethau cymunedol sylfaenol.

Mae Strategaeth y CDLI yn nodi nad yw twf y tu allan i Ganolfannau Gwasanaethau yn gynaliadwy oni bai ei fod yn caniatáu i'r gymuned bresennol fodloni rhai o'i hanghenion ei hun, a dylai gael ei ddatblygu'n raddol trwy gydol cyfnod y cynllun. Mae'r 'Aneddiadau Cyswllt a Lleoliadau Eraill' ar gyfer Grŵp Llanon â lwfans o hyd at 39 o unedau ar gyfer cyfnod y cynllun (2007-2022) ac ar ddiwedd Mawrth 2023, roedd yna 81 o ymrwymadau (52 wedi'u cwblhau a 29 caniatâd ar y gweill) sy'n golygu bod yna 41 o unedau dros ben y nifer arfaethedig.

Hefyd, mae angen i'r cydbwysedd rhwng y Ganolfan Wasanaethau ac 'Aneddiadau Cyswllt a Lleoliadau Eraill' erbyn 2022 ar gyfer y Grŵp Aneddiadau hwn fod yn 26.5%. Ar hyn o bryd, mae'r ymrwymadau o fewn yr Aneddiadau Cyswllt a Lleoliadau Eraill yn gorbwysu'r rhai o fewn y Ganolfan Wasanaethau, gyda 55% o'r datblygu'n cael ei ganiatáu yn y lleoliadau hynny. Mae hyn serch bod dau safle mawr wedi cael caniatâd yn Llanon yn ddiweddar, sef ystad Craig Ddu a thir gerllaw datblygiad Cylch Peris. Mae hyn yn dangos bod Canolfan Wasanaethau Llanon yn cyflawni, ond nad yw'r cydbwysedd yn iawn, serch hynny, oherwydd y nifer uchel o ymrwymadau o fewn yr Aneddiadau Cyswllt a Lleoliadau Eraill.

Does dim cyfiawnhad felly dros ganiatáu unedau pellach o fewn y categori Aneddiadau Cyswllt a Lleoliadau Eraill ar gyfer y Grŵp Aneddiadau hwn ar yr adeg hon, yn enwedig o ystyried y gall y 29 caniatâd sydd ar y gweill eisoes fodloni anghenion uniongyrchol, tymor byr a thymor canolig y Grŵp.

Yn bwysicach, mae Cross Inn wedi tyfu'n sylweddol ers dechrau cyfnod y cynllun yn 2007 – mae wedi gweld ymrwymadau o dros 91% o'i faint gwreiddiol. Mi fyddai'r cais hwn yn arwain at dwf o tua 114%, a hynny pan mae'r twf ledled y sir wedi'i gapio ar 12%. Pennwyd y ffigur o 12% i sicrhau na fydd yn rhaid i unrhyw anheddiad ymdopi â mwy o dwf nag y gall ei reoli'n gynaliadwy, heb gael effaith negyddol ar gapasiti a diwylliant y pentref. Os bydd yr holl ymrwymadau'n dod i'r fei, mi fydd Cross Inn wedi treblu ei nifer blaenorol o anheddau o leiaf, heb unrhyw gynnydd yn y gwasanaethau, sydd eisoes yn gyfyngedig. Ar hyn o bryd, nodir bod yna eisoes 31 o ymrwymadau (gan gynnwys 4 caniatâd sydd dal ar y gweill), gan olygu bod yna or-ddarpariaeth o 27 o unedau. O blith cyfanswm o 90 o aneddiadau cyswllt yng Ngheredigion, Cross Inn sydd â'r ail or-ddarpariaeth fwyaf yn y Sir, ar -27 o unedau.

Mae'r cynnig yn cynnwys dwy uned fforddiadwy yn unol â pholisi S05 y CDLI. Serch hynny, mae'r Awdurdod Cynllunio Lleol o'r farn bod anghenion yr anheddiad eisoes wedi'u bodloni gan y datblygiad presennol, a byddai'r datblygiad hwn yn debygol o ddenu gormod o bobl i anheddiad cyswllt lle mae'r datblygu i'w weld yn ysgafnach o lawer nag o fewn y Ganolfan Wasanaethau.

