

At: Aelodau'r Pwyllgor Cynllunio

Dyddiad: 9 Hydref 2014

Rhif Union: 01824 712568

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Annwyl Gynghorydd

Fe'ch gwahoddir i fynychu cyfarfod y **PWYLLGOR CYNLLUNIO, DYDD MERCHER, 15 HYDREF 2014** am **9.30 am** yn **SIAMBR Y CYNGOR, NEUADD Y SIR, RHUTHUN.**

Yn gywir iawn

G Williams  
Pennaeth Gwasanaethau Cyfreithiol a Democrataidd

## AGENDA

### 1 YMDDIHEURIADAU

### 2 DATGAN CYSYLLTIAD

Aelodau i ddatgan unrhyw gysylltiadau personol neu niweidiol mewn unrhyw fusnes a nodwyd i'w ystyried yn y cyfarfod hwn.

### 3 MATERION BRYD FEL Y'U CYTUNWYD GAN Y CADEIRYDD

Rhybudd o eitemau y dylid ym marn y Cadeirydd, eu hystyried yn y cyfarfod fel mater o frys yn unol ag Adran 100B (4) Deddf Llywodraeth Leol, 1972

### 4 COFNODION (Tudalennau 13 - 34)

Cadarnhau cywirdeb cofnodion cyfarfod y Pwyllgor Cynllunio a gynhaliwyd ar 10 Medi, 2014 (copi ynghlwm).

## CEISIADAU AM GANIATÂD I DDATBLYGU (EITEMAU 5-12) -

### 5 CAIS RHIF. 06/2014/0996/PF - OROR FARM, GWYDDELWERN, CORWEN (Tudalennau 35 - 48)

Ystyried cais i godi sied wartheg amaethyddol, seilo bwyd anifeiliaid a chyfleusterau trin yn Oror Farm, Gwyddelwern, Corwen (copi ynghlwm).

**6 CAIS RHIF. 15/2014/0888 / PF - TIR GER CANOL Y CAE, FFORDD Y PENTREF, ERYRYS, YR WYDDGRUG** (Tudalennau 49 - 64)

Ystyried cais i godi adeilad amaethyddol ar gyfer storio a lloches stoc ar dir ger Canol Y Cae, Ffordd y Pentref, Eryrys, Yr Wyddgrug (copi ynghlwm).

**7 CAIS RHIF. 19/2014/0702 / PFT - MAES TRUAN, LLANELIDAN, RHUTHUN** (Tudalennau 65 - 88)

Ystyried cais am osod tyrbin gwynt, uchder both 30.5m ac 45.07m i flaen y llafn, bocs rheoli a gwaith cysylltiedig ym Maes Truan, Llanelidan, Rhuthun (copi ynghlwm).

**8 CAIS RHIF. 31/2013/1079 / PFHY - TIR YN ELWY MEADOWS, FFORDD ISAF DINBYCH, LLANELWY** (Tudalennau 89 - 106)

Ystyried cais am osod cynllun trydan dŵr micro ar dir yn Elwy Meadows, Ffordd Dinbych Isaf, Llanelwy (copi ynghlwm).

**9 CAIS RHIF. 41/2013/0857 / PF - TŶ TAFARN DINORBEN ARMS, BODFARI, DINBYCH** (Tudalennau 107 - 126)

Ystyried cais i newid defnydd a thrawsnewid, gyda dymchwel yn rhannol, o gyn-dafarn i ffurfio 1 annedd ac adeiladu garej ar wahân yn y cefn yn Nhŷ Tafarn Dinorben, Bodfari, Dinbych.

**10 CAIS RHIF. 41/2013/0858 / LB - TŶ TAFARN DINORBEN ARMS, BODFARI, DINBYCH** (Tudalennau 127 - 144)

Ystyried cais adeilad rhestredig ar gyfer trawsnewid a dymchwel yn rhannol ac addasiadau i gyn-dafarn i ffurfio 1 annedd gyda garej newydd ar wahân yn y cefn yn Nhŷ Tafarn Dinorben, Bodfari, Dinbych.

**11 CAIS RHIF. 43/2014/0906 / AD - 79 STRYD FAWR, PRESTATYN** (Tudalennau 145 - 150)

Ystyried cais ar gyfer gosod 2 arwydd ffasgia wedi ei oleuo'n allanol ac 1 arwydd ymwithiol wedi'i oleuo'n allanol yn 79 Stryd Fawr, Prestatyn (copi ynghlwm).

**12 CAIS RHIF. 46/2014/0710 / PF - GWYLFA, SGWÂR BRONWYLFA, LLANELWY** (Tudalennau 151 - 164)

Ystyried cais am newid defnydd o siop Dosbarth A1 i Ddosbarth A3 bwyty a siop bwyd cyflym ar Gwylfa, Sgwâr Bronwylfa, Llanelwy (copi ynghlwm).

**13 MABWYSIADU NODYN CANLLAWIAU CYNLLUNIO ATODOL DRAFFT: 'GOFYNIION PARCIO MEWN DATBLYGIADAU NEWYDD'** (Tudalennau 165 - 210)

Ystyried adroddiad (copi ynghlwm) yn argymhell mabwysiadu'r Canllawiau Cynllunio Atodol drafft 'Gofynion Parcio mewn Datblygiadau Newydd' yn unol â'r diwygiadau arfaethedig ar gyfer penderfynu ar geisiadau ac apeliadau cynllunio yn y dyfodol.

**14 CANLLAWIAU CYNLLUNIO ATODOL SIOPAU CLUDFWYD POETH –  
DRAFFT YMGYNGHORI** (Tudalennau 211 - 226)

Ystyried adroddiad (copi ynghlwm) yn argymhell yr aelodau i gytuno ar y CCA drafft ar siopau cludfwyd poeth fel sail ar gyfer ymgynghoriad cyhoeddus.

**15 DATGANIAD SEFYLLFA: BANC TIR MWYNAU YN SIR DDINBYCH**  
(Tudalennau 227 - 232)

Ystyried adroddiad (copi ynghlwm) yn argymhell aelodau i gytuno ar ddatganiad sefyllfa yng ngoleuni cyhoeddi'r Adolygiad 1af o'r Datganiad Technegol Rhanbarthol a Llythyr Eglurhad CL-04-14 i ddangos ymrwymiad Sir Ddinbych i gyfrannu at y galw am fwynau.

**16 Y DIWEDDARAF AR ACHOS CYDYMFFURFIAETH CYNLLUNIO**  
(Tudalennau 233 - 244)

Ystyried adroddiad (copi ynghlwm) yn diweddarau'r aelodau ar achosion cydymffurfiaeth cynllunio.

**AELODAETH**

**Y Cynghorwyr**

Ray Bartley (Cadeirydd)

Win Mullen-James (Is-Gadeirydd)

Ian Armstrong  
Joan Butterfield  
Jeanette Chamberlain-Jones  
William Cowie  
Ann Davies  
Meirick Davies  
Richard Davies  
Stuart Davies  
Peter Arnold Evans  
Huw Hilditch-Roberts  
Colin Hughes  
Rhys Hughes  
Alice Jones  
Pat Jones

Margaret McCarroll  
Bob Murray  
Peter Owen  
Dewi Owens  
Merfyn Parry  
Paul Penlington  
Arwel Roberts  
David Simmons  
Bill Tasker  
Julian Thompson-Hill  
Joe Welch  
Cefyn Williams  
Cheryl Williams  
Huw Williams

**COPIAU I'R:**

Holl Gynghorwyr er gwybodaeth  
Y Wasg a'r Llyfrgelloedd  
Cynghorau Tref a Chymuned



## **CROESO I BWYLLGOR CYNLLUNIO CYNGOR SIR DDINBYCH**

### **SUT GAIFF Y CYFARFOD EI GYNNAL**

Oni bai bod Cadeirydd y Pwyllgor yn nodi i'r gwrthwyneb, bydd trefn y prif eitemau yn dilyn yr agenda a nodwyd ar flaen yr adroddiad hwn.

### **Cyflwyniad cyffredinol**

Bydd y Cadeirydd yn agor y cyfarfod am 9.30yb ac yn croesawu pawb i'r Pwyllgor Cynllunio.

Bydd y Cadeirydd yn gofyn a oes unrhyw ymddiheuriadau dros absenoldeb a datganiadau o fuddiannau.

Bydd y Cadeirydd yn gwahodd Swyddogion i roi cyflwyniadau byr i'r eitemau ar yr agenda.

Bydd Swyddogion yn amlinellau (fel ag sy'n briodol) eitemau a fydd yn cynnwys siarad cyhoeddus, ceisiadau ar gyfer gohirio, eitemau sydd wedi'u tynnu'n ôl, ac unrhyw eitemau Rhan 2 lle bydd y wasg a'r cyhoedd yn cael eu gwahardd. Bydd cyfeiriadau at unrhyw wybodaeth ychwanegol a ddosbarthwyd yn Siambr y Cyngor cyn dechrau'r cyfarfod, gan gynnwys y taflenni sy'n crynhoi cyflwyniadau/newidiadau hwyr (taflenni glas) ac unrhyw gynlluniau atodol neu ddiwygiedig sy'n ymwneud ag eitemau i'w trafod.

Mae'r 'Taflenni Glas' yn cynnwys gwybodaeth bwysig, gan gynnwys crynodeb o ddeunydd a dderbyniwyd mewn perthynas ag eitemau ar yr agenda rhwng cwblhau'r prif adroddiad a'r diwrnod cyn y cyfarfod. Mae'r taflenni hefyd yn nodi trefn arfaethedig y ceisiadau cynllunio, sy'n cymryd i ystyriaeth unrhyw geisiadau i siarad yn gyhoeddus.

Mewn perthynas â threfn yr eitemau, bydd disgwyl i unrhyw Aelodau sydd am ddwyn eitem i'w thrafod wneud cais yn union ar ôl cyflwyniad y Swyddogion. Rhaid i unrhyw gais o'r fath fod yn gynnig ffurfiol a bydd pleidlais ar y cais.

Mae'r Pwyllgor Cynllunio yn cynnwys 30 o Aelodau Etholedig. Yn unol â phrotocol, mae'n rhaid i 50% o Aelodau'r Pwyllgor fod yn bresennol i sefydlu cworwm ac i sicrhau bod modd ystyried eitem a phleidleisio ar eitem.

Caiff Cynghorwyr Sir sydd ddim yn aelodau o'r Pwyllgor Cynllunio fynychu a siarad ar eitem, ond ni allant wneud cynnig, na phleidleisio.

### **YSTYRIED CEISIADAU CYNLLUNIO**

#### **Y drefn i'w dilyn**

Bydd y Cadeirydd yn cyhoeddi'r eitem sydd i'w thrafod nesaf. Mewn perthynas â cheisiadau cynllunio, cyhoeddir rhif y cais, sail y cynnig a'r lleoliad, yr Aelodau lleol perthnasol ar gyfer yr ardal, ac argymhelliad y Swyddog.

Os oes yna siaradwyr cyhoeddus ar eitem, bydd y Cadeirydd yn eu gwahodd i annerch y Pwyllgor. Os oes siaradwyr yn erbyn ac o blaid cynnig, gofynnir i'r siaradwr sydd yn erbyn i siarad yn gyntaf. Bydd y Cadeirydd yn atgoffa siaradwyr bod ganddynt hyd at 3 munud i annerch y Pwyllgor. Mae gan siarad cyhoeddus ei brotocol ei hunan.

Lle bo hynny'n berthnasol, bydd y Cadeirydd yn cynnig cyfle i'r Aelodau ddarllen unrhyw wybodaeth hwyr ar yr eitem ar y 'Taflenni Glas' cyn parhau.

Os oes unrhyw Aelod am gynnig y dylid gohirio eitem, gan gynnwys ceisiadau i Banel Archwilio Safle ymweld â'r safle, dylid gwneud y cais ynghyd â'r rheswm cynllunio, cyn unrhyw siarad cyhoeddus neu drafodaeth am yr eitem honno.

Cyn unrhyw drafodaeth, bydd y Cadeirydd yn gwahodd swyddogion i roi cyflwyniad cryno i'r eitem lle credir bod hyn yn werth chweil yng ngolau natur y cais.

Mae sgriniau arddangos yn Siambr y Cyngor a ddefnyddir i ddangos ffotograffau neu gynlluniau a gyflwynir gyda cheisiadau. Cymerir y ffotograffau gan Swyddogion i roi argraff gyffredinol i Aelodau o safle a'i amgylchedd, ac nid eu bwriad yw cyflwyno achos o blaid neu yn erbyn cynnig.

Bydd y Cadeirydd yn cyhoeddi bod yr eitem yn agored am drafodaeth ac yn rhoi cyfle i Aelodau siarad a rhoi sylwadau am yr eitem.

Os oes unrhyw gais wedi bod yn destun Panel Archwilio Safle cyn y Pwyllgor, bydd y Cadeirydd fel rheol yn gwahodd yr Aelodau hynny a fynychodd, gan gynnwys yr aelod lleol, i siarad yn gyntaf.

Yn achos yr holl geisiadau eraill, bydd y Cadeirydd yn gofyn i'r aelod(au) lleol siarad yn gyntaf, os yw ef/nhw yn dymuno gwneud hynny.

Fel rheol, rhoddir hyd at bum munud i Aelodau siarad, a bydd y Cadeirydd yn llywio'r drafodaeth yn unol â Rheolau Sefydlog.

Unwaith bod aelod wedi siarad, ni ddylai ef/hi siarad eto oni bai ei fod ef/hi am esboniad o bwyntiau a gododd yn y drafodaeth, a rhaid i hynny hefyd ddigwydd ar ôl i'r holl Aelodau eraill gael cyfle i siarad, a gyda chaniatâd y Cadeirydd.

Ar derfyn trafodaeth yr Aelodau, bydd y Cadeirydd yn gofyn i Swyddogion ymateb yn ôl yr angen i gwestiynau a phwyntiau a godwyd, gan gynnwys cyngor ar unrhyw benderfyniad sy'n mynd yn groes i'r argymhelliad.

Cyn symud ymlaen at y bleidlais, bydd y Cadeirydd yn gwahodd neu'n gofyn am eglurhad o gynigion ac eilyddion i'r cynigion o blaid neu yn erbyn argymhelliad y Swyddog, neu unrhyw benderfyniadau eraill sy'n gofyn am ddiwygiadau i gynigion. Pan gaiff cynnig ei wneud yn groes i argymhelliad y Swyddog, bydd y Cadeirydd yn gofyn am eglurhad o'r rheswm/rhesymau cynllunio dros y cynnig hwnnw, er mwyn i hyn gael ei gofnodi yng Nghofnodion y cyfarfod. Mae'n bosibl y bydd y Cadeirydd yn gofyn am sylwadau gan y Swyddog Cyfreithiol a Chynllunio am ddilysrwydd y rheswm/rhesymau a nodwyd.

Bydd y Cadeirydd yn gwneud cyhoeddiad i nodi bod y drafodaeth ar ben, a bod y pleidleisio i ddilyn.

## **Y drefn bleidleisio**

Cyn gofyn i Aelodau bleidleisio, bydd y Cadeirydd yn cyhoeddi pa benderfyniadau a wnaed a sut fydd y bleidlais yn cael ei chynnal. Gellir gofyn am esboniad pellach ynghylch newidiadau, amodau newydd ac ychwanegol a rhesymau dros wrthod er mwyn sicrhau nad oes unrhyw amwysedd yn yr hyn y mae'r Pwyllgor yn pleidleisio o'i blaid neu yn ei erbyn.

Os yw unrhyw aelod yn gwneud cais am Bleidlais wedi'i Chofnodi, mae'n rhaid ymdrin â hyn yn gyntaf yn unol â'r Rheolau Sefydlog. Bydd y Cadeirydd a Swyddogion yn egluro'r drefn i'w dilyn. Bydd enwau bob un o'r Aelodau pleidleisio sy'n bresennol yn cael eu galw allan, a bydd gofyn i'r Aelod nodi a yw eu pleidlais o blaid neu yn erbyn rhoi caniatâd neu ymwrthod. Bydd Swyddogion yn cyhoeddi canlyniad y bleidlais ar yr eitem.

Os yw pleidlais arferol i ddigwydd trwy gyfrwng y system bleidleisio electronig, bydd y Cadeirydd yn gofyn i'r Swyddogion weithredu'r sgrin bleidleisio yn y Siambr, a phan ofynnir iddynt wneud hynny, mae'n rhaid i'r Aelodau gofnodi eu pleidlais drwy bwysu'r botwm priodol.

Mae gan Aelodau 10 eiliad i gofnodi eu pleidleisiau unwaith bo'r sgrin wedi ymddangos.

Os yw'r system bleidleisio electronig yn methu, gellir cynnal y bleidlais drwy ddangos dwylo. Bydd y Cadeirydd yn esbonio'r drefn sydd i'w dilyn.

Ar derfyn y bleidlais, bydd y Cadeirydd yn cyhoeddi'r penderfyniad ar yr eitem.

Pan fydd penderfyniad ffurfiol y Pwyllgor yn groes i argymhelliad y Swyddog, bydd y Cadeirydd yn gofyn i Aelodau gytuno'r broses a ddefnyddir i ddrafftio amodau cynllunio neu resymau dros wrthod, er mwyn rhyddhau'r Tystysgrif Penderfyniad (e.e. dirprwyo awdurdod i'r Swyddog Cynllunio, i'r Swyddog Cynllunio mewn cysylltiad ag Aelodau Lleol, neu drwy gyfeirio'n ôl i'r Pwyllgor Cynllunio ar gyfer cadarnhad).

Mae tudalen hwn yn fwriadol wag



## PWYLLGOR CYNLLUNIO

### TREFN BLEIDLEISIO

Atgoffir yr aelodau o'r drefn i'w dilyn wrth bleidleisio i roddi neu i wrthod caniatâd cynllunio. Bydd y Cadeirydd neu'r Swyddogion yn esbonio'r drefn i'w dilyn fel y bo angen.

Unwaith y bydd y sgriniau arddangos yn y Siambr wedi eu clirio yn barod ar gyfer y pleidleisio a phan fydd y sgrîn bleidleisio yn ymddangos, bydd gan y Cynghorwyr 10 eiliad i gofnodi eu pleidlais fel a ganlyn:

Ar y bysellfwrdd pleidleisio, pwyswch y

<p>+ i <b>RODDI</b> caniatâd - i <b>WRTHOD</b> caniatâd 0 i <b>BEIDIO</b> â phleidleisio</p>
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Neu yn achos eitemau Gorfodi:

<p>+ i <b>AWDURDODI</b> Camau Gorfodi - i <b>WRTHOD AWDURDODI</b> Camau Gorfodi 0 i <b>BEIDIO</b> â phleidleisio</p>
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Mae tudalen hwn yn fwriadol wag

Cod Ymddygiad Aelodau

**DATGELU A CHOFRESTRU BUDDIANNAU**

Rwyf i,  
(enw)

\*Aelod /Aelod cyfetholedig o  
(\*dileuer un)

**Cyngor Sir Ddinbych**

**YN CADARNHAU** fy mod wedi datgan buddiant **\*personol / personol a sy'n rhagfarnu** nas datgelwyd eisoes yn ôl darpariaeth Rhan III cod ymddygiad y Cyngor Sir i Aelodau am y canlynol:-  
(\*dileuer un)

Dyddiad Datgelu:

Pwyllgor (nodwch):

Agenda eitem

Pwnc:

Natur y Buddiant:

Llofnod

Dyddiad

Mae tudalen hwn yn fwriadol wag

## PWYLLGOR CYNLLUNIO

Cofnodion cyfarfod y Pwyllgor Cynllunio a gynhaliwyd yn Siambr y Cyngor, Neuadd y Sir, Rhuthun ddydd Mercher 10 Medi 2014 am 9.30am.

### YN BRESENNOL

Y Cynghorwyr J.R. Bartley (Cadeirydd), I W Armstrong, J A Butterfield, W L Cowie, M Ll Davies, R J Davies, S A Davies, P A Evans, R L Feeley (Arsylwr), H Hilditch Roberts, E A Jones, P M Jones, G M Kensler (arsylwr), M. McCarroll, W M Mullen-James (Is-gadeirydd), T M Parry, P Penlington, A Roberts, D Simmons, J Thompson-Hill, J S Welch, C H Williams, C L Williams a H O Williams

### HEFYD YN BRESENNOL

Pennaeth Cynllunio a Gwarchod y Cyhoedd (Graham Boase), Prif Gyfreithiwr (Cynllunio a Phriffyrdd) (Susan Cordiner), Rheolwr Rheoli Datblygu (Paul Mead), Prif Swyddog Cynllunio (Ian Weaver), Prif Swyddog Cynllunio (Sarah Stubbs), Swyddog Rheoli Datblygu (Paul Griffin), Uwch Swyddog Cefnogaeth (Judith Williams) a'r Cyfieithydd (Sandra Williams).

#### 1 YMDDIHEURIADAU

Derbyniwyd ymddiheuriadau am absenoldeb oddi wrth y Cyng Jeanette Chamberlain Jones, Cyng Martyn Holland, Cyng Colin Hughes, Cyng Bob Murray, Cyng Bill Tasker, Cyng Rhys Hughes, Cyng Dewi Owens, Cyng Ann Davies, Cyng Peter Owen

#### 2 DATGAN CYSYLLTIAD

Cyng Peter Evans - Personol /Rhagfarnol - Eitemau 2 a 3  
Cyng Ray Bartley - Personol - Eitem 12  
Cyng Huw Hilditch Roberts – Cysylltiad nad yw'n rhagfarnu - Eitem 12

#### 3 MATERION BRYD: Dim

#### 4 COFNODION Y CYFARFOD A GYNHALIWYD AR 18 MEHEFIN 2014

Cytunwyd eu bod yn gofnod cywir gyda diwygiad i gofnodi y dylai T.34 paragraff olaf, ddarllen:

- Eglurhad o fynediad y safle (dim mynediad o flaen yr Eglwys Farmor, dim trafniadaeth adeiladu drwy'r pentref nac ar hyd y ffordd o flaen yr Eglwys Farmor, **na Nant y Faenol Lane**)

#### 5 CEISIADAU AM GANIATÂD DATBLYGU

Adroddiad gan y Pennaeth Cynllunio a Gwarchod y Cyhoedd (a ddosbarthwyd ymlaen llaw) yn ymwneud â cheisiadau a gyflwynwyd sydd angen penderfyniad y Pwyllgor.

*PENDERFYNWYD:-*

- (a) *Bod argymhellion y Swyddogion, fel y'u cynhwysir yn yr adroddiadau a gyflwynwyd, yn cael eu cadarnhau a bod caniatâd neu wrthodiad, yn ôl fel y*

*bo'n digwydd, yn cael ei gyhoeddi fel y bo'n briodol dan y ddeddfwriaeth  
berthnasol mewn perthynas â:-*

**Eitem:** 1

**Cais Rhif:** 12/2014/0611/PF

**Lleoliad:** Tir yn ne-ddwyrain Maes Llan, Derwen, Corwen

**Disgrifiad:** Codi annedd sengl ynghyd â garej sengl ar wahân, creu mynedfa newydd i gerbydau a gosod tanc septig newydd

**Siaradwyr Cyhoeddus:**

**Mrs Manon Jones (O blaid)**

Eglurodd Mrs Jones eu bod wedi gofyn am gyngor gan swyddogion polisi a rheoli datblygu er mwyn sicrhau bod maint a dyluniad yr annedd arfaethedig yn dderbyniol. Roedd hefyd asesiad trylwyr a wnaed gan Grŵp Cynefin fel rhan o'r cyflwyniad. Eglurodd Mrs Jones fod gan ei theulu gysylltiadau cryf â'r gymuned leol ac roeddent yn teimlo eu bod yn bodloni'r polisi cysylltiadau lleol.

**Y drafodaeth gyffredinol:**

Tynnodd y Cyng Eryl Williams (Aelod Lleol) sylw at y ffaith mai'r cais hwn oedd un o'r ceisiadau cyntaf o'r math hwn i gael ei asesu yn erbyn Polisi Cysylltiadau Lleol y Cynllun Datblygu Lleol. Roedd wedi gofyn i'r cais hwn gael ei ddwyn gerbron y Pwyllgor Cynllunio oherwydd ei fod yn teimlo y dylai'r penderfyniad fod yn gwbl dryloyw ac i roi cyfle i bob ochr siarad.

Teimlai'r Cyng Huw Williams fod y cais hwn yn achos gwirioneddol o bobl leol sydd eisiau cartref lleol.

Tynnodd y Cyng Cefyn Williams sylw at y ffaith fod tai o faint a oedd yn diwallu anghenion yr ymgeiswyr yn gwerthu am tua £300k - £400k yn Derwen.

Teimlai'r Cyng Meirick Lloyd Davies fod y rhesymau dros argymhelliad y swyddog wedi eu hegluro'n glir yn adroddiad y Pwyllgor a dyna pam fod y Swyddog yn argymell grant.

**Cynigion:**

Cynigiodd y Cyng Huw Williams argymhelliad y Swyddog i GYMERADWYO yn amodol ar arwyddo cytundeb A106 i sicrhau'r annedd fel cartref fforddiadwy. Eiliwyd hyn gan y Cyng Merfyn Parry.

**PLEIDLAIS:**

**CYMERADWYO - 21**

**YMATAL - 0**

**GWRTHOD - 0**

Felly, y penderfyniad oedd CYMERADWYO caniatâd yn amodol ar gwblhau Ymrwymiad Adran 106.

- a) Sicrhau'r annedd yn fforddiadwy ar gyfer anghenion lleol am byth.
- b) Sicrhau'r taliad swm cymudol perthnasol ar gyfer Mannau Agored

**Eitem:** 2

**Cais Rhif:** 43/2014/0205/PF

**Lleoliad:** 105-107 Stryd Fawr Prestatyn

**Disgrifiad:** Trosi lloriau uchaf dros uned fanwerthu bresennol i ffurfio 3 fflat, dymchwel yr adeilad sadiwr cefn deulawr ac adeiladu estyniad yn y cefn i ffurfio 5 fflat 1 ystafell wely a gwaith cysylltiedig

Datganodd y Cyng Peter Evans gysylltiad â'r cais hwn a gadawodd y Siambr tra bo'r mater yn cael ei ystyried.

**Cyflwynwyd y wybodaeth ganlynol ar y taflenni hwyr:**

Cyngor Tref Prestatyn

"GWRTHWYNEBIAD

Diffyg parcio ar y safle. Dymchwel wal garreg a gosod brics nad ydynt yn gydnaws â statws ardal gadwraeth yn eu lle.

Bydd tai amlfeddiannaeth a mwy o ddatblygiadau preswyl yn arwain at golli cyfleoedd manwerthu ar y Stryd Fawr.

Gor-ddwysáu'r safle. Mae'r safle o fewn cwrtil adeilad rhestredig.

Ystyrir bod y fflatiau arfaethedig yn rhy fach."

**Siaradwyr Cyhoeddus:**

**Allyson Evans (Yn erbyn)**

Teimlai Ms Evans y byddai'r cynnig yn gosod cysail ar gyfer mathau tebyg o geisiadau yn yr ardal. Derbyniwyd bod datblygiad yn angenrheidiol ar gyfer bywiogrwydd y dref ond teimlwyd y byddai materion parcio lleol yn amharu ar ddiogelwch parcio.

**Y drafodaeth gyffredinol:**

Roedd y Cyng Thompson Hill (Aelod Lleol) wedi gwrthwynebu cais tebyg mewn Pwyllgor blaenorol a theimlai y dylai'r cais hwn gael ei wrthod hefyd. Er bod cefnogaeth gyffredinol i ddod â lloriau uchaf siopau yn ôl i ddefnydd, teimlwyd y byddai'r cynnig hwn yn cynrychioli gorddwysau datblygiad yn yr ardal. Er nad oedd y Pensaer Cadwraeth yn gwrthwynebu, teimlwyd bod hwn yn fater goddrychol a gan fod y cynnig yn gyfagos i adeilad rhestredig, byddai maint a graddfa'r datblygiad yn cael effaith niweidiol a fyddai'n anghydnaws â'r adeiladau o amgylch. Felly Cynigiodd y Cyng Thompson Hill i wrthod y cais, yn groes i argymhelliad y Swyddog.

Adleisiodd y Cyng Penlington deimladau'r Cyng Thompson-Hill ac eiliodd y cynnig i wrthod y cais.

Roedd y Cyng Butterfield hefyd yn cefnogi gwrthod gan y bu cais tebyg yn y Rhyl yn y gorffennol a oedd yn cynnwys fflatiau un ystafell wely ac roedd hyn wedi achosi llu o geisiadau cyffelyb.



Tynnodd y Cyng Meirick Lloyd Davies sylw at y ffaith os cynigir gwrthod, yna bod angen rhesymau da ar waith cyn y bleidlais.

Eglurodd y Swyddogion y gallai gorddwysau oherwydd nifer y fflatiau sy'n cael eu cynnig fod yn sail o ran defnydd tir dros wrthod. Roedd wedi cael ei dderbyn bod galw yn yr ardal am fflatiau un ystafell wely a gofynnwyd a ellid defnyddio effaith ar yr Ardal Gadwraeth fel rheswm amddiffynadwy dros wrthod oherwydd cynigiwyd bod y wal gerrig sydd ar hyn o bryd yn wynebu'r safle yn cael ei gadw.

### **Cynigion:**

Cynigiodd y Cyng Thompson Hill wrthod oherwydd gorddwysau, effaith ar yr Ardal Gadwraeth, yr effaith ar yr Adeilad Rhestredig, graddfa Eiliwyd y cynnig dros wrthod gan y Cyng Paul Penlington

### **PLEIDLAIS:**

CYMERADWYO - 5  
YMATAL - 0  
GWRTHOD - 15

### **FELLY GWRTHODWYD CANIATÂD**

Gwnaed y penderfyniad, sy'n GROES i Argymhelliad y Swyddog ar y sail fod y cynigion yn cynrychioli gorddwysau defnydd a byddai'n cael effaith andwyol ar yr Ardal Gadwraeth.

Y seiliau dros wrthod y cytunwyd arnynt wedi hynny ag Aelodau Lleol oedd:

1. Ym marn yr Awdurdod Cynllunio Lleol, mae addasu lloeriau uchaf yr eiddo presennol i greu 3 fflat ynghyd ag ailadeiladu a gosod estyniad yn y cefn i greu 5 fflat (8 fflat i gyd) yn cynrychioli gorddwysau defnydd o'r safle, yn groes i Bolisi RD1 (profion i a vi) Cynllun Datblygu Lleol Sir Ddinbych o gofio y byddai diffyg gofod amwynder preifat ar gyfer preswylwyr y fflatiau, yn groes i'r Canllawiau Cynllunio Atodol y mae'r Cyngor wedi eu mabwysiadu ar Safonau Gofod Preswyl.
2. Ystyrir bod graddfa a dyluniad ailddatblygiad yng nghefn y prif adeilad yn debygol o gael effaith andwyol ar gymeriad a golwg yr Ardal Gadwraeth a lleoliad yr adeilad rhestredig cyfagos (Hen Ficerdy), yn groes i Bolisi VOE1 Cynllun Datblygu Lleol Sir Ddinbych, cyngor ym Mhenod 6 Polisi Cynllunio Cymru Rhifyn 7 (2014), a Chylchlythyr Swyddfa Cymru 61/96 - Cynllunio a'r Amgylchedd Hanesyddol: Adeiladau Hanesyddol ac Ardaloedd Cadwraeth.

**Eitem:** 3

**Cais Rhif:** 43/2014/0206/CA

**Lleoliad:** 105-107 Stryd Fawr Prestatyn

**Disgrifiad:** Caniatâd Ardal Gadwraeth ar gyfer dymchwel garej (ailddatblygu safle sy'n destun cais ar wahân - cyf: 43/2014/0205)

Datganodd y Cyng Peter Evans gysylltiad â'r cais hwn a gadawodd y Siambr tra bo'r mater yn cael ei ystyried.

**Cynigion:**

Cynigiodd y Cyng Julian Thompson Hill wrthod ar y sail nad oedd unrhyw gynllun ailddatblygu yn ei le. Eiliwyd y cynnig gan y Cyng M Lloyd Davies.

**PLEIDLAIS:**

CYMERADWYO: 6

YMATAL: 0

GWRTHOD: 14

**FELLY GWRTHODWYD CANIATÂD**

Gwnaed y penderfyniad, sy'n GROES i Argymhelliad y Swyddogion, ar y sail nad oedd unrhyw ganiatâd cynllunio ar waith ar gyfer ailddatblygu.

Y rheswm dros wrthod oedd:

1. Ym marn yr Awdurdod Cynllunio Lleol, byddai rhoi Caniatâd Ardal Gadwraeth ar gyfer dymchwel yn gynamserol yn absenoldeb caniatâd cynllunio ar gyfer ailddatblygu ar ôl troed yr adeiladau sydd i gael eu dymchwel, a byddai'n creu potensial ar gyfer adeilad hyll mewn lleoliad sensitif yng nghanol y dref a'r Ardal Gadwraeth, yn agos at adeilad rhestredig.

**Eitem:** 4

**Cais Rhif:** 43/2014/0250/PF

**Lleoliad:** 55 Pendre Avenue, Prestatyn

**Disgrifiad:** Codi estyniad unllawr i gefn yr annedd gan gynnwys newidiadau i'r to a ffenestri dormer ar y drychiad ochr i ddarparu llety yn y to

Cyflwynwyd y wybodaeth ganlynol yn y taflenni hwyr:

**Unigolion preifat**

Yn gwrthwynebu, gan:

Mrs B. Gee, 15 Linden Drive, Prestatyn

- Crynodeb o'r sylwadau:  
Effaith annerbyniol ar breifatrwydd / ffenestr ystafell wely yn edrych dros ystafell wely a gardd  
Dylai lefel y to fod yn is

**Cynigion:**

Cynigiodd y Cyng. Arwel Roberts argymhelliad y Swyddog i gymeradwyo'r cais. Eiliwyd y cynnig gan y Cyng M Lloyd Davies.

**PLEIDLAIS:**

CYMERADWYO: 21

YMATAL: 0

GWRTHOD: 0

**FELLY RHODDWDYD CANIATÂD**

**Eitem:** 5

**Cais Rhif:** 45/2014/0617/AC

**Lleoliad:** Shirley, 23 Marine Drive, y Rhyl

**Disgrifiad:** Manylion sgrin arfaethedig i atal mynediad o'r balconi presennol i ardal to fflat a gyflwynwyd yn unol ag amod rhif 5 o ganiatâd cynllunio cod rhif 45/2013/0805

**Y drafodaeth gyffredinol:**

Tynnodd y Cyng David Simmons sylw at y ffaith mai'r bobl oedd â'r rhan fwyaf o faterion gyda'r safle hwn oedd y cymdogion a nododd nad oedd ganddynt unrhyw wrthwynebiad i'r cynnig hwn.

Cytunodd y Cyng M Lloyd Davies fod y safle wedi bod yn un dadleuol a oedd wedi bod yn ffocws llawer o ddadlau. Teimlai y dylai'r sgrin wedi ei rhoi i fyny amser maith yn ôl ac y dylai fod wedi bod yn sgrin sefydlog.

Eglurodd swyddogion ei bod yn sefyllfa gymhleth a bod y gymeradwyaeth hon o amod yn ceisio datrys mater manylion y sgrin yn unig. Fe'i cynigiwyd fel eitem symudol yn hytrach na sefydlog oherwydd rhesymau dihangfa dân.

**Cynigion:**

Cynigiodd y Cyng David Simmons fod yr amod yn cael ei gymeradwyo ac eiliodd y Cyng Pat Jones y cynnig.

Cynigiodd y Cyng M Lloyd Davies fod yr amser i gydymffurfio â'r amod yn cael ei ostwng i 1 mis ac eiliodd y Cyng Alice Jones y diwygiad.

**PLEIDLAIS:**

Roedd y bleidlais gyntaf mewn perthynas â'r diwygiad o un mis i gydymffurfio â'r amod.

CYMERADWYO: 10

YMATAL: 0

GWRTHOD: 11

**Felly, ni chafodd y diwygiad ei gymeradwyo.**

Yr ail bleidlais oedd ar gyfer y cynnig i gymeradwyo'r cais.

CYMERADWYO: 19

YMATAL: 0

GWRTHOD: 2

**FELLY CYMERADWYWYD YR AMOD**

**Eitem:** 6

**Cais Rhif:** 45/2014/0924/PF

**Lleoliad:** Shirley, 23 Marine Drive, y Rhyl

**Disgrifiad:** Manylion diwygiedig am newidiadau ac estyniadau i annedd (a ganiatawyd yn flaenorol dan god rhif 45/2013/0805), symud grisiau allanol, sy'n ymwneud â dylunio amgen i lobi ar y llawr cyntaf i gynnwys grisiau mewnol i lefel y llawr gwaelod a chodi sgrin terfyn ochr uchel 1.8m i ganiatáu defnydd o adran ychwanegol o ardal y to fflat fel estyniad i falconi presennol

**Cyflwynwyd y wybodaeth ganlynol ar y taflenni hwyr:**

Cyngor Tref y Rhyl  
"Dim gwrthwynebiad".

Dyweddodd y Swyddogion eu bod wedi derbyn llythyr hwyr oddi wrth Mr a Mrs Soudegar, 24 Marine Drive, Y Rhyl, yn mynegi'r gobaith mai hwn fyddai'r cais terfynol sy'n ymwneud â'r eiddo hwn.

**Siaradwyr Cyhoeddus:**

Mr Moffat (O blaid)

Eglurodd Mr Moffat y bu hanes maith i safle'r cais ac mai'r prif fater oedd y grisiau allanol. Roedd wedi ceisio sicrhau cynllun gwell i dawelu'r cymdogion. Teimlai y byddai'r cynllun sydd yn awr o flaen swyddogion yn gwella golygfa'r cymdogion yn fawr ac yn llai gormesol. Dywedodd hefyd ei fod yn hapus i gydymffurfio ag uchder y sgrin a awgrymwyd gan Swyddogion

**Y drafodaeth gyffredinol:**

Cyflwynodd Swyddogion yr eitem ac eglurodd fod y cais yn ddiwygiad o'r cynllun blaenorol. Roedd y cynnig yn symud y grisiau allanol a mynd i'r afael â'r mater o edrych dros leoedd.

Cytunodd y Cyng David Simmons mai'r cynnig oedd yr ateb gorau hyd yn hyn.

**Cynigion:**

Cynigiodd y Cyng David Simmons argymhelliad y Swyddog i gymeradwyo ac eiliodd y Cyng Win Mullen James y cynnig.

**PLEIDLAIS:**

CYMERADWYO: 21

YMATAL: 0

GWRTHOD: 0

**FELLY RHODDWDYD CANIATÂD YN AMODOL AR YCHWANEGU'R AMOD  
A NODIR YN Y DAFLEN GYNRYCHIOLAETH HWYR O RAN UCHDER Y  
SGRIN FFINIOL.**

**Eitem:** 7

**Cais Rhif:** 45/2014/0746/PF

**Lleoliad:** Fronfraith 1 Boughton Avenue y Rhyl

**Disgrifiad:** Newid defnydd o swyddfeydd i greu 6 fflat preswyl

**Cyflwynwyd y llythyrau ychwanegol canlynol a oedd yn cynnwys sylwadau:**

Ymgylgoreion:

Cyngor Tref y Rhyl  
"Dim gwrthwynebiad".

#### GWYBODAETH YCHWANEGOL

Mae'r ymgeisydd wedi anfon dogfen 25 tudalen yn nodi materion o blaid rhoi caniatâd 'er mwyn cyflawni datblygiad cynaliadwy o fflatiau yn Boughton Avenue' ac i ... "leddfu ofnau di-sail y cymdogion." Mae crynodeb o'r cyflwyniad yn cynghori

- "Mae pobl oedrannus yn dueddol o gael problemau symudedd, ac mae'n well ganddynt Fyngalos a llety llawr gwaelod, i fflatiau llawr cyntaf (ac ail).
- Eisoës, mae hanner y trigolion llawr cyntaf ar Boughton Avenue yn barod i werthu eu fflatiau llawr cyntaf ers tair blynedd, gan ddatgelu diffyg diddordeb.
- Mae Clarence House yn enghraifft gerllaw o fflat i rai dros 55 oed a gafodd ei orfodi yn ddiweddar i gael ei drosi yn ôl i 'ddefnydd normal' oherwydd anallu i werthu fflatiau llawr cyntaf.
- Ni werthwyd fawr ddim fflatiau llawr cyntaf ar gyfer pobl dros 55 oed ar Boughton Avenue ei hun yn bennaf oherwydd y meini prawf eithrio oedran / gallu.
- NID yw'r Fronfraith wedi'i gynllunio ar gyfer yr henoed, ac ni fydd yn dod o hyd i rai dros 55 oed (prynwyr neu brydleswyr) ar gyfer y lloriau uchaf, yn enwedig yn y farchnad bresennol.
- Yn wyneb y farchnad sydd eisoës yn ddirlawn i fflatiau i bobl dros 55 oed yn y gymdogaeth, mae risg uchel o fflatiau dros ben yn dod yn wag, adfeiliedig neu gael eu fandaleiddio.
- Mae lifftiau yn niweidiol i'r amgylchedd ac yn achosi niwed i genedlaethau'r dyfodol ac felly, yn anymarferol yn economaidd ac yn amgylcheddol. Hefyd, mae angen gwaith helaeth os yw'r lloriau uchaf i fod ar yr un lefel ar gyfer rhai dros 55 oed.

- Ni fu erioed gyfyngiadau oed ar Fronfraith. Nid oes unrhyw bolisi datganedig y Cyngor yn cyfyngu ar grwpiau oedran o'r gymdogaeth hon.
- Mae digon o le a wal ffens, o amgylch Fronfraith, yn ei wahanu oddi wrth y blociau eraill. Yr unig le a rennir yw'r Avenue ei hun.
- Mae peidio prynu'r adeilad tra'r oedd ar y farchnad, ac yn awr bygwth terfynau oedran anymarferol, yn annheg i'r prynwr.
- Hoffai'r prynwr canol oed ei hun aros yn yr eiddo, gan ei fod yn agos at ei weithle.
- Dylai'r genhedlaeth iau hefyd, gael cyfle cyfartal i fanteisio ar y lleoliad, yn unol â'r polisi datblygu cynaliadwy. Mae Deddf Cydraddoldeb 2010, yn gwahardd gwahaniaethu ar sail oedran neu allu i elwa o leoliad.
- Ceir llawer o enghreifftiau o'r henoed yn cyd-fyw yn heddychlon gyda chymdogaethau iau hyd yn oed yn y Rhyl ei hun.
- Bydd datblygwyr yn gwneud eu gorau i sicrhau bod yr ofnau o sŵn, parcio, anifeiliaid anwes ac elfennau afreolus yn ddi-sail."

### **Siaradwyr Cyhoeddus:**

John Horton (O blaid)

Roedd Mr Horton yn siarad fel asiant ar gyfer yr ymgeisydd ac eglurodd fod yr ymgeiswyr wedi ceisio cyflwyno defnydd cynaliadwy ar gyfer yr adeilad. Ni fyddai'r cynnig angen newidiadau sylweddol i'r adeilad presennol ac er nad oedd y parcio yn bodloni'r safon CCY yn llwyr, roeddent yn teimlo bod digon o barcio oddi ar y safle yn y cyffiniau. Roeddent hefyd yn teimlo y byddai'r cynnig yn golygu gostyngiad o ran symudiadau cerbydau i'r eiddo ac oddi yno.

### **Y drafodaeth gyffredinol:**

Teimlai'r Cyng Simmons fod y gwrthwynebiadau a dderbyniwyd oherwydd y ffaith bod yr eiddo eraill yn y ffordd bengaead ar gyfer pobl 55 oed a hŷn a bod y cynnig hwn yn dod â mwy o weithgaredd. Fodd bynnag, nododd fod y fynedfa a oedd wedi bod ar waith cyn defnydd diwethaf yr adeilad wedi ei hadfer a fyddai'n helpu'r mater a byddai'n well ganddo weld y cynnig hwn na'r cynnig i lawer o fflatiau un ystafell wely.

Gofynnodd y Cyng M Lloyd Davies sut y dylai'r wybodaeth am y sylwadau hwyr gael ei darllen gan ei fod yn aneglur beth yr oedd yn ceisio ei ddweud.

Eglurodd y swyddogion fod y wybodaeth ar y daflen sylwadau hwyr yn grynodedig o ymdrechion yr ymgeisydd i fynd i'r afael â gwrthwynebiadau'r cymydog.

### **Cynigion:**



Cynigiodd y Cyng Simmons argymhelliad y Swyddog i gymeradwyo ac eiliodd y Cyng Butterfield y cynnig.

**PLEIDLAIS:**

CYMERADWYO: 22

YMATAL: 0

GWRTHOD: 0

**FELLY RHODDWDYD CANIATÂD**

**Eitem:** 8

**Cais Rhif:** 45/2014/0787/PF

**Lleoliad:** Fronfraith 1 Boughton Avenue y Rhyl

**Disgrifiad:** Trawsnewid, addasu, ac ymestyn y swyddfa bresennol i ffurfio sefydliad preswyl

Cyflwynwyd y wybodaeth ganlynol ar y taflenni hwyr:

Cyngor Tref y Rhyl  
"Dim gwrthwynebiad".

### **GWYBODAETH YCHWANEGOL**

Mae'r ymgeisydd wedi anfon dogfen 22 tudalen yn nodi materion o blaid rhoi caniatâd 'er mwyn cyflawni datblygiad cynaliadwy o fflatiau yn Boughton Avenue' ac i ... "leddfu ofnau di-sail y cymdogion." Mae crynodeb o'r cyflwyniad yn cynghori -

- Roedd 2 Hostel Fronfraith gynt yn Gartref Gofal Iechyd Meddwl 26 gwely. Ni fu erioed gyfyngiadau oedran neu allu ar ei ddefnydd. Mae'r cais hwn ar gyfer dychwelyd i Ganiatâd Cynllunio hŷn yn unig.
- Gall gwahaniaethu ar sail oedran neu allu yn erbyn trigolion yn yr ardal fod yn torri Ddeddf Cydraddoldeb 2010.
- Mae'r galw am welyau Cartref Gofal, gyda deiliadaeth > 90%, eisoes yr uchaf yn y DU, ac yn cynyddu gyda phoblogaeth sy'n heneiddio.
- Mae cynllunio ystafelloedd o faint addas digonol i fodloni rheoliadau diweddaraf AGGCC / AGC yn bosibl. Gellir disgwyl i'r safonau hyn fod yn uwch na rhai o'r cartrefi gofal o dan reoliadau hŷn yn yr ardal.
- Drwy fod yn gallu addasu'r safonau mwy diweddar Cartrefi Gofal, gall Fronfraith ddenu defnyddwyr nad ydynt yn cael safonau tebyg mewn cartrefi sydd eisoes yn bodoli na allant addasu.
- Er y byddai hyn yn gofyn rhywfaint o waith sylweddol, bydd hyn yn fasnachol hyfyw.
- Gall cartrefi gofal greu swyddi newydd, cyflogi pobl, a chyfrannu'n uniongyrchol at dwf economaidd.
- Mae digon o le a wal ffens, o amgylch Fronfraith, yn ei wahanu oddi wrth y blociau eraill. Yr unig le a rennir yw'r Avenue ei hun.

- Mae peidio prynu'r adeilad tra'r oedd ar y farchnad, ac yn awr bygwth cyfyngiadau oedran / gallu anymarferol ar y prynwr, yn annheg i'r prynwr.
- Hoffai'r prynwr ei hun weithio yma, gan ei fod yn agos at ei weithle.
- Dylai'r genhedlaeth iau a phobl anabl hefyd, gael cyfle cyfartal i fanteisio ar y lleoliad, yn unol â'r polisi datblygu cynaliadwy. Mae Deddf Cydraddoldeb 2010 yn gwahardd gwahaniaethu, yn yr achos hwn ymysg y rhai a allai gael budd o'r lleoliad.
- Ceir llawer o enghreifftiau o'r cartrefi nyrsio yn cyd-fyw yn heddychlon mewn cymdogaethau, hyd yn oed yn y Rhyl ei hun.
- Bydd datblygwyr yn gwneud eu gorau i sicrhau bod yr ofnau o swm, parcio, anifeiliaid anwes ac elfennau afreolus yn ddi-sail.”

### **Siaradwyr Cyhoeddus:**

John Horton (O blaid)

Eglurodd Mr Horton fod y cais yn cael ei gynnig gan fod ei gleient yn awyddus i gadw ei opsiynau yn agored ynghylch y safle. Ar hyn o bryd roedd yn ystyried ei fodel busnes a byddai defnydd C2 yn un o'i ddewisiadau. Fodd bynnag, os byddai'r opsiwn hwn yn cael ei gymryd, byddai angen gosod estyniad lifft yng nghefn yr eiddo. Nododd fod yr adeilad wedi ei ddefnyddio fel cartref nyrsio yn y gorffennol.

### **Y drafodaeth gyffredinol:**

Eglurodd y Cyng Simmons, pa bynnag opsiwn y byddai'r ymgeisydd yn dewis ei weithredu, byddai galw yn yr ardal. Byddai'r ddau opsiwn hefyd yn helpu i greu swyddi yn yr ardal.

### **Cynigion:**

Cynigiodd y Cyng Simmons argymhelliad y Swyddog i gymeradwyo ac eiliodd y Cyng McCarroll y cynnig.

### **PLEIDLAIS:**

CYMERADWYO: 19

YMATAL: 0

GWRTHOD: 3

### **FELLY RHODDWDYD CANIATÂD**

**Eitem:** 9

**Cais Rhif:** 45/2014/0927/PO

**Lleoliad:** Hen Safle Honey Club 21-26 Rhodfa'r Gorllewin, y Rhyl

**Disgrifiad:** Datblygu 0.18ha o dir trwy adeiladu gwesty 70 ystafell wely (Dosbarth C1), Bwyty (Dosbarth A3) ac uned Dosbarth A1 / A3 llawr gwaelod (defnydd siop manwerthu / bwyd a diod) (Cais amlinellol gan gynnwys mynediad, ymddangosiad, gosodiad a graddfa).

Cyflwynwyd y wybodaeth ganlynol yn y taflenni hwyr:

Cyngor Tref y Rhyl  
"Dim gwrthwynebiad".

**Siaradwyr Cyhoeddus:**

Julian Seabrook (O blaid)

Diolchodd Mr Seabrook i'r Swyddogion am eu cefnogaeth wrth gael y cais i'r Pwyllgor gydag argymhelliad i ganiatáu.

Eglurodd fod y cais ar gyfer Premier Inn a Brewers Fayre a gobeithiwyd y byddai'r prosiect yn symud yn ei flaen yn eithaf cyflym.

**Y drafodaeth gyffredinol:**

Dywedodd y Cyng Butterfield ei bod yn falch iawn bod y llety hwn y mae ei angen yn fawr wedi dod ymlaen a chynigiodd argymhelliad y Swyddog i ganiatáu.

Dywedodd y Cyng Simmons y byddai'r 70 o swyddi a allai gael eu cyflwyno yn cael eu gwerthfawrogi.

Dywedodd y Cyng Arwel Roberts a'r Cyng M Lloyd Davies y byddai enw Cymraeg yn cael ei ffafrio ar gyfer y safle.

**Cynigion:**

Cynigiodd y Cyng Butterfield argymhelliad y Swyddog. Eiliwyd y cynnig gan y Cyng Cheryl Williams.

**PLEIDLAIS:**

CYMERADWYO: 22

YMATAL: 0

GWRTHOD: 0

**FELLY RHODDWDY CANIATÂD Â'R NODIADAU YCHWANEGOL  
CANLYNOL I'R YMGEISYDD**

1. Sylwch y bydd angen cymeradwyaeth Materion a Gadwyd yn Ôl ar gyfer tirlunio cyn cychwyn ar unrhyw ddatblygiad ar y safle.
2. Bydd angen Caniatâd Hysbysebu ar gyfer yr arwyddion newydd. Mae'r Cyngor yn gofyn y dylid rhoi ystyriaeth i arwyddion dwyieithog.

**Eitem: 10**

**Cais Rhif:** 46/2013/1222/PF

**Lleoliad:** Tir ym Mhlanhigfa Bronwylfa, Bryn Gobaith, Llanelwy

**Disgrifiad:** Codi 15 annedd ar wahân a chreu mynedfa newydd i gerbydau ar 1.44 hectar o dir.

**Y drafodaeth gyffredinol:**

Eglurodd y Cyng Cowie fod dau safle ar yr agenda a oedd yn agos iawn at ei gilydd. Roedd yn teimlo fod yna broblem parcio ar Mount Road ar hyn o bryd. Gofynnodd y Cyng Cowie hefyd a ellir ystyried arwyddion mewn perthynas â'r ardal chwarae.

Gofynnodd y Cyng Cefyn Williams beth oedd rhywogaeth yr ymlusgiaid a oedd wedi eu darganfod ar y safle.

Eglurodd y swyddogion mai'r rhywogaeth o ymlusgiaid a ddarganfu oedd madfall. Eglurodd Swyddogion hefyd fod angen swm cymudol ar gyfer manau agored fel rhan o'r caniatâd, ac efallai y gallai hyn gael ei ddefnyddio ar gyfer arwyddion.

**Cynigion:**

Cynigiodd y Cyng Cowie argymhelliad y Swyddog ac eiliodd y Cyng Simmons y cynnig.

**PLEIDLAIS:**

CYMERADWYO - 20  
GWRTHOD - 0  
YMATAL - 1

**FELLY RHODDWDYD CANIATÂD**

Yn amodol ar gwblhau rhwymedigaeth Adran 106 i sicrhau'r telerau a nodir yn Adran 5.4 o'r adroddiad. (Tudalen 154)

A106 i gynnwys (c) Cynllun Rheoli Ecolegol i gynnwys manylion gweithredu a chwblhau cynigion diogelwch y safle yn y tymor hir, rheoli a gwyliadwriaeth.

**Eitem:** 11

**Cais Rhif:** 46/2014/0436/PS

**Lleoliad:** Tir ar ochr ogleddol Bryn Gobaith, Bryn Gobaith, Llanelwy

**Disgrifiad:** Dileu Amod rhif 15 o ganiatâd cynllunio amlinellol rhif  
cod 46/2013/0802 yn gofyn am gynllun o welliannau yng  
nghyffordd Mount Road/ Bryn Gobaith a thawelu traffig ar  
Mount Road a Bryn Gobaith

**Y drafodaeth gyffredinol:**

Roedd y Cyng Cowie yn bresennol yn y cyfarfod ar y safle a thynnodd sylw at y ffaith nad oedd wedi gweld unrhyw arwyddion i rybuddio defnyddwyr y ffyrdd o bresenoldeb plant.

Cytunodd y swyddogion y byddent yn codi'r mater gyda'r adran Briffyrdd.

**Cynigion:**

Cynigiodd y Cyng Cowie argymhelliad y Swyddog i gymeradwyo ac eiliodd y Cyng M Lloyd Davies y cynnig.

**PLEIDLAIS:**

CYMERADWYO: 21

YMATAL: 0

GWRTHOD: 0

**FELLY RHODDWDYD CANIATÂD**

**Eitem:** 12

**Cais Rhif:** 46/2014/0126/PF

**Lleoliad:** Ysbyty H M Stanley, Ffordd Dinbych Uchaf, Llanelwy

**Disgrifiad:** Dymchwel rhan o adeiladau ac ailddatblygu'r safle er mwyn darparu 54 o anheddau, 33 fflat gyda chyfleuster byw â chymorth, a gwaith cysylltiedig

Datganodd y Cyng Dewi Owens a'r Cyng H Hilditch Roberts gysylltiad â'r cais hwn.