Mae'r cynnig yn cynrychioli ffurf datblygu anghynaliadwy ac mae'n mynd yn groes i strategaeth dai y CDLI.

Mae'r cynnig yn mynd yn groes i bolisiâu S01 ac S04 a felly nid yw'r egwyddor yn dderbyniol.

Yn ogystal, mae polisi LU06 yn gosod y canllawiau dwysedd ar gyfer datblygiad preswyl newydd. Mae'r safle arfaethedig wedi'i leoli ar ymyl anheddiad bach gwledig. Mae'r CDLI yn gosod canllawiau dwysedd o 15 i 25 o unedau yr hectar ar gyfer lleoliadau o'r fath. Byddai'r datblygiad arfaethedig felly yn mynd tu hwnt i'r canllawiau dwysedd a osodwyd dan Bolisi LU06. Mae'r polisi'n caniatáu mynd tu hwnt i'r canllawiau dwysedd os darperir manau amwynder digonol. Fodd bynnag, mae yna bryderon ynghylch hyn, a drafodir yng nghyd-destun Polisi LU24.

Mae Polisi LU24 yn gofyn am ddarparu manau agored pan fydd datblygiad yn cynnwys mwy na 10 ystafell wely. Mi fydd y cynnig yn arwain at 24 ystafell wely ac felly bydd gofyn cael manau agored. Nid yw'r cais yn cynnig unrhyw gyfraniad o ran manau agored i wasanaethu'r datblygiad. Yn unol â Pholisi LU24 a dogfen Canllaw Cynllunio Atodol Manau Agored y Cyngor, dylid darparu 0.0672ha o ardal amwynder tir glas naturiol ar y safle ar gyfer y datblygiad arfaethedig (y cais hwn). Does dim o'r camau blaenorol wedi darparu manau agored ac felly byddai'r gofyniad ar gyfer y safle cyfan yn fwy. O ystyried y 54 o ystafelloedd gwely presennol, ochr yn ochr â'r 24 arfaethedig, dylid darparu 0.156ha o ardal tir glas naturiol cymunedol hygyrch, a 0.0624ha o ardal chwarae naturiol gyda chyfarpar i wasanaethu'r safle cyfan.

Fel y cyfryw, ystyrir bod y cynnig hefyd yn mynd yn groes i bolisiâu LU06 ac LU24 CDLI Ceredigion.

Er nad oes unrhyw wrthwynebiad o ran y seilwaith neu o bersbectif ecolegol, yr argymhelliad yw gwrthod, ar sail y ffaith bod

y cynnig yn cynrychioli ffurf datblygu anghynaliadwy, a'i fod yn mynd yn groes felly i'r strategaeth dai. Yn ogystal, mi fyddai'r cynnig yn mynd yn groes i'r dwysedd arfaethedig ar gyfer y safle, ac nid yw'n cwrdd â'r gofynion o ran manau agored.

AWDURDOD DIRPRWYEDIG

Mae'r Cynghorydd, K Henson, yr Aelod Lleol, wedi gofyn bod y cais yn cael ei adrodd gerbron y Pwyllgor Rheoli Datblygu am y rhesymau canlynol:

- Mwy o dai ar gyfer pobl leol, gan gynnwys dwy uned fforddiadwy
- Ystyriaeth o TAN2 a'r amod bod y datblygwr yn ymwybodol o'r farchnad dai leol a'r angen am dai ar gyfer trigolion lleol
- Mewnlenwi/ymestyn safle presennol sydd â gwasanaethau eisoes yn eu lle
- TAN2 – Tai Gwledig 10.12 – Mae'n bwysig bod yna ddarpariaeth ddigonol o dai mewn ardaloedd gwledig i fodloni anghenion pobl leol ac i sicrhau cymunedau cynaliadwy
- Mae gan Cross Inn, sy'n ffurfio rhan o ward Llanbadarn Trefeglwys o fewn Cyngor Cymuned Dyffryn Arth, nifer o wasanaethau sy'n darparu'n dda ar gyfer y pentref, gan gynnwys Tafarn, Siop, Safle Aros Bws, Ysgol Feithrin leol (a ddefnyddir gan nifer o drigolion lleol ac sy'n cyflogi nifer o bobl leol) a sawl garej.
- Mae'r pentref mewn lleoliad delfrydol, gyda nifer o aneddiadau allweddol gerllaw (Aberaeron, Llanon, Llanrhystud) – a nifer o aneddiadau llai gerllaw (Bethania, Pennant a Nebo).

RHESWM DROS OHIRIO:

Yng nghyfarfod y Pwyllgor Rheolaeth Datblygu ar 17eg Gorffennaf, 2023 penderfynodd yr Aelodau ohirio gwneud penderfyniad ar y cais, er mwyn caniatáu rhagor o amser neu gyfnod o ailfeddwl i ystyried polisiau pellach LU06 ac LU24 gan y byddai'r cais hwn yn mynd y tu hwnt i'r dyraniad arfaethedig. a dwysedd ymhellach yn anheddiad cysylltiedig Cross Inn.

Cyfarfu'r Panel Oeri ar 2 Awst, 2023 lle rhoddodd yr Aelodau ystyriaeth lawn i'r pwyntiau a godwyd uchod ynghyd â'r sefyllfa ddiweddaraf mewn perthynas â'r dyraniad tai ar gyfer Cross Inn ei hun a Grŵp Aneddiadau Llanon y dynodwyd yr anheddiad ynddo. Derbyniwyd ymddiheuriad wrth y Cyng Rhodri Evans am na allai fod yn bresennol yn y cyfarfod.

Nodwyd bod cais newydd ar gyfer darparu man agored cyhoeddus i wasanaethu'r stad a thrwy hynny gydymffurfio â pholisi LU24 wedi'i gyflwyno yn dilyn cyfarfod o'r Pwyllgor Rheolaeth Datblygu ar 17eg Gorffennaf, 2023.

Dywedwyd mai'r prif reswm dros argymhell gwrthod y cais oedd bod y dyraniad preswyl ar gyfer Cross Inn, sef 4 uned newydd i'w darparu yn ystod cyfnod y CDLI, wedi'i gor-gynyddu'n sylweddol ac yn -27 ar hyn o bryd, sef yr ail or-ddarpariaeth fwyaf yn y Sir. Dywedodd swyddogion fod caniatáu unedau ychwanegol mewn lleoliad anghynaliadwy a oedd yn brin o gyfleusterau yn groes i'r CDLI a Chymru'r Dyfodol ac y gallai fod mewn perygl o gael eu galw i mewn gan Lywodraeth Cymru. Roedd swyddogion yn cydnabod bod yr embargo ffosffadau yn Nyffryn Teifi a'r pandemig Covid wedi chwarae rhan yn yr Awdurdod yn methu â chyrraedd targed tai ei CDLI ond nid i raddau i gyfiawnhau rhagori ar y dyraniad ar gyfer Cross Inn ei hun.

Roedd yr aelodau o'r farn bod y bwriad yn dderbyniol mewn egwyddor ac yn darparu tai fforddiadwy o ansawdd da i bobl leol. Cyfeiriwyd hefyd fod Cross Inn yn anheddiad oedd yn tyfu a bod cyfleusterau yn y pentref wedi cynyddu'n sylweddol a'i fod ar y llwybr bws ac yn agos i Aberaeron. Roedd y preswylwyr a oedd yn byw ar y stad yn siaradwyr Cymraeg yn bennaf a bod y datblygiad yn darparu ar gyfer anghenion y gymuned.