**Cyflwynwyd y llythyrau ychwanegol canlynol a oedd yn cynnwys sylwadau:**

Ymgynghoreion:

Swyddog Priffyrdd

Dim gwrthwynebiad yn amodol ar ailystyried manylion lled ffyrdd, a threfniadau parcio ar gyfer yr Ymddiriedolaeth Ambiwlans a'r Hosbis. Awgrymu cynnwys amodau i ymdrin â'r materion hyn mewn perthynas â datblygu fesul cam.

Swyddog Bioamrywiaeth

Awgrymu cynnwys amodau i sicrhau gweithredu'r argymhellion mewn arolygon a gyflwynwyd.

**Y drafodaeth gyffredinol:**

Roedd y Cyng Cowie a'r Cyng Dewi Owens am sicrhau y rhoddwyd sylw i'r materion canlynol:

1. Mynediad priodol ar gyfer ambiwlansys.
2. Digon o le parcio gyda thir gwastad ar gyfer cadeiriau olwyn
3. Ymgynghoriad ar leoliad cyn y 3<sup>ydd</sup> cam.

Nid oedd y Cyng Bob Murray yn deall pam fod yr elfen tai fforddiadwy wedi ei diystyru oherwydd materion hyfywedd a gofynnodd i'r Swyddogion gyfiawnhau hyn.

Dywedodd y Cyng M Lloyd Davies ei fod yn edrych ymlaen at weld y cynnig hwn yn cael ei gyflwyno. Gofynnodd a fyddai'r datblygwyr yn delio â'r adeilad hynaf yn gyntaf a hefyd a fyddai unrhyw beth yn cael ei wneud i amddiffyn y gât ger ochr y ffordd.

Eglurodd y swyddogion fod yr ymgeisydd wedi gorfod cyflwyno gwerthusiad hyfywedd manwl gyda'r cais. Byddai'r gwaith sydd ei angen ar yr adeilad rhestredig yn ddrud ac roedd rhaid i hyn gael ei gymryd i ystyriaeth. Eglurwyd hefyd y byddai 39 o unedau o adeiladau newydd, 33 o unedau byw â chymorth ac 13 o unedau preswyl yn yr adeilad rhestredig. Roedd y cynnig wedi ei drafod yn y grŵp Aelodau Elwy ac roedd y datblygwr wedi egluro bryd hynny eu bod am ddelio â mater yr Adeilad Rhestredig cyn gynted â phosibl.

Byddai'r gât a oedd wedi ei chrybwyll gan y Cyng Lloyd Davies yn cael ei thrin gan Amod 13 o adroddiad y Swyddog.

Teimlai'r Cynghorwyr Simmons, Butterfield, Cefyn Williams, Merfyn Parry a H Hilditch Roberts i gyd y dylai'r cyfrifiadau cyfraniad tai fforddiadwy fod yn gliriach yn y dyfodol.

Cynigion:

Cynigiodd y Cyng Cowie argymhelliad y Swyddog i gymeradwyo ac eiliodd y Cyng M Lloyd Davies y cynnig.

**PLEIDLAIS:**

CYMERADWYO - 18

GWRTHOD - 0

YMATAL - 1

Yn unol ag argymhelliad y Swyddog yn yr adroddiad i'r Pwyllgor

- Yn amodol ar gwblhau Ymrwymiad Adran 106 i sicrhau'r telerau a nodir yn Adran 5.1 o'r adroddiad (Tudalen 184) a chynnwys yr amodau ychwanegol / nifer ddiwygiedig o amodau a nodir yn y daflen cynrychiolaeth hwyr.



**Eitem ar y Rhaglen: 6**

**Ailystyried Cais Cynllunio Rhif: 45/2013/1545/PO**

**Lleoliad: Hen Barc Coetsis, Graigfechan**

**Cynigion:**

Cynigiodd y Cyng Huw Hilditch Roberts fod yr eitem hon yn cael ei gohirio er mwyn caniatáu ar gyfer trafodaethau pellach ynghylch llofnodi cytundeb Adran 106

**PLEIDLAIS:**

**GOHIRIO: 21**

**PEIDIO Â GOHIRIO: 0**

**Felly gohiriwyd yr eitem.**

Mae tudalen hwn yn fwriadol wag

# Eitem Agenda 5

**WARD:** Llanfair Dyffryn Clwyd / Gwyddelwern

**AELOD(AU) LLEOL:** Y Cyng. Hugh Evans

**RHIF CAIS:** 06/2014/0996/ PF

**CYNNIG:** Codi sied ddefaid, storfa fwyd a chyfleusterau trin

**LLEOLIAD:** Oror Farm Gwyddelwern Corwen

**YMGEISYDD:** Mr Huw Williams

Mae tudalen hwn yn fwriadol wag

Heading:

REFERENCE NO. 06/2014/0996/PF

OROR FARM

GWYDDELWERN

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709



Application Site

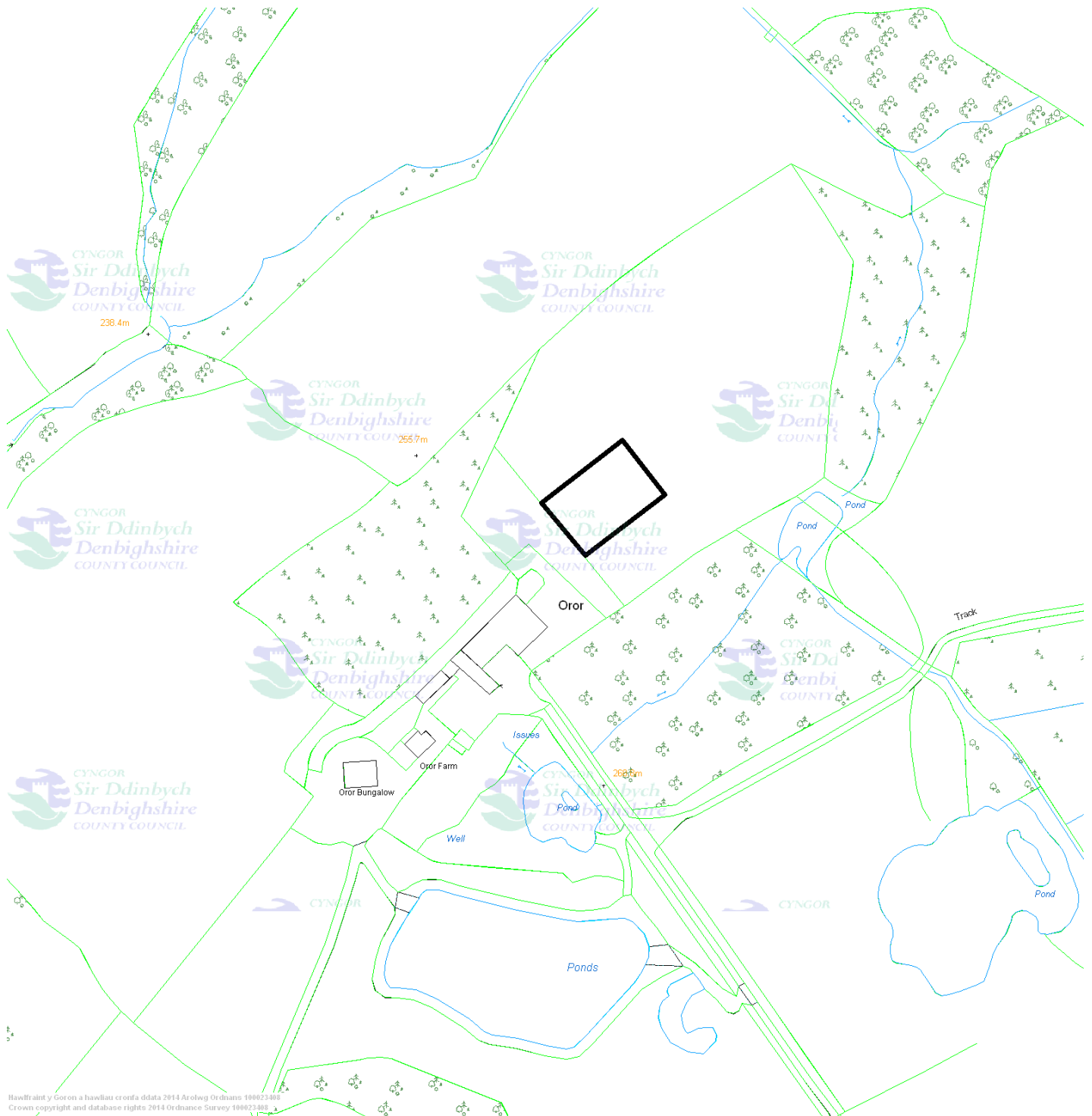


Date 26/9/2014

Scale 1/2500

Centre = 308577 E 347298 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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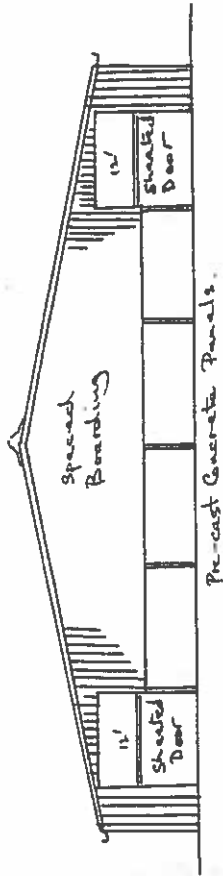
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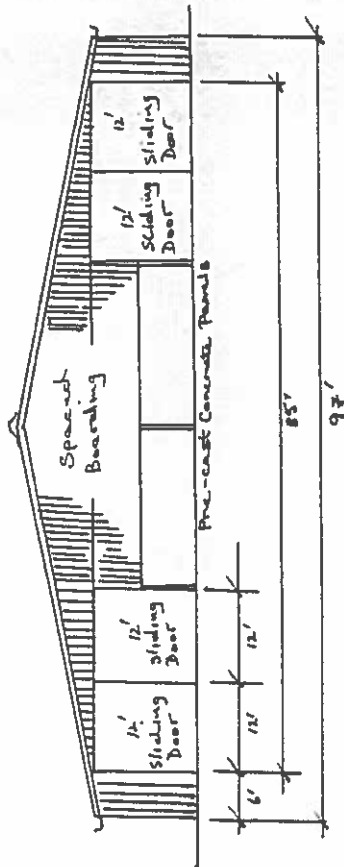


# ELEVATION PLANS

SOUTH ELEVATION 06 2014/0996/PF

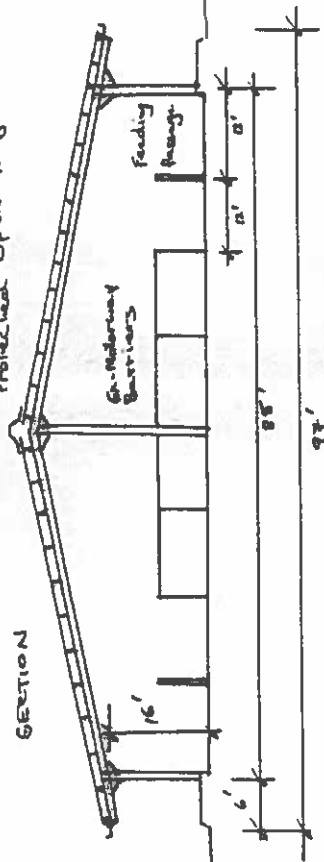


NORTH ELEVATION

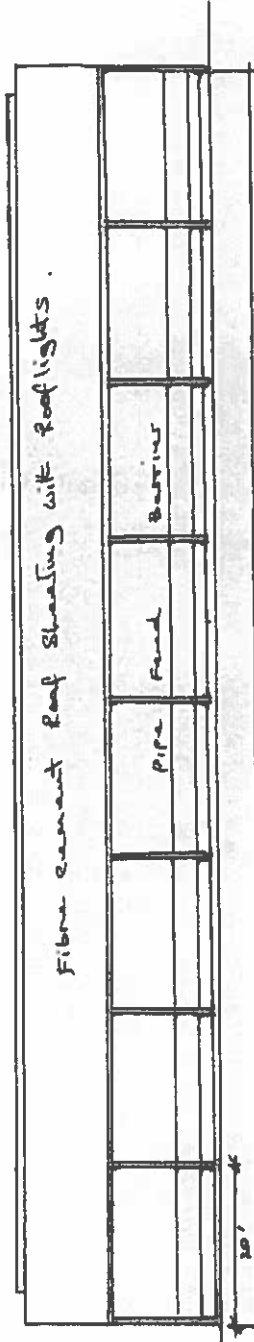


Protected Open Ridge

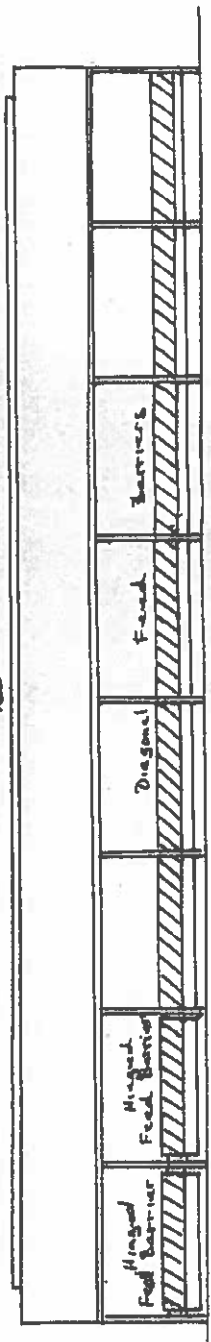
SECTION



WEST ELEVATION



EAST ELEVATION

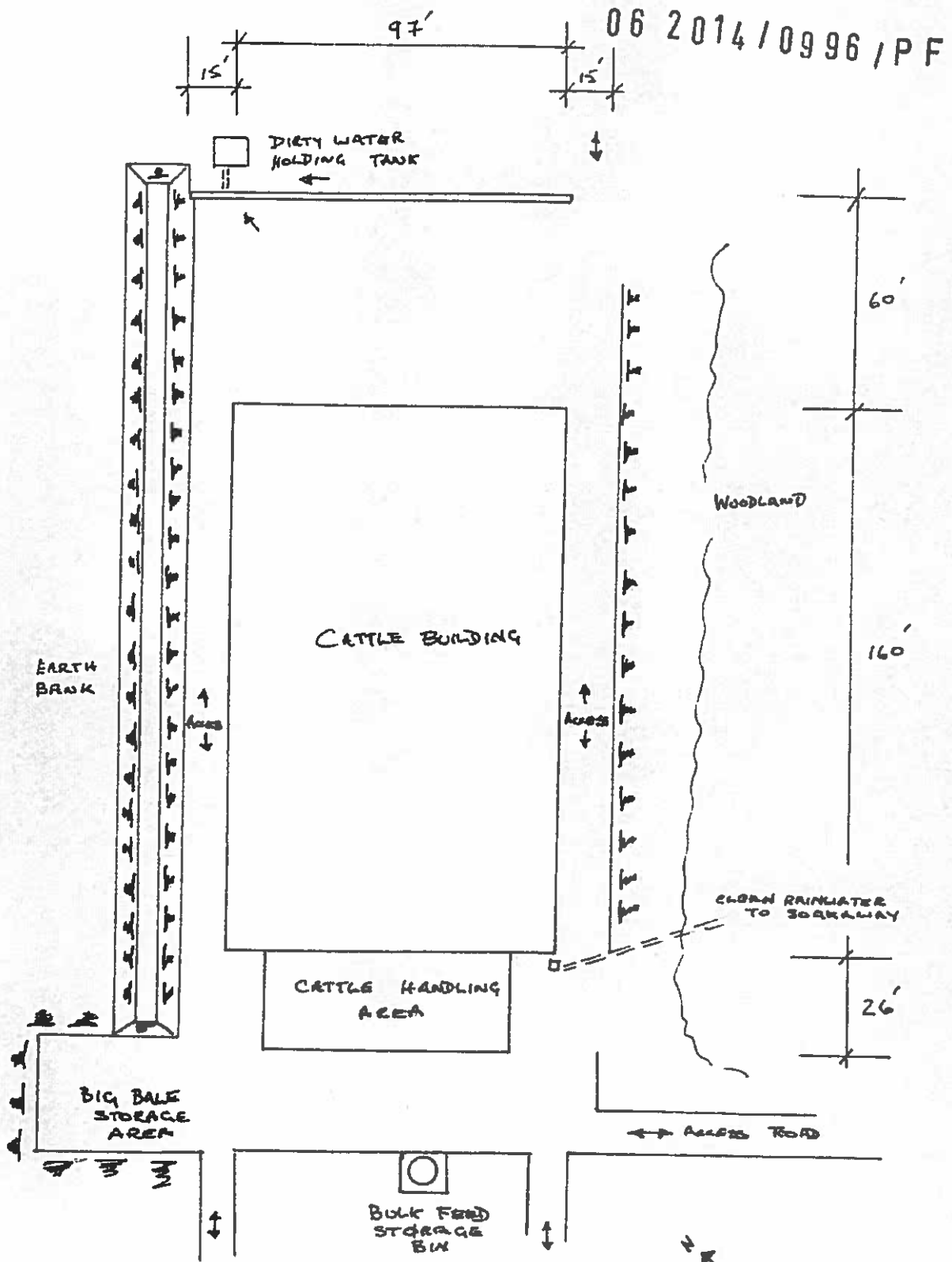


PROPOSED CATTLE BUILDING  
OROR CUNYDELVERN  
SCALE 1:200 OCB 002

Environ Monit Assess



# FLOOR PLAN



06 2014 / 0996 / P F

DENBIGH COUNTY COUNCIL  
 29 AUG 2014  
 DENBIGH  
 PLANNING SERVICES

POSSIBLE CATTLE HOUSING + HANDLING LAYOUT  
 GROR QUYDELLWERN  
 SCALE 1:500 OCB 004



**ITEM NO:** 1

**WARD:** Llanfair Dyffryn Clwyd / Gwyddelwern

**WARD MEMBER(S):** Cllr Hugh Evans

**APPLICATION NO:** 06/2014/0996/ PF

**PROPOSAL:** Erection of an agricultural cattle shed, feed silo and handling facilities

**LOCATION:** Oror Farm Gwyddelwern Corwen

**APPLICANT:** Mr Huw Williams

**CONSTRAINTS:**

**PUBLICITY UNDERTAKEN:** Site Notice – Yes  
Press Notice – Yes  
Neighbour letters - No

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Application submitted by behalf of County Councillor

**CONSULTATION RESPONSES:**

GWYDDELWERN COMMUNITY COUNCIL:  
Awaiting response

NATURAL RESOURCES WALES:  
No objections

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Pollution Control Officer  
Awaiting response

Biodiversity Officer  
Awaiting response

**RESPONSE TO PUBLICITY:**

None

**EXPIRY DATE OF APPLICATION:**

**REASONS FOR DELAY IN DECISION (where applicable):**

- N/A

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 Permission is sought for the erection of a portal steel frame building to house cattle, measuring approximately 30m by 50m long consisting of 8 bays of 6m. Total area would be 1445m<sup>2</sup>.

- 1.1.2 Permission is also sought for an area of hard standing surrounding the proposed building and silo. The bulk feed silo is a standard component and would be approximately 8metres high with a galvanized steel finish. The hard standing is proposed to the south-west of the proposed building. The tower silo will comply with the requirements of BS5061 specifications for a cylindrical forage tower silo and recommendations for their use.
- 1.1.3 Waste muck would be stored in a short term holding area then carried to a field heap. A dirty water holding tank constructed of concrete to avoid any seepage is also proposed. The end wall would be constructed of a concrete panel wall and would have a concrete base sloping into a concrete panel holding tank, with a capacity of 2,000 litres. Livestock would be housed on straw yards to reduce liquid waste. All waste would be spread on the farmland.
- 1.1.4 The proposed cattle shed would be accessed from the existing farm track. The turning area for cattle lorries would be in the existing yard, where the proposed loading bay and handling facilities would be installed.

1.2 Description of site and surroundings

- 1.2.1 The site is outside any development boundaries, and is adjacent to the existing farm complex at Oror Farm.
- 1.2.2 Oror Farm is an isolated farm some 3 miles north of Corwen and 1.5 miles west of Gwyddelwern. It is approached by a public highway then a private road.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is in open countryside.

1.4 Relevant planning history

- 1.4.1 None

1.5 Developments/changes since the original submission

- 1.5.1 None

1.6 Other relevant background information

- 1.6.1 Oror Farm is a well established livestock farm of some 180 acres with 300 sheep and 100 stock cattle. The farm is the main farm in a two holding farming enterprising extending to 230 acres in total.
- 1.6.2 At present Oror Farm has no suitable sheds to house cattle. The new Farm Business Plan has been prepared and the intention is to increase the number of cattle at Oror to 250.

**2. DETAILS OF PLANNING HISTORY:**

- 2.1 None

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

- 3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
None

3.2 Government Policy / Guidance

- Planning Policy Wales Edition 7 2014
- Technical Advice Notes TAN 6 – Planning for Sustainable Rural Communities
- TAN 12 – Design

**4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, 2014 (PPW) confirms the requirement that planning applications

'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity

4.2 In relation to the main planning considerations:

4.2.1 Principle

Given the nature of the proposal for an agricultural building outside of the development boundary, the main issue is considered to be whether there is sufficient justification for the size of the building and whether the siting and visual impact are appropriate or if the building should be set within the existing collection of farm buildings.

Given the existing nature of the site, the amount of land farmed and the new farm business plan, it is considered that the size of the building is justified.

Welsh Government guidance on open countryside development is contained in paragraph 4.7.8 of PPW 7 and states *“Development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design.”*

Paragraph 7.6.5 of PPW 7 states *“Local planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices or are necessary to achieve compliance with new environmental, hygiene or welfare legislation. In addition they should adopt a positive approach to the conversion of rural buildings for business re-use.”*

Paragraph A14 of TAN 6 provides advice to local planning authorities when dealing with Prior Approval submissions for agricultural buildings. However, the guidance on siting and design set out in Paragraph 14 is also considered useful and relevant for the subject application as it states that *“The siting of a new agricultural or forestry building, road, excavation or waste deposit, or fish tank can have a considerable impact on the surrounding landscape. Developments should be assimilated into the landscape without compromising the functions they are intended to serve. New buildings should normally form part of a group rather than stand in isolation, and relate to existing buildings in size and colour. However, new buildings of modern design may sometimes best be separated from a group of traditional buildings to avoid visual conflict. Sites on skylines should be avoided. To reduce visual impact, buildings should be blended into the landscape or, on sloping sites, set into the slope if that can be achieved without disproportionate cost.”*

With regard to the above national guidance it is considered that the proposal is acceptable in principle subject to an assessment of the localised impacts.

#### 4.2.2 Visual amenity

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The impact of a development on visual amenity is therefore a relevant test on planning applications.

The site is located in the open countryside. Immediately to the west is located the main agricultural complex at Oror Farm. There is substantial woodland to the south and west. The site is visible from nearby public rights of ways.

The proposed building would be located close to the existing farm complex, which is in line with national guidance. For this reason it is not considered that the building would appear as an isolated structure in the open countryside. Neither is it considered that the proposed building would appear overly prominent given the topography of the land. It is considered therefore that the proposal is acceptable in terms of visual amenity.

#### 4.2.3 Residential amenity

Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications.

The nearest dwelling that is unrelated to this site is over 450 metres from the site. This dwelling is also a farm dwelling on a neighbouring farm.

It is considered that with this separation distance and the existing nature of the site, it is unlikely that the proposal would have a significant impact upon the residential amenity of the occupants of this property. The proposal is therefore considered to be acceptable in terms of residential amenity.

## 5. SUMMARY AND CONCLUSIONS:

5.1 It is considered that the proposals impacts would not be unacceptable, and it is therefore recommended that permission be granted.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.
2. **PRE-COMMENCEMENT CONDITION**  
Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the walls and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.
3. Should the use of the building for agriculture cease the structure shall be removed from the land within 6 months of the date of the cessation of the use and the land shall be restored to grassland no later than 3 months from the date of removal of the building unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interest of landscape and visual amenity.

**NOTES TO APPLICANT:**

None

Mae tudalen hwn yn fwriadol wag



# Eitem Agenda 6

**WARD:** Llanarmon yn Iâl / Llandegla

**AELOD(AU) LLEOL:** Y Cyng. Martyn Holland

**RHIF CAIS:** 15/2014/0888/ PF

**CYNNIG:** Codi adeilad amaethyddol i storio nwyddau ac i ddarparu lloches i dda byw.

**LLEOLIAD:** Tir wrth ymyl Canol y Cae Ffordd y Pentref Eryrys Yr Wyddgrug

**YMGEISYDD:** Miss F. Parry

Mae tudalen hwn yn fwriadol wag

Heading:

REFERENCE NO. 15/2014/0888/PF

LAND ADJ CANOL Y CAE

VILLAGE ROAD, ERYRYS

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

 Application Site

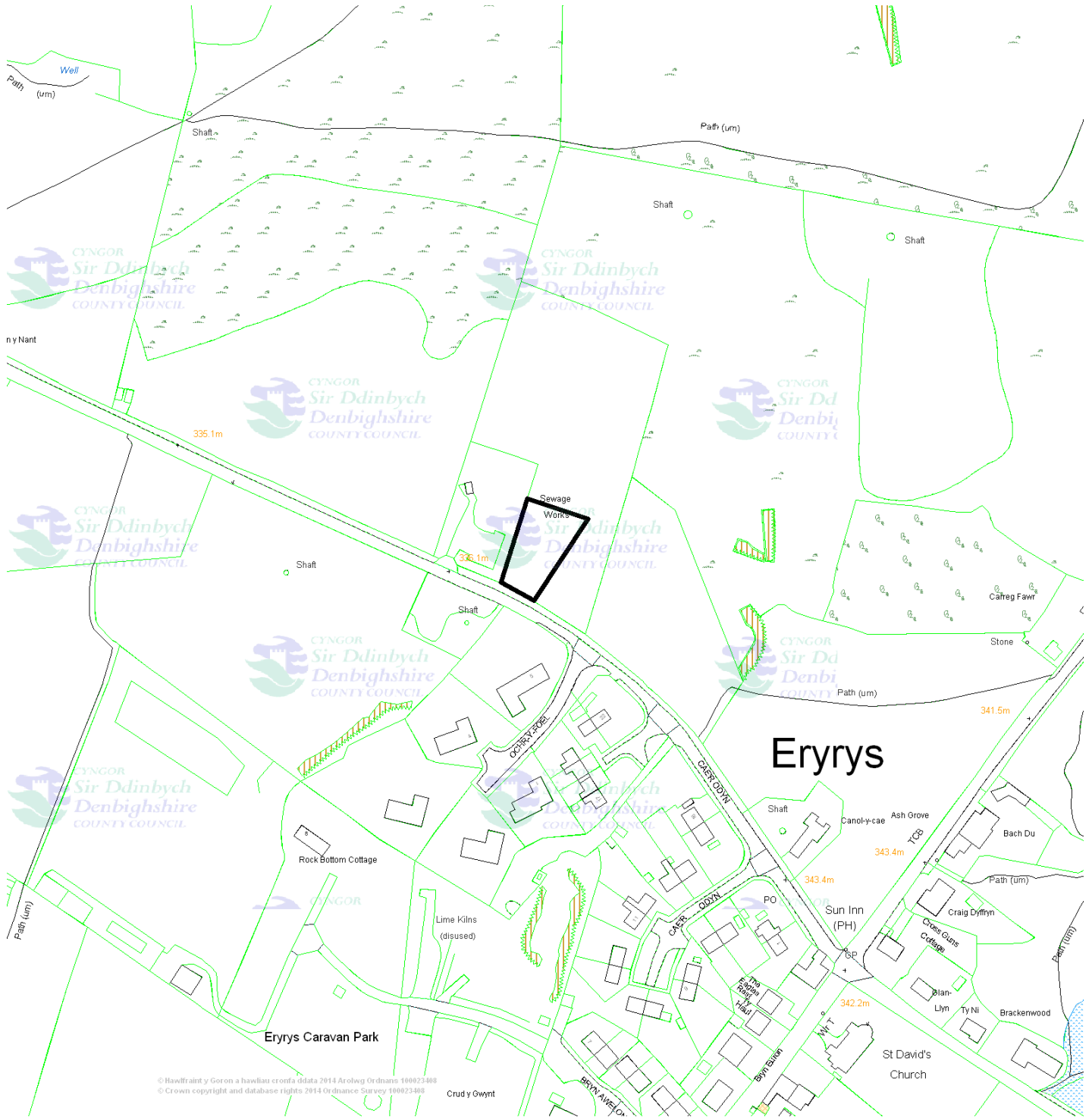


Date 26/9/2014

Scale 1/2500

Centre = 320264 E 358053 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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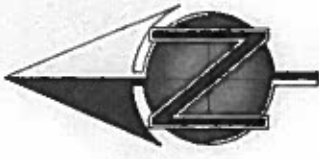
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# SITE PLAN

SCANNER



Site Plan 1:500

Project: Proposed Agricultural Shed to Store Feederlay, Machinery & Shelter for Stock

Drawing No: Proposed Planning Drawings

Client: Meaf F Pury

Drawing No: 15/045/PA/149/01

Scale:	1:500	Page:	A3
Date:	JULY 2014	Rev. No.:	
Drawn:	Chlan Jones	Checked:	

Location: Canol Y Cae  
Village Road  
Eryri  
CH7 4BT

MASS TYDOTTN LLANFANGOGEL OLA CORRWEN LL31 9UF  
TEL: 01499 430 234  
MOB: 07733348977  
E-MAIL: info@meaf.co.uk

Canol-Y-Cae



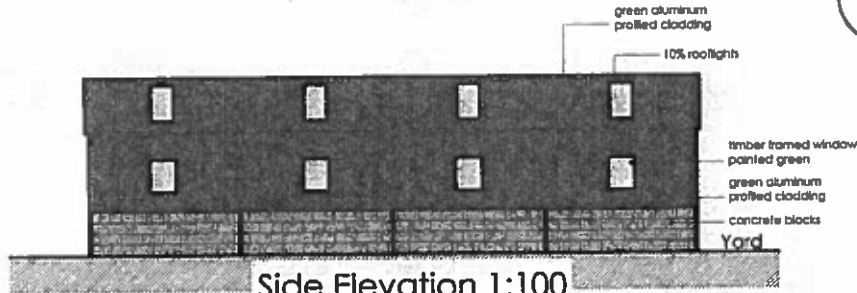
• 1 2 3 4 5 6 7 8 9 10 11 12

# ELEVATIONS

SCANNED



Front Elevation 1:100



Side Elevation 1:100

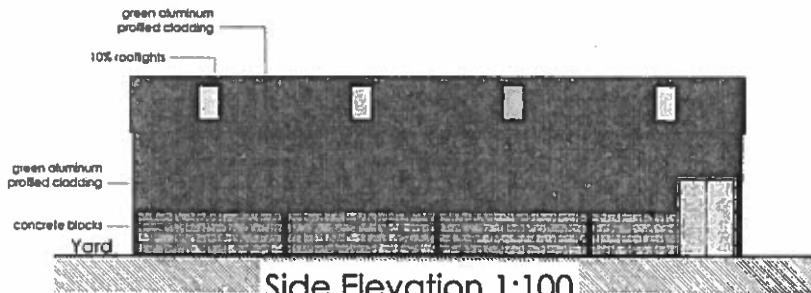


Project Proposed Agricultural Shed to Store Feed Hay, Machinery & Trailer for Slacks		Client Miss F Parry	
Drawing No. Proposed Planning Drawings		Drawing No. 15/043/06/14/P/04	
	Location Canal Y Coy Village Road Gwyn CH7 4BT	Scale 1:100	Sheet A3
	Date July 2014 Author Clash Jones Checker 	Date July 2014 Rev no. Status 	
MADE TYDORN LLANFANGEL, G.B. CORWEN LL21 9LP TEL: 01499 428 284 MOBILE: 07933 09997 E-MAIL: evo37@tiscali.co.uk			

SCANNED



Front Elevation 1:100



Side Elevation 1:100



Project Proposed Agricultural Shed to Store Feed Hay, Machinery & Trailer for Slacks		Client Miss F Parry	
Drawing No. Proposed Planning Drawings		Drawing No. 15/043/06/14/P/03	
	Location Canal Y Coy Village Road Gwyn CH7 4BT	Scale 1:100	Sheet A3
	Date July 2014 Author Clash Jones Checker 	Date July 2014 Rev no. Status 	
MADE TYDORN LLANFANGEL, G.B. CORWEN LL21 9LP TEL: 01499 428 284 MOBILE: 07933 09997 E-MAIL: evo37@tiscali.co.uk			

24 17 23 11



**ITEM NO:**

**WARD:** Llanarmon Yn Ial / Llandegla

**WARD MEMBER(S):** Cllr Martyn Holland

**APPLICATION NO:** 15/2014/0888/ PF

**PROPOSAL:** Erection of agricultural building for storage and stock shelter

**LOCATION:** Land adjoining Canol Y Cae Village Road Eryrys Mold

**APPLICANT:** Miss F. Parry

**CONSTRAINTS:** AONB

**PUBLICITY UNDERTAKEN:** Site Notice – No  
Press Notice – No  
Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

**LLANARMON YN IAL COMMUNITY COUNCIL:**

“The council feel that this agricultural building is far too large for the size of land owned. It was thought there was no need for it to be this big. Also it was felt it was really too big to be so close to the centre of the village. Ruining the character of the village scene. Not supported.”

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY  
JOINT ADVISORY COMMITTEE:**

“Providing the planning authority is satisfied that this small agricultural holding can justify a building of this size to meet the farming need, the JAC has no objection in principle to the proposed development. The siting next to the existing sewage works and the use of green box profile cladding for the walls and roof is supported, but the precise colour should be specified to ensure that the building blends into its rural surroundings. The JAC would also recommend that the doors should be green to match the wall/roof cladding in place of galvanised steel. In addition, the committee would emphasise the need to retain the existing hedges/hedgerow trees to the south and east of the building which help screen the site, and would recommend that these hedges should be gapped up and incorporate new tree planting of appropriate native local species to help further screen the proposed building.”

**NATURAL RESOURCES WALES:**

No objections subject to consultation with Council’s Biodiversity Officer

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Head of Highways and Infrastructure:

- Highways Officer: No objections

Biodiversity Officer:

- No objections, subject to protection of hedges and trees on the boundary

**RESPONSE TO PUBLICITY:**

None received

**EXPIRY DATE OF APPLICATION:**

**REASONS FOR DELAY IN DECISION (where applicable):**

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 Permission is sought for the erection of an agricultural building for storage and stock. It would measure 18 metres by 12 metres, with a ridge height of 5 metres. It is proposed to construct it of metal sheeting and concrete blocks.
- 1.1.2 Permission is also sought for an area of hard standing surrounding the proposed building.
- 1.1.3 The building would be used for storage of implements and fodder for animals and would be used for occasional shelter for livestock.

1.2 Description of site and surroundings

- 1.2.1 The site is outside of the development boundary of Eryrys, and adjacent to a sewerage treatment plant. The site is screened by mature planting and hedging along the boundaries, although in places this planting is sparse.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is in open countryside and within the AONB.

1.4 Relevant planning history

- 1.4.1 None

1.5 Developments/changes since the original submission

- 1.5.1 Following receipt of the Community Councils comments, the applicants have submitted further justification for the size of the building, and their intentions to increase their stock numbers.
- 1.5.2 The applicants justification has been based on DEFRA guidelines:  
**"Housing:** During winter months, or extreme weather conditions, certain breeds of sheep may be housed in barns with open fronted pens or in-by fields provided there is good natural shelter such as hedges. The sheep maybe housed for approximately three to four months depending on weather conditions and the state of grassland and soil. Bedding should be of deep-bedded straw or of alternative bedding materials such as wood shavings. For stocking density and access to water and feed spaces, please use the Defra code of practice:-

Type of sheep	Straw-bedded floor (sq.m)
Lowland ewes during pregnancy (60-90kg per head)	1.2-1.4
Lowland ewes with lambs up to six weeks of age	2.0-2.2
Hill ewes (45-65kg per head)	1.0-1.2
Hill ewes with lambs up to six weeks of age	1.8-2.0
Lambs up to 12 weeks of age	0.5-0.6
Lambs up to 12 months of age	0.75-0.9
Rams	1.5-2.0

**Grassland:** When grassland is capable of supporting livestock the sheep will be turned out to pasture. Typical stocking densities on productive grass can be approximately *six to 10 sheep per acre* However, the stocking density will vary according to climate, topography and grass quality (both farm specific and seasonal variations). Grassland management should include rotational grazing alongside faecal egg counting and appropriate worming regimes to avoid parasitic burden and risk of wormer resistance. Strip grazing may be employed on larger fields and where fodder crops are grown.

The applicants wish to increase the stock numbers over the next few years but without shelter/storage this wont be possible. Taking the above information from the Defra guidelines in to account the applicants can have 96 to 150 sheep on their 16 acres. If they were to house 96 of them over the winter months with lambs they would need at least 172.8m<sup>2</sup>. The shed applied for is 223m<sup>2</sup>. This would leave only 50m<sup>2</sup> to house all feed, hay, tractor and implements too.”

1.5.3 It is indicated that the applicants currently have 30 sheep and 4 horses and own 16 acres of land.

1.6 Other relevant background information

1.6.1 None

**2. DETAILS OF PLANNING HISTORY:**

2.1 None

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

Policy VOE 2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

Policy VOE 5 – Conservation of Natural Resources

3.2 Supplementary Planning Guidance

SPG 18 – Nature Conservation and Species Protection

3.3 Government Policy / Guidance

Planning Policy Wales Edition 7 2014

Technical Advice Notes TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

**4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, 2014 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the

area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity/AONB
- 4.1.3 Residential amenity
- 4.1.4 Biodiversity

4.2 In relation to the main planning considerations:

4.2.1 Principle

Given the nature of the proposal for an agricultural building outside of the development boundary, the main issue is considered to be whether there is sufficient justification for the size of the building and whether the siting and visual impact are appropriate or if the building should be set within the existing collection of farm buildings.

Taking the information from the Defra guidelines in to account the applicants can have between 96 to 150 sheep on their 16 acres. If they were to house 96 of them over the winter months with lambs they would need a building at least 172.8m<sup>2</sup>. The shed applied for is 223m<sup>2</sup>. This would leave only 50m<sup>2</sup> to house all feed, hay, tractor and implements too.

On the basis of this, plus the existing stock numbers, and case put forward by the applicants, it is considered that there is reasonable justification and need for a building of the size proposed.

Welsh Government guidance on open country side development is contained in paragraph 4.7.8 of PPW 7, which states *“Development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design.”*

Paragraph 7.6.5 of PPW 7, which states *“Local planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices or are necessary to achieve compliance with new environmental, hygiene or welfare legislation. In addition they should adopt a positive approach to the conversion of rural buildings for business re-use.”*

Paragraph A14 of TAN 6 provides advice to local planning authorities when dealing with Prior Approval submissions for agricultural buildings. However, the guidance on siting and design set out in Paragraph 14 is also considered useful and relevant for the subject application as it states that *“The siting of a new agricultural or forestry building, road, excavation or waste deposit, or fish tank can have a considerable*

*impact on the surrounding landscape. Developments should be assimilated into the landscape without compromising the functions they are intended to serve. New buildings should normally form part of a group rather than stand in isolation, and relate to existing buildings in size and colour. However, new buildings of modern design may sometimes best be separated from a group of traditional buildings to avoid visual conflict. Sites on skylines should be avoided. To reduce visual impact, buildings should be blended into the landscape or, on sloping sites, set into the slope if that can be achieved without disproportionate cost."*

With regard to the above national guidance it is considered that the proposal is acceptable in principle subject to an assessment of the localised impacts.

#### 4.2.2 Visual amenity and AONB

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The impact of a development on visual amenity is therefore a relevant test on planning applications. In addition, Policy VOE 2 requires assessment of the impact of development within or affecting the AONB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation

The site is located in the open countryside and within the AONB. Immediately to the west is located the Eryrys sewerage treatment plant which has a brick building and ground tanks within the site. To the south are dwellings of mixed designs. The site has a dense hedgerow to the front which includes several mature trees and this is continued along the eastern boundary. The Community Council have objected to the proposal on the basis that building is in the open countryside and would in its opinion have a detrimental impact upon the character of the village. The AONB Committee has not raised an objection and support the proposal provided the boundary planting is strengthened and the colours of the proposed building are controlled.

The proposed building would be located close to existing development (the sewerage plant) and opposite residential dwellings. Whilst acknowledging the proposed building is in the open countryside in planning terms, it is considered that in visual terms the building is unlikely to appear as an isolated structure in the open countryside given other developments nearby. The site benefits from screening which can be also be improved. Neither is it considered that the proposed building would appear overly prominent given the land rises to the rear of the site. With respect to the comments of the Community Council, it is felt the scheme is acceptable in terms of visual impact and therefore complies with the relevant planning policies and guidance, subject to further agreement of the precise materials to be used.

#### 4.2.3 Residential amenity

Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications.

The nearest dwelling is 5 Ochr y Foel, approximately 35 metres from the proposed building. The proposed building would be for storage and some livestock when necessary. The field is already in use for the keeping of animals – sheep and horses.

It is considered that with this separation distance and the existing nature of the site, it is unlikely that the proposal would have a significant impact upon the residential amenity of the occupants of this property. There is unlikely to be an increase in the intensity of use of the field and building as this is governed by the size of the field.

#### 4.2.4 Biodiversity

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

The application site is located approximately 40 metres from the Bryn Alyn Site of Special Scientific Interest (SSSI). Natural Resources for Wales have not raised an objection to the proposal. The County Council Biodiversity Officer has advised that the proposal is unlikely to have an adverse impact upon the SSSI, or protected species.

Given the nature of the nature of the proposal and the comments of both NRW and the County Council Biodiversity officer, it is considered that the proposal complies with the requirements of Policy VOE 5 and would not be likely to result in harm to the biodiversity of the area.

## **5. SUMMARY AND CONCLUSIONS:**

5.1 It is considered that the proposals impacts would not be unacceptable, and it is therefore recommended that permission be granted.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.
2. **PRE-COMMENCEMENT CONDITION**  
Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the walls and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.
3. Should the use of the building for agriculture cease the structure shall be removed from the land within 6 months of the date of the cessation of the use and the land shall be restored to grassland no later than 3 months from the date of removal of the building unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to the commencement of development, a scheme of planting for the southern and eastern boundaries of the site shall be submitted and approved in writing by the Local Planning Authority, and that scheme shall be implemented in the first planting season following the commencement of development.
5. No trees or hedges within the application site shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Those removed without consent or which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing by the Local Planning Authority.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interest of landscape and visual amenity.
4. In the interest of visual amenity.
5. To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.

**NOTES TO APPLICANT:**

None

Mae tudalen hwn yn fwriadol wag



**WARD:** Llanfair Dyffryn Clwyd / Gwyddelwern

**AELOD(AU) LLEOL:** Y Cyng. Hugh Evans

**RHIF CAIS:** 19/2014/0702/ PFT

**CYNNIG:** Gosod tyrbin gwynt 30.5 metr o uchder, 45.07 metr i frig y llafn uchaf, blwch rheoli a gwaith cysylltiedig.

**LLEOLIAD:** Maes Truan Llanelidan Rhuthun

**YMGEISYDD:** Mr A Jones

Mae tudalen hwn yn fwriadol wag

Heading:

REFERENCE NO. 19/2014/0702/PFT

MAES TRUAN

LLANELIDAN

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709



Application Site

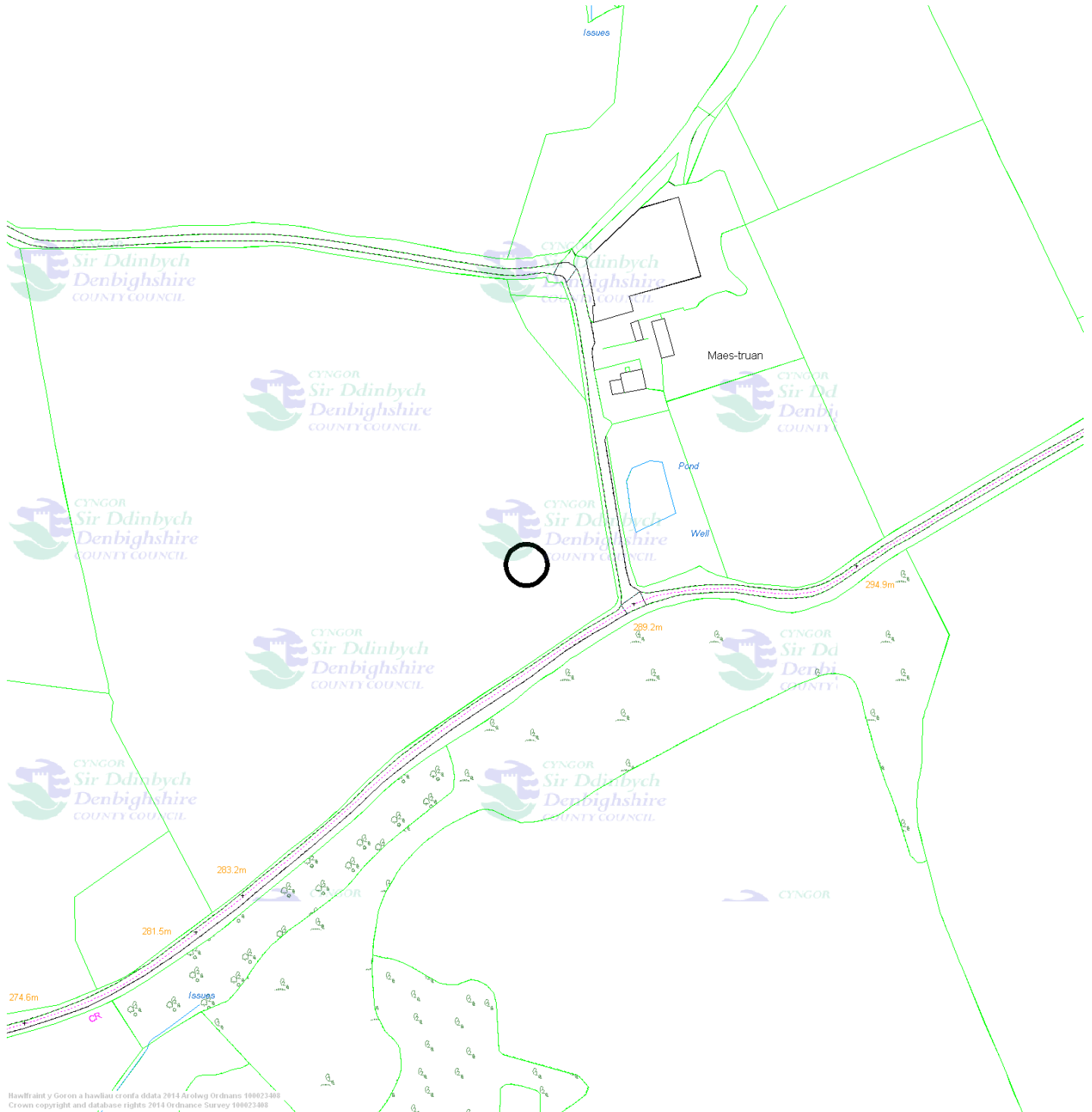


Date 30/9/2014

Scale 1/2500

Centre = 310992 E 347369 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



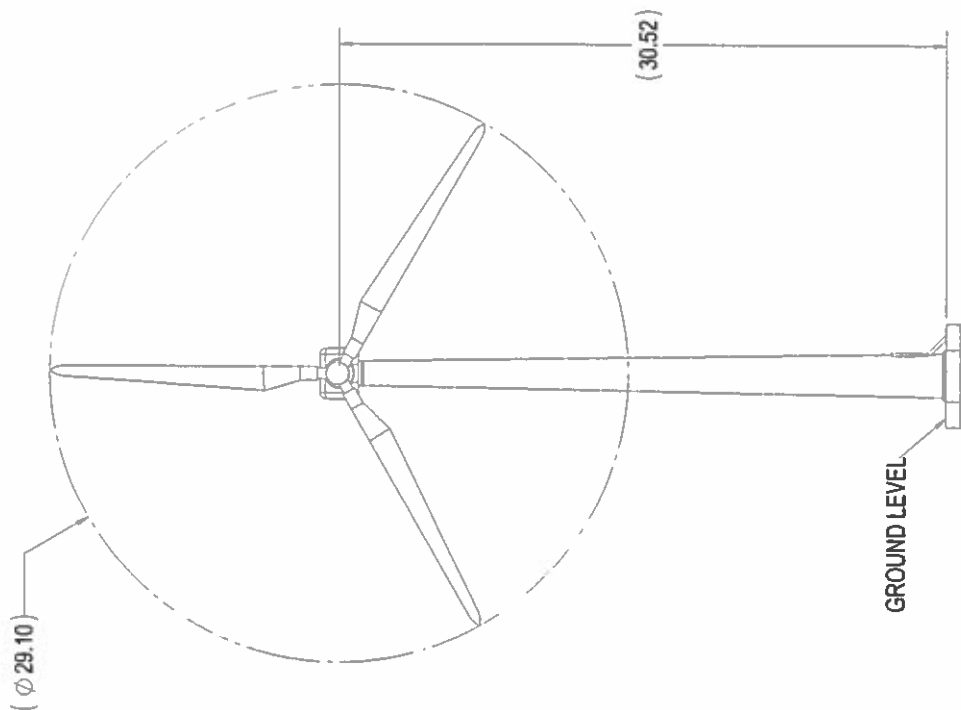
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# TURBINE DETAIL



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RAJESH (OPT)

PROJECT  
X-Series

THIRD ANGLE PROJECTION



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TITLE  
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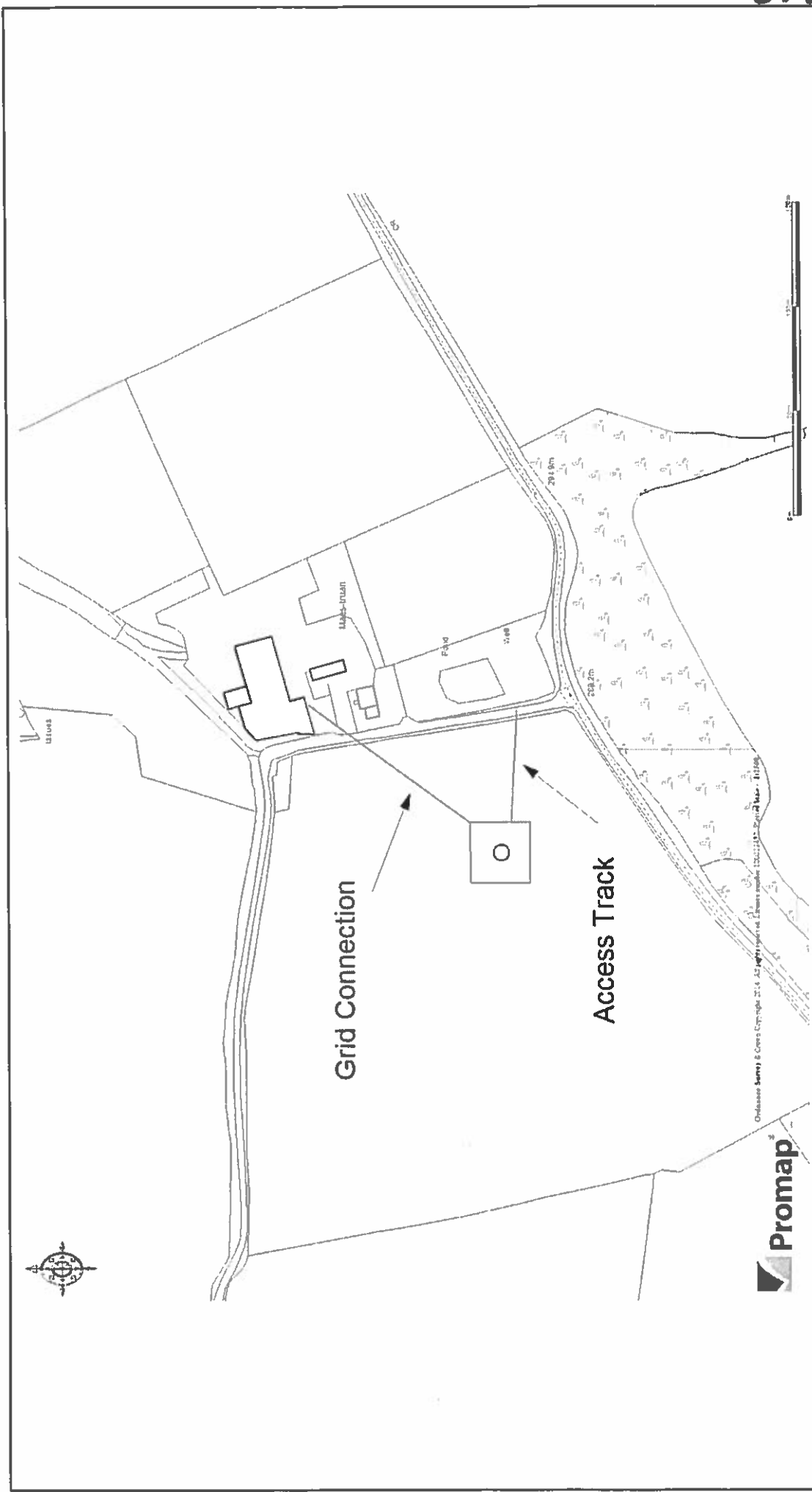
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1 / 07/Mar/2014

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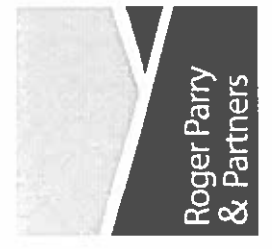


# SITE PLAN



JOB:	Installation of a 30.5m to hub (45.07m to tip) wind turbine with control box and all associated works
CLIENT:	Mr A. Jones
TITLE:	Site Plan
LOCATION:	Maestruan, Llanelidan, Ruthin, Denbighshire, LL15 2RN
SCALE:	1:2500
DATE:	Jun-14
DRAWING NO:	RJC/RBJ/01
DRAWN BY:	RB

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**ITEM NO:**

**WARD:** Llanfair Dyffryn Clwyd / Gwyddelwern

**WARD MEMBER(S):** Cllr Hugh Evans

**APPLICATION NO:** 19/2014/0702/ PFT

**PROPOSAL:** Installation of a wind turbine 30.5m hub height and 45.07m to blade tip, control box and associated works

**LOCATION:** Maes Truan Llanelidan Ruthin

**APPLICANT:** Mr A Jones

**CONSTRAINTS:**

**PUBLICITY UNDERTAKEN:** Site Notice – Yes  
Press Notice – No  
Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Recommendation to grant / approve – 4 or more objections received
- Referral by Head of Ward Councillor

**CONSULTATION RESPONSES:**

LLANELIDAN COMMUNITY COUNCIL “The Members of Llanelidan Community Council have no objections to the above Planning Application received for observations on both 2<sup>nd</sup> July and 27<sup>th</sup> August 2014”.

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY  
JOINT ADVISORY COMMITTEE**

“The JAC objects to this application. A turbine of this size will be visible from a number of significant vantage points in the AONB and will introduce an intrusive and discordant feature into the landscape. It will have a harmful effect on the setting of the AONB and impact on views from the protected landscape and its associated sense of tranquillity, which are recognised special qualities of the Clwydian Range and Dee Valley AONB.

The JAC considers the LVIA to be flawed in its conclusion that there is very little impact on the protected landscape, and is also of the view that the selection of additional photomontage viewpoints from the AONB are unrepresentative of the likely impact from the higher ground of the protected landscape. In addition, the JAC is very concerned about the potential impact on the sense of place and views from the important heritage asset of Caer Drewyn Hillfort.

The committee notes that there is an extant permission for a 19.8m high turbine at Maes Truan and considers this to be the maximum size unit which can be accommodated on this site in such close proximity to the AONB. The JAC’s favoured option for renewables at this site would be a combination of the currently permitted wind turbine in conjunction with a suitably designed roof mounted solar PV installation on the extensive range of outbuildings on the site.”