Fodd bynnag, mynegodd yr aelodau bryder ynghylch y posibilrwydd y gellid galw'r cais i fewn ac roeddent o'r farn y byddai'r datblygiad yn fwy derbyniol ac yn cydymffurfio'n well â pholisi pe bai tai fforddiadwy ychwanegol yn cael eu darparu fel rhan o'r cynllun yn ogystal â'r ddarpariaeth arfaethedig o 2 uned. Gofynnodd y Panel i swyddogion ofyn am gadarnhad wrth yr ymgeisydd ynghylch a fyddent yn barod i gynyddu nifer y tai fforddiadwy fel rhan o'r cais hwn yn ogystal â chymeradwyo'r cais cysylltiedig ar gyfer y man agored. Pe na bai'r ymgeisydd yn cytuno i'r cynnydd mewn niferoedd fforddiadwy, yna awgrymwyd caniatáu'r cais fel ag yr oedd hyd nes y ceir penderfyniad boddhaol i'r cais man agored ond yn amodol ar i'r ddau gais gael eu clymu gyda'i gilydd trwy gytundeb A106.

Yn dilyn cyfarfod o'r Panel Ailfeddwl, cysylltodd swyddogion â'r ymgeisydd i weld a fyddent yn fodlon cynyddu nifer yr unedau fforddiadwy fel rhan o'r bwriad. Ymatebodd yr ymgeisydd ac mae wedi gwrthod y cais ar sail rhesymau hyfywedd mewn perthynas â'r costau sy'n gysylltiedig ag adeiladu ffordd y stad; y cais am ddarpariaeth manau agored; bod y safle eisoes yn gorddarparu unedau fforddiadwy; a bod pris yr unedau fforddiadwy a'r unedau marchnad agored ar y stad yn ddibwys.

Adroddwyd y cais yn ôl i'r Pwyllgor Rheolaeth Datblygu ar 13eg Medi, 2023. Cafwyd trafodaeth ynglŷn â'r sefyllfa mewn perthynas â'r dyraniad tai sydd eisoes wedi'i fodloni ac a oedd yn bosibl i'r datblygwr ddarparu hanner yr unedau arfaethedig fel tai fforddiadwy. Gohiriwyd y cais gan y Pwyllgor er mwyn galluogi swyddogion i drafod gyda'r ymgeisydd/asiant y posibilrwydd o gynyddu'r tai fforddiadwy yn y datblygiad i 50% o gyfanswm yr unedau arfaethedig (4 uned).

Mewn ymateb cadarnhaodd yr ymgeisydd nad oedd yn bosibl yn ariannol i ddarparu rhagor o unedau fforddiadwy fel rhan o'r datblygiad arfaethedig. Y rhesymeg a roddwyd oedd hyd yn oed drwy ddarparu 2 dŷ fforddiadwy a 6 tŷ marchnad agored bod y datblygwr yn gwneud colled gweddilliol/net ar y datblygiad yn wyneb costau i wneud y ffordd stad i safonau mabwysiadwy; darparu gwasanaethau (dŵr, trydan; cysylltiadau ffibr, carthffosydd ac ati); costau prynu tir; cyllid datblygu a chostau adeiladu a gofynion manau agored. Mae'r ymgeisydd yn honni na fyddai darparu unedau fforddiadwy ychwanegol yn bosib yn ariannol.

Serch hynny ac er gwaethaf y ffaith bod yr ymgeisydd wedi dod i'r casgliad na allant ddarparu unedau fforddiadwy ychwanegol, nid yw argymhelliad yr ACLI yn newid yn yr ystyr bod y cynllun yn anghynaliadwy ac yn groes i strategaeth dai y CDLI a dylid gwrthod y cais.

ARGYMHELLIAD:

GWRTHOD y cais am ei fod yn mynd yn groes i bolisiâu S01 ac S04 y CDLI am ei fod yn cynrychioli ffurf datblygu anghynaliadwy, ac yn mynd yn groes i'r strategaeth dai. Mae hefyd yn mynd yn groes i bolisi LU06 am ei fod yn mynd uwchlaw'r dwysedd a osodwyd yn y CDLI.

Rhif y Cais / Application Reference	A220638
Derbyniwyd / Received	17-08-2022
Y Bwriad / Proposal	Phase 4 - Erection of 8 dwellings to include 2 affordable dwellings.
Lleoliad Safle / Site Location	Cae John, Cross Inn, Llanon, SY23 5NT
Math o Gais / Application Type	Full Planning
Ymgeisydd / Applicant	Mr D Evans (Cartrefi Dyfed Homes Ltd), Morawel, Nebo, Llanon, Ceredigion, SY23 5LE
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 relates to land located to the east of the Cae John estate in the settlement of Cross Inn (Llanon). Access to the site is derived via the existing estate road which joins up with the B4337 road which runs through the village. At present the site is vacant, is level and bordered by built form directly to the west. The application site has the following relevant planning history:

- 790177 Outline Planning Permission. Erection of 4 bungalows. Approved Subject to Conditions 26/04/1979.
- 801412 Outline Planning Permission. 10 bungalows. Refused 22/01/1981.
- 870078 Outline Planning Permission. Residential Development. Refused 25/08/1987.
- 880170 Outline Planning Permission. 16 dwellings in two phases. Refused 08/03/1989.
- A071038 Full Planning. Residential development - 5 dwellings (2 affordable). Approved Subject to Conditions 18/06/2012.
- A160213 Modification of Planning Obligations. Variation of the planning obligation to reduce the provision of on site affordable houses from 2 to 1 and to allow the occupation of 1 open market dwelling before the affordable dwelling is occupied. Modified 29/03/2017.
- A160354 Non-Material Amendment. Amended plans for plots 3 & 4 on planning permission A071038. Approved 22/06/2016.
- A201064 - Full planning. Phase 3 - Erection of 7 dwellings. Approved 06/07/2022.

DETAILS OF DEVELOPMENT

Full planning permission is sought for the erection of eight dwellings, two of which are to be affordable units. The plans show a block of two semi detached units on the northern part of the site and two rows of three dwellings on both the northern and southern part of the site. The development is split either side of the proposed estate road. All units provide three bedrooms.

The materials proposed are rendered walls, slate tiled roof and uPVC windows and doors. Parking is to be provided to the front of the properties and each unit have adequate private amenity space to their rear.

RELEVANT PLANNING POLICIES AND GUIDANCE

Relevant National Planning Policy:

- Future Wales - The National Plan 2040 (2021)
- PPW11 Planning Policy Wales (edition 11, February 2021)

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

DM01 Managing the Impacts of Development on Communities and the Welsh Language

DM03 Sustainable Travel

DM04 Sustainable Travel Infrastructure as a Material Consideration

DM05 Sustainable Development and Planning Gain

DM06 High Quality Design and Placemaking

DM10 Design and Landscaping

DM17 General Landscape

LU02 Requirements Regarding All Residential Developments

LU06 Housing Density

LU24 Provision of New Open Space

LU30 Safeguarding

S01 Sustainable Growth

S04 Development in Linked Settlements and Other Locations

S05 Affordable Housing

OTHER MATERIAL CONSIDERATIONS

CRIME AND DISORDER ACT 1998

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

EQUALITY ACT 2010

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

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

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

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

CONSULTATION RESPONSES

Ceredigion Ecology - No objection STC

Cyngor Cymuned Dyffryn Arth Community Council - No objection

NRW - No objection

Ceredigion Highways - No objection STC

Ceredigion Land Drainage - Comments

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”.

This application seeks full planning permission for the fourth phase of development on the Cae John estate in the settlement of Cross Inn. At present the estate comprises 18 dwellings and the proposed application, if approved, would take the total number of units on this site to 26.

The application site lies within the settlement boundary of Cross Inn which is identified as a linked settlement within the Local Development Plan (LDP). Therefore, the proposal must comply with the requirements of Policy S04 Development in Linked Settlements and Other Locations, of the LDP. Cross Inn is a linked settlement for the Llanon Service Group. It has been designated for that purpose in view of the fact that the settlement is located away from public transport, has limited services and would require a car user to live there and attend work / schools. It is therefore inherently less sustainable than Llanon (or Llanrhystud) which have the benefit of public transport and the ability to walk to access basic community services.

The LDP Strategy states that growth outside the Service Centres is only sustainable where it serves to allow the existing community to meet some of its own needs and should come forward gradually throughout the plan period. The 'Linked Settlements and Other Locations' for the Llanon Group have an allowance of up to 39 units for the plan period (2007-2022) and at the end of March 2023, there were 81 commitments (52 completions and 29 outstanding consents) meaning that the number of proposed units had been exceed by 41 units.