NATURAL RESOURCES WALES – No comments received at the time of drafting report.

AIRBUS – No aerodrome safeguarding objection.

NATS – No safeguarding objection.

MOD – No comments received at the time of drafting report.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer – no objection in principle, subject to works being carried out in accordance with the construction and installation document.
  
- Footpaths Officer – No Public rights of Way are directly affected by the proposal, but a Public Bridleway does exist 150m away from the site. Reference to the British Horse Society's April 2010 advisory note is made, where it advises a separation distance between turbines and bridleways of three times the tip height or at least 200m (whichever is the greater). However, this minimum separation distance may not be appropriate in all situations and sites should be considered independently.

Pollution Control Officer – Has concerns that the turbine would be too loud at the financially involved property called Maes Truan.

The Noise Assessment provided has not assessed the noise at financially involved properties. Based on Officers simple distance calculation it would be 47.4dBLA90 and therefore exceed the 45dBLA, 10min noise limit (which is the limit advised in ESTU R 97 guidance for financially involved properties.

Additional information should be requested to assess the noise at this location, and if necessary, mitigation measures should be proposed. If no information is forthcoming and consent is granted, would advise that a planning condition is applied to limit the noise from the turbine to 35dB at unrelated properties and 45dB at the two financially involved properties (with other standard noise conditions) to ensure residential amenity is protected.

Ecologist – No objection in principle. Turbine would be more than 50m away from any habitat features likely to be used by bats or birds and the site itself is agriculturally improved with relatively low ecological value. Creation of access tracks should avoid removal of hedgerows; if hedgerow / vegetation removal is required, should be carried out outside of main bird breeding season.

## **RESPONSE TO PUBLICITY:**

### In objection

Representations received from:

The RT HON David Jones MP/AS

Balfours with Berringtons on behalf of Nantclwyd Estate (O)

M. & J. Brooker, Bryn Ysguboriau, Llanelidan (O) x 3

Pauline Baines, Ty Newydd, Cae Du, Corwen (O)

Mr Idwal Hughes, Casgen, Highgate, Bryneglwys (O)A. Hughes, Casgen, Highgate, Bryneglwys (O) x 2

Sue Hughes, c/o Casgen, Highgate, Bryneglwys (O)

A Hughes-Jones, Troed yr Allt, Waen, Nantglyn (O)

I.W. & R.M. Owen, Pwll Pridd, Bryneglwys (C)

Summary of planning based representations in objection:

### Principle:

- Larger than consented 15kW turbine. Proposed turbine is disproportionate for location.

- Effectiveness of turbines questioned, in terms of energy and environmental cost to produce.
- Too big.
- Out of character with sheepfarm / disproportionate to the energy needs of the farm.
- Turbine is designed to make money rather than to meet the needs of the farm.
- Industrialisation of countryside.
- No details of grid connection.

#### Landscape and visual impact and setting of AONB:

- Whilst not within specific landscape designation, will have significant impact on natural landscape and will have a significant impact on Clwydian Range and Dee Valley AONB as evidenced by ZTV plan.
- Application fails to take into account the effect on the landscape character and amenity of the area, however it would have a significant effect on landscape and visual amenity.
- Only receptors referred to in the application are motorists and walkers and does not take into account residents and those who live in adjoining properties.
- Turbine would be visible over an area stretching from Gellifor in north to Llandrillo in south – significant level of visual impact.
- Industrialisation of farmland.
- Hedgerows and trees are seasonal – therefore not well vegetated area.
- Caer Drewyn viewpoint misleading – not taken from higher ground, therefore underestimates the impact on this important viewpoint. From further up the path, the turbine would be clearly visible and would silhouetted against the sky.
- Out of scale with local landscape.
- Will create a greater visual impact than a similar sized static structure.

#### Impact on Listed Buildings and Parks

- Application fails to take into account impact on listed buildings, including Derwen Hall, Clawdd Newydd (Grade II\* listed) and Nantclwyd Hall and Park despite both areas falling within the zone of visual influence shown on ZTV plan. Will therefore affect the character and setting of listed buildings and parks which has failed to have been taken into account by application documents.

#### Residential amenity:

- Clearly visible from principal windows of neighbouring properties.
- Spoil tranquilly and peace of countryside for local residents.
- Too close to residential properties.
- Disturb sleep and cause related health issues.
- Cause shadow flicker at neighbouring properties.

#### Noise (including comments on noise assessment / noise data):

- Neighbouring properties less than 600m away – noise impact
- Turbine sound power rating data is unreliable, is based on tests carried out in 1999 in Scandinavia and turbine model has undergone significant design revisions since. Turbine is now manufactured in a different country by a different manufacturer and therefore there is no proven evidence for this turbine's performance in Britain.
- Background noise levels have not been measured.
- Noise assessment refers to 'existing turbine' however there is no existing turbine in location expressed.
- Concern raised regarding grid references used for assessment.
- Noise at financially involved properties not assessed. ETSU-R-97 recommends for financially involved properties, a higher noise limit is permitted, but no evidence to demonstrate that the higher limit can be complied with.
- Not all properties close to the site have been included in noise assessment.

#### Amplitude modulation (AM):

- Turbines are either 'pitch' or 'stall' control. X-29 turbine proposed is a 'stall' control turbine and therefore can cause greater problems with AM. AM can be experienced up to 1.5km.

Cumulative effects:

- Needs to be considered in context of other granted and proposed turbine development in vicinity
- Proliferation of turbines in area already exert impact and landscape and visual amenity and impact on listed buildings and parks.

Air safety:

- Low flying aircraft seen in area.

Private water supplies:

- Impact on private water supplies not considered.

Highways impact:

- Disruption to road access to neighbouring properties.

Lack of consultation:

- Neighbours not consulted in advance of application being submitted.

In support

Representations received from:

J Ceiriog Jones, Cilgoed, Derwen (S)

Summary of planning based representations in support:

Renewable energy generation:

- Will provide clean renewable energy for local electricity network. Renewable energy is better than nuclear power.

**EXPIRY DATE OF APPLICATION: 21/08/14**

**REASONS FOR DELAY IN DECISION (where applicable):**

- timing of receipt of representations
- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The application is for the erection of 1 no. Endurance X-29 225kW turbine. The turbine would be a three blade horizontal axis turbine, with a hub height of 30.5m and a blade tip height of 45m and a rotor diameter of 29.1m. Each blade is approximately 14.5m in length.
- 1.1.2 The blades and nacelle colour would be signal white (RAL9003) and the tower colour would be painted traffic white (RAL9016).
- 1.1.3 The turbine foundation would be 9.2m x 9.2m and would be to a depth of 2.1m
- 1.1.4 A small control cabinet measuring 2.2m x 1m x 2m would be located adjacent to the turbine and the grid connection would be via the nearby 11kV 3 phase electricity overhead line.

1.2 Description of site and surroundings

- 1.2.1 The site is approximately 3km to the south of Llanelidan and 3.5km to the north-east of Gwyddelwern.
- 1.2.2 The site is an agricultural field adjacent to the Maes Truan farm complex which is currently used as pasture.
- 1.2.3 There are a number of individual residential properties in the locale of the site, with the following within 1km radius of the proposed turbine: Cefn y Wern approximately 555m to the north-west; Ty'n y Pant approximately 565m to the north-east; Bryn Ysguboriau approximately 650m to the west; Hafoty Wen approximately 800m to the south-west and Bryn Tangor approximately 830m to the south.
- 1.2.4 There are 2 'financially involved' properties which are Maes Truan, to the north-east and Ty'n y mynydd approximately 250m to the north.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is outside of defined development boundaries in the open countryside.
- 1.3.2 The site is 1.2m to the west of the Clwydian Range and Dee Valley AONB boundary.

1.4 Relevant planning history

- 1.4.1 The applicant has extant permission for a 15kW turbine in the adjacent field. The permission is extant, but has not been implemented.

1.5 Developments/changes since the original submission

- 1.5.1 Additional photomontage from a viewpoint within the AONB and a noise assessment were submitted and were the subject of a re-consultation exercise.

1.6 Other relevant background information

- 1.6.1 The permission for the 15kW turbine will remain extant until January 2015, however the supporting information submitted with the application states that, should planning permission be granted for the proposed turbine, this permission would be abandoned.
- 1.6.2 Representations have raised concerns regarding the grid reference included on consultation letters issued by the Council and the grid reference referred to in the noise assessment. Officers have subsequently checked the grid references used for the purposes of the noise assessment and are satisfied that they correlate with the site plan submitted with the application.

**2. DETAILS OF PLANNING HISTORY:**

- 2.1 19/2009/1501 Erection of 1 no. 15kW turbine on a 15m mast. Maes Truan, Llanelidan.  
Granted 21/01/2014

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:  
The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

**Policy PSE5** – Rural economy

**Policy VOE1** - Key areas of importance

**Policy VOE2** – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

**Policy VOE5** – Conservation of natural resources

**Policy VOE9** – On-shore wind energy

**Policy VOE 10** – Renewable energy technologies

3.1 Supplementary Planning Guidance

3.2 Government Policy / Guidance

Planning Policy Wales Edition 7 July 2014

Technical Advice Notes

TAN 8 Planning for Renewable Energy (2005)

TAN 5 Nature Conservation and Planning (2009)

TAN 6 Planning for Sustainable Rural Communities (2010)

TAN 11 Noise (1997)

WELSH GOVERNMENT PRACTICE GUIDANCE

### 3.3 Other material considerations

Denbighshire Landscape Strategy (2003) / LANDMAP

Conwy and Denbighshire Landscape Sensitivity and Capacity Assessment for Wind Energy Development, Final Report May 2013

ESTU R 97 and 'A good practice guide to the application of ETSU-R-97 for the assessment and rating of wind turbine noise' (IOAGPG)

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, July 2014 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Context for the development
- 4.1.3 Landscape and visual impact (including impact on AONB)
- 4.1.4 Noise
- 4.1.5 Shadow flicker
- 4.1.6 Ecology
- 4.1.7 Highways
- 4.1.8 Aviation and Radar
- 4.1.9 Other matters

4.2 In relation to the main planning considerations:

#### 4.2.1 Principle

Planning Policy Wales (PPW) reaffirms UK and Welsh Government energy policy and recognises that wind energy generation remains the most commercially viable form of renewable energy in Wales. The principle of wind energy development is therefore set out in national planning policy. This application falls within the 'sub local authority' scale of development in PPW.

TAN 8 supplements PPW and provides technical advice and guidance on renewable energy projects; TAN 8 introduced the principle of spatial planning for the delivery of energy policy and identifies 7 Strategic Search Areas (SSAs) where large scale onshore wind developments should be concentrated.

TAN 8 makes reference to smaller scale (less than 5MW) schemes in para.2.11 - 2.14, however this puts the onus on local planning authorities to define what is meant by 'smaller scale' schemes. It also refers to the need for local planning authorities to consider the cumulative impact of smaller schemes in areas outside of the defined Strategic Search Areas and the need to strike the right balance between the desirability of renewable energy and landscape protection. Whilst that balance should not result in severe restriction on the development of wind power capacity, TAN8 acknowledges there is a case for avoiding a situation where wind turbines spread across the whole of a county.

Denbighshire Local Development Plan Policies

LDP Policy VOE 9 supports the principle of on shore wind turbine development subject to an assessment of environmental and sustainability impacts. The turbine would fall within the sub-local authority scale of development, which VOE 9 indicates will only be permitted within the Clocaenog Forest Strategic Search Area where they do not prejudice the development of strategic/large schemes; and, outside the Area of Outstanding Natural Beauty, Conservation Areas, World Heritage Site and Buffer Zone, and other sites designated for ecological, historic, landscape, or other value, and where they do not adversely affect the setting of these areas.

Policy VOE 10 offers general support for proposals which promote the provision of renewable energy technologies, providing they are located so as to minimise visual, noise, and amenity impacts and demonstrate no unacceptable impact on the interests of nature conservation, wildlife, natural and cultural heritage, landscape, public health and residential amenity.

Policy VOE 9 and 10 provide support in principle for renewable energy development subject to the detailed assessment of localised impacts, which is set out in the remainder of this report.

#### 4.2.2 Context for the development

TAN 6 supports national planning policy on sustainable rural communities and section 3.7 focuses on farm diversification. It states that “*When considering applications for farm diversification projects, planning authorities should consider the nature and scale of the activity*”. It goes on to state that “*many economic activities can be sustainably located on farms. Small on-farm operations such as..... renewable energy, are likely to be appropriate uses*”. Therefore the principle of installing a wind turbine may be a valid farm diversification activity, subject to consideration of the nature and scale of the activity.

LDP policy PSE 5 supports employment proposals for both conversion and new build outside settlement limits providing a number of tests are met.

The DAS states the proposal is a farm diversification scheme. The turbine is sited close to the farm complex. No details of the energy consumption on site are provided, but the objectives of the proposed development are stated to be to support the continued viability of the farm business, provide electricity to offset the energy use on the farm and help reduce the carbon footprint of the business.

TAN 6 does not quantify what is meant by a ‘small on-farm renewable energy operation’, however the Council has previously given weight to the farm diversification merits of turbines with a tip height of less than 50m which are proposed on farms, so Officers would conclude that some weight can be apportioned to the farm diversification merits of the scheme, however Officers would also suggest the benefits need to be carefully balanced against other material considerations.

#### 4.2.3 Landscape and visual impact (including the impact on the AONB)

LDP policies relevant to the visual and landscape impact associated with wind energy development are policy VOE 9 and VOE 10. These policies require due consideration of impacts, including cumulative impact on the surrounding area and community, which includes landscape and visual impact. With regards to sub-local authority scale developments, VOE 9 specifically requires consideration of the potential impact on the setting of an AONB and other designated sites. Policy VOE 1 requires development proposals to maintain and, wherever possible, enhance these areas for their characteristics, local distinctiveness, and value to local communities in Denbighshire: Local areas designated or identified because of their natural landscape or biodiversity value.

The Conwy and Denbighshire Landscape Sensitivity and Capacity Assessment for Wind Energy Development is a material consideration. Within the Sensitivity and Capacity Study, the proposed turbine is within Landscape Unit D5 (Edeirnion Hills), which is in Landscape Strategy Area 3. The Edeirnion Hills Landscape Unit is characterised as being a medium scale landscape comprising a complex pattern of rounded and interlocking hills and valleys and has an overall medium-high sensitivity to wind energy developments due to the number

of sensitive visual receptors, some prominent skylines and inter-visibility with adjoining high value landscapes included the Clwydian Range and Dee Valley AONB. The presence of existing wind turbines within both this area and adjacent landscape units slightly reduces the sensitivity of the local landscape to further wind energy development

The Design and Access Statement includes a landscape assessment and is supported by a number of photomontages from local views mostly from along the public highway. An additional viewpoint from to represent the view from the Caer Drewyn Hillfort was also provided on request.

The landscape section of the Design and Access Statement has considered the impact on the landscape and on visual amenity, and concludes that the proposed turbine would not result in a significant change in the view for residents in the settlements of Gwyddelwern, Corwen, Carrog and Brynelgwys. For individual properties within 1km of the proposed turbine, their sensitivity to change has been evaluated as medium, with the overall effect to these properties considered to be moderate / minor, however the Design and Access Statement does not specify which individual properties have been assessed or what factors were used to carry out the assessment on residential visual amenity.

The visual appraisal section considers the impact on the 6 no. viewpoints selected, which are all viewpoints from along the public highway and represent low sensitivity receptors (i.e. motorists and walkers). No assessment of sensitive receptors such as residential properties, listed buildings, or viewpoints from within the AONB have been considered.

On the matter of the impact on the AONB, the submission documents consider the impact on views from within the AONB will be limited as the ZTV plan provided shows that there will only be minor visibility from areas within the AONB.

A cumulative impact has not been carried out as the only consented turbine within 5km of the site is the extant permission on land in the applicants ownership, which should planning permission be granted, the applicant has confirmed they will not be implementing the extant.

There have been a number of public objections received raising concerns relating to the landscape and visual impact of the proposal, and the AONB JAC have also stated the Caer Drewyn Hillfort viewpoint provided has not be taken from higher ground, and therefore it does not represent the impact of the development at this important viewpoint within the AONB.

Similarly, public objections have raised concerns regarding the lack of assessment of sensitive receptors such as listed buildings, and residential properties, as the landscape assessment provided by the application has primarily focussed on the impact from views along the public highway. Objections have also stated the supporting documentation has not considered the impact on landscape character, and therefore the submission has not adequately assessed the impact on landscape and visual amenity.

The Council's landscape consultant considers the main issues are the effect of the proposal upon the character and visual amenity of the surrounding landscape and the implication of cumulative landscape impacts in relation to existing and consented wind development in the area.

Extent of study area and ZTV – the 15km Zone of Theoretical Visibility (ZTV) plan is insufficient for the purposes of the Landscape and Visual Impact Assessment, however the 5km ZTV map is of a sufficient scale.

Landscape Assessment – The proposed development would consist of a new vertical element in the landscape. The site lies on a slight plateau at the base of the northern slopes to Moel Truan, part of a ridge of hills which run east-west and lie to the north of the Afon Morwynion valley and the A5104 corridor. The site falls within the *Hills South of Llanelidan* LANDMAP Visual and Sensory Aspect Area. Moel Truan (the hill) and Maes Truan (the plateau) have little influence on neighbouring aspect areas. Listed buildings and scheduled ancient monuments are within the zone of theoretical visibility and would have views of the turbine



and the overall evaluation for the Cultural Landscape aspect area for the *Uplands to the west of Vale of Clwyd* is deemed to be high.

- Local scale (within 2km): The development, the wind turbine would likely be a prominent feature and would have a slight to moderate detrimental impact on the local area. At a total height of 45 m, the wind turbine would be slightly out of scale with agricultural buildings, dwellings and mature trees in the vicinity of Maes Truan. The proposed turbine would be in a prominent location in the field to the south-east and at a higher elevation to the farm dwelling.
- Intermediate scale (2km – 5km): The development, at an intermediate scale, the wind turbine would likely be a noticeable feature. The strongly undulating landscape and field boundary hedgerows would help to restrict the influence on certain areas. The intermediate area would include operational small wind turbines. From the AONB at Caer Drewyn in Corwen the northward view features infrastructural elements such as National Grid pylons, small scale operational turbines in the vicinity of Gwyddelwern, large scale operational wind turbines within Clocaenog SSS-A and industrial elements at Clawdd Poncen.
- Distant scale (5-15km): The development, at a distant scale the turbine would have a negligible influence on upland areas to the east and south. Within neighbouring LANDMAP visual and sensory character areas are operational medium and large scale wind turbines and a consented very large scale wind farms at Derwydd Bach in Melin-y-Wig and Clocaenog Forest. Views from uplands such as the Llantysilio ridge and Berwyn plateau already take in operational windfarms within the Clocaenog SSA-A.

#### Visual Assessment:

- 10 representative photomontage viewpoints and wireline presentations have been submitted, which are satisfactory quality however they represent a best case scenario as photographs were taken in summer months. The nature of the local landscape means that in the winter, when leaves have fallen, views of the development would be more readily available.
- 2 viewpoints represent intermediate views from where the turbine would not be visible. This demonstrates how the undulating terrain affects the visual influence, however views from popular viewpoints such as publicly accessible summits were not assessed. From this assessment the impression given is that the development would be a prominent feature within views up to 2 km distance from the site and a barely noticeable feature between 2 and 5 km distance, should the viewer look for it. There are no visual representations beyond 5 km.
- Maes Truan sits on a plateau. Moel Truan would effectively screen the proposed turbine from the south and south-east. Views from the network of unclassified roads that connect the settlements that surround the Llanelidan hills are available where gaps in mature hedgerow vegetation allow. During winter months, the effectiveness of the screen provided by deciduous vegetation would be greatly reduced.
- There are several scattered dwellings, farms and countryside rights of way that are situated along the network of unclassified roads. Dwellings within the Afon Hesbin/Nant Fawr valleys with local and direct views of the proposal would be very few. Photomontages 1 to 4 represent the main views that are available to local inhabitants.
  - What is clear is that the proposal would introduce a new infrastructural element to an area that suffers no existing view of operational wind turbines. Views from the head of the Afon Hesbin valley are particularly limited and free of major infrastructure, but views from the head of the Nant Fawr valley do feature National Grid pylons.
  - From the local dwellings of Cwm and Cefn-griolen, the view of the proposed turbine would be interrupted by agricultural buildings, but direct views would be available from the building curtilage or farm yard.
  - From Cefn-y-wern, Aber-y-groes and Groes-wen a direct view would be available, but filtered by mature trees, the effectiveness of which would be reduced in winter. It is considered that these three dwellings would be highly sensitive to the development.

- Views would also be available from Bryn ysguboriau, Blaen-cwm and Ty'n y pant (although the latter is no longer contain habitable dwellings), and Ty'n-y-mynydd and Maes Truan are occupied by the applicant. Views would also be available from the curtilage of the small Chapel at Cefn-y-wern, now disused. Apart from Maes Truan, views do not include any other operational wind turbines.
- From public footpaths and bridleways the turbine would be clearly visible where existing views of the proposal site/field are available. An alignment of minor roads, byways, bridleways and footpaths run along the northern ridge of the Nant Fawr/ Afon Hesbin valley would offer uninterrupted views of the turbine.
- Outside of the Hesbin and Nant Fawr valleys, direct views of the turbine would be effectively interrupted by the undulating landform and mature hedgerows that line the unclassified roads. At intermediate distances, views of the hub and blades would be available from higher ground.
- From the major settlement cores, intervening landform would disrupt the views.
- From Caer Drewyn, the proposed turbine may not breach the skyline but it would be positioned at a point where two distinctive ridges appear to meet.

Cumulative Impact:

- The DAS considers that the development would have no cumulative impact when perceived with other operational and consented wind energy schemes. However the DAS fails to mention the 3 operational turbines at Tyn y Celyn in Gwyddelwern, which would be within 5 km of the development and the Wern Ddu turbines are also visible from the Maes Truan plateau.
- The ridge which the proposed turbine would appear on interrupts views of the Clocaenog Forest area beyond, and may also screen the consented developments at Derwydd Bach (Melin-y-Wig), and Clocaenog Forest. Local undulations in terrain interrupt the visibility between Maes Truan and the Tyn y Celyn turbines.
- Cumulative views would be available from the Caer Drewyn summit, but views from the hill fort are extensive. The turbine would be seen as detached from other operational and consented wind energy developments that are concentrated to the north-west. When viewed from the Llantysilio ridge, the proposal would be seen amongst other wind energy developments further afield. When viewed from the Clwydian ridge, the distances involved would make the proposed turbine difficult to distinguish.

Conclusion - The installation of a single small sized wind turbine could reduce the sensitivity of the Edeirnion Hills landscape unit to wind energy development and set an example for future proposals within the area. There are no similar small-scale wind turbines at this south-eastern edge of the Edeirnion hills, the nearest being in Gwyddelwern, in an area which is influenced by the A494 corridor and National grid pylons.

The Landscape Consultants consider that the proposal would have a moderately detrimental impact on an area of high scenic value. The local area is not yet influenced by wind energy development. When viewed from the wider landscape, from the south-west in particular, the turbine would add to the spread of wind turbines in this part of Denbighshire and may set a precedent for further development should it be permitted.

The turbine site is close to the Clwydian Range and Dee Valley AONB. It would affect the setting of the AONB, in terms of inward and outward views, and also those from across the two regions of the AONB. In conclusion, the Landscape Consultant advise the application should be refused.

Having regard to the Landscape Consultant's assessment, consultation responses and the submission documents, Officers consider the proposal would introduce wind energy development to an area which is not yet influenced by wind energy development or other major infrastructure (such as A roads and grid infrastructure). The ridge which the proposed turbine would appear on interrupts views of the Clocaenog Forest area beyond, and may also screen the consented developments at Derwydd Bach (Melin-y-Wig), and Clocaenog Forest. Local undulations in terrain interrupt the visibility between Maes Truan and the Tyn y Celyn turbines. The proposal would therefore contribute to the spread of wind energy development

beyond the Clocaenog Forest SSA-A and have a detrimental visual impact on an area of high scenic quality, and the proposal is therefore contrary to policy VOE9.

#### 4.2.4 Noise

LDP Policy VOE 9 requires due consideration of impacts of wind energy development on the surrounding area and community. VOE 10 states development proposals should demonstrate no unacceptable impact on public health and residential amenity. TAN 11 relates to the assessment of noise in relation to development proposals. The general guidance is that local planning authorities should ensure noise-generating development does not cause an unacceptable degree of disturbance, but in some instances it may be acceptable to allow noise-generating activities near to noise sensitive receptors.

ETSU-R-97 is the industry standard for the Assessment and Rating of Noise from Wind Farms, and is cited in TAN 8 as the relevant guidance on good practice. In May 2013, the Institute of Acoustics published 'A good practice guide to the application of ETSU-R-97 for the assessment and rating of wind turbine noise' (IOAGPG) which Officers consider is also material.

For single turbines ESTU-R-97 proposes that a simplified noise condition may be suitable and recommends that noise is limited to  $35\text{dB}_{\text{LA90, 10min}}$  (A) up to wind speed of 10m/s at 10m height and considers that this condition alone would offer sufficient protection of amenity, and background noise surveys would be unnecessary. For properties where the occupant has a financial interest in the development, ESTU-R-97 allows a higher level of 45dB limit.

However, where a proposed turbine is adjacent to existing wind turbine development, the application of the simplified noise condition would be inappropriate, as cumulative noise effects need to be taken into account.

The applicant has extant planning permission for a 15kW turbine in the adjoining field, however this permission has not been implemented and the applicant has confirmed it is not proposed to pursue this application should consent be granted for the proposed turbine. Therefore the cumulative effects of the consented turbine in combination with the consented turbine have not been assessed.

Should consent be granted for the proposed turbine, the applicant has also confirmed they would be willing to enter into a Legal Agreement to enable the Council to revoke the extant permission under the provision of the 1990 Planning Act without any financial recourse being taken by the applicant.

A detailed noise assessment has subsequently been submitted by the applicant as the initial information did not adequately consider the noise effects of the proposal.

The Noise assessment is based on the noise data from the proposed turbine taken from the document 'Noise study of Norwin 29/225 kW wind turbine, which has been approved by the manufacturer but is currently not warranted. For the purposes of the assessment, an 'uncertainty correction' of 2dB has been applied.

A public objection has raised concerns regarding the validity of the sound power rating which has been applied, given that it was determined in 1999 when the turbine model was being manufactured by a different manufacturer and had been tested outside the UK.

The Public Protection Officer has informally contacted a noise consultant previously retained by the Council, and whilst recognising the sound power rating was evaluated some time ago, is satisfied it is representative of the turbine proposed, and is also satisfied with the methodology applied in the noise assessment.

The noise assessment has assessed the noise impact at 6 no. neighbouring residential properties (Bryn Eithin, Bryn Ysguboriau, Hafoty Wen, Bryn Tangor, Cefn y Wern and Ty'n y Pant), however the assessment has not considered the impact of the proposed turbine at the 2 no. financially involved properties.

The assessment also contains a cumulative noise assessment with what is referred to as an 'Existing Turbine'. However, there is no planning permission at the grid references given for this turbine, nor has an application been submitted for one at the time of drafting this report. An EIA Screening Opinion has, however been issued for a turbine at Hafoty Wen. Whilst proposals for a turbine at this site may be at pre-application stage, as no planning application has been lodged with the Council, Officers consider little weight can be apportioned to the cumulative assessment and have instead focussed on the impact of the proposed turbine alone.

The noise assessment has demonstrated that the noise from the proposed turbine at the 6 unrelated residential properties would not exceed 35dB, and would therefore comply with the ESTU simplified assessment method.

Whilst a number of public objections have raised concerns regarding noise, the Public Protection Officer has not objected to the scheme with respect to the impact on non-related properties, and therefore Officers are satisfied the turbine would not unacceptably impact on the amenity of neighbouring properties in terms of noise.

As noted previously, the noise assessment has not assessed the noise at the financially involved properties. For properties where the occupant has a financial interest in the development, ESTU-R-97 allows a higher level of 45dB limit, and both a public consultation response and the Public Protection Officer has queries whether this noise limit could be achieved for the Maes Truan property given the proximity of the turbine to the farm house. The Public Protection Officer has estimated the noise experienced at Maes Truan would be around 47.4dBLA90 based on a simple distance calculation, but in the absence of further detailed assessment to ascertain what noise levels would be experienced at the financially involved properties, he has advised a planning condition should be applied to limit the noise from the turbine at the financially involved properties to 45dB, in order to protect amenity.

In conclusion, the noise assessment has demonstrated that the 35dB limit could be complied with and therefore the impact on the amenity of neighbouring unrelated properties would be within the acceptable limits. Whilst there is some uncertainty as to whether or not the proposed turbine would be able to comply with the allowable limit for financially involved properties, planning conditions can be applied to limit the noise to 45dB at these properties and therefore the amenity of current and future occupants of these properties can be protected.

Public objections have also raised concerns regarding amplitude modulation (AM). ESTU-R-97 assumes a certain level of AM (blade swish) is intrinsic to the noise emitted by a wind turbine. The position in relation to AM is evolving and research on the issue was published in December 2013 by the trade body RenewablesUK, and model planning conditions were put forward, however this research has yet to been endorsed by the Institute of Acoustics, the UK Government or Welsh Government. Current best practice advises that it would be inappropriate to apply AM planning conditions at this stage as there is no clarity regarding how such conditions could be complied with or monitored in Officer's opinion. It would therefore be unreasonable to apply a planning condition to control amplitude modulation.

In conclusion, it is suggested reasonable to deal with noise issues through conditions if a permission is granted, including the imposition of a condition to limit noise from the turbine at unrelated residential properties to 35dB and noise at the financially involved properties to 45dB. Officers therefore conclude with these controls that the application accords with VOE 9 with respect to noise.

#### 4.2.5 Shadow flicker

LDP Policy VOE 9 requires due consideration of impacts of wind energy development on the surrounding area and community. VOE 10 states development proposals should demonstrate no unacceptable impact on public health and residential amenity.

The incidence of shadow flicker depends on the position of the sun in the sky. It only occurs at certain times and tends to only affect nearby buildings within 130 degrees either side of north which are within 10 rotor diameters of a turbine. The likelihood of shadow flicker occurring and the duration of such an effect depends on a range of factors, including the time of the year, the size of the turbine, the direction and speed of the wind and the relative cloud cover.

The proposed rotor diameter is 30m, therefore the potential impacts should only be experienced up to 300m from the turbine location, and only then within 130 degrees either side of north. Only the two financially involved properties are within 300m of the proposed turbine location, and therefore it is reasonable to conclude that shadow flicker should not occur at any unrelated property.

A number of public consultation responses have raised concerns regarding the potential for the proposed turbine to adversely affect residential amenity and cause shadow flicker. As shadow flicker analysis is not an exact science, and should planning permission be granted, as a precautionary measure Officers would therefore advise a planning condition should be imposed requiring mitigation measures to be applied should the incidence of shadow flicker be experienced by any nearby unrelated properties.

Subject to the inclusion of a planning condition to address shadow flicker, it is reasonable to conclude that the proposal would comply with policy VOE 9 and VOE10 with respect to shadow flicker.

#### 4.2.6 Ecology

The general requirements to consider the impact of development on biodiversity interests are set out in PPW Chapter 5, TAN5, and LDP policy VOE 5. VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2). Specific to wind turbine development is policy VOE 9 which requires specific assessment / explanation of impact on biodiversity and mitigation proposals.

An Ecological Assessment has not been provided with the application, however the Design and Access Statement contains a very brief section on ecology.

The Biodiversity Officer has not objected to the proposal. The turbine would be more than 50m from any habitat feature used by bats or birds and the site has low ecological value. However, should hedgerows or vegetation clearance be required for construct the access or temporary access track, clearance works should take place outside of the bird breeding season.

In light of the comments of the Council's Biodiversity Officer and subject to a planning condition restricting clearance works to outside of the bird breeding season, Officers conclude the scheme would not have an unacceptable impact on nature conservation, and is not in conflict with VOE 5 and VOE 9.

#### 4.2.7 Highways

LDP Policies VOE 9 require due consideration of impacts of wind energy development on the surrounding area and community, including transport impacts.

The Council's Highways Officer has not objected to the application subject to conditions requiring details of the site compound location, vehicular access alterations and a traffic management scheme to be submitted prior to commencement of works.

Subject to pre-commencement conditions being applied requiring the submission of a Construction Method Statement incorporating details of the site compound, vehicular access arrangements and traffic management, which should include the need to upgrade the existing

highway, Officers conclude there would no unacceptable highways issues raised by the proposal.

#### 4.2.8 Aviation and Radar

The impact on aviation and radar equipment is material to the determination of wind turbine applications.

Whilst public consultation responses have raised concerns regarding air safety as low flying aircraft have been seen in the area, no objections from an aviation authority have been received. Specifically, NATS and Airbus has not objected to the scheme, and the MOD, at the time of drafting the report, have not responded to consultation.

In light of the consultation responses from aviation authorities, it is therefore reasonable to conclude that proposed turbine would not have any adverse effects on aviation and radar interests in the area.

#### 4.3 Other matters

Extant permission exists for a 15kW wind turbine on the adjoining field. The submission documents have not considered the cumulative effects of the proposed turbine in combination with the existing permission as the applicant has stated that they would not implement the extant permission should planning permission be granted for the proposed turbine.

However, the permission for the 15kW turbine will remain extant until January 2015, and therefore some control needs to be exerted to ensure this turbine is not constructed should planning permission be granted for the proposed 225kW turbine subject of the current planning application.

Section 97 of the Town and County Planning Act confers powers to the local planning authority to revoke or modify a planning permission at any time before those operations have been completed, however this is a very complicated process and it may be preferable to secure the removal of the extant permission through the Section 106 process should permission be granted. The applicant has confirmed they would be happy to enter into a legal agreement to this effect.

### **5. SUMMARY AND CONCLUSIONS:**

- 5.1 The report sets out a number of considerations Officers suggest are relevant to the determination of this application. As with all wind energy developments, inevitably there will be factors that weigh against and in favour of the grant of planning permission.
- 5.2 Officers retain concerns over the sporadic spread of 'one-off' medium / sub-local authority scale turbines, which will have strategic implications upon the ability to conserve the integrity of wider Denbighshire landscapes in the longer term.
- 5.3 The proposed turbine has been put forward as a farm diversification scheme and would be sited close to the farm complex. The Council has previously given weight to the farm diversification merits of applications which have been put forward as on-farm schemes. This turbine is a larger model to those turbines previously considered to be acceptable forms of farm diversification, however Officers recognise that there is no definition of 'small scale renewable energy operations' referred to in TAN6 and therefore have to conclude that some weight may be attributed to the farm diversification merits, but the benefits need to be considered against other material considerations.
- 5.4 The cumulative effects of the proposed turbine with the consented 15kW turbine in the adjacent field have not been assessed on the basis that, should planning permission be granted, the applicant is willing to enter into an obligation under Section 106 of the 1990 Planning Act to ensure that the extant planning permission for a 15kW turbine (permission reference 19/2009/1501) is not implemented.
- 5.5 The Landscape and visual impact and impact on residential amenity, specifically noise, are considered to be the most significant material considerations.

- 5.6 The proposal is for a turbine with a larger rated capacity than previously consented on-farm turbines in the Gwyddelwern area, however the proposed turbine is nevertheless more likely to be perceived as a single small / medium scale turbine of a similar scale to the operational turbines at Tyn y Celyn farm in Gwyddelwern rather than a commercial scale turbine.
- 5.7 The noise report submitted with the application has demonstrated that the turbine could comply with the 35dB noise limit at unrelated neighbouring properties. Whilst there is uncertainty regarding whether or not the 45dB limit for financially involved properties could be complied with, a planning condition could be applied to restrict the noise from the turbine and therefore measures to protect residential amenity would be in place.
- 5.8 On concluding on the issue of landscape and visual effects, Officers consider the installation of a single wind turbine with a tip height of 45m in this location would be out of scale with the farm buildings, and would be a dominant feature in local views. The proposal would introduce wind energy development into an area which is not yet influenced by wind turbines or other infrastructure, such as A roads and pylons, as the proposed turbine would appear to be visually distinct from other consented and operational turbines in the area. The proposal would therefore have a detrimental visual impact on an area of high scenic value and contribute to the spread of wind energy development beyond the Clocaenog Forest SSA-A and result in wind energy developments encroaching into previously unaffected areas of the county, contrary to LDP policy VOE9.
- 5.9 On balance, whilst the benefits of the scheme in terms of increased renewable energy generation and enabling the farm to reduce its carbon footprint are material, Officers consider the benefits do not outweigh the adverse visual impacts, and therefore recommend the application is refused.

**RECOMMENDATION: REFUSE-** for the following reasons:-

1. The local planning authority consider the proposal would introduce wind energy development to a rural area which has a high scenic value and is not yet influenced by wind energy development or other major infrastructure. The ridge which the proposed turbine would appear on interrupts views of the Clocaenog Forest area beyond, and may screen views of the consented windfarm developments within the Clocaenog Forest SSA-A. Local undulations in terrain interrupt the visibility between Maes Truan and the operational sub-local authority scale turbines in Gwyddelwern and therefore the proposed turbine would appear to be visually distinct from other consented and operational turbines. The local planning authority considers the proposal would contribute to the spread of wind energy development beyond the Clocaenog Forest SSA-A which would harm the ability to conserve the integrity of wider Denbighshire landscape in the longer term and result in a detrimental visual impact on an area of high scenic quality. The proposal is therefore contrary to policy Local Development Plan VOE9, Planning Policy Wales and TAN8.

**NOTES TO APPLICANT:**

None

Mae tudalen hwn yn fwriadol wag



# Eitem Agenda 8

**WARD:** Trefnant

**AELOD(AU) LLEOL:** Y Cyng. M Lloyd Davies

**RHIF CAIS:** 31/2013/1079/ PFHY

**CYNNIG:** Gosod cynllun trydan-dŵr micro

**LLEOLIAD:** Tir yn Elwy Meadows, Ffordd Isaf Dinbych, Llanelwy

**YMGEISYDD:** Mr Richard Rees  
North Wales Hydro Power Cyf

Mae tudalen hwn yn fwriadol wag

Heading:

REFERENCE NO. 31/2013/1079/PFHY  
LAND AT ELWY MEADOWS  
LOWER DENBIGH ROAD, ST ASAPH

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

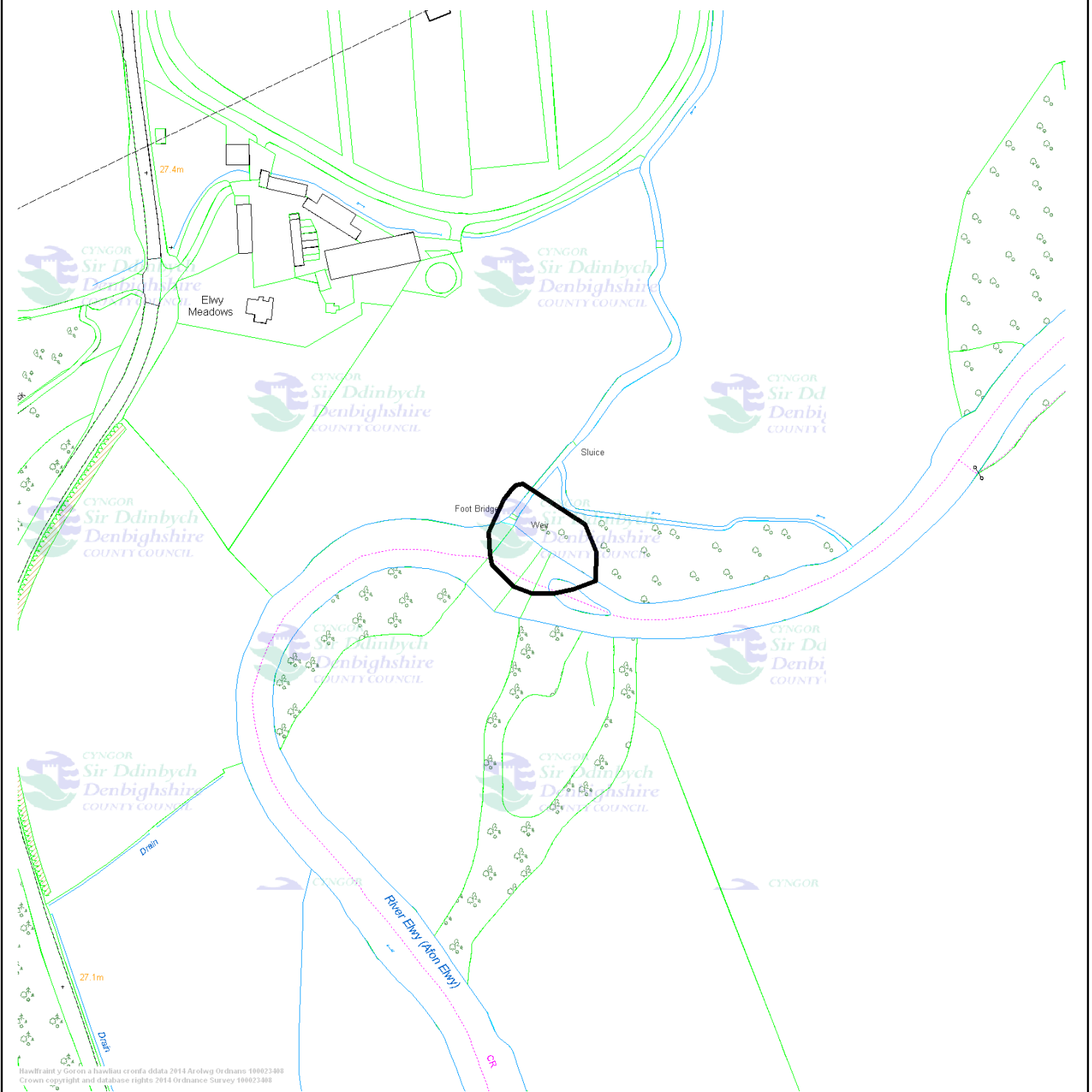
 Application Site



Date 25/9/2014  
Centre = 303891 E 372442 N

Scale 1/2500

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.

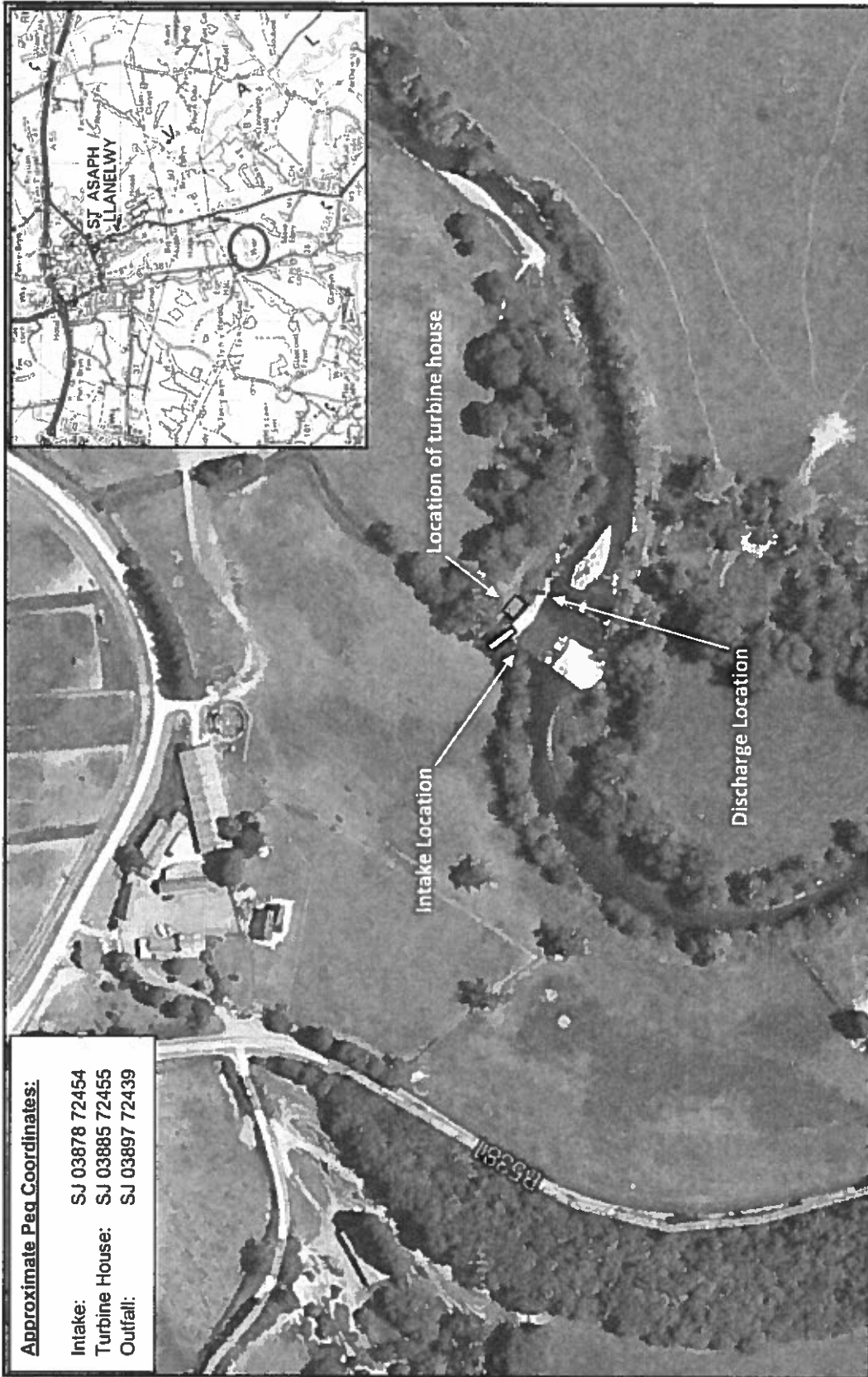


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Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi © Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408. 2011.



# LAYOUT



Site 66: Hydro Scheme at Elwy Meadows Hydro – Afon Elwy

OS Location Plan and Illustrative Aerial Overlay

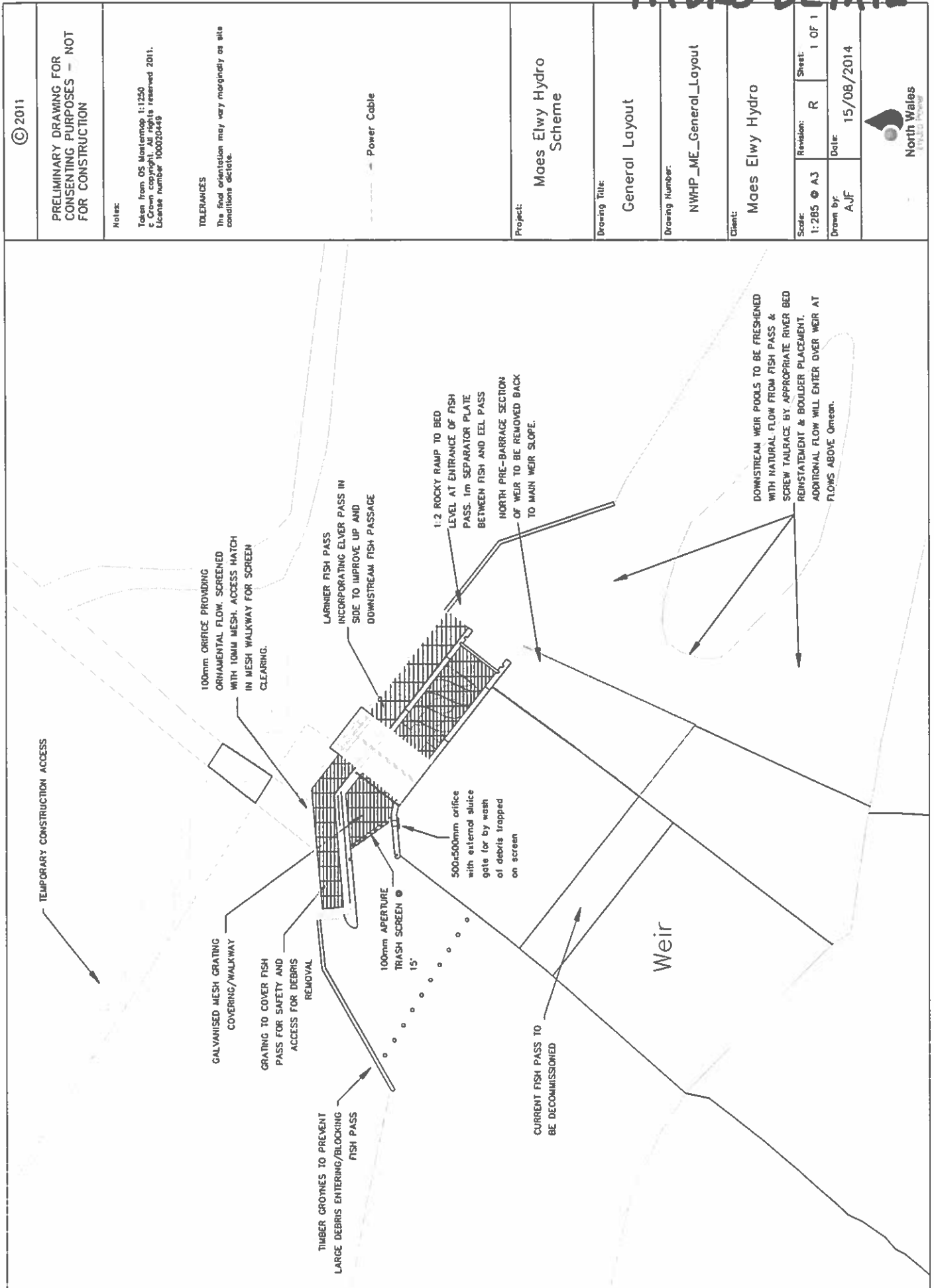
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29.07.2013



1994

# HYDRO DETAIL



~ 1714 ~ 1714



© 2011

PRELIMINARY DRAWING FOR  
CONSENTING PURPOSES - NOT  
FOR CONSTRUCTION

Notes:

Notes:  
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CONSTRUCTION NOTES

The hydro scheme will be constructed using a concrete framework which will be integrated with the existing weir and improved where necessary.

Basinhouse

- Roofed with local slate
- Timber clad with internal noise insulation
- Vents to be baffled internally to further control any noise emission.
- Doors to be double skinned with noise attenuation built in.

Intake

To prevent scour and erosion of the river bed, a plunge pool will be created from locally sourced stone/boulders at the end of the tailrace of the screen and fish pass.

TOLERANCES

The final orientation and dimensions may vary marginally as site conditions dictate.

Project:

Maes Elwy Hydro  
Scheme

Drawing Title:

General Arrangement

Drawing Number:

NWHP\_ME\_General\_Arrangement

Client:

MAES ELWY HYDRO

Scale:

1:200 @ A3

Revision:

T

Sheet:

1 of 2

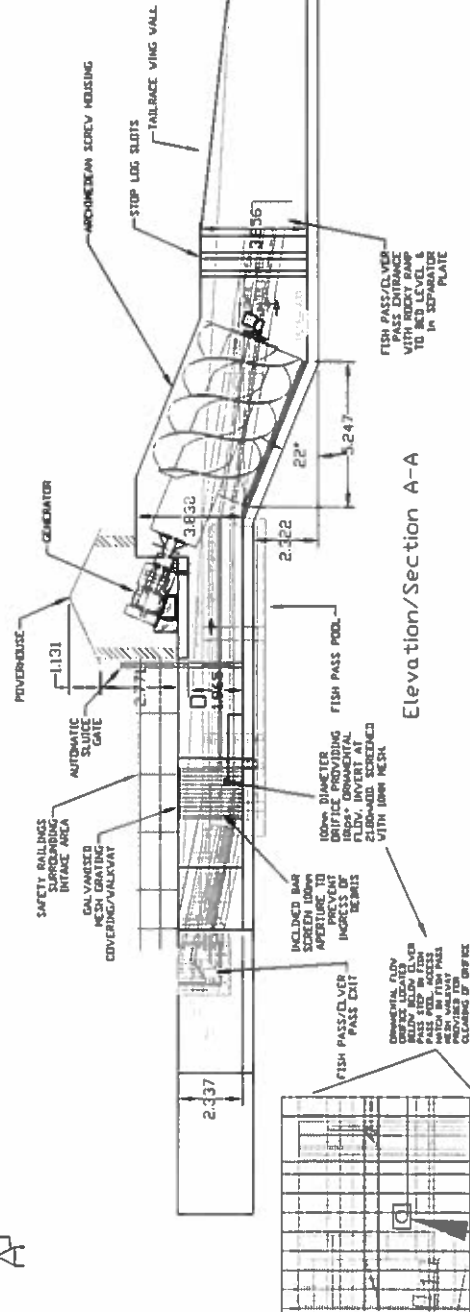
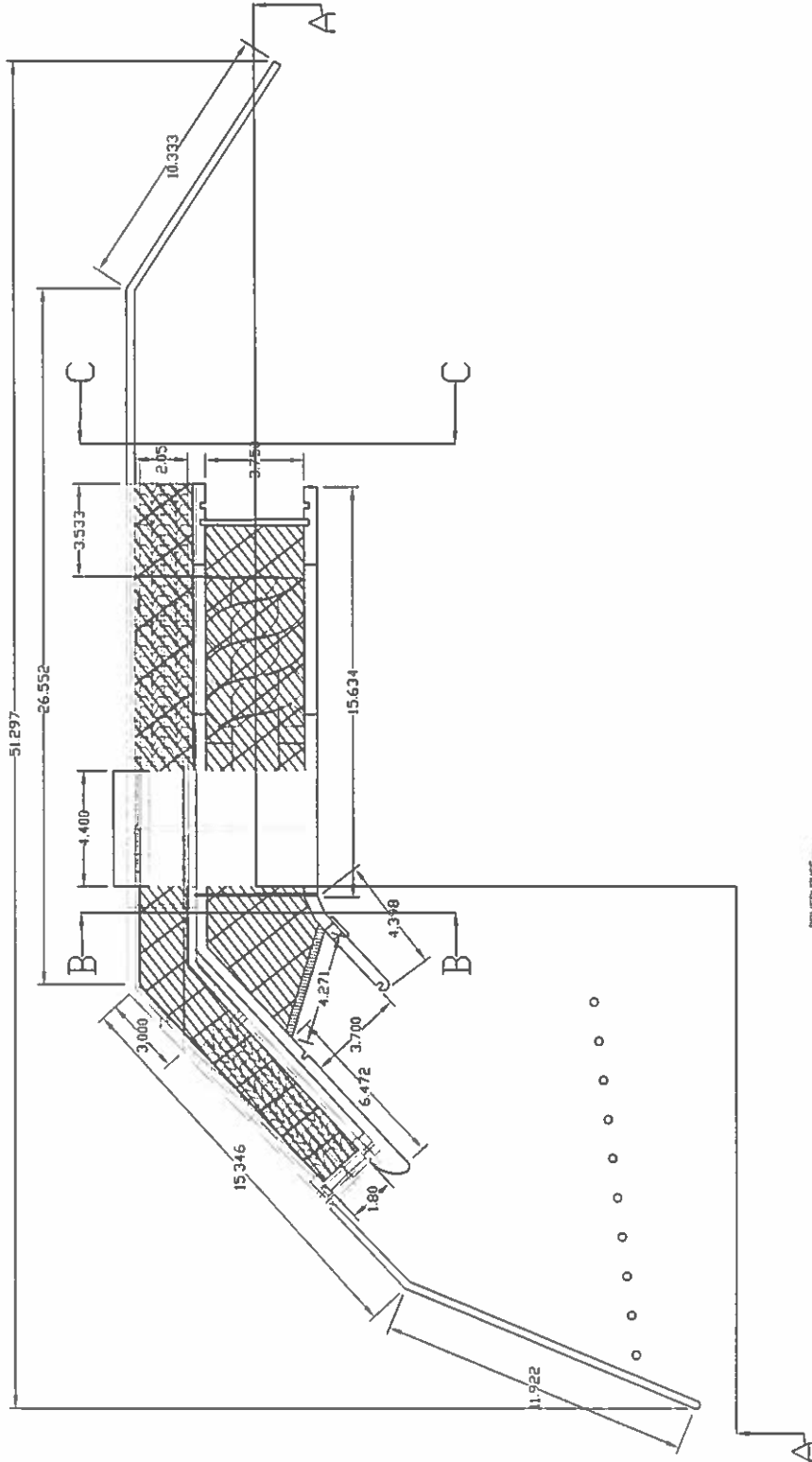
Drawn by:

AJF

Date:

26/08/2014

PLAN VIEW



Elevation/Section A-A

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PRELIMINARY DRAWING FOR  
CONSENTING PURPOSES - NOT  
FOR CONSTRUCTION

Notes:

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License number 100020449

CONSTRUCTION NOTES

The hydro scheme will be constructed using a concrete formwork which will be integrated with the existing weir and improved where necessary.