Furthermore, the balance between the Service Centre and 'Linked Settlements and Other Locations' by 2022 for this Settlement Group needs to be 26.5%. Currently, the commitments in the Linked Settlements and Other Locations outweigh those in the Service Centre with 55% of development being permitted in those locations. This is despite two large sites being granted permission in Llanon recently, namely the Stad Craig Ddu and land adj Cylch Peris development. This shows that the Service Centre of Llanon is delivering however, the balance remains out due to a high number of commitments in the Linked Settlements and Other Locations.

No justification therefore exists for permitting further units in the Linked Settlements and Other Locations category for this Settlement Group at this point in time, particularly given that 29 outstanding consents can already meet the immediate, short and medium term needs of the Group.

More importantly, Cross Inn has seen significant growth since the start of the plan period in 2007 – it has had commitments of more than 91% of its original scale. This application would take it to approximately 114% growth when the county wide growth cap is 12%. The figure of 12% was taken to ensure that no settlement would have to take more growth than it could sustainably manage and not negatively affect the capacity and culture of the village. If all the commitments come forward Cross Inn will have more than trebled its previous number of dwellings with no increase in the already limited services. At present it is noted that there already are 31 commitments (including 4 outstanding consent) leaving an overprovision of 27 units. From a total of 90 linked settlements within Ceredigion, Cross Inn has the second largest overprovision in the County at -27 units.

The proposal includes 2 affordable units in accordance with policy S05 of the LDP. Notwithstanding, it is the opinion of the Local Planning Authority that the needs of the settlement has already been met by the existing development and that this development would likely encourage too large an influx of people to a linked settlement where development was seen to occur much lighter than in the Service Centre.

This proposal represents an unsustainable form of development and is contrary to the housing strategy of the LDP.

The proposal is contrary to policies S01 and S04 and therefore, the principle is not acceptable.

Furthermore, policy LU06 sets out density guidelines for new residential development. The location character of the proposed site is that of a small rural settlement edge. The LDP sets a guide density of 15 to 25 units per hectare for such locations. The proposed development would therefore exceed the guide density set out under Policy LU06. The policy does allow for the guide density to be exceeded providing adequate amenity space is provided. However, there are concerns with regards to this which are discussed in the context of Policy LU24.

Policy LU24 requires the provision of open space where a development results in more than 10 bedrooms. The proposal will result in 24 bedrooms and therefore, open space will be required. The application does not propose any open space contribution to serve the development. In accordance with Policy LU24 and the Council's Open Space Supplementary Planning Guidance document, 0.0672ha of natural amenity green space should be provided on site for the proposed development (this application). None of the previous phases have provided open space and thus the requirement for the entire site would be greater. When considering the existing 54 bedrooms alongside the proposed 24, 0.156ha of communal accessible natural green space and 0.0624ha of equipped natural play space should be provided to serve the entire site.

As such it is considered that the proposal is also contrary to policies LU06 and LU24 of the Ceredigion LDP.

Whilst there are no objections from an infrastructure or ecological perspective, the recommendation is one of rejection on grounds that the proposal represents an unsustainable form of development and is contrary of the housing strategy. Additionally the proposal would be in conflict with the proposed density for the site and also is lacking open space requirements.

DELEGATED AUTHORITY

Cllr K Henson, the Local Member has requested that the application be reported to the Development Management Committee for the following reasons:

- Increased availability of housing for local people, including two affordable units
- Consideration of TAN2 and proviso that developer is aware of local housing market and the need for housing for local residents
- Infill/extend on existing site with services already in place
- TAN2 – Rural Housing 10.12 - It is important that there is adequate housing provision in rural areas to meet the needs of local people and to contribute to the delivery of sustainable communities
- Cross Inn, forming part of the Llanbadarn Trefeglwys ward within Dyffryn Arth Community Council has a number of services which serves the village well, which includes a Public House, Shop, Bus Service, Local Nursery School (which is used by a number of local residents and employs a number of local people) and various garages.
- The Village is ideally situated with a number of key settlements nearby (Aberaeron, Llanon, Llanrhystud – with a number of smaller settlement nearby – Bethania, Pennant and Nebo).