BASEHOUSE

- Roofed with local slate
- Timber clad with internal noise insulation
- Vents to be baffled internally to further control any noise emission.
- Doors to be double skinned with noise attenuation built in.

TAILRACE

To prevent scour and erosion of the river bed, a plunge pool will be created from locally sourced stone/boulders at the end of the tailrace of the screen and fish pass.

TOLERANCES

The final orientation and dimensions may vary marginally as site conditions dictate.

Project

Maes Elwy Hydro Scheme

Drawing Title

General Arrangement

Drawing Number

NWHP\_ME\_General\_Arrangement

Client

MAES ELVY HYDRO

Scale

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Revision

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Sheet

2 of 2

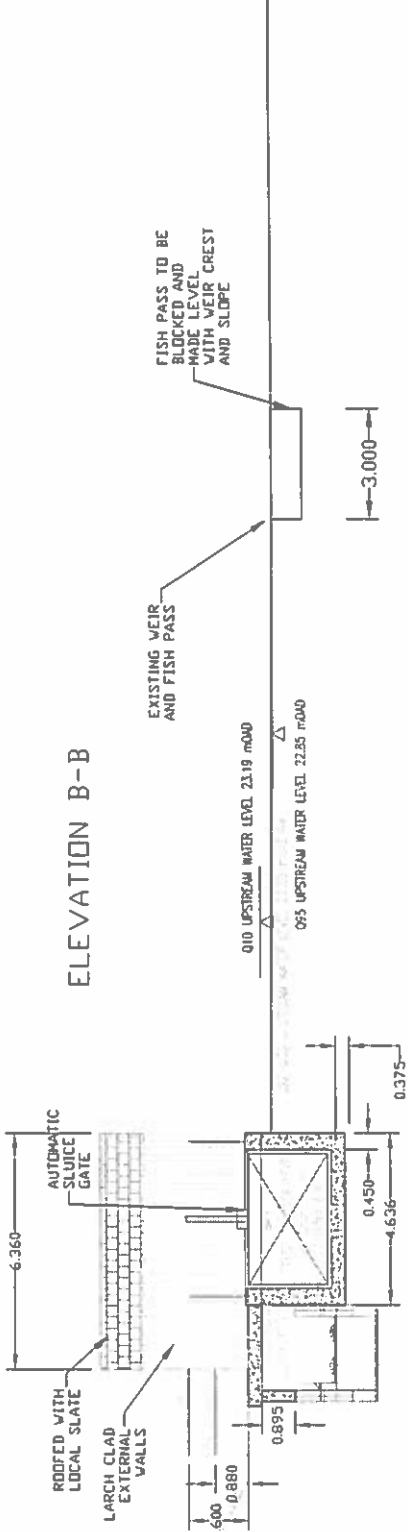
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AJF

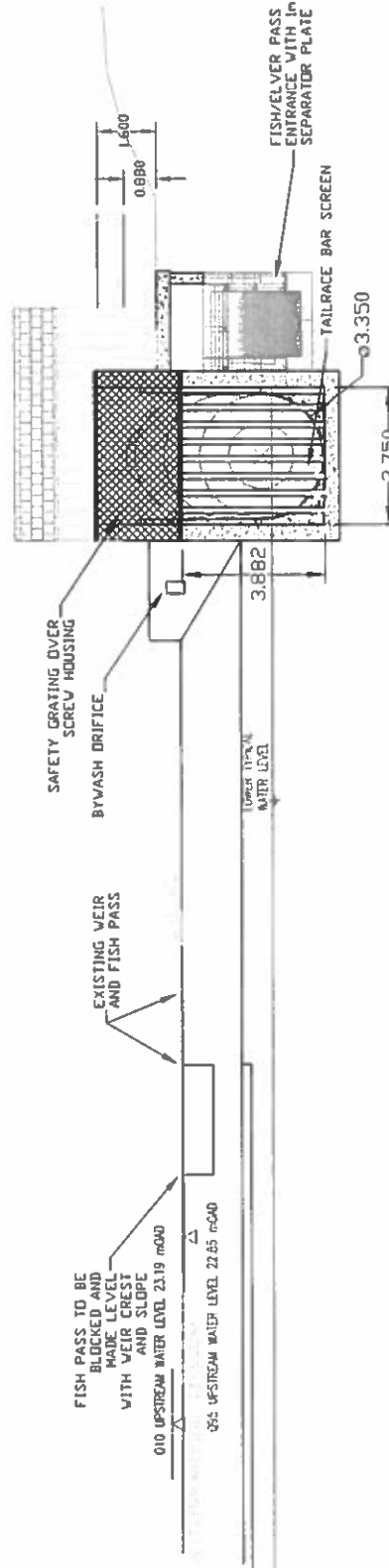
Date

26/08/2014

ELEVATION B-B



Elevation/Section B-B



Elevation/Section C-C

**ITEM NO:**

**WARD:** Trefnant

**WARD MEMBER(S):** Cllr M Lloyd Davies

**APPLICATION NO:** 31/2013/1079/ PFHY

**PROPOSAL:** Installation of micro hydro electric scheme

**LOCATION:** Land at Elwy Meadows Lower Denbigh Road St Asaph

**APPLICANT:** Mr Richard Rees  
North Wales Hydro Power Ltd

**CONSTRAINTS:**

**PUBLICITY UNDERTAKEN:** Site Notice – No  
Press Notice – No  
Neighbour letters - Yes

**CONSULTATION RESPONSES:**

CEFN MEIRIADOG COMMUNITY COUNCIL –  
“Cefn Meiriadog Community Council fully support this application”

**NATURAL RESOURCES WALES**

- ABSTRACTION / IMPOUNDMENT LICENSING – NRW have received an abstraction license application, which is likely to be determined imminently.
- FLOOD RISK – FCA has been submitted, NRW accept findings of FCA and welcome applicants intention to incorporate flood proofing measures within the turbine house.
- FLOOD DEFENCE CONSENT – River Elwy is a Main River. In accordance with the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of Natural Resources Wales has been granted for required for the works and structures located in, under, over or within 7 metres of the bank top of the Afon Elwy, designated "main river" (Consent NE2013LD125B).
- FISHERIES – NRW have received and approved the Fish Pass Details.
- ENVIRONMENTAL MANAGEMENT – Must be no adverse impact on water quality. Applicant should comply with NRW PPG5: Works and maintenance in or near water. Waste should be disposed of in accordance with Section 34 of Environmental Protection Act 1990. The activity of importing waste into the site must be registered as a permitted activity under the Environmental Permitting Regulations 2007.
- PROTECTED SPECIES – Consider the ecological assessment to be satisfactory.

**CLWYD POWYS ARCHAEOLOGICAL TRUST (CPAT)**

- No objection, according to OS first edition mapping the weir may be connected to the former Wigfair Isaf Mill by a long leat heading north from the weir. The weir therefore dates to at least 1874 and it probably earlier than this in origin. CPAT recommend a survey and archaeological watching brief is undertaken prior to the commencement of development.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
BIODIVERSITY OFFICER –**

Satisfied that the ecological surveys undertaken are suitable and commensurate with the development and agrees with the conclusions within the report.

**RESPONSE TO PUBLICITY:**

Chris White (by email no address provided)  
John Lewis, Mill Brook, The Mill Yard, Lavister, Wrexham  
Fish Legal, Leominster, Herefordshire (on behalf of Rhyl and St Asaph Angling Association)  
Stephen Barlow, Nefydd House, Llanefydd  
David Jones, Federation of Clwyd Angling Clubs, Panorama, Rhuallt  
John Morris, 39 Orme View Drive, Prestatyn  
David Roberts, 11 Park View, Carmel, Holywell  
Paul King, 17 Llys Y Tywysog, Tremeirchion  
Eugene Grube, 28 Rhodfa Glenys, St Asaph  
Robert Hall, 6 Breezehill Park, Neston, Cheshire  
Graham Whalley, 25 Grasmere Close, Prestatyn  
Allan Cuthbert, 25 Ceg y Ffordd, Prestatyn (on behalf of Campaign for the Protection of Welsh Fisheries)

Summary of representations (all received to original consultation):

Impact on migratory fish river (salmon and sea trout up and downstream migratory paths effected, breeding effected).

Concerns over fish pass suitability at a low head hydro scheme.

Concerns over impact on river Elwy, visual amenity and the general environment.

Impact on river flows.

Concerns over maintenance/blockage of fish pass. Silt and build-up of debris likely to occur.

Fishing rights effected- weirpools fishery will be degraded as a result of the development. Loss will be felt by 160 Members of Rhyl & St Asaph Angling Association.

Impact on local economy owing to degrading of fishing facility.

Biodiversity impacts- proposal will have negative biodiversity impacts, insufficient number of species surveyed.

Ownership issue's- NRW do not own the weir, title from the middle of the weir to the right hand side of the river bank is unclear. Riparian rights exist and have not been considered.

Loss of trees- will have a negative impact on area, in particular loss of Black Poplars.

Existing schemes at Penmachno and Cefn should be monitored and negative impacts monitored.

Floodrisk- blockages, build up and release of debris, silting may impact on flooding.

Long term effects of development, concerns over decommissioning and reinstatement of weir.

Noise impacts of turbine.

Impacts of EMP on salmonoids

Policy conflicts with VOE 10- proposal does not demonstrate that there will be no unacceptable impact on nature conservation and wildlife.

Carbon reduction figures and efficiency figures queried.

**EXPIRY DATE OF APPLICATION: 17/10/2013**

**REASONS FOR DELAY IN DECISION (where applicable):**

- Additional information sought.

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

1.1.1 The proposal is for the construction of a hydroelectric scheme on the River Elwy.

1.1.2 The development consists of an intake next to an existing weir, a new open leat containing an Archimedes Screw Turbine and Larinier fish pass.

1.1.3 The scheme would generate approximately 369,000 KWH of renewable energy per year.

1.1.4 The planning application is supported by a Design and Access Statement, a FCA, an Extended Phase 1 Habitat Survey, a Tree Survey and a Construction Method Statement.

1.2 Description of site and surroundings

1.2.1 The application site is located on the River Elwy at an existing weir approximately 2 miles south of St Asaph.

1.2.2 The weir, which was built to provide flow for a mill, creates an area of impoundment on the river.

1.2.3 The site is characterised by a wide river profile with low banks.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located in the open countryside.

1.3.2 It is a C2 Flood Zone as defined by the Development Advice Maps of TAN 15.

1.4 Relevant planning history

1.4.1 None.

1.5 Developments/changes since the original submission

1.5.1 Clarification was sought from the applicant in relation to the detail of the fish pass, in relation to comments raised by NRW.

1.6 Other relevant background information

1.6.1 None.

**2. DETAILS OF PLANNING HISTORY:**

2.1 None.

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

Policy VOE 1 – Key Areas of importance

Policy VOE5 – Conservation of natural resources

Policy VOE 10 – Renewable energy technologies

3.2 Supplementary Planning Guidance

SPG 18 – Nature Conservation and Species Protection

3.3 Government Policy / Guidance

Planning Policy Wales Edition 7, 2014

Technical Advice Notes:

TAN5 – Nature conservation and planning

TAN8 – Renewable energy

TAN15 – Development and Flood Risk

Circular 60/96 Planning and the Historic Environment

**4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, 2014 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned, and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Landscape
- 4.1.3 Residential Amenity & Noise
- 4.1.4 Ecology
- 4.1.5 Flooding and water quality
- 4.1.6 Archaeology
- 4.1.7 Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

The UK is subject to the EU Renewable Energy Directive, which includes a target of generating 15% of the UK's total energy demand from renewable energy sources by 2020. Para 12.8.1 of Planning Policy Wales (PPW) reaffirms UK and Welsh Government commitment to playing its part by delivering an energy programme which contributes to reducing carbon emissions as part of its proposals to tackling climate change. It refers to Welsh Government's Energy Policy Statement (2010), which identifies the sustainable renewable energy potential for a variety of different technologies.

For planning purposes, Figure 12.2 of PPW defines the following renewable and low carbon energy scales, which is of relevance to the application:

<b>Scale of development</b>	<b>Threshold (Electricity and heat)</b>
Strategic	Over 25 MW for onshore wind and over 50 MW for all other technologies
Local Authority – Wide	Between 5MW and 25 MW for onshore wind and between 5 MW and 50MW for all other technologies
<b>Sub local authority</b>	<b>Between 50kW and 5MW</b>
Micro	Below 50kW

This application therefore falls within the 'sub local authority' scale of development in PPW, which in para 12.9.9 states that such projects are 'applicable in all parts of Wales'.

TAN 8 supplements PPW and provides technical advice and guidance on renewable energy projects. It refers in Section 3.12 to Hydro–Power and the development of 'run of river' schemes in Wales, that these are generally supported, although there may be occasions where account needs to be taken of potential ecological damage, and that there is need for close liaison with the NRW as licensing authority for abstraction and impoundment.

Policy VOE 10 offers general support for proposals which promote the provision of renewable energy technologies, providing they are located so as to minimise visual, noise, and amenity impacts and demonstrate no unacceptable impact on the interests of nature conservation, wildlife, natural and cultural heritage, landscape, public health and residential amenity.

Taken together, the contents of Planning Policy Wales, TAN 8, and the policy in the LDP provide support in principle for this type of renewable energy development subject to the detailed assessment of localised impacts, which includes taking into account the potential impacts on landscape, visual and residential amenity, and ecological interests.

Officers' view is that as the proposal is for a sub local authority scale Hydro project, the

principle of this development would be acceptable in general policy terms, subject to the tests of local impact.

#### 4.2.2 Landscape

The general requirement to consider the impact of development on the landscape specific to a hydro scheme development is LDP policy VOE 10 which requires specific assessment / explanation of impact on the landscape, and mitigation proposals.

The site is not located in an area with specific landscape designations. It would be sited on a weir on an existing river. The powerhouse is the largest above ground element of the development; it would measure 3.8 metres by 6.36 metres, with an overall height of 3.8 metres and would comprise of a larch clad building with a slate roof. Concerns have been raised that the development would have an impact on the visual amenity of the area.

The turbine house would be visible on the river bank, however considering the detailing of the building, the turbine house would be in keeping with traditional buildings in the area and the proposal would have a minimal impact on character of the area. The proposal would therefore accord with national and local planning policy.

#### 4.2.3 Residential Amenity including noise

Local Development Plan Policy VOE 10 seeks to ensure development does not have an adverse impact on residential amenity, and this would include assessment of the potential noise and general amenity impacts on local residents from any renewable energy project.

The turbine equipment to be located in the turbine house has the potential to generate noise. Information submitted with the application states that there may noise impacts associated with the development, however it has been proven that they can be minimised via design. The nearest dwelling is sited 138 metres to the north west of the site. Concerns have been raised over the noise impact of the development.

Given that there are residential properties adjacent to the field where the proposed turbine house is to be located, Officers' opinion is that the imposition of a condition to ensure sound attenuation would put in place adequate safeguards for occupiers of the nearest residential properties. This would comply with the relevant planning policy VOE 10.

#### 4.2.4 Ecology

The general requirement to consider the impact of development on biodiversity interests is set out in PPW Chapter 5, TAN 5 and LDP policy VOE 5. Specific to a hydro development is LDP policy VOE 10 which requires specific assessment / explanation of impact on biodiversity, and mitigation proposals. VOE 5 requires proposals which may have an effect on protected species or designated sites of nature conservation to be supported by a biodiversity statement having regard to the County biodiversity aspiration for conservation, enhancement, and restoration of habitats and species.

A Phase 1 Habitats Survey has been undertaken to cover amphibians, badgers, bats, birds and reptiles. The survey includes recommendations for mitigation and enhancements. A tree survey, tree constraints plan and tree protection plan has been submitted with the application. Eleven individual trees have been identified for removal to facilitate the development.

The Council's Biodiversity Officer has considered the details in respect of amphibians, reptiles and nesting birds and has advised that she is satisfied that the ecological surveys undertaken are suitable and commensurate with the development, and agrees with the conclusions within the report. No objection was raised provided the recommended mitigation and enhancement measures within the ecological report are conditioned and followed. NRW have expressed a similar view. A felling license has been obtained for the tree felling from NRW. The response of the Council's tree consultant in relation to the tree survey is awaited. Concerns have been raised over the extent of the ecological surveys submitted with the application.

Officer's opinion which is informed by the responses of consultees is that appropriate reasonable avoidance measures and mitigation can be secured through the use of planning

conditions. Providing the development works are undertaken in strict accordance with the recommendations, mitigation and avoidance measures identified in the Habitat Survey and Tree Survey, it is not considered there would be any unacceptable impact on nature conservation. Officers understand that the concerns in relation to salmon and sea trout migration, breeding and river invertebrates would be considered by NRW through the various environmental permitting processes including fish pass approval and abstraction licensing.

#### 4.2.5 Flooding and water quality

Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

The site is within a C2 flood risk zone, located within the 1 in 1000 year flood outlines on the NRW indicative Flood Map. A FCA has been submitted in support of the planning application which acknowledges that the turbine house may be susceptible to flooding. Therefore turbine housing will be built with flood resistant construction methods and techniques. NRW have confirmed that the contents of the FCA are generally commensurate to the type, nature and scale of the development and welcome the applicant's intention to incorporate flood proofing measures within the turbine house. NRW have also confirmed that Flood Defence Consent is required for the development as it is within 7 metres of the bank top of a main river, and the application for Flood Defence Consent has been granted for the development. NRW have requested no adverse impact to water quality as a result of this proposal.

In considering a technical application of this nature where there are a range of linked consent processes, Officers are bound to take into account the advice of key consultees, and in particular NRW. Detailed information has been submitted and considered by NRW in respect of environmental permitting, flood risk, flood defence consent and pollution control and waste management. NRW accept that the details and risks associated with these elements of the development can be sufficiently managed and controlled by condition to deem the development acceptable. In relation to flood risk NRW have advised the proposal is acceptable, therefore on this basis Officers consider that the relevant guidance in relation to TAN 15 is met.

#### 4.2.6 Archaeology

The general requirement to consider the impact of development on archaeology and cultural heritage is set out in PPW Chapter 6.5, LDP policy VOE 10 and Welsh Office Circular 60/96 'Planning and the Historic Environment' which states the desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application whether than monument is scheduled or unscheduled (para 10). Specific to a hydro scheme, policy VOE 10 requires specific assessment / explanation of impact on cultural heritage.

The scheme is proposing to utilise the existing weir associated with the former Wigfair Isaf Mill. The weir dates to at least 1874 and CPAT advise that its origin may even be earlier. CPAT have suggested a pre-commencement condition is applied to ensure a pre-development survey of the site is carried out and a watching brief undertaken during building works, in accordance with the guidance set out in Circular 60/96 regarding the use of conditions to protect archaeological monuments.

Therefore subject to the inclusion of a pre-commencement condition, there would be no adverse impact on archaeological features or cultural heritage.

#### Other matters

Representations received raise a number of issues the land use planning ones are considered above. In terms of land ownership the Applicants have advised that they have served notice on the land owner and are satisfied that that no further notices are required. In relation to the maintenance, management and long term plans for the scheme the Agents have advised that once the project is installed then it would not be decommissioned for the foreseeable future. North Wales Hydro Power would be ultimately responsible for the on-going maintenance of the scheme. There would be a webcam located on the side of the turbine house so as to allow the monitoring of debris build up and to monitor the operation of



the fish pass and the hydroelectric scheme. If debris collect on the debris screen, which is inevitable, then it will be removed as appropriate depending on the size of the debris. The debris screen is before both the fish pass and the hydro turbine and therefore should debris collect the turbine will be impacted on first as the fish pass has priority over the turbine for water flow. There is therefore no more incentive required for removal of debris as the build-up of debris will mean the output of the scheme is reduced and that they are effectively losing revenue.

## **5. SUMMARY AND CONCLUSIONS:**

5.1 Taking into account the relevant consultee responses and the planning policies supporting renewable energy, it is considered that the proposal meets the relevant policy requirements and is recommended for approval.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

**RECOMMENDATION: GRANT-** for the following reasons:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Written confirmation of the date of the first generation of electricity from the development shall be provided to the Local Planning Authority no later than 1 calendar month after the event.
3. The development shall be carried out in accordance with the details set out in the Extended Phase 1 Habitat Survey and the Reasonable Avoid Measures set out in the 'Conclusions and Recommendations' section of the report shall be implemented.
4. If protected species are found to be present at the site during construction, no further development shall be carried out until appropriate protection and mitigation measures are submitted and approved in writing by the Local Planning Authority, in consultation with Nature Resources Wales.
5. If nesting birds are found to be present during construction, no further development shall be carried out during the bird breeding season until secondary surveys have been carried out, and the results of the surveys together with reasonable avoidance measures to deal with the presence of nesting birds during the construction phase have been submitted to and approved in writing by the local planning authority.
6. The development shall be implemented in accordance with the approved construction method statement and any deviation from the method referred to in this statement shall be approved in writing by the Local Planning Authority.
7. The turbine house hereby permitted shall be constructed so as to provide sound attenuation against internally generated noise to a standard that causes no reasonable loss of amenity to the occupiers of neighbouring residential properties.
8. All electricity cables from the turbine house to the grid connection point shall be laid underground and no additional ancillary equipment such as substations or equipment cabinets shall be permitted without the prior written approval of the local planning authority.
9. If the development hereby permitted ceases to operate for a continuous period of not less than 12 months, within 6 months of that time, the turbine house and all other structures on or above the ground shall be dismantled, the materials removed from the site and the site restored to the satisfaction of the local planning authority.
10. No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the archaeological curator for the Local Planning Authority. The archaeological programme of work will be undertaken and completed in accordance with the standards laid down by the Institute for Archaeologists and MoRPHE (2006). On completion appropriate reports and an archive assessment will be submitted for approval to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR. tel: 01938 553670.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and for monitoring purposes.
3. In the interests of protecting biodiversity and to ensure the scheme will not be detrimental to the favourable conservation status of any protected species.
4. In the interests of protecting biodiversity and to ensure the scheme will not be detrimental to the favourable conservation status of any protected species.
5. In the interests of protecting biodiversity and to ensure no active nests have been built in within the work area or that may be disturbed by undertaking the works.
6. In the interests of protecting residential amenity.
7. In the interests of protecting residential amenity.
8. In the interests of visual amenity.
9. To ensure the long term reinstatement of the site, in the interests of landscape and visual amenity.
10. In the interests of archaeological recording.

# Eitem Agenda 9

**WARD:** Tremeirchion

**AELOD(AU) LLEOL:** Y Cyng. Barbara Smith

**RHIF CAIS:** 41/2013/0857/ PF

**CYNNIG:** Newid defnydd a thrawsnewid hen dafarn, gan gynnwys dymchwel yr adeilad yn rhannol, i greu 1 annedd a chodi garej ar wahân yn y cefn.

**LLEOLIAD:** Dinorben Arms Public House Bodfari Dinbych

**YMGEISYDD:** ABC & D Limited Tony Thackeray

Mae tudalen hwn yn fwriadol wag

Heading:

REFERENCE NO 41/2013/0857/PF  
DINORBEN ARMS PUBLIC HOUSE  
BODFARI

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

 Application Site

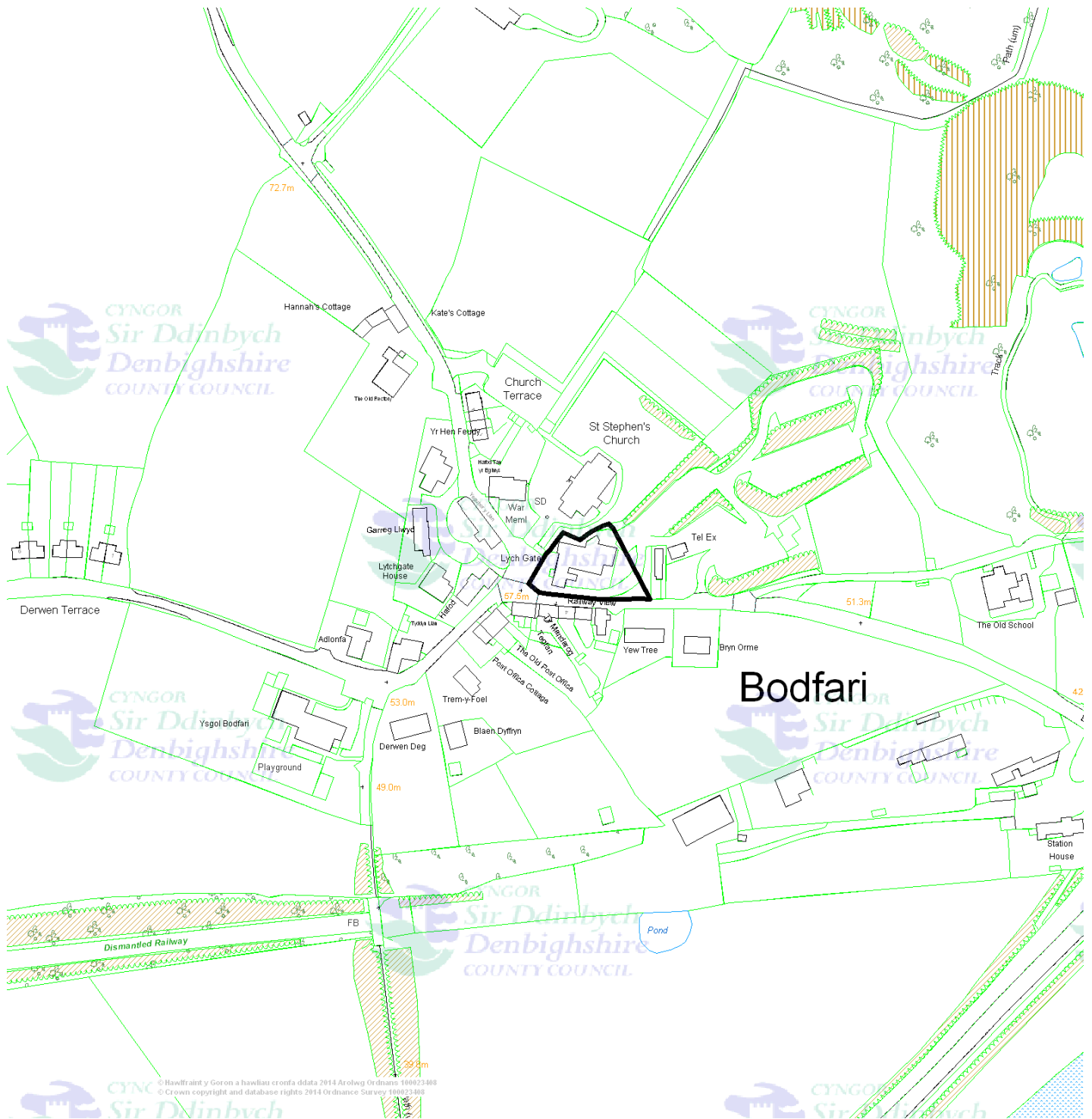


Date 29/9/2014

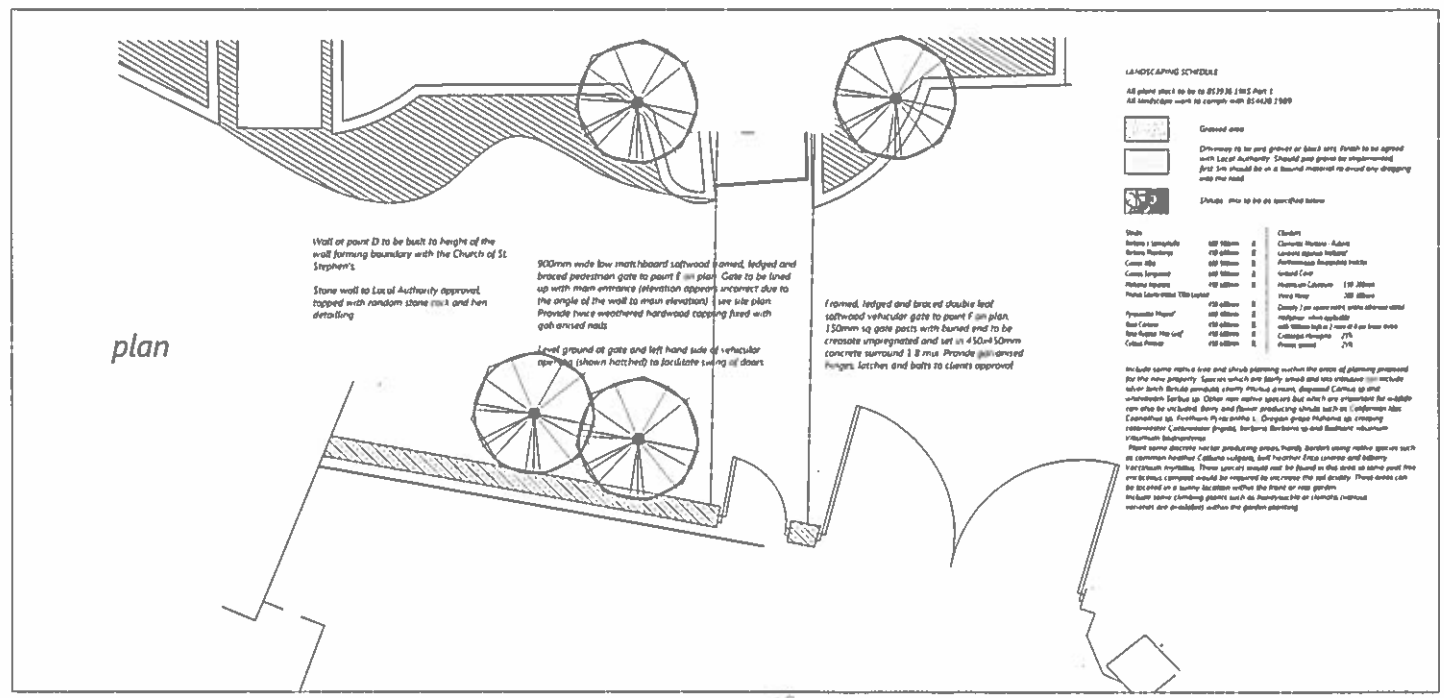
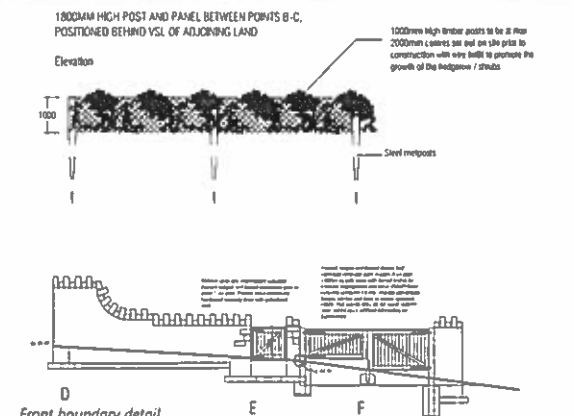
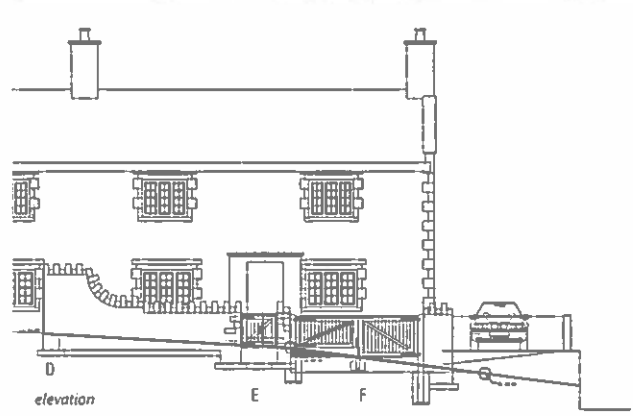
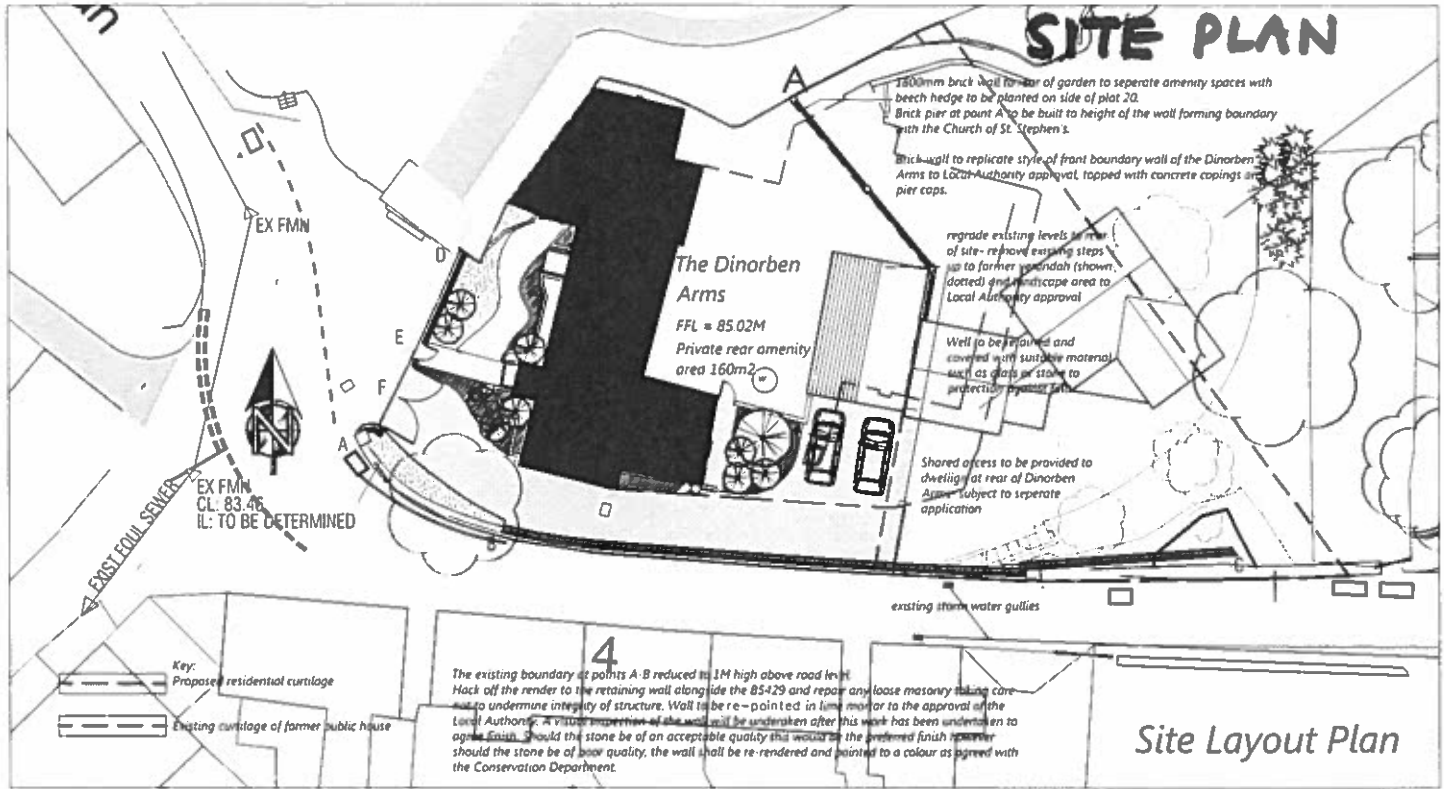
Scale 1/2500

Centre = 309237 E 370084 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.







Revision A: July 2013 - definition of the proposed residential curtilage  
Revision B: February 2014 - Details as requested by Local Authority  
Revision C: August 2014 - Bat roost to rear of garage

**Parry Davies Architects.** Chartered Architects.

*The Dinorben Arms, Badfari LL16 4DA*

Proposed site plan

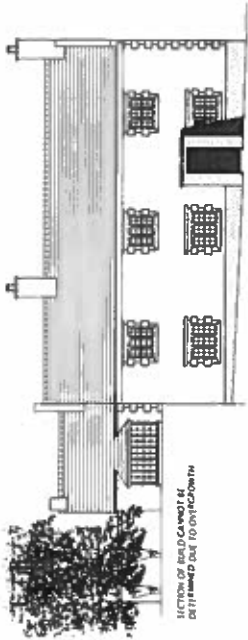
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Studio 55-20, North Wales Business Park, Abergele LL22 8LJ Tel: 01745 581517 E-mail: PDPAN@btconnect.com





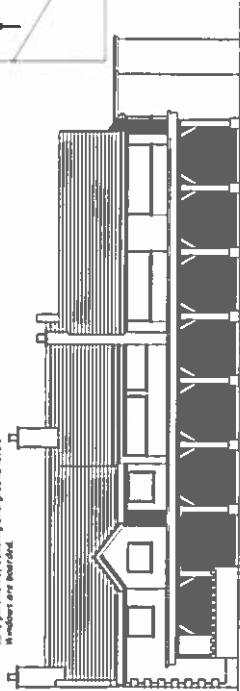
# ELEVATIONS



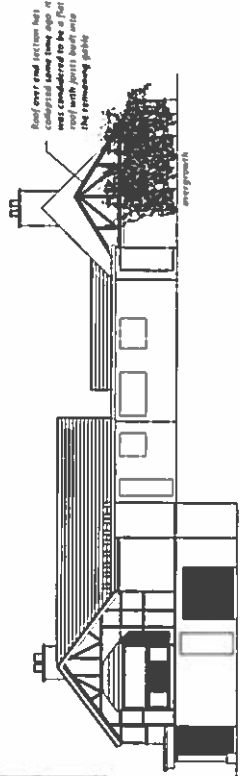
Front elevation - elevation A - west

SECTION OF BUILDING NOT BE DRAWN OUT TO OVERGROWTH

Roof structure are made up of oak & timber boarding with metal render panels detail style of panels is difficult to assess due to configuration of building and ground levels. Windows are obscured.

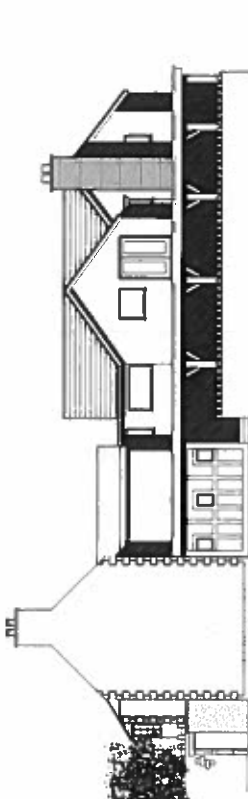


Side elevation - elevation C - east

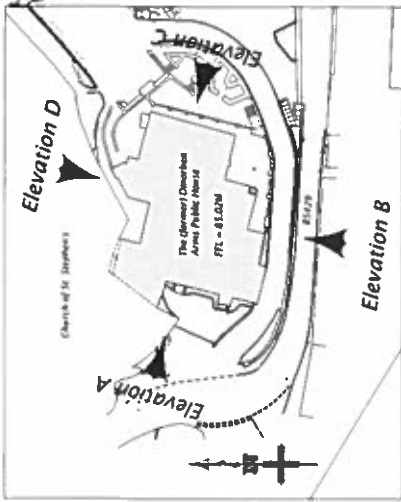


Side elevation - elevation D - north

Roof over end section has collapsed same time ago, it was considered to be a flat roof over the remaining gable end.



Side elevation - elevation B - south, as viewed from the B5429

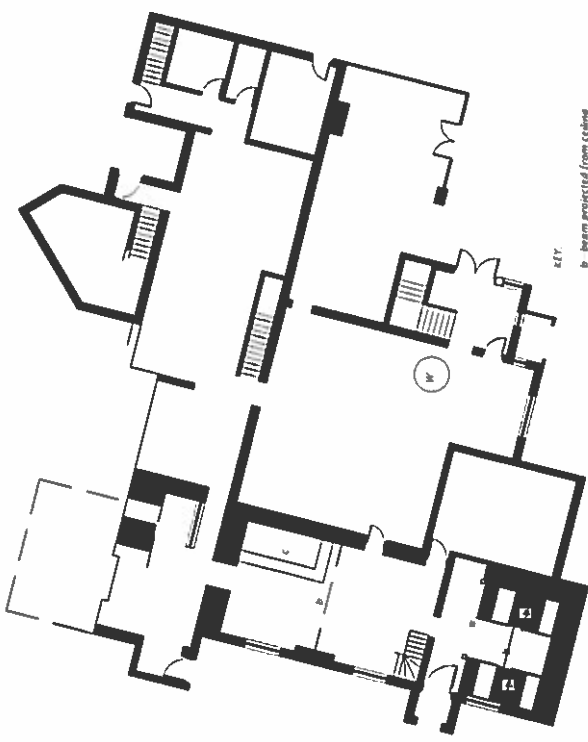


Elevation D

Church of St. Stephen

The former Dunbar Arms Public House  
FTL = 65.02M

Elevation B

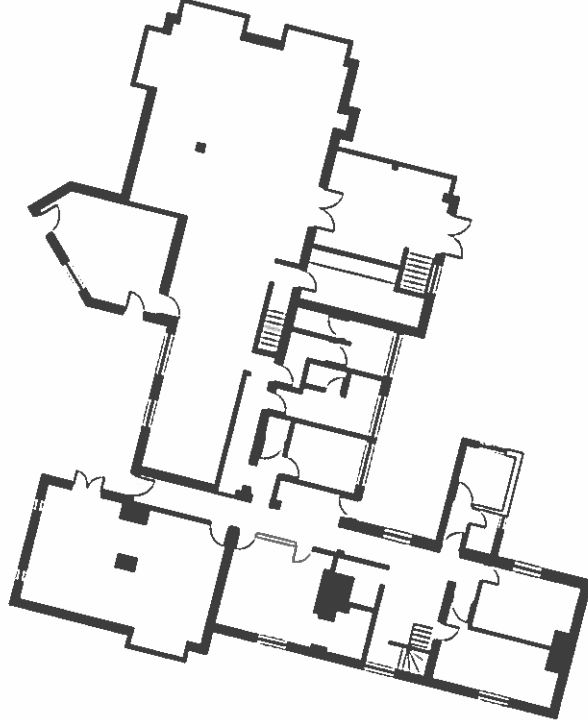


Ground floor layout plan

Existing Ground floor area - 216.97m<sup>2</sup> / 4027.25sq ft

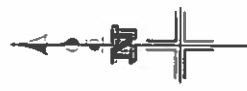
KEY

- B - beams projected from ceiling
- F - floor level
- N - new ceiling
- S - section of lowered ceiling within sitting booth
- C - existing bar counter
- W - approx position of well



First floor layout plan

Existing First floor area - 312.63 m<sup>2</sup> / 3385sq ft



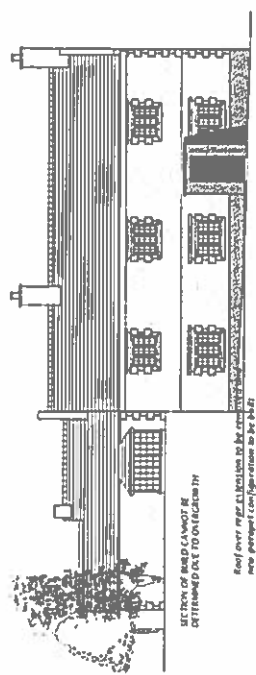
Tudalen 113



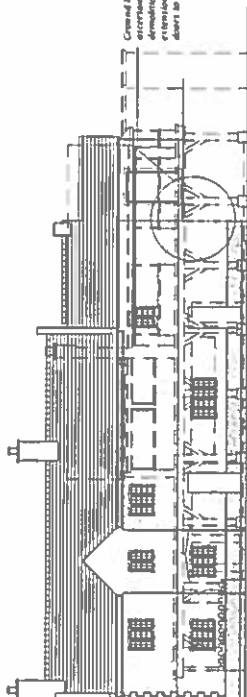
Parry Davies Architects. Chartered Architects.	
The Dunbar Arms, Bedford LE16 4DA	13 5489/3
All Existing.	
113, Tudalen 113, North Walsham, Norfolk, UK	14.01.2017



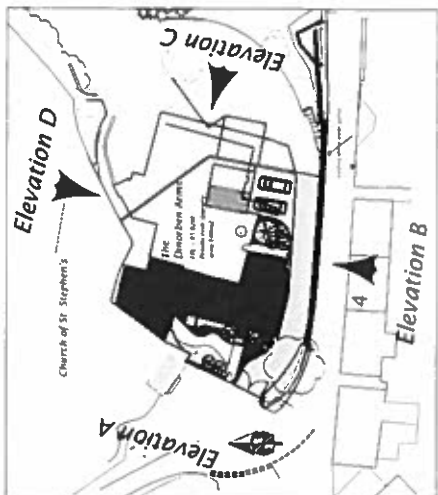
# EXTENT OF DEMOLITION



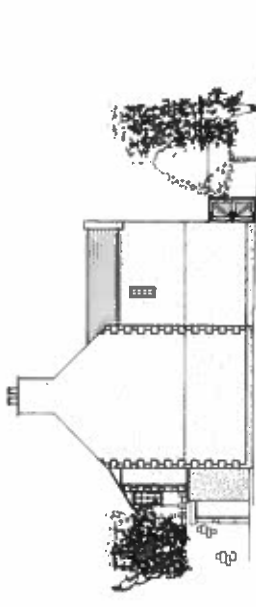
Front elevation- elevation A-west



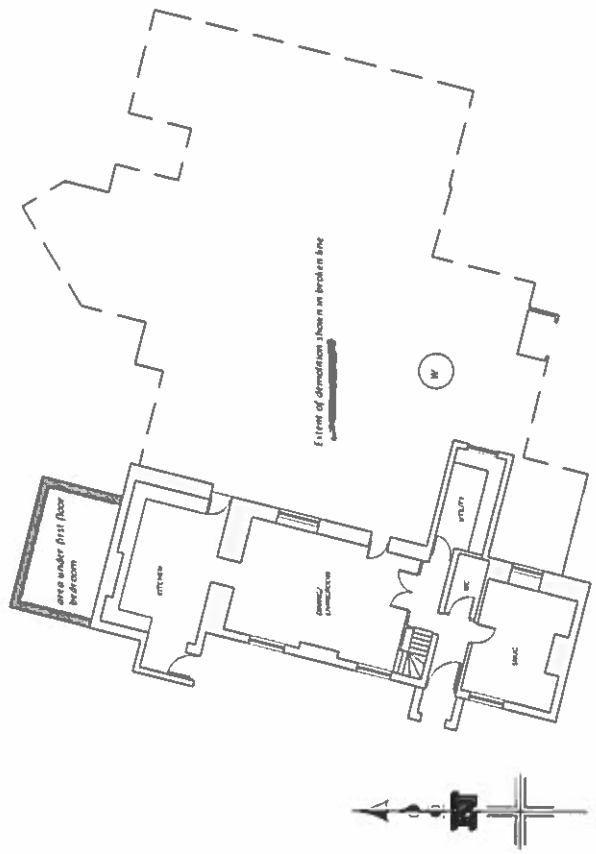
Side elevation- elevation C-east



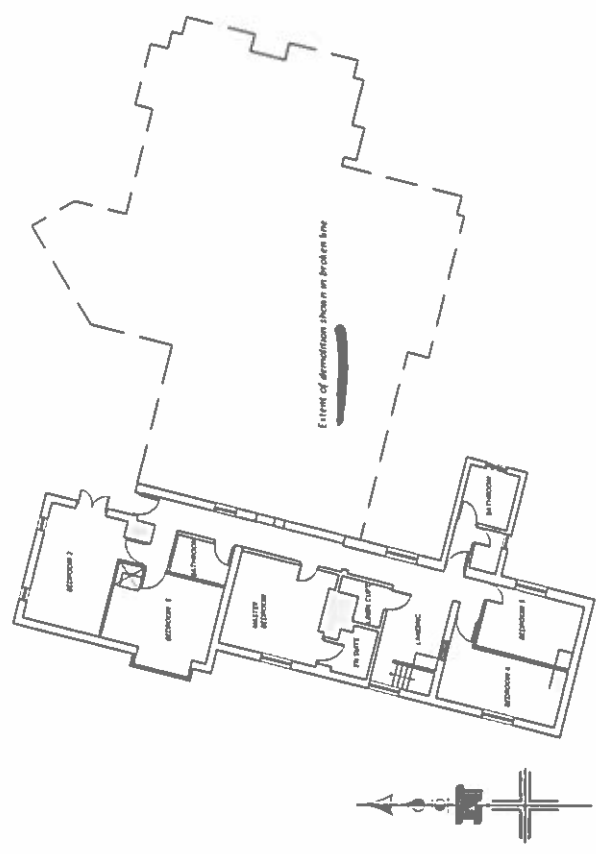
Proposed demolition of the building shown in dotted lines. All work to be carried out in accordance with the Building Regulations and any other relevant legislation. The demolition of the building shown in dotted lines is subject to the approval of the Local Authority. The demolition of the building shown in dotted lines is subject to the approval of the Local Authority. The demolition of the building shown in dotted lines is subject to the approval of the Local Authority.



Side elevation- elevation B- south, as viewed from the B5429



Ground floor layout plan  
Proposed ground floor area 95.54m<sup>2</sup> / 1028.36 sq ft



First floor layout plan  
Proposed first floor area 120.34m<sup>2</sup> / 1304.24 sq ft



Parry Davies Architects	
Chartered Architects	
The Dismal Arms, Bolgeri 1116 40A	
As Proposed	17 5489.4
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**ITEM NO:**

**WARD:** Tremeirchion

**WARD MEMBER(S):** Cllr Barbara Smith

**APPLICATION NO:** 41/2013/0857/ PF

**PROPOSAL:** Change of use and conversion, with partial demolition, of former public house to form 1 No. dwelling and erection of detached garage at rear

**LOCATION:** Dinorben Arms Public House Bodfari Denbigh

**APPLICANT:** ABC & D Limited Tony Thackeray

**CONSTRAINTS:** Listed Building  
Conservation Area  
AONB

**PUBLICITY UNDERTAKEN:** Site Notice – No  
Press Notice – No  
Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**

**Scheme of Delegation Part 2**

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

**BODFARI COMMUNITY COUNCIL**

“Resolved that the Local Planning Authority be recommended to refuse this application on the following grounds:-

- (i) Despite the further modification to the application since its initial withdrawal, the quality of the submission is disappointing and in respect of policy BSC12 the evidence submitted in support is insufficient, inaccurate, incomplete and, in part, contradictory.
- (ii) Policy PSE3: the applicant’s claims remain speculative and no evidence has been adduced in support of the reasons for closure and the statements relating to the alleged attempts at marketing and the outcome are contradictory
- (iii) The community council reiterate their original comments that the suggestion that, because an area has still been able to meet a range of employment needs does not, in itself, demonstrate that its loss is without effect on the local economy. The effect such services have in performing a vital role in meeting the daily needs of the community is emphasised in the reasoned justification for the policy. The Dinorben Arms, throughout its existence as a functioning public house, has been a major source of employment, predominantly within the village and its immediate surroundings and the existence of another, operational, public house throughout this period, in no way detracts from the impact which the Dinorben Arms has had on the life of the community.
- (iv) The community council had previously stated the view that, in the absence of cogent arguments based on firm evidence of non-viability or unsuitability, this application is premature and lacking in substance. Nothing in the resubmission causes them to resile from that opinion and the increasing conflict between the contradictory statements made by the applicants in support reinforce that view.”

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY  
JOINT ADVISORY COMMITTEE

“The additional information relating to the viability of the business and marketing of the site is noted and the JAC welcomes the revised treatment of the proposed frontage wall which is now to be finished in natural local stone to match the adjoining church wall, together with the intention to restore the retaining wall along the B5429 as a natural local stone wall. However, the JAC is still uncertain as to the treatment of the B5429 boundary above the existing wall and would prefer this to be increased in height with traditionally finished local stone to match the restored retaining wall. Such an approach would be more sympathetic to the character and appearance of the Listed Building and Conservation Area.”(AONB Management Plan Policies PSQ1, PCP1, PCP2, PCP3 and PHE1)”

NATURAL RESOURCES WALES

No objection, further details of mitigation and compensatory roost location need to be agreed by the Local Planning Authority. A Licence will be required.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

No objection subject to the inclusion of conditions requiring retention of parking facilities within the site, the need for the access to the site to be constructed/altered prior to occupation and details of site compound location, traffic management scheme, hours and days of operation and the management and operation of construction vehicles.

Ecologist

No objection subject to the inclusion of conditions to ensure the bat mitigation measures are followed and further details in relation to Great Crested Newt Reasonable Avoidance Measures.

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

J. & G. Barnes, Hafod Tan Eglwys, Bodfari

J. & J. Pearce, Yr Hen Feudy, Bodfari

Mrs Muir, Minehead, Bodfari

Dee & Alex Jones, Bella Vista, Bodfari

Glynis Shaw, Castell House, Bodfari

Jenny Potter, Rectory, Caerwys (with 39 names listed)

Summary of planning based representations in objection:

Loss of Public House, Tourist facility & Community Facility :Would like to see it reopened as a pub; already lost the village post office/shop; Tourism is an important employment opportunity for people in the area and if tourists are to be encouraged then they need places to stay, eat and socialise; the pub was used as a community/social meeting place and this would be lost forever if this application were allowed and further break up the community; the neglect of the building has caused its degradation which is now an eyesore however this should not allow a change of use as the site is still perfect for the social needs of Bodfari which has no village hall. Ideally a pub can be reinstated but otherwise it should be restored as a community centre

Visual Impact

Detrimental effect on the character of the neighbourhood, Conservation Area and AONB by closing off the open front of a historic listed building and suburbanising the heart of the community;

### Other Matters

There are a number of houses in and around the village that has been on sale for some time.

### **EXPIRY DATE OF APPLICATION: 9/9/2013**

### **REASONS FOR DELAY IN DECISION:**

- additional information required from applicant
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information

### **PLANNING ASSESSMENT:**

#### **1. THE PROPOSAL:**

##### 1.1 Summary of proposals

- 1.1.1 This application seeks full planning permission for the change of use and conversion of the Dinorben Arms Public House to form a single dwelling.
- 1.1.2 The proposal includes the demolition of part of the building and the erection of a detached garage to the rear.
- 1.1.3 It is proposed to utilise the existing access which is located to the front side of the building and also provide a separate pedestrian access leading directly to the front door of the property.
- 1.1.4 The proposal is to form a single dwelling comprising a living/dining room, kitchen, utility room, snug and WC at ground floor level with 5 bedrooms and bathrooms at first floor level.
- 1.1.5 An accompanying application for Listed Building Consent has been submitted, and follows this item on the agenda.
- 1.1.6 The applicant is aware of the Council's policies in relation to a change of use and has provided the following information and justification in support of the application in response to Policy PSE 10 of the LDP:

##### i) the unit is no longer financially viable

No financial information is available. Trade for the Public House was depleting in 2006 which led to the closure of the pub and the financial commitment required to upgrade the building would not be a surety to ensure the business' resurrection.

##### ii) the unit has been actively marketed for a period of 12 months without success

The unit was actively marketed between Spring 2007 and October 2008.

Advertising by Edwards Symmons of Liverpool commenced in Spring 2007 with press adverts in both 'The Publican' and the 'Estate Gazette' for the building and the land at the rear which had been given outline planning permission for residential development. The guide price was £1,000,000.

12 written offers were received and interested parties included Whitbred, Thwaites, Scottish & Newcastle and an unnamed restaurant group. These did not reach the asking price.

The building was remarketed in January 2008 at a reduced figure of £675,000 and as this was not reached, the building and land went to auction.

No marketing evidence has been provided. Copies of marketing material have been sought by the applicants agent but unfortunately 'The Publican' and 'Estates Gazer's' archives do not cover this time frame.

iii) all other reasonable options to find a new user for the unit have been pursued

The building was actively marketed for a new brewery and landlord however no offer came close to the lowered guide price, those looking in depth at the property would have been disillusioned by the state of repair of the building which is decaying at an alarming rate.

Members are referred to the front of the report for detailed plans and the extent of demolition proposed.

#### 1.2 Description of site and surroundings

1.2.1 The Dinorben Arms is a 2 storey property located in the centre of the village of Bodfari. The property was formerly in use as a Public House, which is understood to have ceased in 2007.

1.2.2 The property has an existing vehicular access, and also located to the rear is a large tiered car park with separate access off the main village road.

#### 1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Bodfari.

1.3.2 The Dinorben Arms is a Grade II Listed Building located within the Bodfari Conservation Area.

#### 1.4 Relevant planning history

1.4.1 None relevant to the building.

1.4.2 Outline planning permission was granted in 2005 for the development of the car park for residential purposes.

#### 1.5 Developments/changes since the original submission

1.5.1 Additional information relating to protected species and mitigation has been provided.

1.5.2 Amended plans and additional information relating to the Listed Building application has resulted in a Listed Building Appraisal being submitted.

#### 1.6 Other relevant background information

1.6.1 A separate full planning application for the development of the rear car park for residential dwellings has been submitted under ref 41/2013/0648/PF. This application is still under consideration and will be reported to Planning Committee at a later date.

1.6.2 The Dinorben Arms was classed as vulnerable in the 2011 Listed Buildings at risk survey, which is the Council's most up to date survey. The building is on the Council's eyesore site list and has been for 3 years.

## **2. DETAILS OF PLANNING HISTORY:**

2.1 None

## **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

**Policy RD1** – Sustainable development and good standard design

**Policy BSC1** – Growth Strategy for Denbighshire

**Policy BSC11** – Recreation and open space

**Policy BSC12** – Community facilities

**Policy PSE10** – Local shops and services



**Policy VOE1** - Key areas of importance

**Policy VOE2** – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

**Policy ASA3** – Parking standards

### 3.1 Supplementary Planning Guidance

Supplementary Planning Guidance – Listed Buildings

Supplementary Planning Guidance – Conservation Areas

Supplementary Planning Guidance – Open Space

Supplementary Planning Guidance – Parking Standards

### 3.2 Government Policy / Guidance

Planning Policy Wales Edition 7 July 2014

Technical Advice Notes 18: Transport

Circulars

Welsh Office Circular 61/96: Planning and the Historic Environment - Listed Buildings and Conservation Areas.

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, July 2014 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

4.1.1 Principle

4.1.2 Visual amenity

4.1.3 Impact on Listed Building and Conservation Area

4.1.4 Residential amenity

4.1.5 Ecology

4.1.6 Highways (including access and parking)

4.1.7 Open Space

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main policy in the LDP which is relevant to the principle of housing development in towns and villages is Policy BSC1, which seeks to make provision for new housing in a range of locations, concentrating development within identified development boundaries.

Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria.

The site is located within the development boundary of Bodfari in the adopted Local Development Plan where the principle of residential development may be acceptable in terms of Policies BSC 1 and RD 1.

In relation to Policy PSE 10, relating to local shops and services, proposals which

result in their loss to other uses are not permitted unless it can be demonstrated that the following tests can be met:

- i) the unit is no longer financially viable
- ii) the unit has been actively marketed for a period of 12 months without success
- iii) all other reasonable options to find a new user for the unit have been pursued.

In relation to the tests of Policy PSE 10, the information provided to support the statements made in relation to the viability and marketing of the Public House are set out in Section 1.1.6. The information is respectfully limited although it suggests that attempts have been made to acquire further details. In relation to Policy PSE 10, it is not considered that the policy tests are clearly met, however it is considered that there are other factors to take into account in this case. The condition of the Listed Building is the main cause for concern and is deteriorating at a rapid rate and the building is in a prominent location at the heart of the village, which is within a Conservation Area and as stated above, has been on the Councils eye sore site list for 3 years.

Whilst local residents and the Community Council would like to see the building re-opened as a public house, the building has failed to secure interest and investment for that use and after 7 years of vacancy and neglect, a proposal has now been submitted to change the use to a single dwelling which would secure a long term use for the building. Residential use does fit in with surrounding uses being located centrally within a village and the building was originally built as a dwelling, which is a positive factor to weigh against any policy conflicts.

With respect to the Community Council's reference to Policy PSE 3, this relates to employment land and sites in the County and is not considered of direct relevance to a proposal involving a former public house.

#### 4.2.2 Visual amenity/Impact on Listed Building and Conservation Area

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

Local Development Plan Policy VOE 1 seeks to protect sites of built heritage from development that would adversely affect them. The context for assessment of applications involving alterations / extensions to a listed building which require planning permission is set by Welsh Office Circular 61/ 96 and Planning Policy Wales (Section 6), which stress the importance of protecting the historic environment. PPW 6.1 refers specifically to the need to ensure the character of historic buildings is safeguarded from alterations, extensions, or demolition that would compromise their special architectural and historic interest.; and 6.5.9 indicates that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building or its setting, and any features of special architectural or historic interest which it possesses.

Local Development Plan Policy VOE 1 seeks to protect sites of built heritage from development that would adversely affect them. Planning Policy Wales (Section 6), stresses the importance of protecting the historic environment, and in relation to Conservation Areas, to ensure they are protected or enhanced, while at the same time remaining alive and prosperous, avoiding unnecessarily detailed controls. The basic objective is therefore to preserve or enhance the character and appearance of a Conservation Area, or its setting.

There are objections from local residents in relation to the visual impact of the proposal and the detrimental effect the proposal would have on the character of the neighbourhood, Conservation Area and AONB.

The proposal involves the conversion of the original building and the demolition of modern extensions to the rear of the original building which would provide space for a private rear garden with a detached garage. It is also proposed to alter part of the boundary wall along the frontage of the site with the highway by reducing its height to 1m above road level and also to erect gates to the front boundary of the property. Overall subject to control over the final details, it is not considered that the proposal would have a negative visual impact on the area, the Listed Building or character and appearance of the Conservation Area. It is therefore considered acceptable in relation to the policies and guidance listed above.

A separate application for Listed Building Consent has been submitted and follows on the agenda.

#### 4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc.

There are no objections in relation to residential amenity.

The proposal involves the conversion of the original building and the demolition of modern extensions to the rear of the original building which would provide space for a private rear garden with a detached garage. It is also proposed to alter part of the boundary wall along the frontage of the site with the highway by reducing its height to 1m above road level and also to erect gates to the front boundary of the property. All windows within the building would be located to the front and rear elevations which do not overlook any existing dwellings. The property would be provided with sufficient amenity and parking spaces and it is therefore not considered that the proposal would result in an adverse impact on the amenities of existing or future residents.

#### 4.2.4 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

The building supports Lesser Horseshoe bats. No objections have been expressed over the potential impact on these species as a result of development. The Council's Biodiversity Officer and Natural Resources Wales (NRW) have raised no objection subject to the implementation of the measures detailed in the ecological survey and imposition of planning conditions.

The Lesser Horseshoe Bat is protected under the provisions of the Wildlife and

Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulation 2010 (as amended). NRW have raised no objection provided the recommendations within the surveys undertaken are adhered to; the bat roost to be provided within the proposed garage should be constructed and completed to satisfactory standards before the final exclusion of the bats from the main building. A planning condition is suggested requiring details of the mitigation recommended along with a method statement, and this would need to be completed and approved in order for the applicant to secure a Licence from NRW to permit works that will affect bats and their roosts.

The County Ecologist has suggested a condition requiring details of Reasonable Avoidance Measures be imposed to safeguard Great Crested Newts as the application relating to the residential development of the car park has not been resolved. Full Great Crested Newt mitigation details would be required for any development of the car park site.

Officers' conclusion is that it would be in order to protect ecological interests through a condition ensuring the development is undertaken in accordance with the recommendations within the ecological report.

#### 4.2.5 Highways (including access and parking)

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

There are no objections to the proposal on highway safety grounds.

The proposal is to utilise the existing access to the site which leads around the side of the building to where a new detached garage is proposed. Highways Officers raise no objection to the proposal to convert the public house in to a single dwelling subject to the inclusion of standard conditions and also provided a survey of the existing retaining wall adjacent to the highway is undertaken. It is not considered that there are any reasonable highway grounds to refuse permission here.

#### 4.2.6 Open Space

Policy BSC 3 of the local development plan sets the basic requirement for development to contribute, where relevant, to the provision of infrastructure, including recreation and open space, in accordance with policy BSC 11. Policy BSC 11 requires new developments to provide open space in accordance with the County's minimum standard of 2.4 hectares per 1000 population. It states that open space should always be provided on site, and that commuted sums will only be acceptable where it is demonstrated that development would not be financially viable should the full requirement be provided onsite, or where it is impractical to provide the full requirement onsite. Where there is no identified shortfall of open space in an area, the option of a commuted sum payment may be appropriate to mitigate impact on existing open space and equipment.

The proposal includes the creation of 1 no. new residential unit.

It is considered that the proposals would be acceptable in relation to open space subject to the requisite contribution being secured. It is considered that this could be done through an appropriately worded condition.

## 5. SUMMARY AND CONCLUSIONS:

5.1 Concerns raised over the application are acknowledged but in Officer's opinion, the principle of the proposal is acceptable given the circumstances surrounding the application, and there are no adverse impacts on visual or residential amenity, highway safety or nature conservation.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.

2. **PRE-COMMENCEMENT CONDITION**

No development shall take place until the mechanism for compliance with the Council's policy and guidance on Recreation and Open space has been agreed in writing with the Local Planning Authority.

3. **PRE COMMENCEMENT CONDITION**

Prior to the commencement of the erection of any external stonework of the boundary walls, a sample panel of the type of stonework, mortar and pointing it is proposed to use on the boundary walls shall be constructed on the site, and the development shall only proceed in accordance with such samples as may be approved in writing by the Local Planning Authority; and the stonework, mortar and pointing to be used on the building (s) shall be strictly of the same type, texture and colour as the approved sample panel.

4. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

(a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.

(b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;

(c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;

(d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;

(e) Proposed positions, design, materials and type of boundary treatment including gate details and colour finish.

5. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

6. In relation to the approved detached garage, the doors shall be ledged and braced painted timber doors and strap hinges, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out strictly in accordance with the approved details.

7. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the approved plan and shall be completed prior to the proposed development being brought into use.

8. **PRE COMMENCEMENT CONDITION**

The access to the site shall be in laid out and constructed in accordance with the approved plan before the development is brought into use.

9. **PRE-COMMENCEMENT**

In relation to the carrying out of the works, no development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained in relation to the site compound location, traffic management scheme, hours and days of operation and the management and operation of construction vehicles, the works shall be carried out strictly in accordance with the approved details.

10. **PRE COMMENCEMENT CONDITION**

No development shall commence until a detailed survey of the existing retaining wall adjacent to the highway has been carried out by a qualified structural engineer, and any remedial work identified shall be carried out prior to the commencement of the use hereby permitted.

11. **PRE-COMMENCEMENT CONDITION**

Prior to the commencement of the development, a photographic record of the garden structure

located to the east of the property shall be undertaken, details of which shall be submitted to the Local Planning Authority prior to any works taking place.

12. The development shall proceed strictly in accordance with the mitigation measures recommended in the ecology reports.

13. Prior to the commencement of the development, details of Reasonable Avoidance Measures for Great Crested Newts shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with such approved details.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. In order to comply with the policy and guidance of the Local Planning Authority in relation to the provision of open space in conjunction with new development.

3. In the interests of visual amenity/character and appearance of the area.

4. To ensure a satisfactory standard of development, in the interests of visual amenity.

5. To ensure a satisfactory standard of development, in the interests of visual amenity.

6. In the interests of visual amenity/character and appearance of the area.

7. To provide for the loading, unloading and parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.

8. To ensure the formation of a safe and satisfactory access

10. In the interests of highway safety.

11. In the interests of historical recording.

12. In the interests of nature conservation.

13. In the interests of nature conservation.

#### **NOTES TO APPLICANT:**

In relation to protected species matters, you are advised that you will require a Licence from NRW. The Licence application will need to be accompanied by a Method Statement containing details of mitigation and compensation for minimising short and long term impacts on the bats, this should include a suitable post construction monitoring audit.

Please see attached details relating to Great Crested Newt Reasonable Avoidance Measures CH1 CH3.

In relation to condition 3, lime pointing will be required.

**WARD:** Tremeirchion

**AELOD(AU) LLEOL:** Y Cyng. Barbara Smith

**RHIF CAIS:** 41/2013/0858/ LB

**CYNNIG:** Cais adeilad rhestredig i drawsnewid, dymchwel rhan o'r adeilad a gwneud addasiadau i'r hen dŷ tafarn i greu 1 annedd a garej newydd yn y cefn

**LLEOLIAD:** Dinorben Arms Public House Bodfari Dinbych

**YMGEISYDD:** ABC&D Limited Tony Thackeray

Mae tudalen hwn yn fwriadol wag



Heading:

REFERENCE NO 41/2013/0858/LB  
DINORBEN ARMS PUBLIC HOUSE  
BODFARI

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ  
Tel: 01824 706800 Fax: 01824 706709

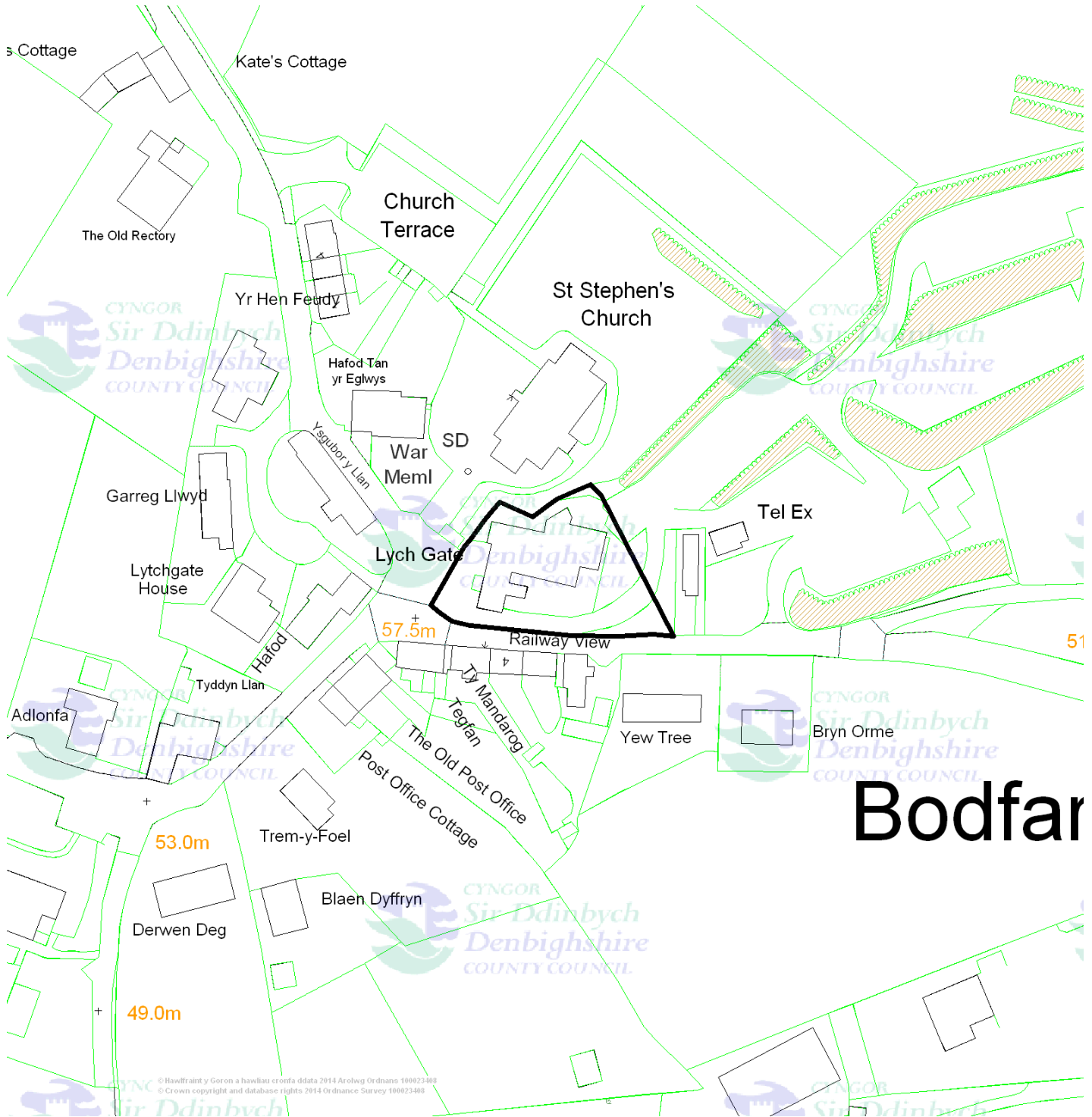
 Application Site



Date 29/9/2014  
Centre = 309255 E 370085 N

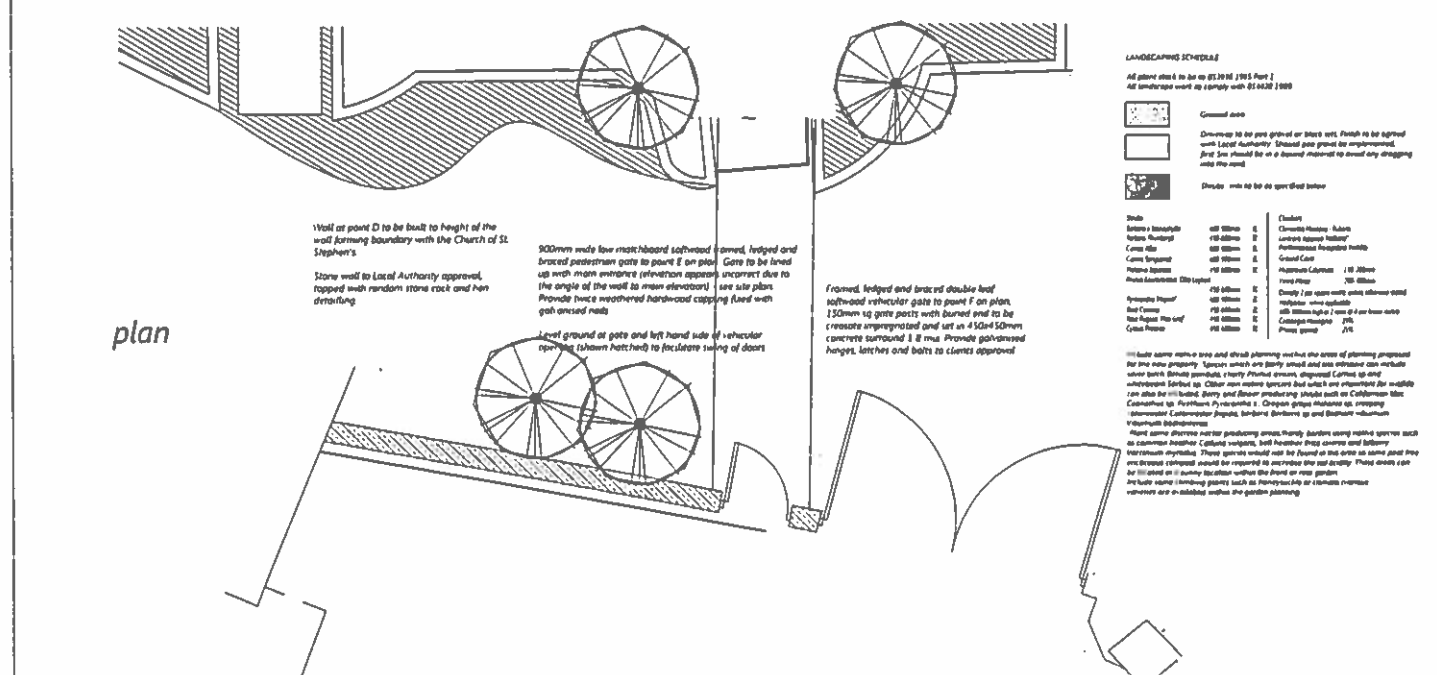
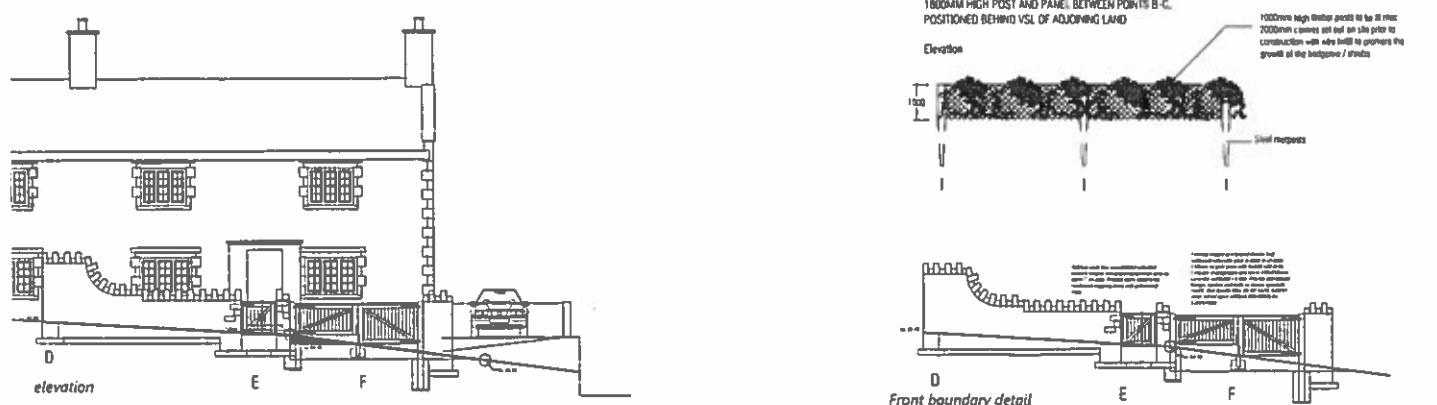
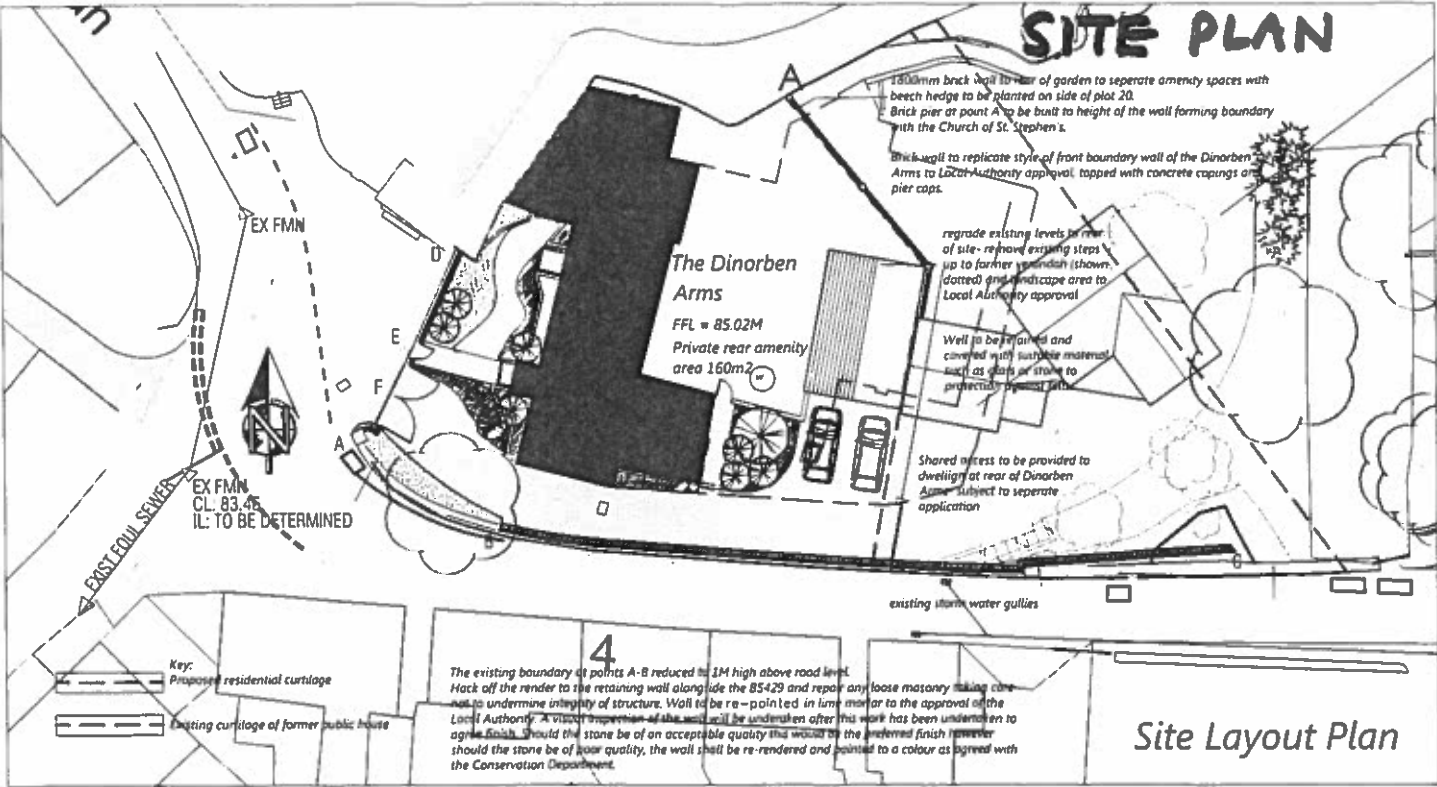
Scale 1/1250

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



# Bodfar





Revision A: July 2013: definition of the proposed residential curtilage  
 Revision B: February 2014: Details as requested by Local Authority  
 Revision C: August 2014: Bat roost to rear of garage

Charters Architects.

**Parry Davies Architects.**

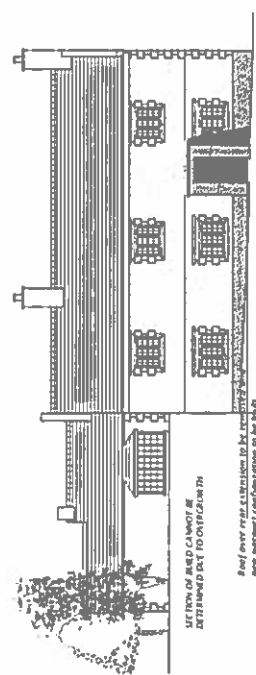
**The Dinorben Arms, Bodfari LL16 4DA**

**Proposed site plan**

DATE: 11/11/14  
 SCALE: 1:250  
 DRAWN BY: PDP  
 CHECKED BY: PDP

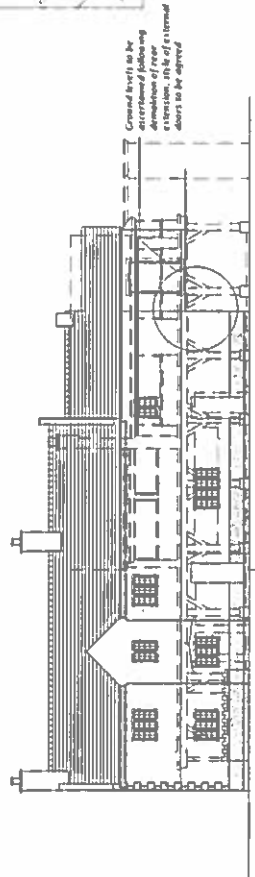
STUDIO: 53-20, North Wales Business Park, Abergele LL22 8LJ  
 TEL: 01791 851417 E-mail: PDP@PDPArchitects.wales.nhs.uk





Front elevation- elevation A-west

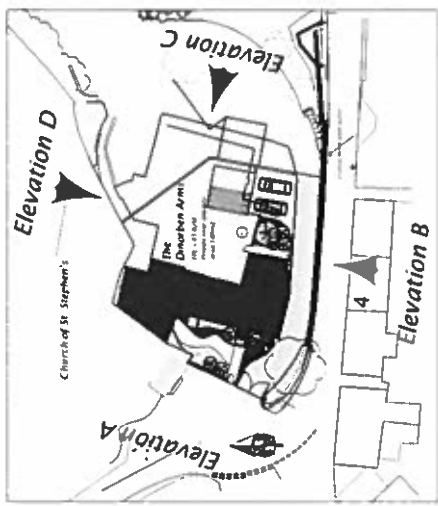
SECTION OF BUILDING NOT BE DETACHED BUT FOOTING WITH NEW PARTIAL CONCRETE TO BE PLAN



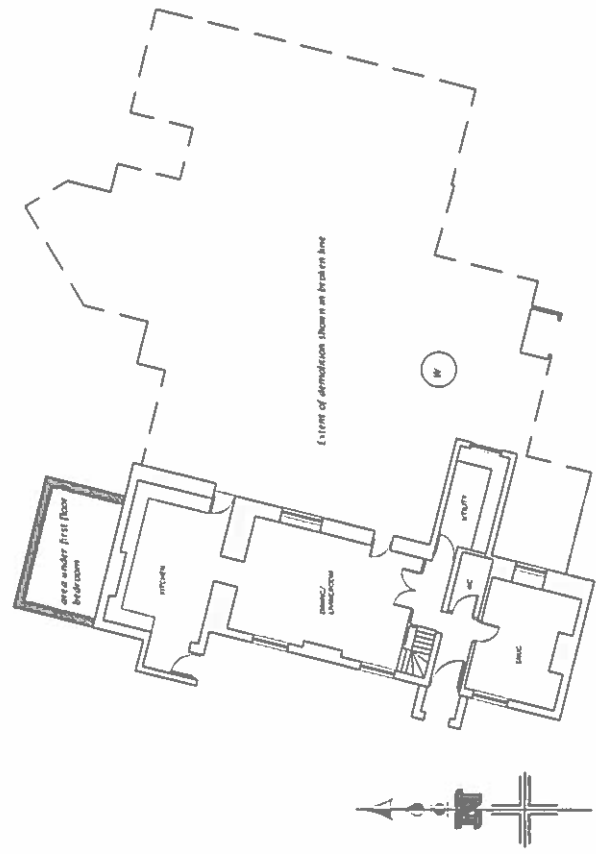
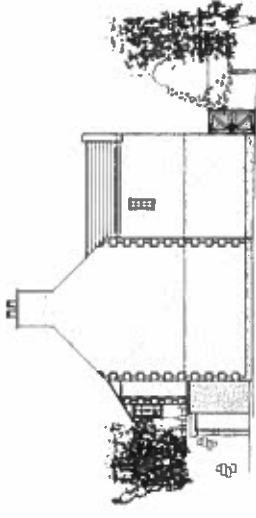
Side elevation- elevation C-east

Demolished structure shown in dotted line

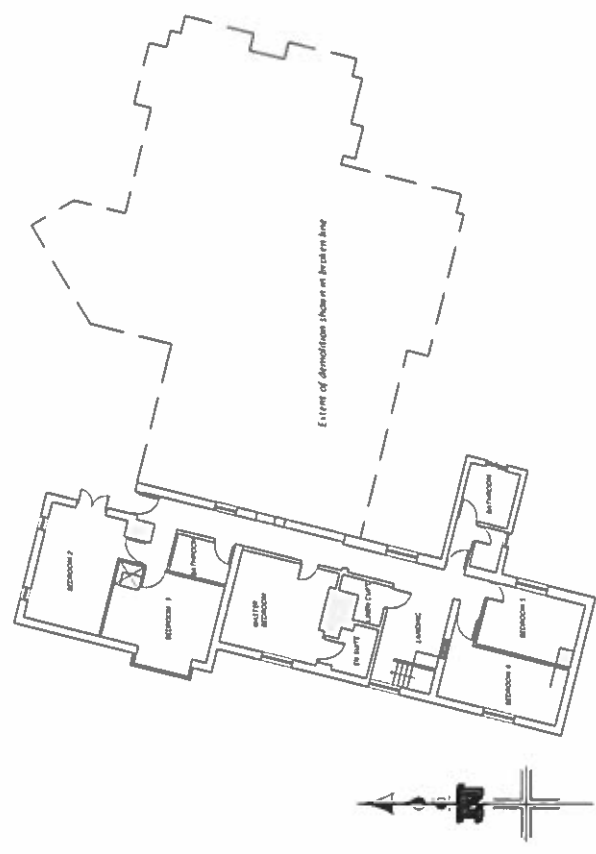
Ground level to be demolished following demolition of rear extension. It is of a normal door to be agreed



Side elevation- elevation B- south, as viewed from the B5429



Ground floor layout plan  
Proposed ground floor area : 95.54sqm / 1028.36 sq ft



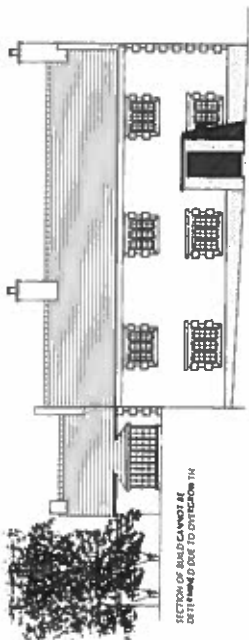
First floor layout plan  
Proposed first floor area 120.34sqm / 1295.24 sq ft

Approved Plans show that the work proposed is self contained and does not require a building approval. Approved plans include drawings submitted to the Council. Plans are not intended to be used for any other purpose. The Council is not responsible for any errors or omissions. All work proposed to be carried out must be approved in writing by the Council. All work proposed to be carried out must be approved in writing by the Council.



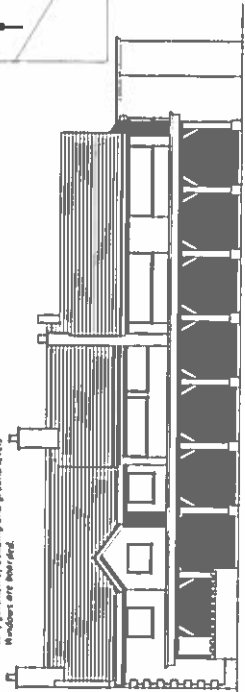
Parry Davies Architects.	
The Donor's Arms, Boffins Hill, 4DA	
As Proposed	
Number 11/20, South Wales Planning Panel, Aberystwyth, Ceredigion LL23 1HJ	13 5449 3
Tel: 01432 89111 Fax: 01432 89112 Email: info@parrydaves.com	



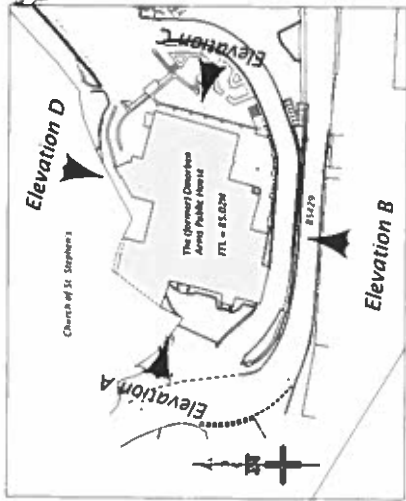


Front elevation- elevation A-west

Rear elevations are made up of mass timber boarding with white render panels. Actual type of panels is difficult to assist due to the way the boarding and ground levels. Windows are boarded.



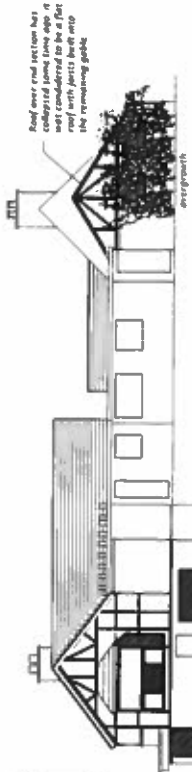
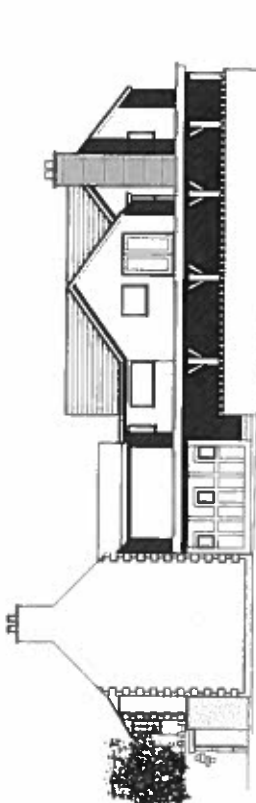
Side elevation- elevation C-east



Elevation D

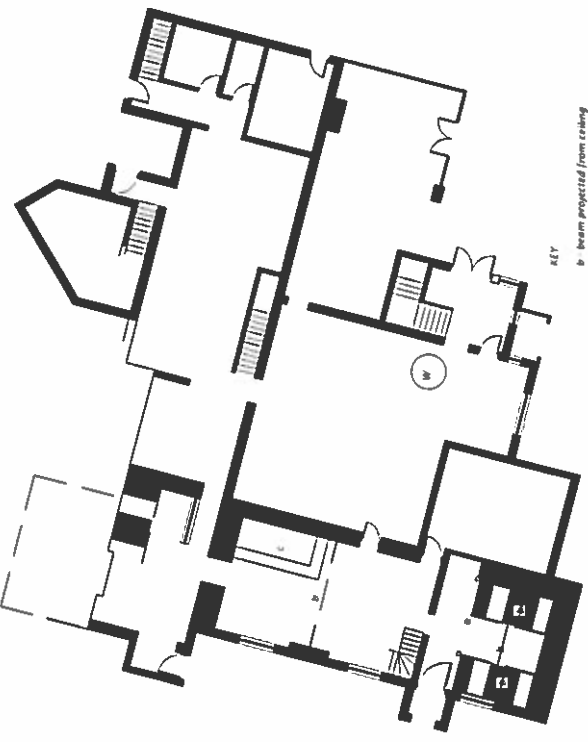
Church of St. Stephen's

Side elevation- elevation B-south, as viewed from the BS429



Side elevation- elevation D-north

Rear over end section has collapsed since some app is not considered to be a flat roof with joints built into the remaining gable.



Ground floor layout plan

Existing Ground floor area: 316.97m<sup>2</sup> / 4057.25sq ft

- KEY
- h beam supported from ceiling
- o vertical post from floor
- section of lowered ceiling within lifting booth
- new seating
- c existing bar counter
- W approx position of wall



First floor layout plan

Existing first floor area: 312.63 m<sup>2</sup> / 3385.14 sq ft

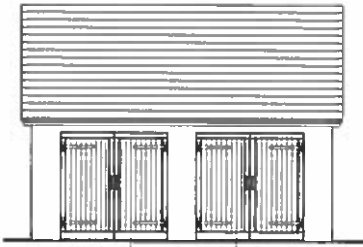
Party Davies Architects, Chartered Architects.	
The Drummer Arms, Bedford 2116 4DA	Project No. 13 5489/J
As Existing	Scale 1:50 (1:100)
Number 11, 20, North Walsham Business Park, North Walsham, Norfolk, Great Britain (NR24 4JL)	Site No. 14/10/17 (Date: 09/10/2014)





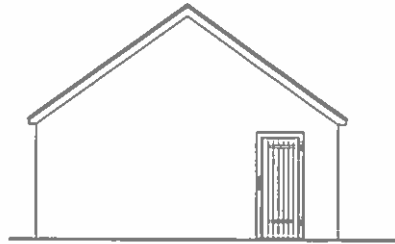


# NEW GARAGE



Front elevation

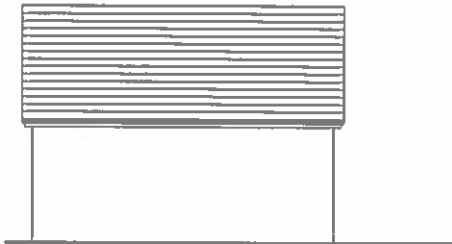
Battered and frame doors with T hinges and pull handles



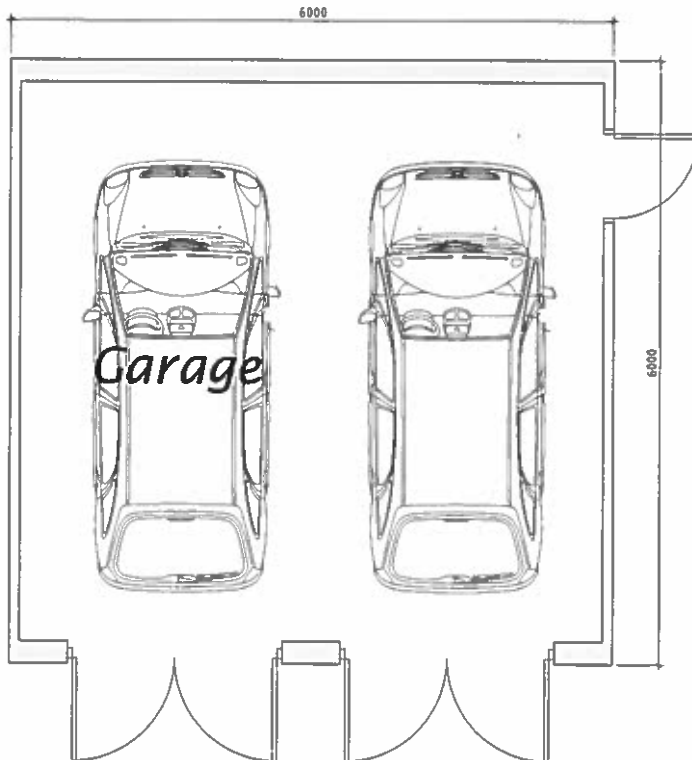
Side elevation



Side elevation



Rear elevation



© COPYRIGHT IN MY MAIL. CITE KIDMILSUNSHINEMATE. REPORT ANY ERRORS OR OMISSIONS TO ARCHITECT

**Parry Davies Architects.**

**Chartered Architects.**

PROJECT TITLE: **The Dinorben Arms, Bodfari LL16 4DA**

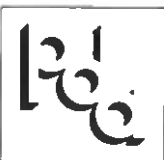
DATE	SCALE	DRAWN	CHECK
June 2013	1:100 / 50 @ A3	KEG	

DRAWING TITLE: **Proposed Garage**

DRAWING NO.	REV
<b>13.5449/6</b>	

Barclays Buildings, High Street, St Asaph, LL17 ORF

Tel: 01745 585517 Fax: 01745 582162. E-mail: PDPArchitects@aol.com





**ITEM NO:**

**WARD:** Tremeirchion

**WARD MEMBER(S):** Cllr Barbara Smith

**APPLICATION NO:** 41/2013/0858/ LB

**PROPOSAL:** Listed Building Application for conversion, partial demolition and alterations of former public house to form 1 dwelling with new detached garage at rear

**LOCATION:** Dinorben Arms Public House Bodfari Denbigh

**APPLICANT:** ABC&D Limited Tony Thackeray

**CONSTRAINTS:** Listed Building  
Conservation Area  
AONB

**PUBLICITY UNDERTAKEN:** Site Notice – Yes  
Press Notice – Yes  
Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

**BODFARI COMMUNITY COUNCIL**

“It was **RESOLVED** to recommend refusal on the following grounds:-

- (1) Contrary to policy BSC12 no evidence has been submitted to show that the continued use of the Dinorben Arms as a public house is un-viable or unsuitable. The applicant’s comments on the reason for closure of the public house are speculative and not supported by any evidence.
- (2) Policy PSE3 : again the applicant’s claims are speculative and no evidence has been provided in support either as to the reasons for closure or of the alleged attempts to market the property.
- (3) POLICY PSE10 :The suggestion that, because the area has still been able to meet a range of local employment needs does not, in itself, demonstrate that its loss is without effect on the local economy. The effect such services have in performing a vital role in meeting the daily needs of people is emphasised in the justification to this policy. The Dinorben Arms, throughout its existence as a functioning public house, has been a major source of employment, predominantly within the village and its immediate surroundings.
- (4) In the absence of cogent arguments based on firm evidence of non-viability or unsuitability, the council take the view that this application is premature and lacking in substance.

#### THE GEORGIAN GROUP

No objection in principle to the demolition of the modern extension to the rear of the property, it is unsightly and detracts from the simple and traditional character of the original fabric. Overall the proposed development is sympathetic to the original fabric and will preserve and enhance this important local building.

#### ROYAL COMMISSION ON THE ANCIENT AND HISTORICAL MONUMENTS OF WALES

The Dinorben Arms was listed for its special interest as a C17th house in the vernacular tradition remodelled in the C19th. The Dinorben Arms has been closed for some time and is rather derelict and the proposals to refurbish it are therefore to be welcomed. Do not need to make a special record of the building before demolition.

#### ANCIENT MONUMENTS SOCIETY

Has concerns over the way the proposals for Listed Building Consent have been presented.

#### COUNCIL FOR BRITISH ARCHAEOLOGY

No response received

#### VICTORIAN SOCIETY

No response received

#### SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS

No response received

#### CLWYD POWYS ARCHAEOLOGICAL TRUST

No objection, suggests a photographic survey condition.

#### DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

##### Conservation Architect

No objection, supports the proposals to reinstate and renovate the Listed Building subject to conditions requiring additional details of the scheme.

#### **RESPONSE TO PUBLICITY:**

##### In objection

Representations received from:

J. & G. Barnes, Hafod Tan Eglwys, Bodfari

J. & J. Pearce, Yr Hen Feudy, Bodfari

Mrs Muir, Minehead, Bodfari

Dee & Alex Jones, Bella Vista, Bodfari

Glynis Shaw, Castell House, Bodfari

Jenny Potter, Rectory, Caerwys (with 39 names listed)

Summary of planning based representations in objection:

Loss of Public House, Tourist facility & Community Facility :Would like to see it reopened as a pub;

##### Visual Impact

Detrimental effect on the character of the neighbourhood, Conservation Area and AONB by closing off the open front of a historic listed building and suburbanising the heart of the community;

#### **EXPIRY DATE OF APPLICATION: 9/9/2013**

#### **REASONS FOR DELAY IN DECISION:**

- additional information required from applicant
- protracted negotiations resulting in amended plans

- re-consultations / further publicity necessary on amended plans and / or additional information

## **PLANNING ASSESSMENT:**

### **1. THE PROPOSAL:**

#### 1.1 Summary of proposals

- 1.1.1 The proposal is for Listed Building Consent, relating to works on The Dinorben Arms in Bodfari in relation to its conversion to a single dwelling, which includes partial demolition.
- 1.1.2 The application comprises of the plans showing the proposals, and a Listed Building Appraisal. This summary contains reference to the proposals and design considerations, restoration intentions and aspirations and to considerations given to the impacts on the listed buildings.
- 1.1.3 Members are referred to the plan at the front of the report for details of the proposed scheme.

#### 1.2 Description of site and surroundings

- 1.2.1 The Dinorben Arms is a 2 storey property located in the centre of the village of Bodfari. The property was formerly in use as a Public House, which is understood to have closed in 2007.
- 1.2.2 The property has an existing vehicular access, and also located to the rear is a large tiered car park with separate access off the main village road.

#### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Bodfari.
- 1.3.2 The Dinorben Arms is a Grade II Listed Building located within the Bodfari Conservation Area.

#### 1.4 Relevant planning history

- 1.4.1 None

#### 1.5 Developments/changes since the original submission

- 1.5.1 Amended plans and additional information relating to the Listed Building application resulted in a Listed Building Appraisal being submitted.

#### 1.6 Other relevant background information

- 1.6.1 The Dinorben Arms was classed as vulnerable in the 2011 Listed Buildings at risk survey, which is the Council's most up to date survey. The building is on the Council's eyesore site list and has been for 3 years.

### **2. DETAILS OF PLANNING HISTORY:**

- 2.1 None

### **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:  
 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
**Policy RD1** – Sustainable development and good standard design  
**Policy VOE 1** - Key areas of Importance

Supplementary Planning Guidance  
 Supplementary Planning Guidance 14: Listed Buildings

Government Policy / Guidance  
 Planning Policy Wales Edition 7 July 2014

#### 4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues in relation to the application are considered to be:

4.1.1 Impact on the character and appearance of the Listed Building

4.2 In relation to the main planning considerations:

Impact on the character and appearance of the Listed Building

The site is located within the settlement boundary of Bodfari, comprising a Grade II Listed Building located within a designated Conservation Area.

Policy VOE 1 of the Denbighshire Local Development Plan looks to protect sites of built heritage and historic landscapes, parks and gardens from development that would adversely affect them. It indicates development proposals should maintain and wherever possible enhance these areas for their characteristics, local distinctiveness and value to local communities.

Planning Policy Wales 7, 2014 (PPW) confirms the general presumption in favour of preservation of listed buildings. The continuation or reinstatement of the original use should generally be the first option when the future of a listed building is considered. It recognises that not all original uses will now be viable or necessarily appropriate and that the application of development and listed building controls should recognise the need for flexibility where new uses have to be considered to secure a building's survival.

Planning Policy Wales, Section 6.5.9 confirms that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting, or any features of special architectural or historic interest which it possesses. (Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Welsh Office Circular 61/96 (Planning and the Historic Environment: Historic Buildings and Conservation Areas), provides general guidance on the principles applied to proposals involving listed buildings, and issues relevant to the consideration of applications. The 4 issues are identified as:

- i. The importance of the building, its intrinsic architectural and historic interest and rarity in both national and local terms
- ii. The particular physical features of the building which justify its inclusion in the list
- iii. The buildings setting and its contribution to the local scene
- iv. The extent to which the proposed works would bring about substantial benefits for the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment.

The Community Council have not raised any specific objections relating to the Listed Building Consent. Their concerns over the principles of the change of use are addressed in consideration of the accompanying planning application in the previous item on the agenda. Local residents have made general comments in terms of the general impact of the proposal on the visual amenity of the area and the historic environment which has also been considered in the assessment of the planning application. No specific concerns have been raised relating to the Listed Building Consent application.

The Council's Conservation Architect has been consulted and has been supportive of

the proposals, in particular the demolition of the extensive flat roof extensions to the rear of the building. The removal of these is considered to greatly enhance the original character of the listed building and the internal plan form is positively restored. The building has been subject to further deterioration over the years and its preservation and conservation is of key importance. Its location, in the middle of the village and next to several other listed buildings and structures – The Church of St. Stephen, the lych gate and step of the church, and Hafod Tan y Eglwys – creates a townscape of high significance. Listed building consent is recommended, subject to clarification being sought in relation to some points of detail, in addition to the need to submit some additional details which are suggested as conditions. The building has declined since Denbighshire County Council's 2002 listed buildings at risk survey from Not at Risk (Category 5) to Vulnerable (Category 4) in 2011. It is now considered to be at risk by the Council. The proposals will secure its preservation.

Whilst acknowledging the basis of representations, based on the response from the Conservation Architect, the proposals are considered to be acceptable and respect the site's historic and visual significance, and the aim to preserve and enhance the building and surrounding area. On these grounds, Officers consider there would be no unacceptable adverse impact on the character and appearance of the Listed Building.

**5. SUMMARY AND CONCLUSIONS:**

The recommendation is to Grant Listed Building Consent subject to conditions, and to referral of the application to CADW, to determine whether to authorise the County Council to grant consent.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.
2. **PRE COMMENCEMENT CONDITION**  
No development shall commence until a method statement and schedule of works identifying protective measures to secure the safety and stability of that part of the Listed Building which is to be retained have been submitted to and approved in writing by the Local Planning Authority. Such steps shall include, in relation to the part of the listed building to be retained, measures to strengthen any wall or vertical surface, to support any floor, roof or horizontal surface and to provide protection for the building against the weather during the progress of the works.
3. Notwithstanding the plans submitted, a site analysis of the exposed elevations that are currently inaccessible shall be undertaken in presence of the Council's Conservation Officer. Any features of interest uncovered by the execution of the approved alterations should be recorded and the advice of the Conservation Officer should be sought prior to any further works.
4. A window schedule shall be undertaken and submitted to and approved by the Local Planning Authority prior to any repair or restoration works undertaken.
5. Notwithstanding the details submitted, cast iron rainwater goods shall be installed on the property.
6. **PRE COMMENCEMENT CONDITION**  
No development shall commence until details of all external materials including paint colours, render type and finish, pointing, slates and ridge tiles have been submitted to and approved in writing by the Local Planning Authority.
7. All other repair work outlined in the Listed Building Appraisal dated January 2014 PDA Ref: 13.5449/7 shall be undertaken in strict accordance with the submitted detail unless otherwise agreed in writing by the Local Planning Authority. The development shall proceed strictly in accordance with the approved details.
8. Prior to installation, details of all new windows and doors, and internal joinery, shall be

submitted to and approved in writing by the Local Planning Authority. The development shall proceed strictly in accordance with such approved details.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of the 1990 Listed Buildings Act.
2. To protect the Listed Building
3. To protect the Listed Building
4. To protect the character and appearance of the Listed Building.
5. To protect the character and appearance of the Listed Building.
6. To protect the character and appearance of the Listed Building.
7. To protect the character and appearance of the Listed Building.
8. To protect the character and appearance of the Listed Building.

**NOTES TO APPLICANT:**

None



**WARD:** Dwyrain Prestatyn

**AELOD(AU) LLEOL:** Y Cyng. James Davies  
Y Cyng. Julian Thompson Hill

**RHIF CAIS:** 43/2014/0906/ AD

**CYNNIG:** Gosod dau arwydd ffasgia wedi ei oleuo a gosod 1 arwydd wedi ei oleuo sy'n estyn allan.

**LLEOLIAD:** 79 Stryd Fawr Prestatyn

**YMGEISYDD:** M & EMS Ltd

Mae tudalen hwn yn fwriadol wag

**ITEM NO:**

**WARD:** Prestatyn East

**WARD MEMBER(S):** Cllr James Davies  
Cllr Julian Thompson Hill

**APPLICATION NO:** 43/2014/0906/ AD

**PROPOSAL:** Installation of 2 externally illuminated fascia signs and 1 no. externally illuminated projecting sign

**LOCATION:** 79 High Street Prestatyn

**APPLICANT:** M & EMS Ltd

**CONSTRAINTS:** Conservation Area

**PUBLICITY UNDERTAKEN:** Site Notice – No  
Press Notice – No  
Neighbour letters - Yes

**CONSULTATION RESPONSES:**

PRESTATYN TOWN COUNCIL

“Observation. The projecting sign should be refused due to adverse impact on conservation area.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

No objection following amendments from previous submission. Request clarification in relation to specific yellow to be used.

**RESPONSE TO PUBLICITY:** None

**EXPIRY DATE OF APPLICATION:** 23/09/2014

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

1.1.1 The proposal is for the erection of 2no. new externally illuminated fascia signs and 1no. new externally illuminated projecting sign at an existing food retailing premises.

1.1.2 The application is a re-submission following a previous refusal and dismissed appeal.

1.1.3 Materials proposed on the fascia signs are timber and aluminium lettering for the fascia sign and timber with vinyl graphics for the hanging sign.