REASON FOR DEFERRAL

At the Development Management Committee meeting on the 17th July, 2023 Members resolved to defer the determination of the application, in order to allow further time or a 'cooling off' period to consider further policies LU06 and LU24 as this application would exceed the proposed allocation and density further in the linked settlement of Cross Inn.

The Cooling Off Panel met on the 2nd August, 2023 whereby Members gave full consideration to the points raised above together with the latest position in relation to the housing allocation for Cross Inn itself and the Llanon Settlement Group in which the settlement was designated in. Apologies were received from Cllr Rhodri Evans who could not attend the meeting.

It was noted that a new application for the provision of a public open space to serve the estate and thereby comply with policy LU24 had been submitted following the meeting of the Development Management Committee on 17th July, 2023.

It was reported that the main reason for recommending refusal of the application was in view that the residential allocation for Cross Inn, which stood at 4 new units to be provided during the LDP period, had been significantly exceeded and currently stood at -27 which was the second largest over provision in the County. Officers commented that allowing additional units in an unsustainable location which was lacking in facilities was contrary to the LDP and Future Wales and was potentially at risk of a call-in from Welsh Government. Officers acknowledged that the phosphates embargo in the Teifi Valley and the Covid pandemic had played a part in the Authority failing to meet its LDP housing target but not to an extent to justify exceeding the allocation for Cross Inn itself.

Members were of the opinion that the proposal was acceptable in principle and provided good quality affordable housing to local people. Reference was also made that Cross Inn was a growing settlement and that facilities in the village had increased significantly and that it was on the bus route and close to Aberaeron. Occupants who resided at the estate were primarily Welsh speakers and that the development was catering for the needs of the community.

Members however, expressed concern at a potential call in and were of the opinion that the development would be more acceptable and more in compliant with policy if additional affordable housing was provided as part of the scheme in addition to the proposed provision of 2 units. The Panel requested that officers seek clarification from the applicant as to whether they would be prepared to increase the number of affordables as part of this application in addition to the approval of the associated application for the open space area. Should the applicant not agree to the increase in affordable numbers then it was suggested that the application be approved as it stood pending satisfactory resolution of the open space application but subject to that both applications be tied together via a S106 agreement.

Following the meeting of the Cooling Off Panel, officers contacted the applicant to ascertain as to whether they would be prepared to increase the number of affordable units as part of the proposal. The applicant responded and has declined the request on grounds of viability reasons in relation to the costs associated with the construction of the estate road; the application for the open space provision; that the site is already overproviding affordable units; and that the price of the affordable units and the open market units on the estate is negligible.

The application was reported back to the Development Management Committee on 13th September, 2023. A discussion ensued regarding the position in relation to the housing allocation having already being met and whether it was possible for the developer to allocate half of the proposed units as affordable dwellings. The application was deferred by the Committee to enable officers to discuss with the applicant/agent the possibility of increasing the affordable dwellings in the development to 50% of the total number of units proposed (4 units).

In response the applicant confirmed that it was not financially possible to provide further affordable units as part of the proposed development. The reasoning given was that even by providing 2 affordable houses and 6 open market dwellings the developer was making a residual/net loss on the development in view of costs to make up the estate road to adoptable standards; providing services (water, electricity; fibre connections, sewers etc); land purchase costs; development finance and build costs and open space requirement. The applicant claims that providing additional affordable units would not be financially possible.

Notwithstanding and irrespective that the applicant has concluded that they cannot provide additional affordable units, the recommendation of the LPA does not change in that the scheme is unsustainable and contrary to the housing strategy of the LDP and the application should be rejected.

RECOMMENDATION:

To REFUSE the application as being contrary to policies S01 and S04 of the LDP as it represents an unsustainable form of development and is contrary of the housing strategy. It is also contrary to policy LU06 in that it exceeds the proposed density as set out in the LDP.