1.2 Description of site and surroundings

1.2.1 The existing property is retail unit located within the town centre of Prestatyn.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the Development Boundary and designated town centre as defined by the Local Development Plan and the Prestatyn Conservation Area.

1.4 Relevant planning history

1.4.1 A previous application for advert consent refused due to the impact on the amenity of the locality.

1.5 Developments/changes since the original submission

1.5.1 None

1.6 Other relevant background information

1.6.1 None

**2. DETAILS OF PLANNING HISTORY:**

2.1 43/2013/1321 - Display of 3 no. externally-illuminated fascia signs and 1 no. externally-illuminated projecting sign REFUSED under delegated powers 09/12/2013 and subsequently dismissed at appeal.

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 Government Policy / Guidance / Legislation

Planning Policy Wales Edition 5 November 2012

The Town and Country Planning (Control of Advertisements) Regulations 1992 (advertisement regulations)

3.2 Supplementary Guidance

SPG 17 - Advertisements

**MAIN PLANNING CONSIDERATIONS:**

3.3 The main land use planning issues in relation to the application are considered to be:

3.3.1 Principle

3.3.2 Amenity of the Locality

3.3.3 Public Safety

3.4 In relation to the main planning considerations:

3.4.1 Principle

The advertisement regulations permit the display of advertisements, however powers of control are provided to Local Planning Authorities in order to ensure advertisements do not have unacceptable impacts. The proposal is therefore considered acceptable in principle subject to the assessment of impacts set out below. The advertisement regulations require that the assessment of issues are restricted to amenity of the locality and public safety. The Local Planning Authority can only refuse deemed consent against these criteria.

3.4.2 Amenity of the Locality

Under the advertisement regulations the Local Planning Authority may refuse to grant express consent in the interests of amenity. Particular regard should be given to features in the locality of historic, architectural, cultural or similar instance.

The Town Council have recommended that the proposed hanging sign should be refused. The Conservation Officer has raised no objection to the proposals subject to clarification of the specific shade of yellow to be used.

The comments of the Town Council are duly noted, however Officers do not consider that the proposed signage would have an unacceptable impact in relation to the amenity of the locality. In relation to the comments of the Conservation Officer it is considered that it would be reasonable to attach a condition to the permission requiring submission and agreement of the detail of the proposed yellow to be used.

3.4.3 Public Safety

Under the advertisement regulations the Local Planning Authority may refuse to grant express consent in the interest of public safety. Particular regard should be taken to the safety of any person who may use any road, railway, waterway, dock, harbour or aerodrome and whether any display of advertisements is likely to obscure, or hinder

the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air.

Having regard to the location and design of the proposed signage it is not considered that the proposal would have an unacceptable impact in relation to obscuring key views or creating a distraction to the public.

**4. SUMMARY AND CONCLUSIONS:**

The proposals would not have an unacceptable impact on amenity or public safety and are therefore recommended for approval.

**RECOMMENDATION: APPROVE** - subject to the following conditions:-

1. Prior to the display of the advertisement hereby approved, details of the proposed yellow to be used shall be submitted to and approved in writing by the Local Planning Authority - in the interests of protecting the amenity of the locality

**NOTES TO APPLICANT:**

Please note express consent is granted under the Town and Country Planning (Control of Advertisements) Regulations 1992 (advertisement regulations) and the permission granted is subject to a time limit of 5 years from the date of the grant of this permission.

Please also note the standard conditions that apply

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Mae tudalen hwn yn fwriadol wag

**WARD:** Dwyrain Llanelwy

**AELOD(AU) LLEOL:** Y Cyng. Dewi Owens

**RHIF CAIS:** 46/2014/0710/ PF

**CYNNIG:** Newid defnydd siop Dosbarth A1 i fwyty a siop tecawê  
Dosbarth A3

**LLEOLIAD:** Gwylfa Sgwâr Bronwylfa Llanelwy

**YMGEISYDD:** Mr Steven Owen

Mae tudalen hwn yn fwriadol wag



Heading:

REFERENCE NO. 46/2014/0710/PO

GWYLFA

BRONWYLFA SQ, ST ASAPH

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709



Application Site

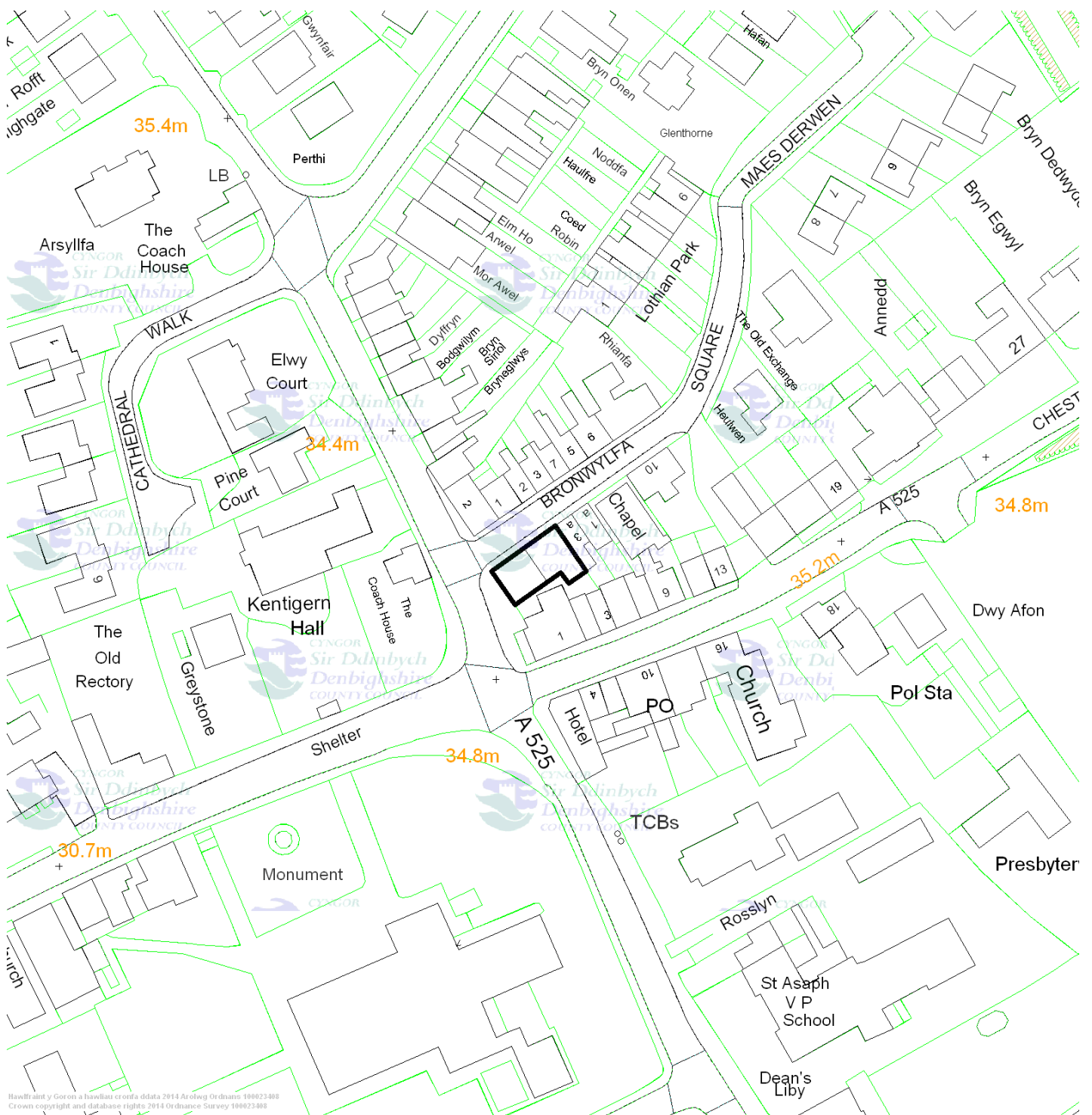


Date 25/9/2014

Scale 1/1250

Centre = 303929 E 374407 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



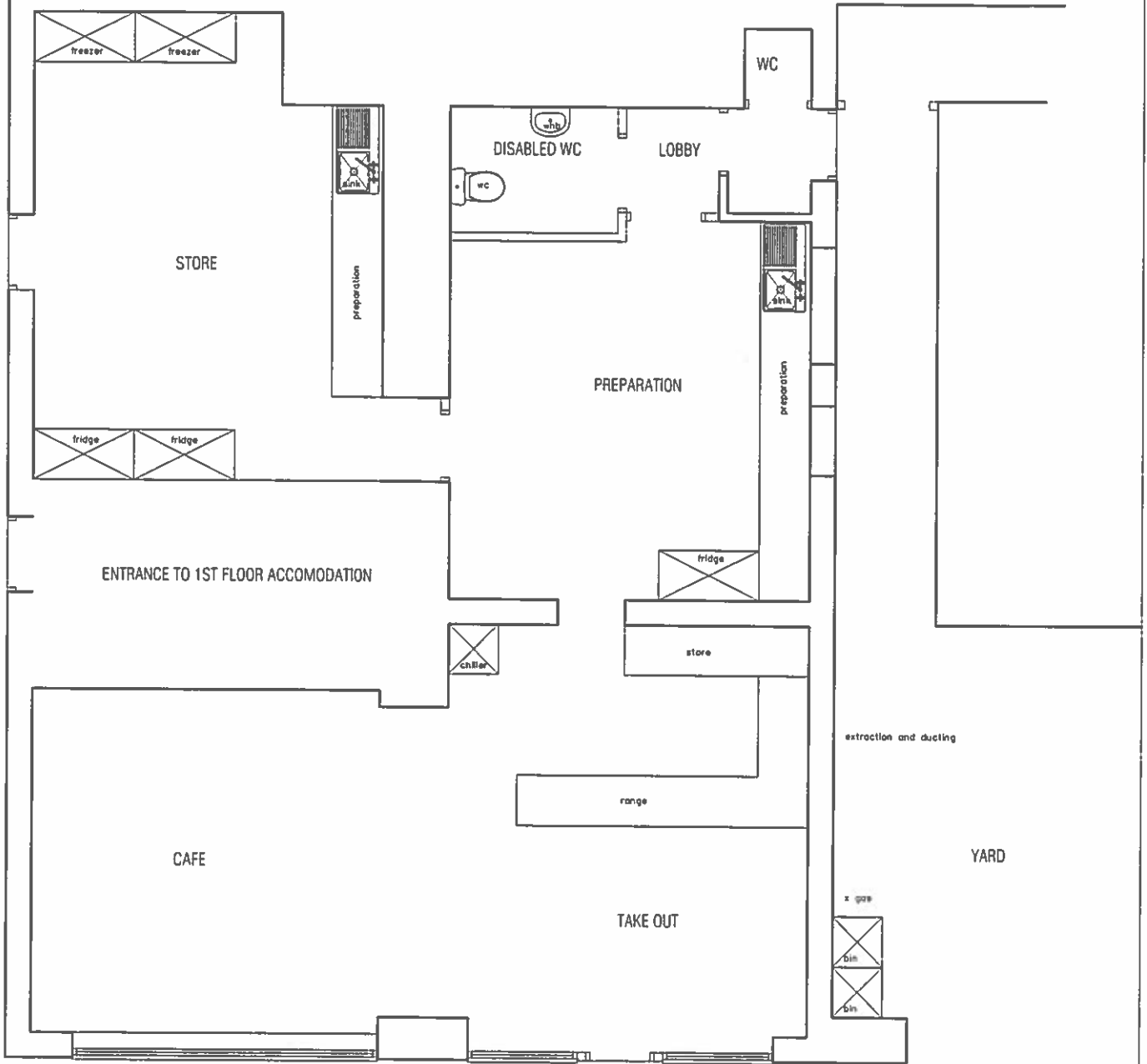
Hawlfraint y Goron a hawlfraint cofrestru © 2014 Ordnance Survey 100023408  
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Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi © Hawlfraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawlfraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408. 2011.



# PROPOSED FLOOR PLAN



## GROUND FLOOR PLAN

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**Parry Davies Architects.**

**Chartered Architects.**

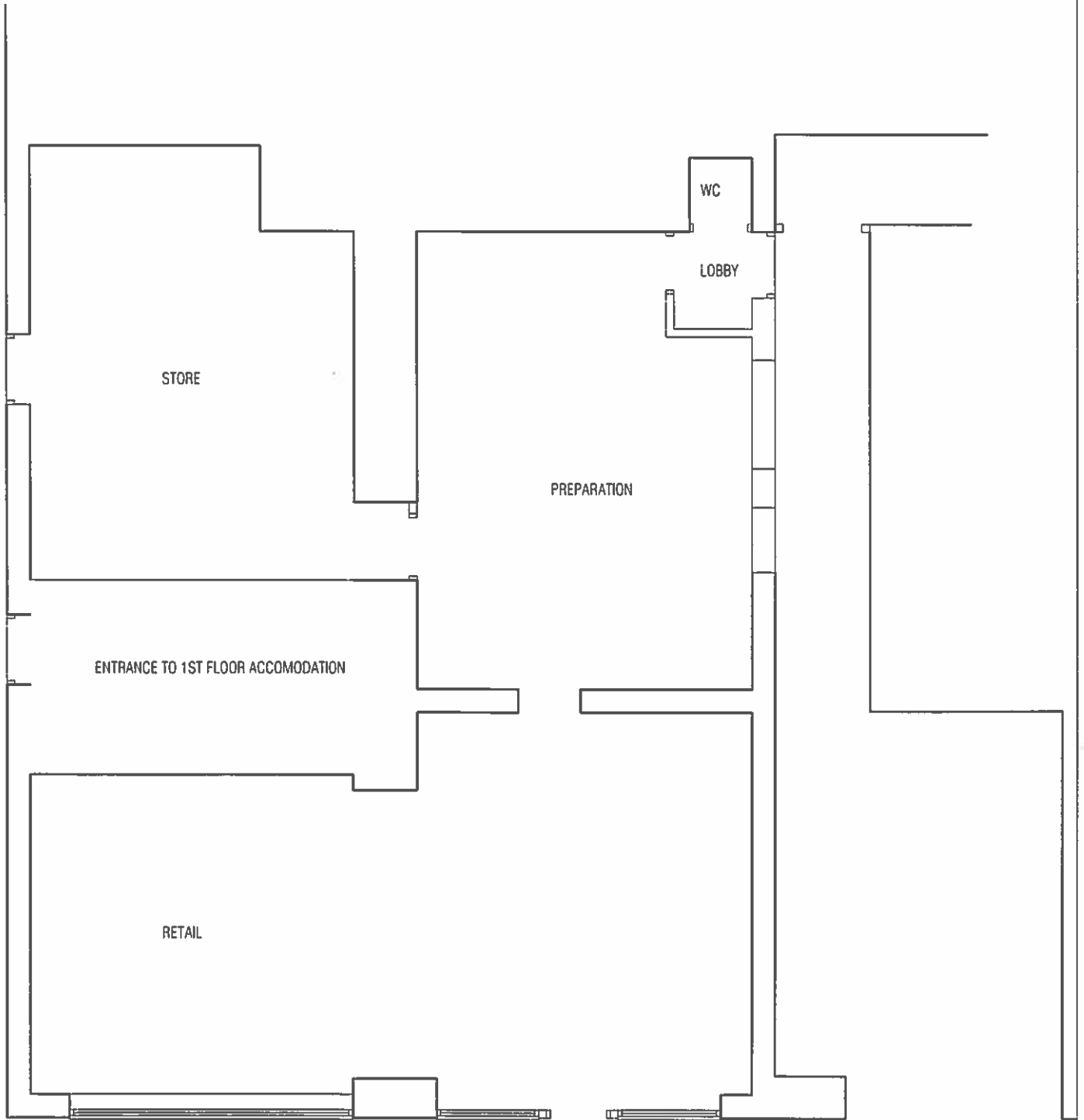
PROJECT TITLE	GWYLFYA BRPNWYLFYA SQUARE ST ASAPH			DATE	SCALE	DRWN	CHK
DRWG TITLE	PROPOSED GROUND FLOOR PLAN			JULY 2014	1:50 @ A3	RSG	
				DRWG NOS.	14.5517/2		REV

Studio 55:20 North Wales Business Park Abergele LL18 7LJ

Tel 01745 585517 E-mail PDPArchitects@aol.com

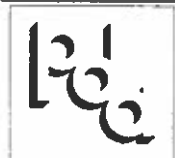


# EXISTING FLOOR PLAN



## GROUND FLOOR PLAN

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<b>Parry Davies Architects.</b>		<b>Chartered Architects.</b>			
PROJECT TITLE	DATE	SCALE	DRWN	CHK	
GWYLFYA BRPNWYLFYA SQUARE ST ASAPH	JULY 2014	1:50 @ A3	RSG		
DRWG FILE	DRWG NOS.	REV			
EXISTING GROUND FLOOR PLAN	14.5517/1				
Studio 55:20 North Wales Buisness Park Abergele LL18 7LJ			Tel. 01745 585517 E-mail PDPArchitects@aol.com		

Tudalen 157

Handwritten notes or scribbles in the top left corner.

**ITEM NO:**

**WARD:** St Asaph East

**WARD MEMBER(S):** Cllr Dewi Owens

**APPLICATION NO:** 46/2014/0710/ PF

**PROPOSAL:** Change of use of Class A1 shop to Class A3 restaurant and takeaway

**LOCATION:** Gwylfa Bronwylfa Square St Asaph

**APPLICANT:** Mr Steven Owen

**CONSTRAINTS:**

**PUBLICITY** Site Notice – Yes

**UNDERTAKEN:** Press Notice – Yes

Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**

**Scheme of Delegation Part 2**

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

ST ASAPH CITY COUNCIL

“Objections:

1. There already exists a high density of hot food outlets in the vicinity and the impact of another will reduce trade at existing outlets which are already suffering financial hardship.
2. The shopping and trading experience would be enhanced by having a variety of different shops.
3. The restaurant would increase traffic and parking at a busy junction.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

No objection

Pollution Control Officer

No response received

Conservation Architect

No objection

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

E. Jones, 7, Bronwylfa Square, St. Asaph Lowri Williams, Jacobs Ladder, Mount Road, St. Asaph

Sandy Ding, 1B High Street, St. Asaph (letter has 6 additional names on without addresses)

Summary of planning based representations in objection:  
No need for A3 use- overconcentration of A3 uses in St Asaph as existing.  
Residential amenity issues- potential for noise and disturbance.  
Highways- parking and traffic safety issues.  
Hygiene issues- potential for vermin from proposed use.  
Crime and anti-social behaviour- could be an issue of youths gathering at property.  
Inappropriate development in proximity to a school.

**EXPIRY DATE OF APPLICATION: 04/09/2014**

**REASONS FOR DELAY IN DECISION (where applicable):**

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The application relates to the use of, the former 'Simply Drinks' shop in St Asaph. The application proposes the change of use of the class A1 shop, to a class A3 restaurant and takeaway.
- 1.1.2 No external physical alterations are proposed to accommodate the change of use. Internally the unit will be divided into a sit down 'café' area and a takeaway. The remainder of the ground floor will serve as a storage area and kitchen.
- 1.1.3 There is first floor accommodation in the unit which will be accessed as existing from the northern side off Bronwylfa Square.

1.2 Description of site and surroundings

- 1.2.1 The site is located on the eastern end of St Asaph centre. It lies opposite the A525 mini-roundabout with a frontage to Mount Road and Bronwylfa Square.
- 1.2.2 Simply Drinks operated from the shop previously, it is understood they ceased trading in April 2014.
- 1.2.3 To the south of the site is an A3 café Jacobs Ladder, which fronts Mount Road and Chester Street. On both sides of Chester Street there are a range of retail uses.
- 1.2.4 The eastern end of the town centre is detached from the main retail uses on the High Street as the Cathedral and St Kentigerns Hall lie between them.
- 1.2.5 To the north of the site, the area is primarily residential.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of St Asaph, and is designated a PSE 8 area, (which is Town Centre) in the Local Development Plan.
- 1.3.2 The site is also within the St Asaph Conservation Area.

1.4 Relevant planning history

- 1.4.1 None.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 The application is supported by a Design and Access Statement and information from the applicant regarding the type of business they propose to operate. They have also carried out some surveys in the locality to gauge interest in their proposed Fish and Chip Shop and have submitted this to support their case. They have advised that they



propose to operate within the hours of 09.00-21.00 Monday to Saturday and 11.00-20.00 on Sunday.

## 2. DETAILS OF PLANNING HISTORY:

2.1 None.

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
**Policy RD1** – Sustainable development and good standard design  
**Policy PSE8** – Development within town centres

3.1 Supplementary Planning Guidance  
SPG Conservation Areas

3.2 Government Policy / Guidance  
Planning Policy Wales Edition 7 July 2014

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, July 2014 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity/Impact on Conservation Area
- 4.1.3 Residential amenity
- 4.1.4 Highways (including access and parking)
- 4.1.5 Fear of crime
- 4.1.6 Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site lies within an area defined Town Centre in St Asaph. Policy PSE 8 allows for development proposals within town centres provided they enhance the vitality and viability of the town centre and they do not result in an unacceptable balance of retail and non-retail uses. The policy recognises that town centres can appropriately accommodate non retail uses, but states that it is essential that the primary function of the town centre is not eroded by incremental development.

Guidance within Planning Policy Wales considers retailing within town centres, distinguishing between primary and secondary shopping centres. Primary shopping centres are characterised by a high proportion of retail uses while secondary frontages are areas of mixed commercial development including for example banks and restaurants. These uses are recognised as important services within town centres. Within the LDP, St Asaph has no

primary/principal shopping frontage, and therefore non retail uses may be permitted provided they enhance the vitality and viability of the town centre and they do not result in an unacceptable imbalance of retail and non-retail uses.

The proposal is for an A3 use for a vacant property which is currently making no contribution to the town centre. Whilst the site is adjacent to an existing A3 use, Jacobs Ladder cafe, this daytime café use is different to the proposed fish and chip shop. It is also acknowledged that there are a range other A3 uses within St Asaph, however it is considered that they are relatively spread out throughout the town, and that if permitted the proposal would not result in an unacceptable imbalance of retail and non retail uses on the eastern side of the town, as Class A1 retail use would remain the dominant use overall within this particular PSE 8 town centre area.

Whilst fully respecting the comments of the Town Council and objectors, Officers opinion is that owing to the character of the PSE8 area, and having regard to the actual number of Class A3 uses in proximity to the application site, there are no reasonable land use planning grounds to refuse permission. The change of use proposed is considered acceptable in line with the abovementioned retail policies of the LDP and Planning Policy Wales.

#### 4.2.2 Visual amenity/ Impact on Conservation Area

Policies RD 1 requires due consideration of the impact of proposals on the historic environment.

As the scheme proposes no external changes and will utilise the same shop front, it is not considered that the application is contrary to any of the LDP policies or SPG relating to the Conservation Area.

#### 4.2.3 Residential amenity

Policy RD 1 requires consideration of impacts on amenity, including those of occupiers of nearby residential property.

The site is located in the town centre, close to a junction with an A road. The hours of operation are proposed to be no earlier than 09.00 hrs and no later than 21.00 hrs on any day.

It is not adjudged that the scheme will cause any harm to local amenity given the location of the site within the defined town centre area. Therefore the proposal complies with RD1 criteria relating to amenity.

#### 4.2.4 Highways (including access and parking)

Policy RD 1 requires due consideration of the impact of development on the local highway network.

There was no parking available for the previous use and none is proposed for the A3 use. It is noted that no objection to the proposal is raised by the Highway Officers. There is a public car park close to the site at the Cathedral and on street parking available on Mount Road.

Given the proximity of the public car park along with on-street parking it is not considered that the change of use proposed gives rise to any highways issues or conflicts with policy.

#### 4.2.5 Fear of crime

Local Development Plan Policy RD 1 test (xii) requires account to be taken of personal and community safety and security in the design and layout of development and public and private spaces, and to have regard to implications for crime and disorder. This reflects general advice in Planning Policy Wales (Section 3.1).

The application proposes a change of use to a Fish and Chip takeaway and café; the hours of operation are set out in the supporting documentation.

Given the town centre location, the nature of the use and proposed hours of operation it is not considered that the change of use would have such detrimental impacts on community safety to warrant refusal of the proposal.

#### 4.3 Other matters

The main planning considerations cover most of the points raised in representations. However one issue raised relates to the proximity to schools and the appropriateness of the change of use. Whilst the Courts have held that this is a reasonable planning consideration, there is currently nothing in the Local development Plan policy to cover the issue and although it is understood Officers are developing Supplementary Planning Guidance on Takeaways for consultation, and there will be a section within this on proposed exclusion zones for A3 uses near to schools, to date this guidance has not been finalised. Owing to this timing of the application, Officers consider it would be pre-mature to refuse the application based on this reason.

### 5. **SUMMARY AND CONCLUSIONS:**

5.1 On the basis of current planning policies and guidelines it is considered that that proposal is acceptable and is recommended for grant.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.

The reason for the condition is:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Mae tudalen hwn yn fwriadol wag

<b>Adroddiad i'r:</b>	<b>Pwyllgor Cynllunio</b>
<b>Dyddiad y Cyfarfod:</b>	<b>15 Hydref 2014</b>
<b>Aelod / Swyddog Arweiniol:</b>	<b>Y Cyng. David Smith, Tir y Cyhoedd/ Angela Loftus, Rheolwr Polisi Cynllunio a Gwarchod y Cyhoedd</b>
<b>Awdur yr Adroddiad:</b>	<b>Karsten Brußk, Swyddog Cynllunio</b>

**Teitl: Mabwysiadu'r Canllawiau Cynllunio Atodol drafft: 'Gofynion Parcio mewn Datblygiadau Newydd'**

---

## **1. Ynglŷn â beth mae'r adroddiad hwn?**

1.1 Mae'r adroddiad yn hysbysu Aelodau ynghylch canlyniadau'r ymarfer ymgynghori â'r cyhoedd dros gyfnod o 8 wythnos ynghylch y Canllawiau Cynllunio Atodol drafft: 'Gofynion Parcio mewn Datblygiadau Newydd', ac mae'n argymhell mabwysiadu'r canllawiau yn unol â'r newidiadau arfaethedig i'r ddogfen.

## **2. Beth yw'r rheswm dros baratoi'r adroddiad hwn?**

2.1 Mae Llywodraeth Cymru wedi cadarnhau, yn dilyn ymgynghori â'r cyhoedd a chael cymeradwyaeth wedyn gan yr Awdurdod Cynllunio Lleol (ACLI), y gellir trin Canllawiau Cynllunio Atodol fel ystyriaeth gynllunio berthnasol pan fo ACLIau, Arolygwyr Cynllunio a Llywodraeth Cymru'n penderfynu ar geisiadau ac apeliadau cynllunio.

2.2 Cynhaliodd yr adran Cynllunio a Pholisi Datblygu ymarfer ymgynghori â'r cyhoedd dros gyfnod o 8 wythnos ym mis Mawrth a mis Ebrill 2014, a chafodd y canlyniadau eu trafod gydag Aelodau yng nghyfarfod Grŵp Llywio'r CDLI ar 21 Mai 2014. Felly, mae angen penderfyniad ar fwriad y Cyngor i fabwysiadu'r Canllawiau Cynllunio Atodol drafft.

## **3. Beth yw'r Argymhellion?**

3.1 Argymhellir bod Aelodau'n mabwysiadu'r Canllawiau Cynllunio Atodol drafft 'Gofynion Parcio mewn Datblygiadau Newydd' yn unol â newidiadau arfaethedig i benderfynu ar geisiadau ac apeliadau cynllunio yn y dyfodol.

## **4. Manylion yr adroddiad.**

4.1 Os cânt eu mabwysiadu, bydd y Canllawiau Cynllunio Atodol yn dod yn un o gyfres o Ganllawiau Cynllunio Atodol sy'n ymhelaethu ar y polisiau neu'r egwyddorion datblygu yng Nghynllun Datblygu Lleol Sir Ddinbych 2006 – 2021 (CDLI) ar gyfer dyraniadau safleoedd unigol mewn fformat sydd wedi'i fwriadu i roi arweiniad ar gyfer proses, dyluniad ac ansawdd datblygiadau newydd.

4.2 Yn dilyn mabwysiadu'r CDLI, mae Canllawiau Cynllunio Atodol diwedddaredig yn ofynnol i gynnig canllawiau manwl i gynorthwyo aelodau o'r cyhoedd, Aelodau o'r

Cyngor, darpar ddatblygwyr a Swyddogion mewn trafodaethau cyn bod ceisiadau cynllunio'n cael eu cyflwyno yn y dyfodol ac yna wrth benderfynu ar y ceisiadau hynny.

- 4.3 Cafodd Canllawiau Cynllunio Atodol rhif 21 yn y Cynllun Datblygu Unedol eu cynhyrchu yn unol â pholisïau, safonau parcio, canllawiau ac arfer gorau cenedlaethol yn 2004. Ers hynny, mae deddfwriaeth a rheoliadau wedi cael eu diwygio, eu tynnu'n ôl neu eu hymestyn. Cyhoeddwyd Safonau Parcio Cymdeithas Syrfewyr Sirol Cymru yn 2008, a hwythau wedi'u cynhyrchu ar ran pob un o'r 22 Awdurdod Unedig yng Nghymru a'r pedwar consortiwm trafnidiaeth rhanbarthol.
- 4.4 Rhoddodd yr Aelodau gymeradwyaeth i'r ddogfen ddrafft ar gyfer ymarfer ymgynghori dros gyfnod o 8 wythnos yn y Pwyllgor Cynllunio ar 22 Ionawr 2014. Fe benderfynon nhw hefyd gynnwys nodyn ychwanegol ar gyfer y cyhoedd a oedd yn adlewyrchu'r drafodaeth ynghylch darpariaethau annigonol o ran manau parcio mewn llawer o aneddiadau ledled y Sir. Yn unol â hynny, cafodd Atodiad 4 ei gynnwys yn y Canllawiau Cynllunio Atodol drafft ar gyfer ymgynghori â'r cyhoedd.
- 4.5 Gwahoddwyd y cyhoedd i wneud sylwadau ynghylch y ddogfen ddrafft o 3 Mawrth 2014 tan 28 Ebrill 2014. Yn Atodiad 2 ceir yr adroddiad ymgynghori sy'n cynnwys crynodeb o bob ymateb a gafwyd ac yn nodi newidiadau arfaethedig. Os yw'r Aelodau'n dymuno gweld y sylwadau'n llawn, mae croeso iddynt wneud hynny.
- 4.6 Daeth cyfanswm o 4 sylw i law'r Cyngor trwy gydol y cyfnod ymgynghori. Nid oedd yr un ohonynt yn cyfeirio at faterion yr oedd Aelodau'n dymuno iddynt gael eu hamlygu'n arbennig yn Atodiad 4.
- 4.7 Roedd yr ymatebwyr ar y cyfan yn mynegi pryderon ynghylch gorddarpariaeth o ran manau parcio sydd felly'n parhau i annog pobl i ddefnyddio ceir preifat fel yr opsiwn cludiant diofyn; dylid rhoi ystyriaeth i ddarparu cyfleusterau ailwefru ar gyfer ceir trydan; a gosod wyneb athraidd i osgoi mwy o ddŵr ffo.
- 4.8 Caiff y newidiadau a gynigiwyd eu dangos fel testun **wedi'i amlygu** neu â ~~linell drwydded~~ yn y Canllawiau Cynllunio Atodol yn Atodiad 1.
- 4.9 Dylai'r Aelodau fod yn ymwybodol bod y Gwasanaeth Tai a Datblygu Cymunedol ar y cyd â'r Gwasanaethau Prifffyrdd yn y broses o adolygu argaeledd a phrisiau manau parcio ceir oddi ar y stryd, y polisi ar gyfer cyfyngiadau ar barcio ar y stryd a'r strategaeth orfodi. Cyflwynodd penaethiaid y ddau wasanaeth yma'r adroddiad 'Gorfodi ar Dramgwyddau Parcio a'i effaith ar Ddatblygu Economaidd' gerbron y Pwyllgor Archwilio Cymunedau ar 25 Tachwedd 2013.
- 4.10 Os bydd y Canllawiau Cynllunio Atodol drafft yn cael eu mabwysiadu byddant yn cael eu defnyddio ar y cyd â chyfres o ofynion a chanllawiau cyfreithiol perthnasol sy'n ymwneud â safonau diogelwch, dyluniad a chynllun. Er enghraifft, bydd gan breswylwyr hawliau cyfyngedig o ran datblygu a ganiateir mewn perthynas â darparu lloriau caled ar gyfer parcio ceir o flaen eu heiddo.

4.11 Mae Atodiad 4 yn cynnwys sleidiau penodol a oedd yn rhan o gyflwyniad a roddwyd i Grŵp Llywio'r CDLI yn bennaf er mwyn dangos gwahaniaethau minimol rhwng gofynion parcio a gyfrifwyd ar sail yr hen ddogfen a'r ddogfen arfaethedig.

## **5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

5.1 Blaenoriaethau Corfforaethol 2012 – 17. Bydd y Canllawiau Cynllunio Atodol yn cyfrannu'n gadarnhaol at y blaenoriaethau corfforaethol canlynol:

- Moderneiddio'r cyngor i sicrhau arbedion a gwella gwasanaethau ar gyfer ein cwsmeriaid trwy sicrhau bod canllawiau cynllunio'n gyfoes

## **6. Faint fydd yn ei gostio a sut fydd yn effeithio ar wasanaethau eraill?**

6.1 Ni ragwelir y bydd mabwysiadu'r Canllawiau Cynllunio Atodol drafft yn creu unrhyw gostau ychwanegol. Bydd meddu ar ganllawiau eglur ar ddarparu manau parcio nid yn unig o fudd i'r adran Gynllunio ond hefyd i'r gwasanaethau Priffyrdd a phartïon eraill â buddiant.

## **7. Beth yw prif gasgliadau'r Asesiad o'r Effaith ar Gydraddoldeb a gwblhawyd ar y penderfyniad? Dylid atodi'r templed ar gyfer Asesiad o'r Effaith ar Gydraddoldeb wedi'i gwblhau fel atodiad wrth yr adroddiad.**

7.1 Cafodd cynnwys y Canllawiau Cynllunio Atodol drafft ei sgrinio i chwilio am effeithiau anffafriol tebygol ar yr wyth nodwedd warchoddedig cyn i'r Aelodau benderfynu rhoi caniatâd i ymgynghori â rhanddeiliaid allweddol ac aelodau o'r cyhoedd yn y Pwyllgor Cynllunio ar 22 Ionawr 2014. Gan mai mân newidiadau ffeithiol yw'r holl newidiadau a gynigir i'r Canllawiau Cynllunio Atodol drafft, ni ystyrir bod angen cynnal Asesiad llawn o'r Effaith ar Gydraddoldeb ar gyfer y Canllawiau Cynllunio Atodol hyn.

7.2 Cafodd y Cynllun Datblygu Lleol, y mae'r Canllawiau Cynllunio Atodol hyn yn seiliedig arno, Asesiad llawn o'r Effaith ar Gydraddoldeb fel rhan o'r broses o baratoi'r Cynllun.

7.3 Mae copi o ddogfen sgrinio'r Asesiad o'r Effaith ar Gydraddoldeb ar gyfer y Canllawiau Cynllunio Atodol drafft wedi'i atodi er gwybodaeth yn Atodiad 3.

## **8. Pa ymgynghoriadau sydd wedi cael eu cynnal gyda'r Pwyllgor Archwilio ac eraill?**

8.1 Roedd swyddogion o'r adran Cynllunio a Pholisi Datblygu, y tîm Rheoli Datblygu a'r adain Priffyrdd yn rhan o ddrafftio'r Canllawiau Cynllunio Atodol. Cynhaliwyd sesiwn weithdy gydag aelodau o Grŵp Llywio'r CDLI ym mis Tachwedd 2013.

8.2 Fe ymgynghorodd y Cyngor ag ymgynghoreion statudol, yr holl Gyngorau Dinas, Tref a Chymuned ac aelodau o'r cyhoedd ynghylch y ddogfen ddrafft am gyfnod o 8 wythnos rhwng 3 Mawrth 2014 a 28 Ebrill 2014. Roedd yr ymarfer ymgynghori'n cynnwys hysbysiadau cyhoeddus mewn papurau lleol,

datganiadau i'r wasg, a llythyr at yr holl bobl ar gronfa ddata Cynllun Datblygu Lleol Sir Ddinbych 2006 – 2021 (CDLI).

- 8.3 Cafwyd trafodaeth ar ganlyniadau'r ymarfer ymgynghori yng nghyfarfod Grŵp Llywio'r CDLI ar 21 Mai 2014.

## **9. Datganiad y Prif Swyddog Cyllid**

Fe ddylai unrhyw gost ynghlwm wrth y canllaw terfynol fod o fewn y cyllidebau presennol ac felly nid oes goblygiadau ariannol amlwg yn yr adroddiad.

## **10. Pa risgiau sydd ac a oes unrhyw beth y gallwn ni ei wneud i'w lleihau?**

- 10.1 Mae risg na fydd y Cyngor yn gallu darparu cyngor a gwasanaeth cywir ar gyfer ei gwsmeriaid yn nifyg unrhyw ganllawiau cynllunio cyfoes.

## **11. Pŵer i wneud y Penderfyniad**

- 11.1 Y Ddeddf Cynllunio a Phrynu Gorfodol (2004).



**Nodyn Canllawiau Cynllunio Atodol DRAFFT:  
Gofynion Parcio Mewn Datblygiadau Newydd (Tachwedd 2013 Hydref 2014)**

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## 1 Cyflwyniad

- 1.1 Mae'r nodyn hwn yn un o gyfres o Nodiadau Canllawiau Cynllunio Atodol (SPGs) sy'n atodi'r cynllun datblygu gyda'r nod o wella'r broses ar gyfer datblygiadau newydd ynghyd â'u dyluniad a'u hansawdd. Bwriad y nodiadau yw cynnig canllawiau mwy manwl a fydd yn cynorthwyo'r cyhoedd, Aelodau'r Cyngor a swyddogion mewn trafodaethau cyn cyflwyno ceisiadau cynllunio a chynorthwyo swyddogion ac Aelodau wrth benderfynu ceisiadau cynllunio.

## 2 Statws a champau paratoi

- 2.1 Nid yw nodiadau SPG y Cyngor yn rhan o'r cynllun datblygu a fabwysiadwyd. Mae Llywodraeth Cymru wedi cadarnhau, ar ôl ymgynghoriad cyhoeddus a chymeradwyaeth gan yr Awdurdod Cynllunio Lleol (ACLI), y gellir trin SPG fel ystyriaeth gynllunio berthnasol pan fo ACLI, Arolygwyr Cynllunio a Llywodraeth Cymru yn penderfynu ceisiadau cynllunio ac apeliadau. ~~Cymeradwywyd y ddogfen SPG hon yn ffurfiol ar gyfer ymgynghori gan Bwyllgor Cynllunio Cyngor Sir Ddinbych ar 22.01.2014.~~ **Mabwysiadwyd yr SPG yma'n ffurfiol gan Bwyllgor Cynllunio Cyngor Sir Ddinbych ar XXXX.**
- 2.2 Paratowyd y nodyn hwn yn unol â chanllawiau a gynhwysir yn Argraffiad 5 7 o Bolisi Cynllunio Cymru (Tachwedd 2012 **Gorffennaf 2014**), Nodyn Cyngor Technegol (NCT) 18: Trafnidiaeth, a Chynlluniau Datblygu Lleol Cymru (Llywodraeth Cymru 2005).

## 3 Cefndir

- 3.1 Mae argaeledd lle i parcio yn elfen allweddol wrth reoli defnydd ceir ac yn ddyllanwad mawr ar ddewis dull cludiant. Mae lle parcio hefyd yn medru mynd a llawer o le mewn datblygiadau gan leihau dwysedd. Mae dyluniad a chynllunio gwael mewn meysydd parcio yn medru ei gwneud yn anoddach darparu cysylltiadau cerdded, beicio a chludiant cyhoeddus effeithiol.
- 3.2 Mae Llywodraeth Cymru (LIC) yn ymroddedig i weithredu egwyddorion datblygu cynaliadwy mewn polisiau cynllunio ac felly, mewn datblygiadau newydd gyda dyluniad o ansawdd uchel. Cynghorir awdurdodau cynllunio lleol i sicrhau bod datblygiadau newydd yn cynnwys cyfleustrerau i hyrwyddo cludiant cynaliadwy. Dylai ymgeiswyr fod yn ymwybodol fod rhaid i ddatblygiadau newydd ddarparu manau diogel ar gyfer parcio beics. Mabwysiadwyd cyfres o safonau ar gyfer gwahanol fathau o ddatblygiad (Adran 8).
- 3.3 Mae'r safonau parcio yn seiliedig ar y ffactorau a ganlyn:
- Cydnabod bod argaeledd parcio yn dylanwadu ar ddewis dull cludiant;
  - Yr angen i leihau dibyniaeth ar y car a hybu dulliau eraill o gludiant;
  - Gwneud y defnydd gorau o'r rhwydwaith cludiant presennol; ac
  - Angen i hybu adfywiad a buddsoddiad yn Sir Ddinbych.
- 3.4 Lle cynigir datblygiadau mawrion (er enghraifft, uned ddiwydiannol fawr,

complexs swyddfeydd neu gynllun tai), dylid lleihau darpariaeth parcio ceir a dylid ymgorffori mesurau i leihau ymhellach ddibyniaeth ar deithio gyda char. Dylid manylu ynghylch mesurau o'r fath mewn Cynllun Teithio, a gyhoeddir gan yr ymgeisydd. Mae Cynlluniau Teithio yn cynnig mesurau sy'n hybu dulliau ecogyfeillgar o deithio, yn hytrach na defnyddio'r car. I annog beicio, gall mesurau gynnwys cymhelliant ariannol i feicwyr a darparu cyfleusterau megis manau cawodydd a newid.

3.5 Paratowyd y safonau parcio a nodir yn y ddogfen hon ar sail y dogfennau a ganlyn:

- Cymdeithas Syrfewyr Sirol (Cymru) (CSS Cymru): Safonau Parcio Cymru (2008); lluniwyd y ddogfen ar ran bob un o'r 22 Awdurdod Unedol yng Nghymru ynghyd â'r pedwar consortia cludiant rhanbarthol: Sewta, SWWITCH, Taith a TraCC;
- Yr Adran Drafnidiaeth: Inclusive Mobility (2005); a
- Cyfarwyddyd Cynllunio Ategol Nodyn Rhif 21 Cyngor Sir Ddinbych: Gofynion Parcio Mewn Datblygiadau Newydd (2004), dogfen oedd yn ategu polisi TRA9 y Cynllun Datblygu Unedol 'Parcio a Darpariaeth Gwasanaeth'.

## 4 Polisi Cynllunio

4.1 Mae'r safonau wedi eu diweddarau i adlewyrchu polisi LIC a'r Cyngor ar gludiant a chynllunio defnydd tir. Cynhwysir polisiâu cenedlaethol a lleol ym Mholisi Cynllunio Cymru (~~Argraffiad 5 – Tachwedd 2012~~ **Rhifyn 7 - Gorffennaf 2012**), Nodyn Cyngor Technegol (NCT) 18: Trafnidiaeth (2007) a Chynllun Datblygu Lleol Sir Ddinbych 2006 - 2021 (CDLI), a fabwysiadwyd ym Mehefin 2013.

4.2 Yn unol â pholisi cenedlaethol, mae'r cyfiawnhad ar gyfer polisi ASA3 y CDLI yn datgan *“Defnyddir safonau parcio uchaf ledled y Sir i leihau gorddibyniaeth ar y car. Eu pwrpas yw lleihau teithiau unigol mewn ceir a hyrwyddo dulliau trafnidiaeth cynaliadwy.”* Mae'r SPG hwn yn atodi gofynion Polisi ASA3 y CDLI o ran nodi'r safonau parcio i'w gweithredu yn Sir Ddinbych.

4.3 Dylid nodi mai'r safonau mwyaf yw'r safonau a nodir ym mhob categori defnydd tir. Lle na ddarperir y mwyafswm bydd angen i'r datblygwr ddangos graddfa, h.y. amllder a hyd y teithiau i'r safle ac os yw'r galw am fannau parcio fwy na'r ddarpariaeth barcio arfaethedig, sut y bwriedir ymdopi â'r diffyg a geir o ganlyniad.

4.4 Gellir cael canllawiau ychwanegol ar egwyddorion dylunio parcio ar gyfer Gorllewin y Rhyl yng Nghanllawiau Cynllunio Atodol y CDLI (SPG) 03: Gorllewin y Rhyl, a nodir canllawiau pellach ar ofynion penodol ar gyfer bobl anabl yn SPG 08: 'Mynediad i Bawb'. Dylai ymgeiswyr hefyd gyfeirio at Nodyn Cyngor Technegol 12 LIC: Dyluniad (2009) a'r Sefydliad Siartredig Priffyrdd a Chludiant: Manual for Streets 2 (2010) am ganllawiau ar arfer orau mewn perthynas â chynllun a dyluniad.

## 5 Safonau Parcio

### 5.1 Mae'r Safonau Parcio yn berthnasol ledled y Sir gyda'r eithriadau a ganlyn:

- Lle byddai gweithredu'r safonau hyn yn achosi problemau diogelwch ffordd neu dagfeydd bydd angen darpariaeth ychwanegol.
- Efallai y bydd achosion pan nad yw datblygiad penodol yn cyfiawnhau'r lefelau parcio a nodwyd. Gall yr Awdurdod ystyried amrywio'r safonau mewn perthynas â natur y datblygiad, lefel is o berchnogaeth ceir mewn ardaloedd trefol a rhai a wasanaethir yn dda gan gludiant cyhoeddus. Dan yr amgylchiadau hyn, bydd asesiad o'r ddarpariaeth barcio a gynigir gyda rhesymau llawn (yn cynnwys meysydd megis cludiant cyhoeddus neu ddarpariaeth barcio presennol) yn destun trafodaeth gyda'r Cyngor.
- Gellir caniatáu amrywiaeth yn wyneb amgylchiadau lleol (e.e. argaeledd a gallu presennol parcio gerllaw a chludiant cyhoeddus). Bydd pob cais cynllunio yn cael ei asesu ar ei haeddiant ei hunan o ran maint, natur, lleoliad, dwysedd, cyflogaeth a nodweddion cynhyrchu traffig y datblygiad arfaethedig. Mae polisïau cynlluniau sy'n ceisio cynnal canol y dref a mannau eraill a ddynodwyd fel prif ganolfannau ar gyfer gweithgareddau datblygu yn y Sir hefyd yn ystyriaethau perthnasol. Mewn rhai achosion, e.e. Ardaloedd Cadwraeth, gellir caniatáu addasu'r safonau er mwyn diogelu amodau'r amgylchedd adeiledig / naturiol.
- Ystyrir cynlluniau tai di-gar blaengar ar eu haeddiant eu hunain.

### 5.2 Wrth asesu'r gofynion parcio ar gyfer datblygiad penodol, bydd angen i'r Cyngor ystyried nifer o ffactorau sy'n berthnasol i'r datblygiad a'i leoliad. Caiff y rhain eu rhestru isod. Ond dylid nodi bod rhai o'r ffactorau hyn y tu hwnt i reolaeth cynllunio uniongyrchol, e.e.:

- a) Hygyrchedd, a'r gwasanaeth a ddarperir gan, y system drafnidiaeth gyhoeddus;
- b) Argaeledd bysiau preifat neu'r graddau o rannu ceir;
- c) Y cyfraneddau cymharol o ddalgyloedd llafur llawn amser / rhan amser / lleol;
- d) Hygyrchedd trwy gerdded a beicio; a
- f) Hygyrchedd, ac argaeledd, mannau parcio ceir cyhoeddus ac/neu breifat yn y cyffiniau.

### 5.3 Disgwylir fel arfer cyrraedd y safon weithredol llawn ond gellir caniatáu'r safon anweithredol ar gyfer cerbydau gweithwyr ac mewn rhai achosion ar gyfer ymwelwyr. (Gellir cael diffiniad o dermau unigol ynghyd â nodiadau yn Atodiad 1). Lle y bo'n bosibl, bydd gofyn i ddatblygwyr ddarparu'r holl fannau parcio o fewn i gwrtil y safle. Gellir trafod Cytundebau Adran 106 gyda datblygwyr a gall y rhain gynnwys nifer o fesurau i liniaru effaith bosibl y datblygiad ac ymdrin â phryderon.

### 5.4 Bydd gan ddatblygiadau mawr oblygiadau i batrymau teithio presennol mewn ardal. Gall lleoli cyfleusterau manwerthu, tai, addysg a gwasanaethau iechyd

achosi newid i gyfeiriadau teithiau, amlderau teithio a'r dewis o ddull cludiant. Dylai Aseiad Trafnidiaeth ar gyfer datblygiad arfaethedig gynorthwyo i ragweld goblygiadau ac i ganfod mesurau i wrthweithio'r tebygolrwydd o effeithiau negyddol. Yn yr un modd ag archwiliadau o ddefnyddwyr nad ydynt yn defnyddio cerbydau, dylid ymgorffori casgliadau ac argymhellion aseiad trafndiaeth yn y cais datblygu. Gellir cael gwybodaeth mewn perthynas â gofynion a phroses aseuadau trafndiaeth yn Nodyn Cyngor Technegol (NCT) 18: Trafnidiaeth, Atodiad D.

## 6 Parthau Parcio

- 6.01 Nodir y safonau parcio ar gyfer dau brif barth parcio sy'n adlewyrchu gwahanol ofynion ar gyfer teithiau unigol mewn car yn ardaloedd trefol a gwledig y Sir, ynghyd ag argaeledd gwasanaethau cludiant cyhoeddus a'r ddarpariaeth o seilwaith.
- 6.02 Diffiniwyd y ddau brif barth a ganlyn mewn perthynas â'r strategaeth ofodol fel y'i nodir yng Nghynllun Datblygu Lleol Sir Ddinbych 2006 - 2021 (CDLI)<sup>1</sup> Mae eu diffiniad gofodol yn seiliedig ar derfynau datblygu (polisi RD1 y CDLI) neu ardaloedd chwilio (polisi BSC6 y CDLI) fel y dangosir ar fapiau cynigion y CDLI.
- 6.03 Rhaid penderfynu ar bob cynnig datblygu ar ei haeddiant ei hun gan gynnwys amgylchiadau lleol fel cludiant cyhoeddus a darpariaethau parcio presennol. Mae geiriad polisi ASA3 y CDLI eisoes yn adlewyrchu'r ymagwedd hon. Fodd bynnag, pe dymunai ymgeiswyr wyro oddi wrth y safonau parcio fel y'u nodir yn y ddogfen hon, oherwydd bod yr aseiad trafndiaeth yn nodi hynny, disgwylir iddynt gyfiawnhau eu hymagwedd yn y Datganiad Dylunio a Mynediad.
- 6.04 Ar adeg ysgrifennu'r ddogfen hon, mae Cyngor Sir Ddinbych wrthi'n adolygu ei bolisi parcio a gorfodaeth a bydd yn ystyried ffactorau fel argaeledd a'r tâl a godir am leoedd parcio ceir oddi ar y stryd, cyfyngiadau parcio ar y stryd a'r strategaeth orfodaeth. Ar ôl eu cadarnhau neu eu mabwysiadu, gellir defnyddio'r canlyniadau a'r canfyddiadau hynny i lywio penderfyniadau o ran gofynion parcio ar gyfer datblygiadau unigol.
- 6.05 Nodir y safonau parcio ar gyfer bobl anabl yn adran 7, ac ar gyfer lleoedd i feics a beiciau modur fe'u ceir yn adrannau 8 a 9 yn y drefn honno.

### 6.1 Parth Parcio 1

- 6.11 Mae Parth Parcio 1 yn cynnwys trefi'r Rhyl, Prestatyn, Dinbych, Rhuthun, Corwen, Llangollen, Rhuddlan, Boddelwyddan, a Dinas Llanelwy. Amlinellir bob anheddiad yn y categori hwn gan derfyn datblygu (polisi RD1 y CDLI) a ddangosir fel amlinell goch ar fapiau cynigion y CDLI. Yn ogystal, cynhwysir tir cyflogaeth ym Mharc Busnes Llanelwy yn y parth hwn.
- 6.12 Yn Sir Ddinbych, mae pobl leol yn ystyried mai'r trefi hyn a Dinas Llanelwy yw

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<sup>1</sup> CDLI Sir Ddinbych (2013), Pennod 5 'Strategaeth Cynllun Datblygu Lleol Sir Dinbych', t.11

eu cyrchfan ar gyfer y mwyafrif o weithgareddau nad oes darpariaeth ar eu cyfer o fewn eu hanheddiad eu hunain. Mae gan yr ardal ystod lawn o weithgareddau adwerthu, meddygfa a nifer o fusnesau masnachol, bob un ohonynt o fewn pellter cerdded. Mae'r dwysedd adeiladu yn uchel gydag ychydig iawn o leoedd parcio ceir preifat.

6.13 Ceir rhagor o nodiadau esboniadol mewn perthynas â mathau unigol o ddatblygiad yn Atodiad 2.

<b>Preswyl: Adeiladau Newydd ac Addasiadau</b>			
Y Math o Ddatblygiad	Preswylwyr		Ymwelwyr
<b>Tai a Fflatiau Pwrpas Cyffredinol</b>			
Tai	1 lle ar gyfer pob ystafell wely (uchafbwynt gofynion 3 lle)		1 lle ar gyfer pob 5 uned
Fflatiau	1 lle ar gyfer pob ystafell wely (uchafbwynt gofynion 3 lle)		1 lle ar gyfer pob 5 uned
Addasu tŷ i fod yn ystafelloedd neu fflatiau hunangynwysedig	1 lle ar gyfer pob ystafell wely (uchafbwynt gofynion 3 lle)		1 lle ar gyfer pob 5 uned
Addasu tai i fod yn hostel preswyl	1 lle ar gyfer pob staff preswyl 1 lle ar gyfer bob 3 aelod staff heb fod yn breswyl		Dim
<b>Tai Pwrpas Arbennig</b>			
Aneddiadau hunan gynwysedig pobl hŷn (heb warden)	1 lle ar gyfer pob 2 - 4 uned		1 lle ar gyfer pob 4 uned
Aneddiadau hunan gynwysedig pobl hŷn (gyda warden)	1 lle ar gyfer pob 4 uned 1 lle ar gyfer warden 1 lle ar gyfer pob 2 staff atodol		1 lle ar gyfer pob 4 uned
Llety pwrpasol ar gyfer myfyrwyr dan reolaeth Coleg/Prifysgol	1 lle ar gyfer pob 25 gwely ar gyfer gwasanaethau, wardeiniaid a mannau disgyn pobl		1 lle ar gyfer pob 10 gwely (ar gyfer myfyrwyr a/neu ymwelwyr)
Cartrefi preswyl plant/cartrefi ar gyfer pobl hŷn/cartrefi nyrsio	1 lle ar gyfer pob staff preswyl 1 lle ar gyfer 3 staff nad ydynt yn breswyl		1 lle ar gyfer pob 4 uned
<b>Swyddfeydd – Dosbarth Defnydd B1 Busnes, Dosbarth A2 Gwasanaethau Ariannol a Phroffesiynol</b>			
Y Math o Ddatblygiad	Gofynion	Y Math o Ddatblygiad	Gofynion
Swyddfeydd (< 1000m <sup>2</sup> )	1 lle i bob 35m <sup>2</sup>	Swyddfeydd (> 1000m <sup>2</sup> )	1 lle i bob 60m <sup>2</sup>
<b>Siopau (gan gynnwys Archfarchnadoedd ac Uwcharchfarchnadoedd)</b>			
Y Math o Ddatblygiad	Gweithredol	Anweithredol	
Siopau (< 200m <sup>2</sup> )	1 lle i gerbyd masnachol	1 lle i bob 60m <sup>2</sup>	
Siopau ac archfarchnadoedd bychain ( 201m <sup>2</sup> –1000m <sup>2</sup> )	2 lle i gerbydau masnachol	1 lle i bob 40m <sup>2</sup>	
Siopau ac archfarchnadoedd bychain (1,001m <sup>2</sup> - 2,000m <sup>2</sup> )	3 lle i gerbydau masnachol	1 lle i bob 40m <sup>2</sup>	
Archfarchnadoedd ac uwchfarchnadoedd (bwyd yn bennaf) (> 2000m <sup>2</sup> )	3 lle i gerbydau masnachol	1 lle i bob 14m <sup>2</sup>	

<b>Warysau Adwerthu a Garejys</b>		
Y Math o Ddatblygiad	Gweithredol	Anweithredol
Warysau Adwerthu (heb fod yn fwyd) (nad yw'n DIY) (> 1000m <sup>2</sup> )	3 lle i gerbydau masnachol	1 lle i bob 30m <sup>2</sup>
Warysau Adwerthu (DIY a Chanolfannau Garddio) (> 1000m <sup>2</sup> )	3 lle i gerbydau masnachol	1 lle i bob 20m <sup>2</sup>
Cyflenwyr Adeiladwyr (Masnach ac Adwerthu)	3 lle i gerbydau masnachol	1 lle y 80m <sup>2</sup> a 10% o arwynebedd y llawr
Warws talu a Chludo (Masnach yn Unig) (>1000m <sup>2</sup> )	3 lle i gerbydau masnachol	1 lle i bob 50m <sup>2</sup>
Marchnadoedd Awyr Agored ac Arwerthiannau Cist Car	1 lle i bob parcio ar gyfer pob stondin	1 lle y 30m <sup>2</sup> o gyfanswm arwynebedd y stondin gan gynnwys yr ardal i gerddwyr symud o gwmpas
Garejys	1 lle car/lorri ar gyfer pob cilfach gwasanaethu car/ lori	2 le car/lori ar gyfer pob bae gwasanaethu
Gorsafoedd Gwasanaethu (egsôsts, MoT, teiars ayb.)	1 lle lori a 20% o'r arwynebedd llawr gros	2 le i gar/lori ar gyfer pob bae gwasanaethu
Gorsafoedd Petrol	1 lle ar gyfer tancer petrol	4 Lle at defnydd atodol (e.e. golchydd ceir awtomatig)
Adeilad Gwerthu Ceir	1 lle ar gyfer cludydd ceir	1 lle ar gyfer pob 50m <sup>2</sup> o ardal adwerthu (tu fewn a'r tu allan)
Adeilad Gwerthu Beiciau Modur	1 lle i gerbyd masnachol	1 lle ar gyfer pob 50m <sup>2</sup> o ardal adwerthu (y tu fewn a'r tu allan )
Ysgolion Gyrru Hurio Preifat/ Hurio Cerbydau Tacsis Trwyddedig	1.25 lle ar gyfer pob cerbyd sy'n cael ei weithredu	1 lle ar gyfer bob 3 staff atodol
<b>Diwydiant a Warysau Diwydiannol (gan gynnwys Dosbarthiadau Defnydd B2 a B8)</b>		
Y Math o Ddatblygiad	Gweithredol	Anweithredol
Diwydiant Bach (< 100m <sup>2</sup> )	1 lle ar gyfer fan	1 lle
Diwydiant Bach (< 235m <sup>2</sup> )	1 lle ar gyfer fan	2 le
Diwydiant	gweler y Nodyn*	1 lle i bob 120m <sup>2</sup>
Diwydiant Technegol lawn	gweler y Nodyn*	1 lle i bob 35m <sup>2</sup>
Warysau Diwydiannol	gweler y Nodyn*	1 lle i bob 140m <sup>2</sup>
Warysau Storio	1 lle masnachol ar gyfer pob 500m <sup>2</sup>	Dim
Canolfannau Dosbarthu (< 1,000m <sup>2</sup> )	35% yr arwynebedd llawr gros	1 lle i bob 120m <sup>2</sup>
Canolfannau Dosbarthu (> 1,000m <sup>2</sup> )	25% yr arwynebedd llawr gros	1 lle i bob 120m <sup>2</sup>

Nodyn\* - Gofynion gweithredol:

Arwynebedd Llawr Gros (m <sup>2</sup> )	Lleiafswm (m <sup>2</sup> )	Arwynebedd Llawr Gros (m <sup>2</sup> )	Lleiafswm (m <sup>2</sup> )	Arwynebedd Llawr Gros (m <sup>2</sup> )	Lleiafswm (m <sup>2</sup> )
100	70	500	100	1,001	150
250	85	1,000	150	2,000	200

Dylid ystyried fod lleiafswm yr ardal weithredol yn 10% o Arwynebedd Llawr Gros sy'n uwch na 2,000m<sup>2</sup>.

<b>Mannau Adloniant</b>		
Y Math o Ddatblygiad	Gweithredol	Anweithredol
Canolfannau Chwarae Plant	1 lle i bob 3 aelod o staff	1 lle i bob 20 m <sup>2</sup> o ardal chwarae
Y Math o Ddatblygiad	Gweithredol	Anweithredol
Neuaddau Ymgynnull (Masnachol) e.e. Neuadd Bingo	1 lle i gerbyd masnachol	1 lle i bob 8m <sup>2</sup>
Neuaddau Ymgynnull (Cymdeithasol) e.e. Clwb heb Drwydded, Canolfan Gymunedol	1 lle i gerbyd masnachol	1 lle i bob 15m <sup>2</sup>
Sinemâu, Theatrau a Chanolfannau Cynhadledd	1 lle i gerbyd masnachol	1 lle i bob 5 sedd
<b>Gwestai a Bwytai</b>		
Y Math o Ddatblygiad	Gweithredol	Anweithredol
Gwestai	1 lle i gerbyd masnachol	1 lle i bob 3 staff amhreswyl ac 1 lle ar gyfer pob ystafell wely
Tafarndai a Chlybiau Trwyddedig	1 lle i gerbyd masnachol	1 lle i bob 3 staff amhreswyl ac 1 lle ar gyfer pob 5m <sup>2</sup> o fan cyhoeddus gan gynnwys lle gweini bwyd
Bwytai	1 lle i gerbyd masnachol	1 lle ar gyfer pob 3 staff amhreswyl ac 1 lle ar gyfer pob 7m <sup>2</sup> o fan bwyta
Caffis a Bwytai Gyrru Trwodd (gweler y Nodyn*)	1 lle i gerbyd masnachol	lle i bob 3 staff amhreswyl ac 1 lle i bob 14m <sup>2</sup> o fan bwyta (neu ran ohoni)
Bwyd Poeth i Fynd Allan	1 lle i gerbyd masnachol	1 lle ar gyfer staff amhreswyl a digon o barcio ar y stryd ar gyfer cwsmeriaid gerllaw
Caffis gyrrwyr lorïau	1 lle i gerbyd masnachol	1 lle i bob 3 staff amhreswyl ac 1 lle i gerbyd masnachol i bob 2 sedd

Nodyn\*- Mae'n rhaid i fwytai, gan gynnwys cyfleusterau gyrru trwodd ar gyfer archebu a chasglu bwyd yn y car, gael mynediad ar wahân ar gyfer hyn a darparu o leiaf 6 lle aros.

<b>Sefydliadau Cymunedol</b>		
Y Math o Ddatblygiad	Gweithredol	Anweithredol
Ysbytai*	Cerbydau hanfodol yn ôl y gofyn	2.5 lle ar gyfer pob gwely
Canolfannau Iechyd a Meddygfeydd	1 lle ar gyfer pob ymarferydd	1 lle ar gyfer pob 3 staff atodol a 3 lle ar gyfer pob ymarferydd
Eglwysi a Lleoedd Addoli	1 lle i gerbyd masnachol	1 lle ar gyfer pob 10 sedd neu 1 lle ar gyfer pob 8m <sup>2</sup> o ofod gweddio
Capeli Gorffwys	3 lle i gerbyd masnachol	Fel Eglwysi, ac yn y blaen
Parlyrau Angladd	3 lle i gerbyd masnachol	1 lle ar gyfer pob 2 aelod o staff



Canolfannau Hamdden Cyhoeddus	1 lle i gerbyd masnachol	1 lle ar gyfer pob 2 ddefnyddiwr cyfleuster ac 1 lle ar gyfer pob 3 gwylwr
Clybiau Ffitrwydd, Clybiau Hamdden a Chlybiau Chwaraeon**	1 lle i gerbyd masnachol	1 lle ar gyfer 2 ddefnyddiwr y cyfleuster
Marinas	1 lle i gar a threlar	1 lle ar gyfer pob angorfa
Llyfrgelloedd	1 lle i gerbyd masnachol	1 lle ar gyfer pob 45m <sup>2</sup>

\* - Bydd lefel y ddarpariaeth hon yn briodol ar gyfer ysbytai dwys ac ysbytai cymdogaeth. Bydd lefel ddarpariaeth is yn dderbyniol ar gyfer pob math o ysbyty arall.

\*\* - Rhaid asesu cyfleusterau bar adeilad clwb ac adnoddau bwyty ar wahân bob amser.

<b>Sefydliadau Addysgol</b>		
Y Math o Ddatblygiad	Gweithredol	Anweithredol
Meithrinfeydd Dydd a Creches (adeilad newydd)	1 lle i gerbyd masnachol	1 lle ar gyfer pob 2 staff amser llawn
Meithrinfeydd Dydd a Creches (eiddo wedi ei addasu)	Wedi ei gynnwys yn y gofyniad anweithredol	1 lle ar gyfer pob 2 staff amser llawn
Ysgolion Meithrin/Babanod/Cynradd	1 lle i gerbyd masnachol	1 lle ar gyfer pob athro a 3 lle i ymwelwyr, parcio bysiau yn ôl y gofyn
Ysgolion Uwchradd	1 lle i gerbyd masnachol	1 lle ar gyfer pob athro, 1 lle ar gyfer pob 2 staff atodol, 1 lle ar gyfer pob 20 myfyriwr 17 oed + a 3 lle i ymwelwyr. Parcio bysiau yn ôl y gofyn.
Colegau Addysg Bellach/Uwch	1 lle i gerbyd masnachol	1 lle ar gyfer pob athro, 1 lle ar gyfer pob 2 staff atodol, 1 lle ar gyfer pob 8 myfyriwr a 5 lle i ymwelwyr

## 6.2 Parth Parcio 2

6.21 Mae Parth Parcio 2 yn cynnwys bob anheddiad yn ardaloedd cefn gwlad Sir Ddinbych, h.y. pentrefi, pentrefannau ac adeiladau unigol mewn cefn gwlad agored. Ac eithrio adeiladau mewn cefn gwlad agored, mae'r aneddiadau hyn naill ai wedi'u hamlinellu gan derfyn datblygu (polisi RD1 y CDLI) neu ardal chwilio (polisi BSC6 y CDLI) ar fapiau cynigion y CDLI.

6.22 Efallai bod gan yr aneddiadau hyn nifer fechan o gyfleusterau lleol o fewn pellter cerdded. Mae angen teithio yn defnyddio moduron ar gyfer y mwyafrif o deithiau. Mae amlder y gwasanaethau cyhoeddus yn llai nag un yr awr a hynny ddim ond i un ganolfan leol. Efallai nad oes prinder o dir ar gyfer darpariaeth barcio o fewn y safle ond mae'r system briffyrdd gyfagos yn cynnig ychydig o gyfleoedd i barcio ceir.

6.23 Ceir nodiadau ar gyfer y gwahanol fathau o ddatblygiad yn Atodiad 2.

<b>Preswyl: Adeiladau Newydd ac Addasiadau</b>			
Y Math o Ddatblygiad	Preswylwyr	Ymwelwyr	
- fel y diffinnir ar gyfer Parth Parcio 1 -			
<b>Swyddfeydd</b> – Dosbarth Defnydd B1 Busnes, Dosbarth A2 Gwasanaethau Ariannol a Phroffesiynol			
Datblygiad	Gofynion	Datblygiad	Gofynion
Swyddfeydd (< 1000m <sup>2</sup> )	1 lle i bob 25m <sup>2</sup>	Swyddfeydd (> 1000m <sup>2</sup> )	1 lle i bob 40m <sup>2</sup>
<b>Siopau</b> (gan gynnwys Archfarchnadoedd ac Uwchfarchnadoedd)			
Y Math o Ddatblygiad	Gweithredol	Anweithredol	
Siopau (< 200m <sup>2</sup> )	1 lle i gerbyd masnachol	1 lle i bob 60m <sup>2</sup>	
Siopau ac archfarchnadoedd bychain (201m <sup>2</sup> - 1,000m <sup>2</sup> )	2 le i gerbydau masnachol	1 lle i bob 20m <sup>2</sup>	
<b>Warysau Adwerthu a Garejys</b>			
Y Math o Ddatblygiad	Gweithredol	Anweithredol	
Cyflenwyr Adeiladwyr (Masnach ac Adwerthu)	3 lle i gerbydau masnachol	1 lle i bob 80m <sup>2</sup> a 10% o'r arwynebedd llawr gros	
Marchnadoedd Awyr Agored ac Arwerthiannau Cist Car	1 lle i bob parcio ar gyfer pob stondin	1 lle y 30m <sup>2</sup> o gyfanswm arwynebedd y stondin gan gynnwys yr ardal i gerddwyr symud o gwmpas	
Garejys	1 lle car/lorri ar gyfer pob cilfach gwasanaethu car/ lori	2 le car/lori ar gyfer pob bae gwasanaethu	
Gorsafoedd Gwasanaethu (egsôsts, MoT, teiars ayyb)	1 lle lori a 20% o'r arwynebedd llawr gros	2 le car/lori ar gyfer pob bae gwasanaethu	
Gorsafoedd Petrol	1 lle ar gyfer tancer petrol	4 Lle at ddefnydd atodol (e.e. golchydd ceir awtomatig)	
Adeilad Gwerthu Ceir	1 lle ar gyfer cludydd ceir	1 lle ar gyfer pob 50m <sup>2</sup> o ardal adwerthu (tu fewn a'r tu allan)	
Adeilad Gwerthu Beiciau Modur	1 lle i gerbyd masnachol	1 lle ar gyfer pob 50m <sup>2</sup> o ardal adwerthu (y tu fewn a'r tu allan )	
Ysgolion Gyrru Hurio Preifat/Hurio Cerbydau Tacsis Trwyddedig	1.25 lle ar gyfer pob cerbyd sy'n cael ei weithredu	1 lle ar gyfer bob 3 staff atodol	
<b>Diwydiant a Warysau Diwydiannol</b> (gan gynnwys Dosbarthiadau Defnydd B2 a B8)			
Y Math o Ddatblygiad	Gweithredol	Anweithredol	
Diwydiant Bach (< 100m <sup>2</sup> )	1 lle ar gyfer fan	1 lle	
Diwydiant Bach (< 235m <sup>2</sup> )	1 lle ar gyfer fan	2 le	
Diwydiant	gweler y Nodyn*	1 lle i bob 120m <sup>2</sup>	
Warysau Diwydiannol	gweler y Nodyn*	1 lle i bob 140m <sup>2</sup>	
Warysau Storio	1 lle masnachol ar gyfer bob 500m <sup>2</sup>	Dim	

Nodyn\* - Gofynion gweithredol:

Arwynebedd Llawr Gros (m <sup>2</sup> )	Lleiafswm (m <sup>2</sup> )	Arwynebedd Llawr Gros (m <sup>2</sup> )	Lleiafswm (m <sup>2</sup> )	Arwynebedd Llawr Gros (m <sup>2</sup> )	Lleiafswm (m <sup>2</sup> )
100	70	500	100	1,001	150
250	85	1,000	150	2,000	200

Dylid ystyried fod lleiafswm yr ardal weithredol yn 10% o Arwynebedd Llawr Gros sy'n uwch na 2,000m<sup>2</sup>.

<b>Mannau Adloniant</b>		
Y Math o Ddatblygiad	Gweithredol	Anweithredol
Canolfannau Chwarae Plant	1 lle i bob 3 aelod o staff	1 lle i bob 15m <sup>2</sup> o ardal chwarae
Neuaddau Ymgynnull (Masnachol) e.e. Neuadd Bingo	1 lle i gerbyd masnachol	1 lle i bob 8m <sup>2</sup>
Neuaddau Ymgynnull (Cymdeithasol) e.e. Clwb heb Drwydded, Canolfan Gymunedol	1 lle i gerbyd masnachol	1 lle i bob 10m <sup>2</sup>

### **Gwestai a Bwytai**

Y Math o Ddatblygiad	Gweithredol	Anweithredol
Gwestai	1 lle i gerbyd masnachol	1 lle i bob 3 staff amhreswyl ac 1 lle ar gyfer pob ystafell wely
Tafarndai a Chlybiau Trwyddedig	1 lle i gerbyd masnachol	1 lle i bob 3 staff amhreswyl ac 1 lle ar gyfer pob 3m <sup>2</sup> o fan cyhoeddus gan gynnwys lle gweini bwyd
Y Math o Ddatblygiad	Gweithredol	Anweithredol
Bwytai	1 lle i gerbyd masnachol	1 lle ar gyfer pob 3 staff amhreswyl ac 1 lle ar gyfer pob 7m <sup>2</sup> o fan bwyta
Caffis a Bwytai Gyrru Trwodd (gweler y Nodyn*)	1 lle i gerbyd masnachol	lle i bob 3 staff amhreswyl ac 1 lle i bob 14m <sup>2</sup> o fan bwyta (neu ran ohoni)
Bwyd Poeth i Fynd Allan	1 lle i gerbyd masnachol	1 lle ar gyfer staff amhreswyl a digon o barcio ar y stryd ar gyfer cwsmeriaid gerllaw
Caffis gyrrwyr lorïau	1 lle i gerbyd masnachol	1 lle i bob 3 staff amhreswyl ac 1 lle i gerbyd masnachol i bob 2 sedd

Nodyn\* - Mae'n rhaid i fwytai, gan gynnwys cyfleusterau gyrru trwodd ar gyfer archebu a chasglu bwyd yn y car, gael mynediad ar wahân ar gyfer hyn a darparu o leiaf 6 lle aros.

### **Sefydliadau Cymunedol**

Y Math o Ddatblygiad	Gweithredol	Anweithredol
- fel y diffinnir ar gyfer Parth Parcio 1 -		

### **Sefydliadau Addysgol**

Y Math o Ddatblygiad	Gweithredol	Anweithredol
Meithrinfeydd Dydd a Creches (adeilad newydd)	1 lle i gerbyd masnachol	1 lle ar gyfer pob 2 staff amser Llawn
Meithrinfeydd Dydd a Creches (eiddo wedi ei addasu)	Wedi ei gynnwys yn y gofyniad anweithredol	1 lle ar gyfer pob 2 staff amser Llawn
Ysgolion Meithrin/ Babanod/Cynradd	1 lle i gerbyd masnachol	1 lle ar gyfer pob athro, 1 lle ar gyfer pob 2 staff atodol a 3 lle i ymwelwyr,
Ysgolion Uwchradd	1 lle i gerbyd masnachol	1 lle ar gyfer pob athro, 1 lle ar gyfer pob 2 staff atodol, 1 lle ar gyfer pob 10 myfyriwr 17 oed + a 3 lle i ymwelwyr. Parcio bysiau yn ôl y gofyn.
Colegau Addysg Bellach/Uwch	1 lle i gerbyd masnachol	1 lle ar gyfer pob athro, 1 lle ar gyfer pob 2 staff atodol, 1 lle ar gyfer pob 5 myfyriwr a 5 lle i ymwelwyr

## 7 Mynediad i bobl anabl

7.1 Mae Deddf Cydraddoldeb 2010 yn diogelu pobl rhag gwahaniaethu yn y gweithle ac yn y gymdeithas ehangach. Bellach, mae rhaid i bob adeilad cyhoeddus fod yn hygyrch i bobl anabl ynghyd â darparu cyfleusterau ar gyfer bobl anabl. Yn ogystal, mae gofynion y Ddeddf hefyd yn berthnasol i ystod eang o adeiladau, gan gynnwys swyddfeydd, siopau, canolfannau hamdden, neuaddau eglwys a chyfleusterau addysg. Gellir cael rhagor o wybodaeth a chyfarwyddyd yn y ddogfen 'Inclusive Mobility' a gyhoeddwyd gan yr Adran Drafnidiaeth yn 2005.

7.2 Mae'n rhaid i ddatblygwyr roi ystyriaeth briodol i'r agweddau a ganlyn, sy'n bwysig i bobl anabl.

- A. Arwyddo llwybrau cerddwyr – ar ôl sefydlu'r lleoliad mwyaf cyfleus ar gyfer parcio cerbydau pobl anabl, mae'n hanfodol fod gan ddatblygwyr gynllun gosod arwyddion clir i ddangos y mynedfeydd priodol ar gyfer pobl anabl ac yna'i weithredu.
- B. Dylai graddiant unrhyw ramp fod cyn lleied ag y bo modd. Darperir rhagor o gyfarwyddyd yn Rheoliadau Adeiladu 2000 (fel y'i diwygiwyd) Rhan M ac yn 'Accessibility By Design - A Standard Guide' a gyhoeddwyd gan Reolaeth Adeiladu Awdurdodau Lleol Cymru. Dylai datblygwyr ystyried yn ofalus iawn lefelau manau parcio a lefelau llawr gorffenedig perthnasol yn ystod cam cynnar eu cynllunio, fel bod llwybr gwastad neu bron a bod yn wastad (llai na 5% fyddai orau) ar gael rhwng y lle parcio a'r adeilad, os yw hynny'n bosibl.
- C. Mae'r anhawster a achosir i bobl anabl gael mynediad i adeilad wedi ei gynnwys yn 'Inclusive Mobility' ond gall oedi wrth agor drysau ac yn y blaen achosi annifyrrwch mawr ac felly dylai'r datblygwr ystyried gosod canopi wedi'i ddylunio ar gyfer defnydd pobl anabl dros fynedfeydd.

7.3 Ar gyfer bobl ag anableddau, argymhellir fod y lleoedd parcio wedi eu lleoli yn briodol, o fewn 50 metr o'r cyfleuster sy'n cael ei wasanaethu gan y maes parcio fyddai orau, a'u bod yn ddigonol o ran eu maint a'u nifer.

7.4 Y cymesurau a argymhellir ar gyfer lleoedd deiliaid Bathodyn Glas yw:

- Ar gyfer meysydd parcio yn gysylltiedig ag eiddo cyflogaeth presennol: 2% o gyfanswm niferoedd parcio, gydag o leiaf un lle parcio.
- Ar gyfer meysydd parcio yn gysylltiedig ag eiddo cyflogaeth newydd: Dylid dynodi 5% o gyfanswm nifer lleoedd yn y meysydd parcio (i gynnwys gweithwyr ac ymwelwyr)
- Ar gyfer meysydd parcio yn gysylltiedig â manau siopa, hamdden neu gyfleusterau adloniant a manau ar agor i'r cyhoedd: Dylid dynodi 6% o gyfanswm nifer y lleoedd parcio (i gynnwys gweithwyr ac ymwelwyr)

- Ar gyfer meysydd parcio sy'n gysylltiedig â gorsafoedd rheilffordd:  
O leiaf un lle parcio ar gyfer pob gweithiwr rheilffordd sy'n yrrwr anabl ynghyd â:
  - Ar gyfer maes parcio a llai nag 20 lle, un lle ar gyfer pobl anabl
  - Ar gyfer maes parcio gyda 20 i 60 lle parcio, dau lle ar gyfer pobl anabl
  - Ar gyfer maes parcio gyda 61 to 200 lle, tri lle ar gyfer pobl anabl
  - Ar gyfer maes parcio gyda mwy na 200 o leoedd, 4% o gyfanswm nifer y lleoedd parcio a phedwar lle ar gyfer pobl anabl yn ychwanegol at hynny.

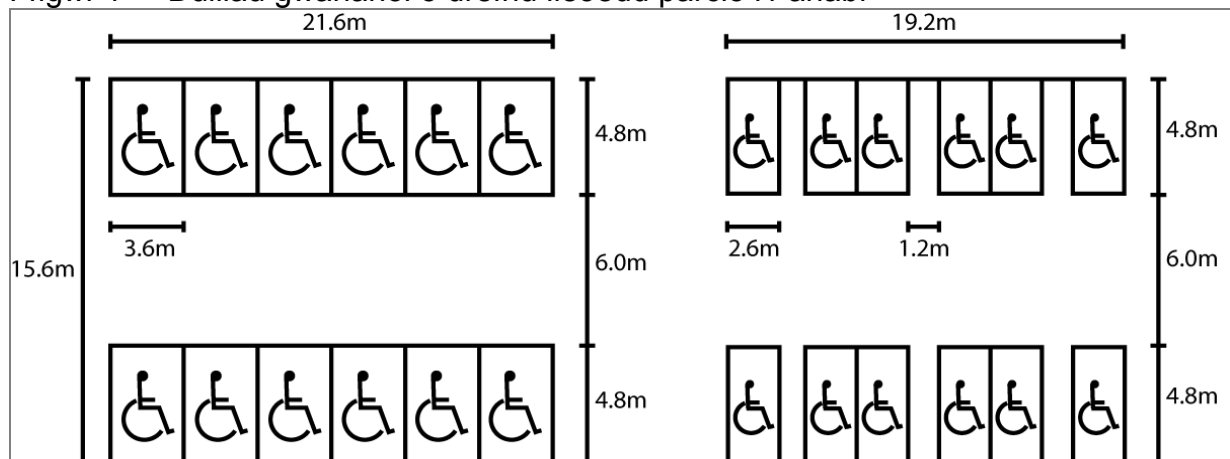
#### 7.5 **Nodiadau mewn perthynas â'r safonau parcio ar gyfer modurwyr anabl**

- Os mai dim ond 1 lle sydd ei angen fel rhan o gyfanswm y ddarpariaeth barcio weithredol neu anweithredol, rhaid i'r cynllun gydymffurfio â'r gofynion ar gyfer parcio i fodurwyr anabl (gweler Atodiad 3).
- Cynhwysir nifer y lleoedd parcio sydd eu hangen ar gyfer gweithwyr anabl yng nghyfanswm y nifer sy'n ofynnol ar gyfer parcio anweithredol. Fodd bynnag, rhaid darparu o leiaf un lle parcio ar gyfer pobl anabl.
- Os nad oes gofyn am leoedd parcio anweithredol, bydd y Cyngor yn annog datblygwyr i ddarparu man disgyn ar gyfer pobl anabl ar dir cadarn a gwastad, yn agos i brif fynedfa'r adeilad.

7.6 Dylid marcio cilfachau parcio oddi ar y stryd ar gyfer pobl anabl, â llinellau melyn a symbol cadair olwyn melyn yn y lle parcio. Dylid gosod arwydd, neu arwyddion, wrth fynedfa'r maes parcio i gyfeirio modurwyr anabl i leoedd parcio penodol, a fydd, os nad yw'n faes parcio dan do, hefyd yn arwyddion uwch ar ben y cilfachau parcio wedi eu neilltuo. Dylai arwyddion y tu mewn i'r maes parcio ddangos y ffordd fwyaf cyfleus i'r cyfleusterau sy'n cael eu gwasanaethu gan y maes parcio, a'r pellter at y cyfleusterau hynny. Dylai'r marciau gydymffurfio â Safon Prydain BS8300:2001 'Design of buildings and their approaches to meet the needs of disabled people - Code of Practice'

7.7 Dylid marcio cilfachau parcio pobl anabl ar y stryd gan arwyddion a'u marcio gan gydymffurfio'n llawn â Rheoliadau Arwyddion Traffig a Chyfarwyddiadau Cyffredinol (1994). Dylai pob cilfach fod ag arwydd wedi ei godi ar ben y gilfach is sicrhau petai dail neu eira yn cuddio marciau'r ffordd, bod pwrpas y gilfach yn amlwg o hyd.

Ffigwr 1 Dulliau gwahanol o drefnu lleoedd parcio i'r anabl



## 8 Safonau parcio ar gyfer beics

- 8.1 Dylid gosod lleoedd parcio beiciau mewn man diogel a chyfleus. Dylid gofalu nad yw'r cyfleusterau parcio beiciau wedi'u gosod mewn man lle gallant rwystro cerddwyr, pobl anabl ac yn enwedig pobl â nam ar eu golwg. Dylid gosod arwyddion priodol i ddangos lleoliad parcio tymor byr ar gyfer beiciau.
- 8.2 Oherwydd diogelwch, dylid lleoli cyfleusterau parcio beiciau mewn ardaloedd sy'n weladwy ac felly'n caniatáu goruchwyllo anffurfiol. Mewn rhai amgylchiadau efallai bydd angen gwella hyn trwy ddefnyddio teledu cylch caeedig neu gamau diogelwch eraill.
- 8.3 Dyluniad cyfleusterau parcio beiciau. Standiau Sheffield (bariau dur siâp n wedi eu gyrru i mewn i'r ddaear) yw'r gorau ar gyfer parcio tymor byr. Dylent fod:
- yn 750mm o ran uchder, yn 700mm o ran hyd ac o leiaf 250mm i mewn i'r ddaear;
  - rhaid cael o leiaf 800mm rhyngddynt;
  - wedi eu gorchuddio â phowdr polyester, wedi ei liwio i gyd-fynd â dodrefn stryd neu adeiladau presennol (neu, fel arall, wedi'u peintio'n ddu), ac
  - wedi eu gwarchod rhag yr elfennau gan fur, lloches neu ganopi.
- 8.4 Gellir hefyd defnyddio dolennau wedi eu gosod mewn waliau ac adeiladau, mewn mannau lle mae lle yn brin a lle na ellir cynnwys standiau Sheffield. Dylid dod i'r rhain bob 1.8m a 750mm uwchben lefel y ddaear.
- 8.5 Dylai pob datblygiad preswyl fod yn hygyrch i feiciau a dylid ystyried lleoedd cadw beiciau wrth ddylunio anheddau. Mewn amgylchiadau priodol, efallai gellir darparu cyfleusterau cymunedol cyfleus. Mae canllawiau ar y pwnc hwn ar gael yn y Llawlyfr Strydoedd.
- 8.6 Mae clystyrau bychain o gyfleusterau parcio beic yn well na chompownd mawr canolog. Dylid lleoli'r holl standiau fel nad ydych yn rhwystro neu'n peryglu cerddwyr, yn enwedig cerddwyr dall neu gyda nam ar eu golwg a defnyddwyr cadeiriau olwyn. Efallai bydd angen bolardiau wedi eu peintio

gyda streipiau i roddi amddiffyniad ychwanegol yn hyn o beth. Efallai hefyd y bydd angen amgáu mannau parcio beiciau gyda marciau cyffyrddadwy.

- 8.7 Ni ddylai cyfleusterau parcio beiciau niweidio trefwedd na thirwedd yr ardal. Mewn Ardaloedd Cadwraeth a ger Adeiladau Rhestredig, dylid talu sylw arbennig i osod, dylunio a deunyddiau a ddefnyddir ar gyfer y cyfleusterau parcio. Bydd mesurau sy'n tynnu oddi wrth gymeriad neu leoliad Adeilad Rhestredig neu sy'n niweidio cymeriad Ardal Gadwraeth yn cael eu gwrthwynebu.
- 8.8 Mae canllawiau pellach ar ddylunio mannau parcio beiciau ar gael yn Nhaflen yr Adran Gludiant: "Traffic Advisory Leaflet 5/02 "Key Elements of Cycle Parking" ac ar Daflen Wybodaeth Sustrans FF37 "Cycle Parking".
- 8.9 Ar gyfer gweithredu'r safonau a ganlyn, tybir mai dimensiwn nodweddiadol beic yw 1.8m x 0.6m. Nid oes unrhyw wahaniaeth rhwng y gwahanol barthau parcio. Dylid darparu o leiaf 1 lle ar gyfer bob math o ddatblygiad.

#### 8.10 Safonau Lleiaf Parcio Beiciau

Mathau o Ddefnydd Tir	Nifer y Mannau sy'n Ofynnol
<b>Siopau</b>	
Siopau hwylustod bychain	1 i bob 100m <sup>2</sup> (neu ran ohono)
Archfarchnadoedd bwyd	1 i bob 150m <sup>2</sup> (neu ran ohono)
Adwerthu difwyd	1 i bob 200m <sup>2</sup> (neu ran ohono)
Banciau, cymdeithasau adeiladau, siopau betio	1 i bob 60m <sup>2</sup> (neu ran ohono)
Allfannau bwyd a diod	1 i bob 60m <sup>2</sup> (neu ran ohono)
<b>Defnyddiau Diwydiannol</b>	
Swyddfeydd gweinyddol, ymchwil a defnydd datblygu	1 i bob 350m <sup>2</sup> (neu ran ohono)
Defnyddiau diwydiannol cyffredinol	1 i bob 500m <sup>2</sup> (neu ran ohono)
Defnydd storio a dosbarthu	1 i bob 1,000m <sup>2</sup> (neu ran ohono)
<b>Defnyddiau Preswyl</b>	
Gwestai a thai aros	1 i bob 10 gwely ar gyfer gwesteion
Cartrefi gofal preswyl, cartrefi nyrsio ac ysbytai	1 i bob 10 gweithiwr
Ysgolion preswyl, colegau preswyl a chanolfannau hyfforddi preswyl	1 i bob 10 gweithiwr ac 1 i bob 5 myfyriwr
Tai annedd	Dim safon benodol. Fodd bynnag, efallai y bydd angen mannau parcio beiciau cyffredin hwylus a diogel dan amgylchiadau priodol ( <i>e.e. datblygiadau dwysedd uwch gyda lle parcio ceir cyfyngus, neu ddim darpariaeth o'r fath</i> ).
<b>Defnyddiau Cymunedol</b>	
Ysgolion cynradd ac uwchradd	4 i bob ystafell ddosbarth
Colegau chweched dosbarth ac Addysg Bellach	1 i bob 35m <sup>2</sup>
Canolfannau meddygol ac iechyd	2 i bob ystafell ymgynghori
<b>Defnyddiau Hamdden</b>	
Orielau celf, amgueddfeydd a llyfrgelloedd	1 i bob 150m <sup>2</sup>
Sinemâu, canolfannau hamdden, neuaddau bingo, neuaddau cyngerdd	1 i bob 75m <sup>2</sup>

## 9 Safonau parcio beiciau modur

- 9.1 Dylid lleoli manau parcio beiciau modur mewn man diogel a chyfleus lle nad yw cerbydau eraill yn gallu dod ar draws na rhwystro'r ardal barcio beiciau modur.
- 9.2 Mae beiciau modur yn tueddu i gael eu dwyn. Felly dylid lleoli parciau beiciau modur mewn ardaloedd sy'n weladwy oherwydd rhesymau diogelwch, ac felly'n caniatáu eu goruchwyllo'n anffurfiol. Dylid osgoi waliau uchel o'u cwrpas a llwyni oherwydd gallant fod yn orchudd ar gyfer lladron. Mewn rhai amgylchiadau efallai bydd angen teledu cylch caeedig neu gamau diogelwch eraill. Dylid lleoli'r cyfleusterau hyn lle ni ellir defnyddio cerbydau mwy, fel faniau, i ddwyn beiciau modur.
- 9.3 Mae'n rhaid darparu manau angori cadarn i gloi'r beiciau modur, ond mae'n rhaid eu dylunio fel eu bod yn gallu cymryd ystod eang o faint olwynion beiciau modur, ond ddim yn galluogi lladron i'w lefro'n hawdd na defnyddio torwyr bolltau nac offer arall a fydd yn cael ei ddefnyddio i'w dwyn. Dylid gofalu hefyd nad yw'r cyfleusterau cloi yn creu perygl baglu i gerddwyr, pobl anabl ac yn enwedig i bobl â nam ar eu golwg.
- 9.4 Byddai parcio dan do ar gyfer beiciau modur o fudd i'r beicwyr, yn enwedig ar gyfer parcio tymor hir, yn ogystal â chyflenwad o finiau sbwriel cyfleus oherwydd ychydig o le sydd gan y beicwyr i gario eitemau ychwanegol. Mae hefyd yn bwysig ystyried darparu loceri i gadw dillad a helmedau amddiffynnol y beicwyr.
- 9.5 Mae hyd beiciau modur yn gyffredinol yn llai wrth eu parcio, oherwydd bydd yr olwyn blaen y cael ei throï i'w safle cloi. Mae'r hyd a lled effeithiol yn amrywio rhwng oddeutu 1600mm i 2300mm (hyd) a 650mm i 900mm (lled). Argymhellir 2.8m x 1.3m fel maint cilfach .
- 9.6 Ystyriaeth ychwanegol yw beicwyr anabl. Awgrymir darparu ar gyfer beicwyr anabl trwy ddarparu cilfachau wedi eu marcio'n benodol, neu gilfachau mwy. Bydd unrhyw feiciwr gyda symudedd llai a gwannach yn cael budd o le ychwanegol i osod eu hunain wrth ochr eu beiciau wrth droi neu wrth fynd arno.
- 9.7 Ni ddylid wynebu cilfachau parcio beiciau modur gyda defnyddiau bitwmen oherwydd mae'n gallu toddi mewn tywydd poeth, gan achosi i le'r beic modur suddo a'r beic i droi drosodd. Byddai arwynebeddau concrit yn osgoi'r broblem hon. Mae canllawiau pellach i'w cael yn y Llawlyfr Strydoedd.
- 9.8 Nid oes unrhyw wahaniaethu rhwng gwahanol barthau parcio o ran gofynion parcio beiciau modur mewn datblygiadau newydd. Os nad oes unrhyw ofyn am y ddarpariaeth ar gyfer parcio ceir ni fydd angen lleoedd i barcio beiciau modur ychwaith.

Y Math o Ddatblygiad	Darpariaeth Parcio Beiciau Modur
Pob dosbarth datblygiad	5% o ddarpariaeth parcio ceir



## 10 Tirweddu

- 10.1 Dylid defnyddio planhigion mewn maes parcio i dorri ar undonedd yr ardal palmant ac er mwyn diffinio neu guddio cilfachau parcio, ac i ddarparu nodweddion gweledol. Ystyrir bod tirweddu yn rhan hanfodol o ddylunio ardaloedd parcio ac nid rhywbeth wedi ei ychwanegu ar ôl hynny. Dylai glaswellt, planhigion gorchuddio tir, llwyni a choed sy'n cael eu defnyddio mewn meysydd parcio allu gwrthsefyll llygredd ac ni ddefnyddio coed gyda chwmp dail mawr na ffrwythau na changhennau sydd yn syrthio. Dylid osgoi y rhan fwyaf o rywogaethau pisgwydden, gwallt y forwyn a chastanwydden. Dylid gofalu nad yw'r plannu yn cuddio gweledd ar gyffyrdd nac yn amharu ar warchod y safle.
- 10.2 Dylai'r planhigion gyd-fynd â chymeriad lleol a'i lystyfiant gan ddefnyddio rhywogaethau brodorol yn ogystal â rhywogaethau addurniadol. Dylid hefyd ystyried beth fydd uchder a lled y planhigion mewn blynyddoedd a sut fyddant yn effeithio ar strwythurau gerllaw. Dylid osgoi defnyddio planhigion lle bydd sbwriel yn casglu ynddynt a dylid ystyried sut i'w cynnal yn y dyfodol.
- 10.3 Mae canllaw defnyddiol ar gyfer dewis rywogaethau ar gael ar wefan a luniwyd gan y Horticultural Trades Association ynghyd â'r Landscape Institute yn [www.plantspec.org.uk](http://www.plantspec.org.uk).
- 10.4 Mewn rhai amgylchiadau, efallai bydd tirlunio caled yn fwy priodol er enghraifft blociau concrit, briciau, slabiau palmentydd a cherrig bychain. Mae dewis helaeth o ddefnyddiau wynebu ar gael ar gyfer meysydd parcio. Mae dewis pa un i ddefnyddio mewn sefyllfa benodol yn dibynnu ar ddwysedd y defnydd a ddisgwylir, sut fydd y maes parcio'n edrych a faint o arian sydd ar gael ar gyfer gosod a chynnal a chadw.
- 10.5 Dylai dylunio a thirweddu meysydd parcio ystyried y cyngor yng nghanllawiau asesu cynllun parcio diogelach 'Park Mark' y Gymdeithas Prif Swyddogion Heddlu, yn ogystal â gofynion mwy cyffredinol Polisi Cynllunio Cymru a'r Nodyn Canllawiau Technegol 12: Dylunio (TAN12).

## 11 Cysylltiadau / Ffynonellau

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CSS Cymru – Cymdeithas Syrfewyr Sirol Cymru: Safonau Parcio Cymru 2008

Cynllun Datblygu Lleol Sir Ddinbych 2006 – 2021, thema CDLI: Cyflawni Mynediad Hygyrch, mabwysiadwyd yn 2013

Cynllun Datblygu Unedol Sir Ddinbych 1996 – 2011, Cyfarwyddyd Cynllunio Ategol Nodyn 21: Gofynion Parcio Mewn Datblygiadau Newydd, 2004

Yr Adran Drafnidiaeth: Inclusive Mobility (2005)

Llywodraeth Cymru, ~~Polisi Cynllunio Cymru (Argraffiad 5), Tachwedd 2012~~  
**Polisi Cynllunio Cymru (Rhifyn 7), Gorffennaf 2014**

## Atodiad 1 - Diffiniadau

- A1.1 *Lle Parcio Gweithredol* - Digon o le i ganiatáu i'r uchafswm o gerbydau o ran nifer a maint sy'n debygol o wasanaethu'r datblygiad ar unrhyw adeg benodol ac i symud yn rhwydd ac aros i lwytho a dadlwytho heb achosi anghyfleustra i gerbydau a cherddwyr ar y briffordd gyhoeddus neu ddefnyddwyr eraill y safle.
- A1.2 *Lle Parcio Anweithredol* - Lle ar gyfer cerbydau nad ydynt o reidrwydd yn cael eu defnyddio ar gyfer gweithrediad yr eiddo.
- A1.3 *Lle Parcio Preswyl* - Yn cynnwys y lle sydd angen ar gyfer trigolion a lle ar gyfer ceir pobl sy'n ymweld â'r preswylwyr.
- A1.4 *Arwynebedd Llawr GROS* - Y safonau sy'n berthnasol i arwynebau llawr yw'r arwynebedd llawr GROS, h.y. yn cynnwys waliau allanol, ac eithrio lle mae'r testun yn nodi fel arall mewn perthynas â thafarndai, bwytai, caffis a mannau addoli.
- A1.5 *Estyniad neu Ddatblygu Adeiladau Presennol* - Unrhyw ddatblygiad a wneir o fewn fframwaith y Gorchymyn Datblygu Cyffredinol a Ganiateir (nad oes felly angen caniatâd cynllunio) yn amodol ar gyflawni'r gofynion parcio a amlinellir yn y ddogfen hon. Fodd bynnag, rhaid adleoli unrhyw le barcio a ddadleolir.
- A1.6 *Mynediad Cludiant Cyhoeddus* - Mae darpariaeth cludiant cyhoeddus yn cynnig y potensial o leihau'r defnydd o geir a lle bo hynny'n briodol dylid gwella lefel y ddarpariaeth hon drwy'r broses gynllunio ar gost y datblygyr.
- A1.7 *Dwysedd Cyflogaeth* – Aseswyd y safonau ar sail dwysedd arferol (manwerthu 19.5m<sup>2</sup> fesul gweithiwr; diwydiannol 35 - 45m<sup>2</sup> fesul gweithiwr, swyddfa 16.5m<sup>2</sup> fesul gweithiwr). Gellir trin amrywiadau o ran dwysedd yn ôl eu rhinweddau.
- A1.8 *Defnydd Tir* - at ddibenion gweithredu'r safonau parcio mae'r tabl canlynol yn amlinellu'r defnyddiau tir a nodir yng Ngorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) 1987 a diwygiadau ers hynny.
- A1.9 Nid yw rhai defnyddiau yn y ddogfen hon yn perthyn i unrhyw Ddosbarth Defnydd penodol ac felly mae'n rhaid delio'n unigol â'r rhain (gweler sui generis) e.e. marchnadoedd awyr agored. Nid yw absenoldeb safonau parcio ar gyfer defnydd tir penodol yn golygu na fydd angen unrhyw ddarpariaeth parcio.
- A1.10 Mae Tabl 1 yn rhestru enghreifftiau o fathau o ddatblygiadau yn ôl dosbarthiad 'Gorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) 1987 (fel y'i diwygiwyd)'.

Tabl A1: Enghreifftiau o ddefnyddiau tir yn ôl categori yng Ngorchymyn Cynllunio Gwlad a Thref (Dosbarthiadau Defnydd) 1987 (fel y'i diwygiwyd)

Dosbarthiadau Defnydd yng Ngorchymyn 1987	Defnyddiau Tir mewn Canllawiau Parcio
Dosbarth A1: Siopau	Siopau, Archfarchnadoedd ac Uwchfarchnadoedd; Manwerthu Warws (Talu a Chludo)
Dosbarth A2: Gwasanaethau Ariannol a Phroffesiynol	Swyddfeydd (dim ond mewn achosion lle darperir eiddo'n bennaf ar gyfer aelodau o'r cyhoedd sy'n ymweld)
Dosbarth A3: Bwyd a Diod	Bwytai, Tafarndai, Caffis, Cludiant, Clybiau Trwyddedig
Dosbarth B1: Busnes	Swyddfeydd (heblaw am rai yn A2 uchod) / Diwydiant Ysgafn
Dosbarth B2: Diwydiant Cyffredinol	Diwydiant
Dosbarth B8: Storio neu Ddosbarthu	Warysau Cyfanwerthu
Dosbarth C1: Gwestai a Hosteli	Gwestai
Dosbarth C2: Sefydliadau Preswyl	Cartrefi i'r Henoed, Plant, ac ati; Cartrefi Nyrsio; Ysbytai
Dosbarth C3: Anheddau	Tai a Fflatiau Pwrpas Cyffredinol a Thai Gwarchod
Dosbarth C1: Sefydliadau Amhreswyl	Canolfannau Iechyd, Meddygfeydd, Eglwysi, Ysgolion, Colegau Addysg Uwch ac Addysg Bellach; Llyfrgelloedd ac ati
Dosbarth D2: Ymgynnull a Hamdden	Canolfannau Hamdden; Clybiau Chwaraeon; Neuaddau Bingo

- A1.11 Nid yw'r safonau wedi'u diffinio o ran Gorchymyn Dosbarthiadau Defnydd 1987 gan y byddai hyn yn golygu fod ystod eang o ddarpariaeth a argymhellir e.e. Mae busnesau Dosbarth B1 yn cynnwys rhai defnyddiau swyddfa a diwydiant. Byddai safon sy'n rhagweld y defnydd cyfnewidiol hwn yn eang iawn, ac felly, mae safonau ond yn cael eu rhoi ar gyfer defnydd tir penodol dan sylw e.e. defnydd swyddfa neu ddiwydiannol.
- A1.12 O ystyried cyfnewidioldeb y defnyddiau efallai y bydd angen gosod cyfyngiadau ar ddatblygiadau o fewn y dosbarthiadau ehangach hyn er mwyn adlewyrchu'r gofynion parcio ceir.
- A1.13 Yn ogystal, mae'r Cyngor yn cadw'r hawl i drin pob cais cynllunio ar sail eu rhinweddau yn ôl maint, natur, lleoliad, dwysedd, cyflogaeth a nodweddion creu traffig y datblygiad arfaethedig a'i effaith ar y rhwydwaith priffyrdd lleol a rhanbarthol.
- A1.14 Er mwyn i'r awdurdod lleol dderbyn cynllun teithio a gyflwynir, mae'n bosibl y bydd angen paratoi Cytundeb Adran 106 i sicrhau cydymffurfiaeth barhaus â chynnwys y cynllun teithio.

## **Atodiad 2 – Nodiadau'n ymwneud â safonau parcio**

### **Nodiadau'n ymwneud â safonau parcio Preswyl**

- A2.1 Dylid darparu parcio cwrtil a garejis fel yr opsiwn parcio mwyaf diogel lle bynnag y bo modd, wedi'u lleoli wrth ymyl yr annedd yn ddelfrydol. Dylid osgoi blociau o garejis ymhellach i ffwrdd. Mae ond yn bosibl ystyried garejis yn lleoedd parcio os oes ganddynt arwynebedd mewnol clir, fel yr awgrymwyd gan y Fanyleb ar gyfer Strydoedd, mesuriadau o 6m x 3m ar gyfer garej sengl. Os oes angen mynediad i bobl anabl, rhaid cynyddu'r arwynebedd i 6m x 3.8m.
- A2.2 Ar gyfer datblygiadau lle darparwyd tystiolaeth glir i ddangos y bydd lefelau perchnogaeth ceir yn is na'r arfer, efallai y gellir cymryd agwedd fwy hyblyg tuag at lefydd parcio. Tystiolaeth dderbyniol o hyn fyddai trefniant contract gyda thenantiaid i sicrhau bod lefelau perchnogaeth ceir yn isel.
- A2.3 Mewn perthynas â chartrefi preswyl ar gyfer yr henoed a chartrefi nyrsio, rhaid darparu digon o le ymarferol yn agos at yr adeilad i alluogi mynediad a ffordd allan i ambiwlans heb orfod bacio.
- A2.4 Rhaid cynllunio lleoedd parcio ymwelwyr fel rhan annatod o unrhyw ddatblygiad lle mae angen ac mae'n rhaid ystyried anghenion yr anabl.

### **Nodiadau'n ymwneud â safonau parcio Swyddfa**

- A2.5 Nid oes rhaid i unrhyw ddatblygiad swyddfa a wneir o fewn fframwaith y Gorchymyn Datblygu Cyffredinol a Ganiateir (nad ydynt felly angen caniatâd cynllunio) gyflawni'r gofynion parcio a amlinellir yn y ddogfen hon. Fodd bynnag, rhaid adleoli unrhyw le barcio a ddadleolir.
- A2.6 Gellir rhoi ystyriaeth i lacio'r gofynion parcio mewn ardaloedd siopa ar gyfer y newid defnydd ar lawr gwaelod eiddo o Ddosbarth Defnydd A1 (siopau) i Ddosbarth Defnydd A2 (Gwasanaethau Ariannol a Phroffesiynol).

### **Nodiadau'n ymwneud â safonau parcio Siopa**

- A2.7 Er y gall 'parciau manwerthu' rannu lleoedd parcio, bydd yn dal i fod angen lefelau tebyg o barcio i siopau sengl mewn datblygiadau o'r fath, oherwydd y cyfnodau parcio hirach. Lle mae adeiladau presennol yn cael eu defnyddio ar gyfer sefydlu marchnad stondinau, bydd yr ymgeisydd yn nodi lleoliad ar gyfer darparu lleoedd parcio i ymwelwyr.
- A2.8 Nid oes rhaid i unrhyw ddatblygiad sy'n ymwneud â siopau ac a wneir o fewn fframwaith y Gorchymyn Datblygu Cyffredinol a Ganiateir (nad ydynt felly angen caniatâd cynllunio) gyflawni'r gofynion parcio a amlinellir yn y ddogfen hon. Fodd bynnag, rhaid adleoli unrhyw le barcio a ddadleolir.
- A2.9 Mae'r safon anweithredol yn cynnwys parcio ar gyfer staff. Yn ogystal â'r gofynion parcio gweithredol at ddibenion gwasanaethu, rhaid darparu digon o

le ychwanegol bob amser i ganiatáu i gerbydau gwasanaeth ddod i mewn a gadael cwrtíl ardal wasanaethu'r siop heb orfod bacio.

### **Nodiadau'n ymwneud â safonau parcio Warws Manwerthu a Garejis**

A2.10 Mae'r ystod o deithiau a gynhyrchir a'r galw am leoedd parcio mewn warysau manwerthu yn amrywio'n fawr. Gellir dosbarthu gofynion parcio y rhan fwyaf o fathau cyffredin o siopau yn ôl bandiau eang. Adlewyrchir hyn gan y gofynion yn y tabl.

Gofyniad Uchaf -	Siopau DIY
Gofynion amrediad canolig -	Siopau cyfarpar trydanol / nwy, dodrefn mewn pecynnau fflat
Gofynion isaf -	Siopau dodrefn wedi'u cydosod / carpedi, nwyddau'r cartref a hamdden

A2.11 Er y gall lleoedd parcio fod wedi'u rhannu mewn 'parciau manwerthu', bydd yn dal amgen lefelau tebyg o leoedd parcio i siopau unigol mewn datblygiadau o'r fath, oherwydd y cyfnodau parcio hirach.

A2.12 Lle mae adeiladau presennol yn cael eu defnyddio i sefydlu marchnad stondinau, bydd yr ymgeisydd yn nodi lleoliad ar gyfer darparu lleoedd parcio i ymwelwyr. Mae'r safon anweithredol yn cynnwys parcio ar gyfer staff. Gellir llacio gofynion parcio mewn canolfannau gwasanaeth cyflym, e.e. teiars, pibellau gwacáu, MOT ac ati. Os yw busnes gwerthu ceir yn cynnwys ardaloedd arddangos allanol, bydd angen lle parcio ychwanegol.

A2.13 Yn ogystal â'r gofynion parcio gweithredol at ddibenion gwasanaethu, rhaid darparu digon o le ychwanegol bob amser i ganiatáu i gerbydau gwasanaeth ddod i mewn a gadel cwrtíl ardal wasanaethu'r eiddo heb orfod bacio.

A2.14 Bydd siopau cyfleus mewn gorsafoedd petrol yn denu cwsmeriaid nad ydynt yn prynu petrol hefyd ac felly bydd angen lle parcio. Rhaid asesu'r gofyniad ychwanegol ar gyfer hyn ar gyfer siop fach.

### **Nodiadau'n ymwneud â safonau parcio Diwydiant / Warysau Diwydiannol**

A2.15 Dylai cerbydau allu dod i mewn a gadael y safle heb orfod bacio. Caniateir llacio'r rheolau ar gyfer gofod gweithredol pan wneir trefniadau gwasanaethu arbennig. Mae parcio ymwelwyr wedi'i gynnwys fel parcio anweithredol.

A2.16 Nid oes rhaid i unrhyw ddatblygiad warws diwydiannol a wneir o fewn fframwaith y Gorchymyn Datblygu Cyffredinol a Ganiateir (nad ydynt felly angen caniatâd cynllunio) gyflawni'r gofynion parcio a amlinellir yn y ddogfen hon. Fodd bynnag, rhaid adleoli unrhyw le barcio a ddadleolir.

A2.17 Diwydiannau uwch-dechnoleg yw cwmnïau sy'n arbenigo mewn arloesi technegol sydd fel arfer yn seiliedig ar ficrobroseyddion. Os defnyddir yr adeiladau fel depos dosbarthu, rhaid darparu digon o le hefyd ar gyfer

cerbydau masnachol sy'n debygol o gael eu parcio yno dros nos.

### **Nodiadau'n ymwneud â safonau parcio Mannau Adloniant**

- A2.18 Yn ogystal â'r gofynion parcio gweithredol at ddibenion gwasanaethu, rhaid darparu digon o le ychwanegol bob amser i ganiatáu i gerbydau gwasanaeth ddod i mewn a gadael cwrtil ardal wasanaethu'r eiddo heb orfod bacio.

### **Nodiadau'n ymwneud â safonau parcio Gwestai a Bwytai**

- A2.19 Dylid asesu cyfleusterau ar gyfer rhai nad ydynt yn breswylwyr gan ddefnyddio'r categori priodol. Dylid defnyddio lwfans pan gaiff adnoddau eu rhannu. Mae'r amrywiaeth mewn gofynion parcio rhwng parthau'n caniatáu gwahaniaethu rhwng tafarndai 'gwledig' a thafarndai 'trefol' lle mae cyfran uwch o'u cwsmeriaid yn debyg o gerdded yno.
- A2.20 Nid oes rhaid i unrhyw ddatblygiad gwesty neu fwyty a wneir o fewn fframwaith y Gorchymyn Datblygu Cyffredinol a Ganiateir (nad ydynt felly angen caniatâd cynllunio) gyflawni'r gofynion parcio a amlinellir yn y ddogfen hon. Fodd bynnag, rhaid adleoli unrhyw le barcio a ddadleolir.
- A2.21 Gellir llacio'r gofyniad anweithredol am fwytai a chaffis mewn ardaloedd siopa sefydledig os gellir dangos eu bod yn 'atodol' i'r ardal siopa neu lle mae bwytai o'r fath yn cael eu defnyddio'n bennaf gyda'r nos pan fydd digon o leoedd parcio yn y cyffiniau. Fodd bynnag, rhaid darparu lle parcio digonol ar gyfer staff yn y cefn. (Nid yw hyn yn berthnasol i gaffis cludiant).
- A2.22 Yn ogystal â'r gofynion parcio gweithredol at ddibenion gwasanaethu, rhaid darparu digon o le ychwanegol bob amser i ganiatáu i gerbydau gwasanaeth ddod i mewn a gadael cwrtil ardal wasanaethu'r eiddo heb orfod bacio.

### **Nodiadau'n ymwneud â safonau parcio Cyfleusterau Cymunedol**

- A2.23 Bwriad yr ystod hon yw adlewyrchu gwahanol ddalgylchoedd eglwysi a manau addoli. Byddai angen darpariaeth is ar gyfer un sy'n gwasanaethu ardal leol nag un sy'n gwasanaethu ardal eang.
- A2.24 Rhaid ystyried darparu lle parcio i fysiau ac i barcio beiciau a beiciau modur lle y bo'n briodol. Yn ogystal â'r gofynion parcio gweithredol at ddibenion gwasanaethu, rhaid darparu digon o le ychwanegol bob amser i ganiatáu i gerbydau gwasanaeth ddod i mewn a gadael cwrtil ardal wasanaethu'r eiddo, lle bod un ar gael, heb orfod bacio.
- A2.25 Mae'r cyfeiriad at ymarferydd yn cynnwys doctor, deintydd, nyrs, ymwelwyr iechyd ac ati.

### **Nodiadau'n ymwneud â safonau parcio Sefydliadau Addysgol**

- A2.26 Yn ychwanegol i'r lle parcio anweithredol rhaid darparu lle ar gyfer codi a gollwng plant ysgol. Mewn perthynas â Meithrinfeydd Dydd mewn adeiladau wedi eu trawsnewid dylid ystyried a oes gofod digonol ar gael ar gyfer parcio

wrth ymyl y palmant (h.y. parcio heb ei gyfyngu). Dylid asesu hyn pan fod y feithrinfa'n llawn. Lle mae staff rhan amser yn cael eu cyflogi dylid eu crynhoi i'w niferoedd cyfwerth ag amser llawn.

A2.27 Mae profiad wedi dangos y bydd angen o leiaf 15 lle ar gyfer y rhan fwyaf o fathau eraill o ysgolion. Rhai o'r eithriadau i hyn yw ysgolion uwchradd arbenigol (e.e. crefyddol neu Gymraeg) gyda dalgyrch eang lle gallai niferoedd is fod yn ddigonol, neu ysgolion mwy ym mhob categori lle gallai cynnydd sylweddol (hyd at 50) fod yn ddymunol. O ran bysiau, dylid darparu digon o leoedd oddi ar y stryd ar gyfer yr holl wasanaethau y mae gweithredwr yr ysgol newydd yn rhagweld y bydd yn eu cynnal ar gyfer disgyblion, ac eithrio bysiau gwasanaeth sy'n mynd heibio.

A2.28 Dylai'r ardal barcio gynnwys cyfleuster i gerbydau droi heb facio. Mewn amgylchiadau eithriadol, byddai ardal gylchredeg / droi i ffwrdd o ardaloedd cylchredeg disgybl yn dderbyniol.

A2.29 Diffiniadau o ysgolion at ddibenion y safonau hyn:

Meithrin	- mae grwpiau cyn oed ysgol 3 – 5 oed yn aml mewn eiddo preswyl wedi'u trosi
Babanod	- oed ysgol ffurfiol 3 i 7 oed
Cynradd	- ysgolion ar gyfer plant yn yr ystod 5 neu 7 i 11 oed
Uwchradd	- ystod 11 i 18 oed

Colegau Addysg Uwch ac Addysg Bellach - gan gynnwys colegau chweched dosbarth

A2.30 Rhaid cynnig darpariaeth addas i rieni allu gollwng / codi plant yn ôl amgylchiadau lleol ac unrhyw gynllun teithio i'r ysgol. Rhaid lleoli mannau gollwng plant fel nad ydynt yn peryglu diogelwch disgyblion sy'n cerdded neu'n beicio i'r ysgol.

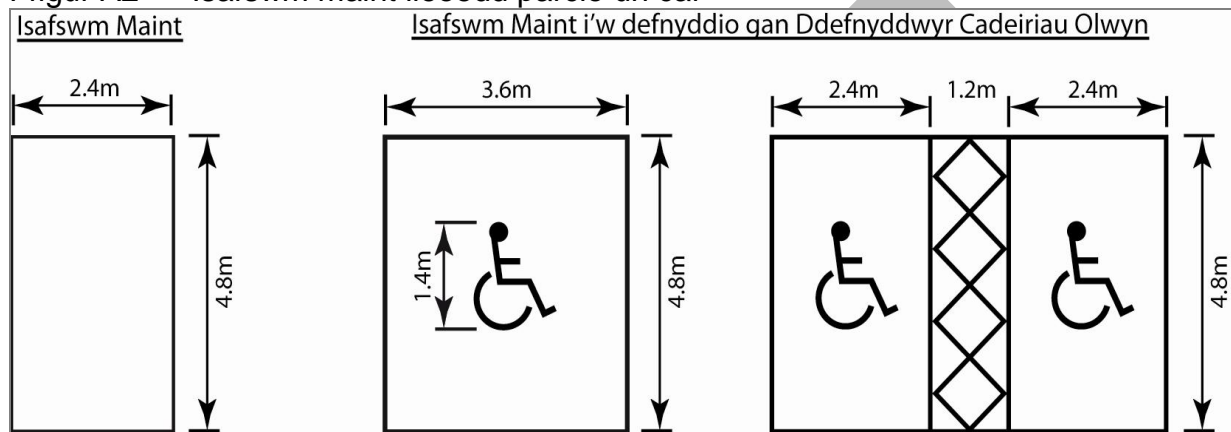


### Atodiad 3 – Cynllun lleoedd parcio

A3.1 Mae Ffigur 2, isod, yn dangos yr isafswm maint ar gyfer lle parcio sengl, gyda gofynion ychwanegol ar gyfer defnyddwyr cadeiriau olwyn.

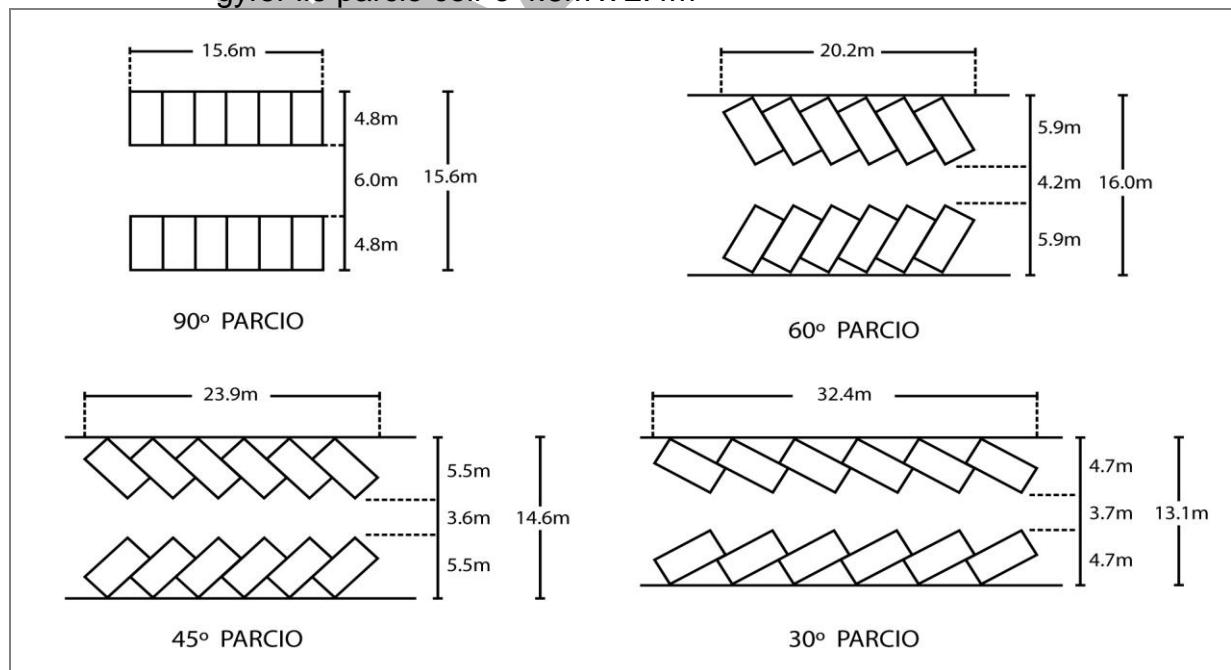
A3.2 Cerbydau Gyrwyr Anabl - Arwynebedd safonol lleoedd parcio ceir yw 4.8m x 3.6m. Mae hyn yn caniatáu symud o gerbyd i gadair olwyn. Gyda rhai cynlluniau gellir defnyddio lleoedd safonol ond rhaid cynnwys darpariaeth ychwanegol er mwyn i bobl anabl symud i'w cadeiriau olwyn. Rhaid darparu mynediad i'r cefn.

Ffigur A2 Isafswm maint lleoedd parcio un car

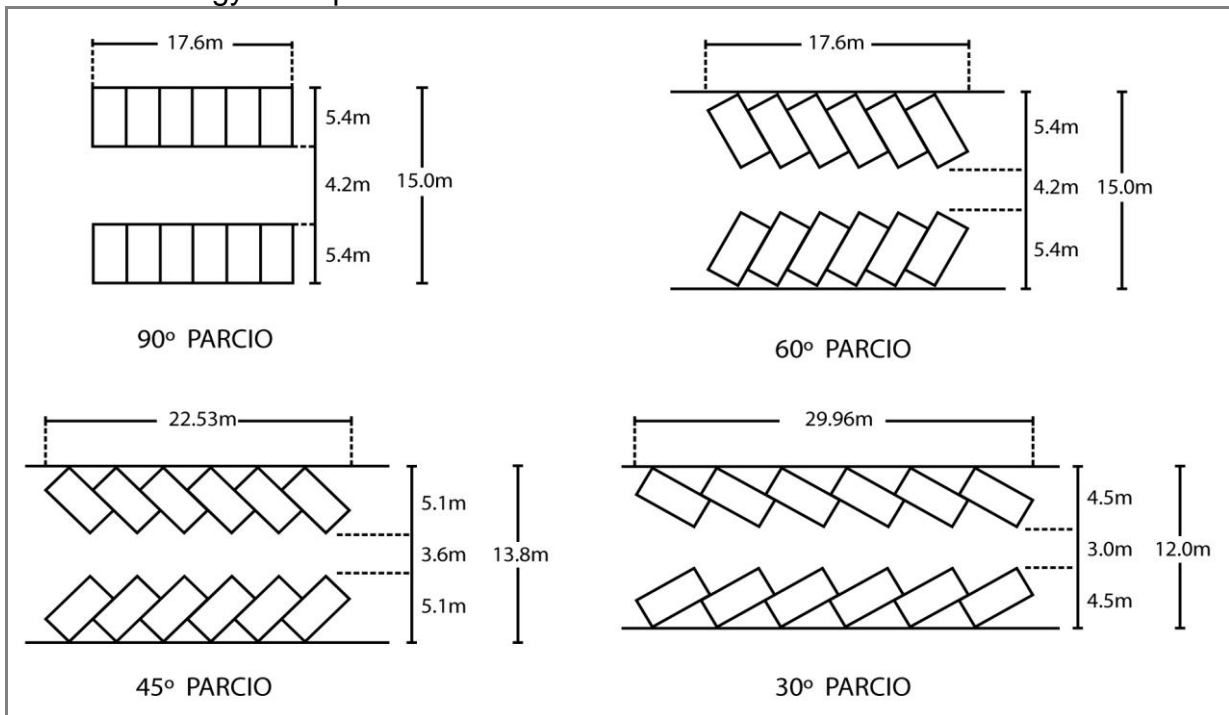


A3.3 Mae ffigurau 3 a/ b yn dangos dulliau amgen o drefnu 12 lle parcio ceir. Mae'r ffigur cyntaf (3a) yn dangos cynlluniau safonol yn ôl yr isafswm maint ar gyfer lle parcio i geir o 4.8m x 2.4m, tra bod y mesurau yn yr ail ffigur (3b) yn seiliedig ar lle parcio safonol 4.8m x 2.6m.

Ffigur A3a Dulliau eraill o drefnu 12 lle parcio ceir yn unol â'r isafswm maint ar gyfer lle parcio ceir o 4.8m x 2.4m

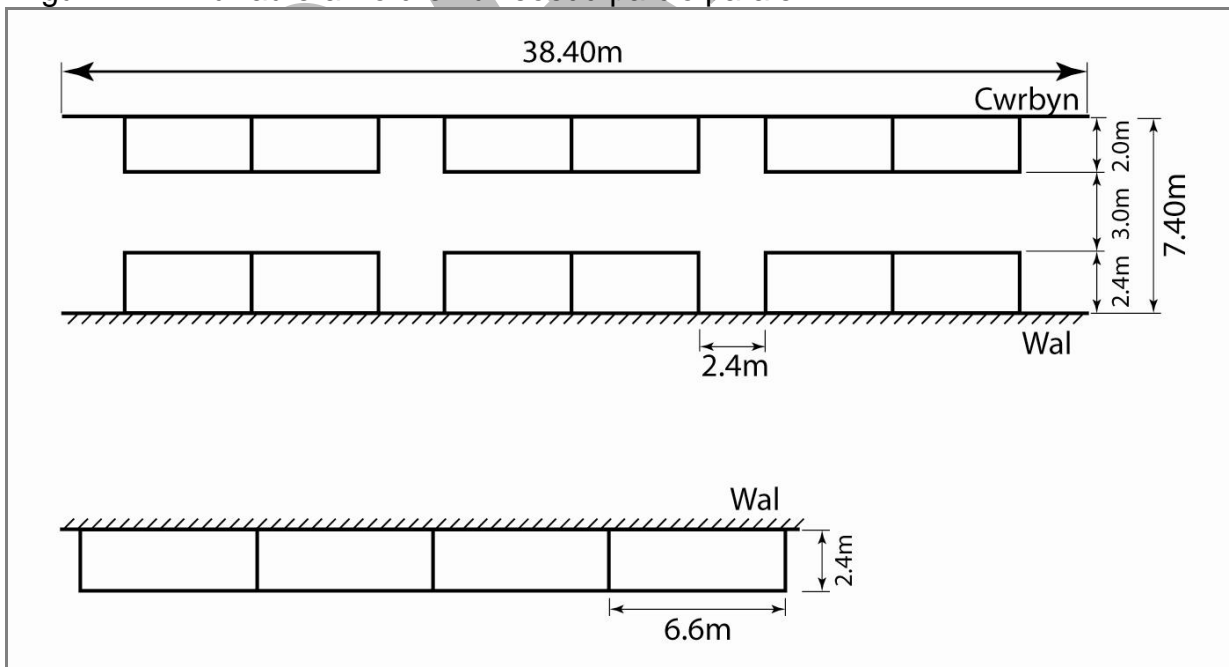


Ffigur A3b Dulliau eraill o drefnu 12 lle parcio ceir yn unol â'r maint safonol ar gyfer lle parcio ceir o 4.8m x 2.6m



A3.4 Rhaid i drefniadau parcio ar hyd ffordd cyhoeddus ystyried yr isafswm lled ar gyfer eil gylchredeg o 3.0m ar gyfer traffig un ffordd a 5.0m ar ffordd sy'n caniatáu traffig dwyffordd.

Ffigur A4 Dulliau eraill o drefnu lleoedd parcio paralel



A3.5 Lleoedd Cerbydau - Rhaid i faint y lle fod yn ddigonol ac wedi'i leoli fel ei fod yn caniatáu symud cerbyd o fewn y safle, e.e. mae angen isafswm absoliwt o 105m<sup>2</sup> ar lori anhyblyg 12m o hyd i'w galluogi i adael safle heb orfod bacio. Mae modd dod o hyd i fanylion pellach o arfer dylunio da yn Safonau Dylunio

prïodol yr Awdurdod Priffyrdd neu 'Designing for Deliveries', y Gymdeithas Cludo Nwyddau 1998.

A3.6

Cerbydau (nwyddau) cymalog*	16.50m x 2.55m
Cerbydau llwytho isel cymalog	18.00m x 2.55m
Cerbydau anhyblyg	12.00m x 2.55m
Bysiau a Choetsis (dwy echel)	13.50m x 2.55m
Bysiau a Choetsis (tair echel)	15.00m x 2.55m
Bysiau a Choetsis (Cymalog)	18.75m x 2.55m
Yr uchafswm a ganiateir ar gyfer cerbydau oergell yw 2.65m.	

\* - Deddf Traffig y Ffyrdd 1988: "ystyr 'cerbyd nwyddau cymalog' yw cerbyd modur sydd wedi'i adeiladu fel y gall trelar a gynlluniwyd i gludo nwyddau ynghlwm wrtho drwy osodiad rhannol yn y fath fodd fel ei fod yn achosi i'r cerbyd modur gynnal cyfran sylweddol o bwysau'r trelar ..."

## Atodiad 4– Trafodaeth yr Aelodau

A4.1 Ni fydd Atodiad 4 yn rhan o'r nodyn Canllawiau Cynllunio Atodol pan gaiff ei fabwysiadu. Mae wedi'i gynnwys i adlewyrchu'r drafodaeth a gafodd Aelodau'r cyngor yn ystod cyfarfod y Pwyllgor Cynllunio ar 22 Ionawr 2014.

A4.2 Er nad oes unrhyw gwestiynau manwl yn y ddogfen, efallai y bydd aelodau'r Cyhoedd yn dymuno cyflwyno sylwadau ar y materion canlynol.

A4.3	Ymholiad y Cynghorydd	Cyfeiriad yn y ddogfen
A4.4	Amlygodd yr Aelodau'r lefelau parcio 'anhrefnus' ac anaddas yng nghanol trefi Llangollen a'r Rhyl.	Mae 'Gwasanaethau Priffyrdd ac Amgylcheddol' a 'Gwasanaethau Tai a Datblygu Cymunedol' Cyngor Sir Ddinbych yn cydweithio i ddatblygu polisi parcio a strategaeth gorfodi parcio newydd ar gyfer y Sir. Y ddogfen hon fydd y pwynt cyfeirio cyntaf i ddelio â materion o ardaloedd tagfeydd parcio a gorfodi parcio. Mae drafft CCA 'Gofynion Parcio' yn cyfrannu at Bolisi Parcio'r Cyngor er mwyn gosod nifer y gofodau parcio sydd eu hangen ar gyfer datblygiadau newydd ac addasiadau.
A4.5	Pam fod y ddogfen yn cynnig lefelau gwahanol o barcio ar gyfer ardal adfywio Gorllewin y Rhyl?	Nid yw drafft CCA 'Gofynion Parcio' yn cynnig safonau parcio gwahanol ar gyfer ardaloedd unigol y Rhyl. (Gweler paragraff 6.11) h.y. bydd yr un safonau parcio yn cael eu defnyddio ar gyfer datblygiadau newydd neu addasiadau yn Ne'r Rhyl, Dwyrain y Rhyl a Gorllewin y Rhyl (Gan gynnwys Ardal Adfywio Strategol). Cynigir bod angen uchafswm o 1 gofod parcio ar gyfer pob ystafell wely ar gyfer tai a fflatiau newydd. (Gweler paragraff 6.13). Yn unol â hynny, efallai y bydd tŷ newydd 3 ystafell wely yn ardal CCA Gorllewin y Rhyl yn cael hyd at 3 gofod parcio ar neu oddi ar y safle, gan ddibynnu ar yr amgylchiadau lleol. Mae hyn yr un faint o ofodau â'r CCA 21 cyfredol (CDU yn flaenorol) 'Gofynion Parcio mewn Datblygiad Newydd'.
A4.6	Sut mae cynnwys CCA drafft yn berthnasol i ddogfen CCA Gorllewin y Rhyl?	Mae cyfeiriad at Orllewin y Rhyl yn y CCA Parcio, paragraff 4.4. wedi'i gynnwys yn y ddogfen er mwyn sicrhau fod y datblygwyr yn ymwybodol o'r ffaith fod canllawiau pellach ar gael ynghlŷn â thestunau penodol ac efallai y bydd gofynion ychwanegol yn berthnasol i'w cynnig. Gan fod CCA

		Gorllewin y Rhyl yn cynnwys dau baragraff ynglŷn â pharcio yn yr ardal benodol hon o'r Rhyl (Gweler CGA CDLI 3: Paragraffau 5.7 a 5.8), roedd yn cynnwys cyfeiriad at y ddogfen. Mae'r ddau baragraff yn cynnwys cyngor ynglŷn â'r dyluniad a lleoliad ond nid yw'n cynnwys y nifer o ofodau parcio y dylid eu darparu.
A4.7	A ddylid cyfeirio'n benodol at ofodau parcio beiciau modur oherwydd bod mwy a mwy o feiciau modur yn parcio mewn gofodau parcio ceir?	Mae paragraff 9.5 yn cyfeirio at ofodau parcio beiciau modur. Argymhellir gofod parcio 2.8m x 1.3m.
A4.8	Oes dull cyson o ddarparu gofodau parcio ceir o ran dyluniad a gosodiad mewn ardaloedd cadwraeth?	Mae ardaloedd cadwraeth yn ceisio diogelu a gwella ardaloedd oherwydd eu hymddangosiad pensaernïol arbennig neu ddiddordeb hanesyddol. Oherwydd eu natur lleoliad penodol, nid yw'r CGA hwn yn cynnig unrhyw fanylion o ran dyluniad a gosodiad darpariaeth parcio. Paragraff 5.1 (pwynt bwled 3): 'Mewn rhai amgylchiadau penodol e.e. Ardaloedd Cadwraeth, efallai y caniateir addasu'r safonau er mwyn diogelu amodau adeiledig / amgylcheddol naturiol.' Bydd materion Gosodiad a Dyluniad yn cael eu hasesu yn ôl rhinweddau'r cynnig.
A4.9	Gofynnwyd am eglurhad ynglŷn â'r eirfa megis, gofodau parcio anweithredol, a chais am wella'r ddogfen ar gyfer y defnyddwyr.	Mae gosodiad a geiriau'r ddogfen wedi'i newid eisoes lle bo'n ymarferol ar ôl gofyn am sylwadau cychwynnol yr Aelodau ar ddrafft y ddogfen. Mae 'safonau parcio' yn destun hynod dechnegol (priffyrdd). Mae Atodiad 1 yn darparu diffiniadau ar y geiriau penodol oedd yn cael eu defnyddio'n aml yn y ddogfen. Mae'r eirfa yn aml yn cael ei defnyddio gan awdurdodau cynllunio eraill.

Mae tudalen hwn yn fwriadol wag

**Atodiad II: Adroddiad yr Ymgynghoriad - Nodyn Canllaw Cynllunio Atodol  
Drafft: Gofynion Parcio mewn Datblygiadau Newydd.**

1. *Cyflwyniad*

- 1.1 Mae'r adroddiad hwn yn manylu ar yr ymgynghoriad a gynhaliwyd ar y Canllaw Cynllunio Atodol (CCA) drafft: Gofynion Parcio mewn Datblygiadau Newydd, ac yn cynnwys crynodeb o'r ymatebion a dderbyniwyd a sut mae'r Cyngor wedi eu hystyried.
- 1.2 Ymgynghorodd y Cyngor ag aelodau'r cyhoedd ar y ddogfen ddrafft am gyfnod o 8 wythnos rhwng 3 Mawrth 2014 a 28 Ebrill 2014. Roedd yr ymarfer ymgynghori yn cynnwys hysbysiadau cyhoeddus mewn papurau lleol, datganiadau i'r wasg a llythyr at yr holl bobl sydd ar gronfa ddata Cynllun Datblygu Lleol Sir Ddinbych 2006-2021, gan gynnwys: Cyngorau Dinas, Tref a Chymuned; Cyngorwyr; awdurdodau lleol cyfagos a'r cyhoedd yn eu hysbysu o'r ymgynghoriad ac yn dweud wrthynt sut i ymateb.
- 1.3 Roedd copïau o'r ddogfen ar gael ar wefan Cyngor Sir Ddinbych, mewn llyfrgelloedd cyhoeddus ac yn Siopau Un Alwad y Cyngor.

2. *Ymatebion a dderbyniwyd*

- 2.1 Derbyniodd y Cyngor gyfanswm o 4 ymateb i'r CCA drafft, gan gynnwys Cyngor Cymuned Bodfari, Cyfoeth Naturiol Cymru, ac Ymgyrch Diogelu Cymru Wledig.
- 2.2 Cododd ymatebion i'r ymgynghoriad cyhoeddus y materion canlynol:
- Dylid ystyried gofyniad ar gyfer cynnwys arwynebau athraidd mewn mannau parcio ar raddfa fawr;
  - Darparu cyfleusterau ailwefru â plwg ar gyfer cerbydau trydan/hybrid; ac
  - Ni ddylai safonau parcio fod yn seiliedig ar fethodoleg 'rhagweld a darparu', a hyrwyddo'r defnydd o ddulliau eraill o drafndiaeth.
- 2.3 Gellir cael copïau o'r holl ymatebion i'r ymgynghoriad cyhoeddus trwy gysylltu â'r tîm Polisi Cynllunio yn Ninbych dros y ffôn: 01824 706916 neu trwy e-bost: [cdll@sirddinbych.gov.uk](mailto:cdll@sirddinbych.gov.uk) Mae crynodeb o'r ymatebion i'r ymgynghoriad wedi eu cynnwys ar ddiwedd yr adroddiad hwn yn Nhabl 1.

3. *Newidiadau arfaethedig*

- 3.1 Ar ôl ystyried yr holl sylwadau yn ofalus, penderfynodd y Cyngor beidio â chynnig unrhyw newidiadau i'r ddogfen. Fodd bynnag, roedd angen gwneud mân newidiadau i'r CCA o ganlyniad i newid ffeithiol, fel y nodwyd yn Nhabl 2.

Tabl 1: Ymatebion i'r ymgynghoriad

<i>Cynrychiolydd</i>	<i>Sefydliad</i>	<i>Sylw (crynodeb)</i>	<i>Ymateb y Cyngor</i>	<i>Newidiadau arfaethedig</i>
Matthew Ellis	Cyfoeth Naturiol Cymru	Nid yw Cyfoeth Naturiol Cymru yn dymuno mynegi sylwadau neu arsylwadau ar y ddogfen hon.	Nodwyd y sylw.	Dim newid arfaethedig.
M W Moriarty	Ymgyrch Diogelu Cymru Wledig	Ystyrir bod y cynnwys yn gynhwysfawr ac yn ddigonol.	Croesewir cymorth.	Dim newid arfaethedig.
Alex Litherland	Cyngor Cymuned Bodfari	Dylid ystyried gofyniad ar gyfer cynnwys arwynebau athraidd mewn manau parcio ar raddfa fawr, hefyd ar gyfer darparu cyfleusterau ailwefru â phlwg ar gyfer cerbydau trydan/hybrid.	Mae arweiniad ar ddefnydd a dewis o ddeunydd palmant ac arwyneb ym mharagraff 10.5 ac yn y Llawlyfr Strydoedd. Nid yw'r CCA yn pennu'r holl nodweddion sydd eu hangen i fod yn rhan o'r cynnig cynllunio ar gyfer parcio ond gall cyfleusterau ailwefru fod yn ddymunol os bydd y galw yn digwydd.	Dim newid arfaethedig.
Alun Pugh	---	Nid yw'r fethodoleg 'rhagweld a darparu', fel y nodir yn y ddogfen, yn briodol. Mae'r safonau arfaethedig yn galw am ormod o le ar gyfer ceir preifat. Yn eu ffurf bresennol maent yn cynnig anogaeth glir i ddefnyddio ceir modur preifat fel yr opsiwn trafnidiaeth diofyn.	Mae diffinio safonau parcio ar gyfer datblygiadau newydd yn unol â'r galw safonol a ragwelir yn arfer cyffredin i liniaru effeithiau andwyol ar y rhwydwaith ffyrdd lleol a allai gael ei achosi ganddo. Fodd bynnag, mae'r CCA yn caniatáu ar gyfer gwriad yn dibynnu ar amgylchiadau lleol, gweler paragraff 5.2 a 5.3. Mae safonau parcio yn cael eu gosod allan yn unol â chanllawiau cenedlaethol. Nid ydynt yn egluro safonau ar gyfer ceir yn unig ond hefyd ar barcio beiciau (Pennod 8) a pharcio beiciau modur (Pennod 9).	Dim newid arfaethedig.



Tabl 2: Newidiadau ffeithiol a gynigir gan Swyddogion

<i>Paragraff</i>	<i>Newid Arfaethedig</i>	<i>Cyfiawnhad</i>
Teitl CCA	Disodli 'Nodyn Canllaw Cynllunio Atodol DRAFFT: Gofynion Parcio mewn Datblygiadau Newydd (Tachwedd 2013)' gyda 'Nodyn Canllaw Cynllunio Atodol: Gofynion Parcio mewn Datblygiadau Newydd (Hydref 2014)'	Newid golygyddol i adlewyrchu cynnydd y ddogfen tuag at gael ei fabwysiadu gan y Cyngor
2.1	Disodli 'Cymeradwywyd y ddogfen CCA hon yn ffurfiol ar gyfer ymgynghori cyhoeddus gan Bwyllgor Cynllunio Cyngor Sir Ddinbych ar 22.01.2014.' gyda 'Mabwysiadwyd yr SPG yma'n ffurfiol gan Bwyllgor Cynllunio Cyngor Sir Ddinbych ar XXXX.'	Newid golygyddol i adlewyrchu cynnydd y ddogfen tuag at gael ei fabwysiadu gan y Cyngor
2.2	Disodli ' Polisi Cynllunio Cymru Rhifyn 5 (Tachwedd 2012)' gyda 'Polisi Cynllunio Cymru Rhifyn 7 (Gorffennaf 2014)'	Newid ffeithiol – cyhoeddwyd dogfen newydd ym mis Chwefror 2014
4.1	Disodli ' Polisi Cynllunio Cymru (Rhifyn 5 - Tachwedd 2012)' gyda 'Polisi Cynllunio Cymru (Rhifyn 7 - Gorffennaf 2012)'	Newid ffeithiol – cyhoeddwyd dogfen newydd ym mis Chwefror 2014
11	Disodli ' Polisi Cynllunio Cymru (Rhifyn 5), Tachwedd 2012 gyda 'Polisi Cynllunio Cymru (Rhifyn 7), Gorffennaf 2014'	Newid ffeithiol – cyhoeddwyd dogfen newydd ym mis Chwefror 2014
Atodiad 4	Dileu Atodiad 4	Roedd A4 wedi'i fewnosod i adlewyrchu trafodaeth a gafodd Aelodau yn y Pwyllgor Cynllunio ar 22 Ionawr 2014.
Troedyn y Ddogfen	Dileu troedyn y ddogfen, gan gynnwys testun 'CCA Drafft: Gofynion Parcio mewn Datblygiadau Newydd'	Diwygiad i gynllun y ddogfen

Mae tudalen hwn yn fwiadol wag

Draft LDP SPG 'Parking Requirements'  
18 July 2014

Equality Impact Assessment

# Draft LDP SPG 'Parking Requirements'

Contact: Karsten Brußk

Updated: 18.07.2014

## 1. What type of proposal / decision is being assessed?

Other
-------

## 2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

<p>Supplementary Planning Guidance notes (SPGs) amplifying the development plan policies in a clear and concise format with the aim of improving the process, design and quality of new development.</p> <p>The availability of car parking is a key element in managing car use and a major influence on the choice of transport. Car parking can take up large amounts of space in developments thereby reducing densities. Poor design and layout of parking areas can make it more difficult to provide effective walking, cycling, and public transport links.</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## 3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

No	<p>Supplementary Planning Guidance notes (SPGs) and SDBs amplify Denbighshire Local Development Plan 2006 – 2021 (LDP) policies in a clear and concise format with the aim of improving the process, design, and quality of new development. They do not set out any new policies.</p> <p>This SPG is linked to LDP policy ASA3 'Parking Standards', which was assessed as part of the LDP document production – see Denbighshire LDP 'Equality Impact Assessment Report (May 2011)'. It was concluded in table2: 'Screening of the Denbighshire Local Development Plan policies' that this policy is likely to 'Promote equality of opportunity by ensuring that new developments are accessible to all users, including mobility impaired'.</p>
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4. **Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken**

*(Please refer to section 1 in the toolkit for guidance)*

N/A

5. **Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

*(Please refer to section 1 in the toolkit for a description of the protected characteristics)*

N/A

6. **Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

N/A

7. **Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.**

<Please Select>	<If yes, please provide detail>
-----------------	---------------------------------

8. **Have you identified any further actions to address and / or monitor any potential negative impact(s)?**

<Please Select>	N/A
-----------------	-----

Action(s)	Owner	By when?
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Unrestrict editing to insert additional rows>	<Enter Name>	<DD.MM.YY>

9. **Declaration**

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	<DD.MM.YY>
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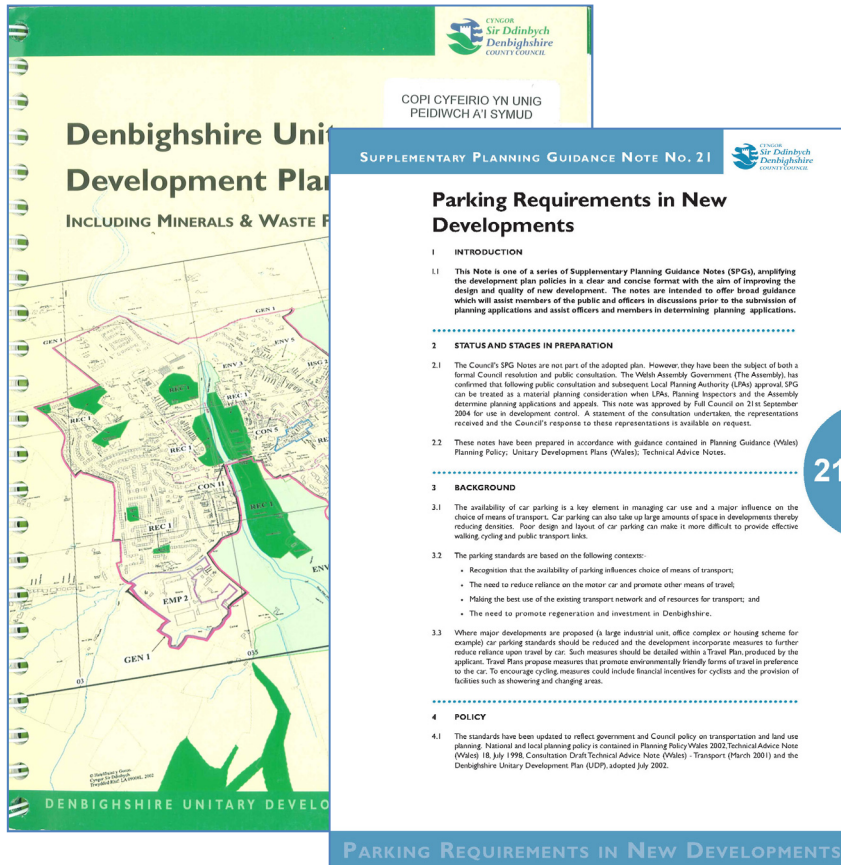
Name of Lead Officer for Equality Impact Assessment	Date
Karsten Brußk	18.07.2014

**Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.**

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# Draft SPG: Parking requirements in New Developments

Tudalen 207



COPI CYFEIRIO YN UNIG PEIDIWCH AT SYMUD

**Denbighshire Unitary Development Plan INCLUDING MINERALS & WASTE PLANNING**

**SUPPLEMENTARY PLANNING GUIDANCE NOTE No. 21**

**Parking Requirements in New Developments**

**21**

**PARKING REQUIREMENTS IN NEW DEVELOPMENTS**

**DENBIGHSHIRE COUNTY COUNCIL**

**LOCAL DEVELOPMENT PLAN 2006 – 2022**

**Adopted 4th June 2013**

**DRAFT Supplementary Planning Guidance Note: Parking Requirements in New Developments (November 2013)**

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Draft SPG: 'Parking Requirements in New Developments' - 1 -



# Draft SPG: Parking requirements in New Developments

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Planning Policy Wales Edition 6 (February 2014)

**Car parking provision** is a major influence on the choice of means of transport and the pattern of development. Local authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past. Minimum parking standards are no longer appropriate. Local authorities should develop an integrated strategy on parking to support the overall transport and locational policies of the development plan. (Paragraph 8.4.2)

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# Draft SPG: Parking requirements in New Developments

Table 1: Comparison between UDP SPG no.21 and LDP Draft SPG

Examples	SPG no. 21 'Parking Requirements in New Developments'	Draft SPG 'Parking Requirements in New Developments'
<b>Housing estate consisting of 7 three bedroomed houses and 3 two bedroomed houses</b>	7 x 3 bedroomed house → 21 car spaces 3 x 2 bedroomed house → 6 car spaces no consideration for visitor parking = 27 car spaces	7 x 3 bedroomed house → 21 car spaces 3 x 2 bedroomed house → 6 car spaces + 2 spaces for visitors = 29 car spaces
<b>Proposed new shop (500m<sup>2</sup> / 5 units) and office development (1000m<sup>2</sup>)</b>	Retail element: No distinction between operational / non-operational = 25 spaces (1 space per 20m <sup>2</sup> ) Office development: = 34 car spaces (1 space per 30m <sup>2</sup> ) → 59 spaces for cars and commercial vehicles	Retail element: Operational: 3 commercial vehicles spaces Non-operational: 17 car spaces (1 space per 30m <sup>2</sup> ) = 20 spaces Office development: 29 car spaces (1 space per 35m <sup>2</sup> ) → 49 spaces for cars and commercial vehicle
<b>Conversion of a large 3-storey 5 bedroomed Victorian House to three one-bedroom flats</b>	Up to 4 car spaces may be required depending on the number of car spaces already existing on site.  For example: If the 5 bedroomed Victorian House already provides 5 car spaces, no additional car spaces would be allowed.	Up to 3 car spaces may be required depending on the number of car spaces already existing on site.  For example: If the 5 bedroomed Victorian House already provides 2 car spaces, only 1 additional would be allowed.

Tudalen 209

Mae tudalen hwn yn fwiadol wag

<b>Adroddiad i'r:</b>	<b>Pwyllgor Cynllunio</b>
<b>Dyddiad y Cyfarfod:</b>	<b>15 Hydref 2014</b>
<b>Aelod / Swyddog Arweiniol:</b>	<b>Y Cyng. David Smith, Tir y Cyhoedd Angela Loftus, Rheolwr Polisi Cynllunio a Gwarchod y Cyhoedd</b>
<b>Awdur yr Adroddiad:</b>	<b>Claire MacFarlane, Swyddog Cynllunio</b>
<b>Teitl:</b>	<b>Canllawiau Cynllunio Atodol Siopau Cludfwyd Poeth – Drafft ymgynghori</b>

---

## **1. Ynglŷn â beth mae'r adroddiad hwn?**

- 1.1. Mae'r adroddiad hwn yn cyd-fynd â Chanllawiau Cynllunio Atodol drafft ar siopau cludfwyd poeth a fydd, os cânt eu mabwysiadu, yn cael eu defnyddio i benderfynu ar geisiadau cynllunio.

## **2. Beth yw'r rheswm dros baratoi'r adroddiad hwn?**

- 2.1. Yn dilyn mabwysiadu Cynllun Datblygu Lleol Sir Ddinbych (CDLI), mae Canllawiau Cynllunio Atodol diweddaedig ar siopau cludfwyd poeth yn ofynnol er mwyn darparu canllawiau pellach ar gyfer datblygwyr, Swyddogion ac Aelodau. Mae Canllawiau Cynllunio Atodol drafft ar gyfer ymgynghori â'r cyhoedd wedi'u hatodi wrth yr adroddiad hwn (Atodiad 1).

## **3. Beth yw'r Argymhellion?**

- 3.1. Bod yr Aelodau'n cytuno ar y Canllawiau Cynllunio Atodol drafft ar siopau cludfwyd poeth fel sail ar gyfer ymgynghori â'r cyhoedd.

## **4. Manylion yr adroddiad**

- 4.1. Yn dilyn mabwysiadu'r CDLI ar 4 Mehefin 2013, cytunodd y Cyngor i barhau i ddefnyddio'r gyfres bresennol o Ganllawiau Cynllunio Atodol, gan gynnwys SPG11 – Siopau Cludfwyd Poeth. Fodd bynnag, o ystyried y gwahaniaethau rhwng polisïau'r Cynllun Datblygu Unedol (CDU) gynt a pholisïau'r CDLI, a'r cyfnod maith ers i'r Canllawiau Cynllunio Atodol gwreiddiol gael eu mabwysiadu (yn 2003), mae angen cynhyrchu Canllawiau Cynllunio Atodol diweddaedig ar y testun hwn. Os cânt eu mabwysiadu, bydd y Canllawiau Cynllunio Atodol yn ystyriaeth gynllunio berthnasol wrth asesu ceisiadau cynllunio.
- 4.2. Mae'r Canllawiau Cynllunio Atodol yn ategu polisïau'r CDLI ar ddatblygu cynaliadwy a datblygiadau yng nghanolau trefi trwy ddarparu canllawiau pellach ar leoliadau addas ac ystyriaethau eraill ar gyfer siopau cludfwyd poeth.

4.3. Byddai'r cyfnod ymgynghori â'r cyhoedd yn para am isafswm o 8 wythnos a rhagwelir y bydd yn dechrau ym mis Hydref 2014. Bydd adroddiad ar ganlyniadau'r ymgynghoriad yn cael ei gyflwyno i'r Pwyllgor Cynllunio gyda Chanllawiau Cynllunio Atodol terfynol i'w mabwysiadu.

## **5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

5.1. Nid yw'r Canllawiau Cynllunio Atodol yn cyfrannu'n uniongyrchol at y blaenoriaethau corfforaethol ond byddant yn cael eu defnyddio i gynnal hyfywedd a chymeriad canolau trefi a byddant o gymorth gyda'r agenda bwyta'n iach mewn ysgolion.

## **6. Faint fydd yn ei gostio a sut fydd yn effeithio ar wasanaethau eraill?**

6.1. Ni ragwelir y bydd unrhyw gost ychwanegol yn cael ei chreu o ganlyniad i gytuno ar y Canllawiau Cynllunio Atodol ar gyfer ymgynghori.

## **7. Beth yw prif gasgliadau'r Asesiad o'r Effaith ar Gydraddoldeb a gwblhawyd ar y penderfyniad? Dylid atodi'r templed ar gyfer Asesiad o'r Effaith ar Gydraddoldeb wedi'i gwblhau fel atodiad wrth yr adroddiad.**

7.1 Ni ystyrir bod Asesiad o'r Effaith ar Gydraddoldeb yn angenrheidiol ar gyfer y penderfyniad hwn. Mae egwyddorion datblygu siopau cludfwyd poeth wedi cael eu sefydlu trwy fabwysiadu'r CDLI. Mae'r Canllawiau Cynllunio Atodol yn darparu canllawiau pellach ar hyn. Cafodd y CDLI Asesiad llawn o'r Effaith ar Gydraddoldeb ym mis Mai 2011.

## **8. Pa ymgynghoriadau sydd wedi cael eu cynnal gyda'r Pwyllgor Archwilio ac eraill?**

8.1 Nid oes ymgynghoriad ffurfiol wedi cael ei gynnal, ond mae ymgynghoriad mewnol wedi cael ei gynnal gyda swyddogion yn y Gwasanaeth Tai a Datblygu Cymunedol, y Tîm Rheoli Datblygu, Adain Gwarchod y Cyhoedd, y Gwasanaeth Addysg a'r Gwasanaethau Priffyrdd ac Amgylcheddol. Mae ymgynghoriad anffurfiol wedi cael ei gynnal gydag Iechyd Cyhoeddus Cymru hefyd.

8.2 Mae Aelodau hefyd wedi rhoi mewnbwn ar gynnwys y Canllawiau Cynllunio Atodol trwy Grŵp Llywio'r CDLI a'r Pwyllgor Trwyddedu (11 Mehefin). Mae detholiad o gofnodion y cyfarfod hwn wedi'i atodi fel Atodiad 2 wrth yr adroddiad hwn.

## **9. Datganiad y Prif Swyddog Cyllid**

9.1 Dylai unrhyw gostau sy'n gysylltiedig â'r canllawiau fod o fewn cyllidebau presennol ac felly nid oes goblygiadau ariannol amlwg wedi'u cynnwys yn yr adroddiad.

**10. Pa risgiau sydd ac a oes unrhyw beth y gallwn ni ei wneud i'w lleihau?**

10.1 Yn niffyg canllawiau cyfoes mae risg na fydd y Cyngor yn gallu gweithredu polisiau'r CDLI yn effeithiol. Mae'r Canllawiau Cynllunio Atodol cyfredol ar gyfer siopau cludfwyd poeth yn ymwneud â'r polisiau yn y CDU gynt, sy'n wahanol i bolisiau'r CDLI, ac yn rhai na ellir dibynnu arnynt felly i ddarparu canllawiau cynllunio priodol yn y tymor hir.

**11. Pŵer i wneud y Penderfyniad**

11.1 Y Ddeddf Cynllunio a Phrynu Gorfodol (2004).

Mae tudalen hwn yn fwriadol wag

## APPENDIX 1

### DENBIGHSHIRE COUNTY COUNCIL

#### DRAFT SUPPLEMENTARY PLANNING GUIDANCE: HOT FOOD TAKEAWAYS

OCTOBER 2014

#### 1. INTRODUCTION

- 1.1 This note is one of a series of Supplementary Planning Guidance notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

#### 2. STATUS AND STAGES IN PREPARATION

- 2.1 The Council's SPGs are not part of the adopted development plan. The Welsh Government has confirmed that following public consultation and subsequent Local Planning Authority (LPA) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Welsh Government determine planning applications and appeals. This SPG document was formally approved for consultation by Denbighshire County Council's Planning Committee on XXXX.
- 2.2 These notes have been prepared in accordance with guidance contained in Planning Policy Wales (November 2012); Local Development Plans Wales (December 2005); and Welsh Government Technical Advice Notes.

#### 3. BACKGROUND

- 3.1 This SPG is intended to assist with proposals for hot food takeaways. In dealing with these the Council seeks to balance the need to find beneficial use for vacant shops, the commercial interests and requirements of such proposals with the need to safeguard the viability and character of the commercial area or ensuring acceptable amenity standards to residents of nearby properties.
- 3.2 The Town and Country Planning (Use Classes) Order 1987 subdivides different types of use into separate Classes of Use. Hot food takeaways (along with restaurants, public houses, cafes and wine bars) fall within Class A3. Hot food takeaways are defined as establishments whose primary business is the sale of hot food for consumption off the

premises. In determining the primary use of the premises, consideration will be given to:

- The proportion of space designated for food preparation and other servicing in relation to designated customer circulation space
- The number of tables or chairs to be provided for customer use.

3.3 The table below provides examples of the shop types that would normally be considered as hot food takeaways. However, this list is not exhaustive.

Examples of hot food takeaway shop types	Examples of shop types <b>not</b> considered as hot food takeaways
Chicken shops	Restaurants
Fish and chip shops	Cafes
Pizza shops	Public houses
Kebab shops	Wine bars
Chinese, Indian or other takeaway shops	Night clubs
Drive-through premises	

#### 4. PLANNING POLICY

4.1 Potential applicants should refer to refer to policies RD 1 and PSE 8 of the Council's Local Development Plan (LDP) which outlines the general policies and criteria under which such proposals are determined. The broad aims of these policies, in respect of hot-food takeaways, are:

- To enhance the vitality and viability of town centres
- To prevent an unacceptable imbalance of retail and non-retail uses
- To locate hot-food takeaways where they maintain the viability and character of the surrounding area.

#### 5. GENERAL LOCATION

5.1 In assessing the suitability of the location of proposals, the following guidance will apply:

- Generally such proposals are acceptable in defined town centres subject to their satisfying the criteria in LDP policy PSE 8.
- Hot food takeaways may also be considered acceptable outside of defined town centres (and within development boundaries). However the Council will ensure that the number and concentration of such units does not detract from the function, character and attractiveness of the centre.
- Particular care needs to be exercised in locating such uses in or near primarily residential areas, including residential accommodation above or adjacent to the proposal.



5.2 **Proposals for new hot food takeaways will not be allowed within 400 metres<sup>1</sup> of the boundary of a school or tertiary college.** The close proximity of such outlets to schools can tempt children to consume cheap energy-dense and nutrient-poor foods. The Welsh Health Survey (2012) found that 34% of children in Wales are overweight or obese, which has significant implications for long-term health and associated costs to health services.

5.3 Case law has shown that proximity to a school and the existence of school's healthy eating policy can be a material consideration when considering planning applications for hot-food takeaways. The Healthy Eating in Schools (Wales) Measure 2009 places a duty on Local Authorities and school's governing bodies to take action to promote healthy eating by pupils. This is supported by the 'Appetite for Life' guidelines on food and nutrition standards in schools, which can be undermined by the provision of hot food takeaway outlets close to schools. NICE public health guidance 'Prevention of cardiovascular disease' (2010) and the 'All Wales Obesity Pathway' (2010) also recommend that Local Authorities should limit the number of fast food outlets in specific areas, such as close to schools.

## 6. OTHER CONSIDERATIONS

6.1 Having established the general suitability of the location in policy terms the other main issues in relation to hot food takeaways can be summarised as follows:

- Noise and disturbance;
- Concentration / clusters of similar uses;
- Hours of opening;
- Traffic, Parking and Access;
- Smells, and;
- Litter.

The majority of these concerns can be mitigated by condition and careful thought to the location and operation of the takeaway use.

### 6.2 Noise and Disturbance

- Takeaways generate frequent comings and goings of customers, whether by foot or by car.
- Such activity may generate noise that becomes a nuisance from customers congregating on the street, car doors slamming and car radios where the proposed use is located in a primarily residential area, although problems may arise where the use is located in a town centre with flats above.

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<sup>1</sup> 400m is considered to be a reasonable equivalent to 10 minutes walking distance, taking into account physical barriers (eg buildings, traffic lights etc).

- For the above reasons, planning permission is generally not granted in primarily residential areas.
- Adequate noise insulation measures will need to be undertaken to the walls and ceiling of the property, before the use commences.

### 6.3 **Concentration / Clusters of Similar Uses**

- Generally across the County these uses are dispersed. However, there are pockets where there is concentration of such uses, including premises (pubs/clubs/restaurants) which have a distinctive character and late night opening. Different considerations may apply here in respect of additional uses and opening hours.
- Concentrations or clusters of such uses should be avoided as they often have an adverse impact on the character of an area.

### 6.4 **Hours of Opening**

- Whereas most businesses usually operate from approximately 9.00 a.m. to 5.30 p.m., hot food takeaways tend not to open until lunch time and owners may request that the premises be permitted to remain trading until the early hours of the following morning.
- It is often necessary to use planning conditions to limit the opening hours to minimise disturbance to the surrounding community. However, one set of time limits would not be appropriate throughout the County because areas vary so much. An application must be determined on its own merits. It may be acceptable for proposed hot food takeaways in areas where late night opening occurs to remain trading until midnight or beyond. Other town centres/locations should be more controlled, whereas proposals which have residential properties in the vicinity should not remain trading until late evening in the interests of the amenity of local residents.

### 6.5 **Traffic, Parking & Access**

- Hot food takeaways located in the larger town centres will probably attract a large number of customers by foot. However, those on main routes out of towns and in local shopping parades or village centres will attract a large proportion of car-borne customers requiring short stay parking very close to the property. Properties outside town centres should, therefore, have a readily accessible vehicular parking area in close proximity to the site (e.g. lay-by to the front). A rear service yard or a public car park some distance away is unlikely to be used and properties on double yellow lines outside town centres are normally unsuitable.
- Adequate visibility for cars entering and leaving the premises will be required and proposals at or near junctions especially traffic - controlled junctions are unlikely to be supported, especially if there are no off-street parking or servicing arrangements.

## 6.6 Smells

- Cooking smells from takeaways can cause amenity problems for nearby residents
- Problems relating to smells should be mitigated by the installation of suitably designed extraction facilities.
- The actual design will vary from premises to premises, but all should be located to the rear of the property, with a colour and design such that the unit does not appear as an incongruous feature in the street scene. It is normally considered that modern equipment, combined with high level ventilation is adequate to reduce smell nuisance to tolerable levels except in the most sensitive of location.
- A condition requiring that a scheme for the extraction of cooking odours be approved by the local planning authority, and that the equipment be installed prior to the use commencing, will be attached to planning approval. The use of charcoal filters will not be acceptable.
- Where practicable and especially in conservation areas or on listed buildings, a flue liner inside an existing chimney should be used.

## 6.7 Litter

- However careful the owner/operator, hot food takeaways have a tendency to generate litter. Whilst this is essentially outside his/her control the proprietor must make every effort to keep the area around the premises litter-free. A legal agreement to that effect may be appropriate, particularly for larger national chains. The local authority has the power, through environmental legislation, to take enforcement action against littering offences and this can ultimately lead to prosecution by a court.
- Where appropriate, a condition to require the operator to provide (at his/her expense) containers for the deposit of litter, in accordance with details to be submitted to the Local Authority, will be attached to planning approval.

## 7. PLANNING PERMISSION

- 7.1 Hot food takeaways (along with restaurants, public houses, cafes and wine bars) fall within Class A3 which allow the use of a property for the sale of food or drink for consumption off the premises. Hence, it would be possible to change a property currently selling one type of hot food, e.g. fish and chips, to one selling a different type of hot food, e.g. Chinese take-away, without requiring planning permission. However, if it is intended to use a property as a hot food take-away which is currently not used for that purpose then a change of use planning application will be required. Operators of bakery shops and sandwich shops which sell a small proportion of hot food would not normally be

required to apply for planning permission as a hot food take-away, depending on the scale of the operation.

- 7.2 Mobile catering, for example trading on a street from a vehicle or stall, is not within the control of the planning system and is therefore not covered by this SPG. Such uses will be subject to other licensing regimes, and guidance should be sought from the Council's Licensing Team.

## **8. OTHER LEGISLATION**

- 8.1 Proposals will also require any approvals under other legislation e.g. Environmental Protection, and Building Regulations. Applicants must ensure compliance with these requirements.

## **9. CONTACTS**

Development Planning & Policy Team  
Tel: 01824 706916  
Email: [ldp@denbighshire.gov.uk](mailto:ldp@denbighshire.gov.uk)

Development Management Team  
Tel: 01824 706727  
Email: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk)

Licensing Team  
Tel: 01824 706311  
Email: [licensing@denbighshire.gov.uk](mailto:licensing@denbighshire.gov.uk)

Food Health & Safety Team  
Tel: 01824 706405  
Email: [envhealth@denbighshire.gov.uk](mailto:envhealth@denbighshire.gov.uk)

## APPENDIX 2

### EXCERPT FROM LICENSING COMMITTEE MEETING MINUTES (11<sup>TH</sup> JUNE 2014)

#### 7 DRAFT SUPPLEMENTARY PLANNING GUIDANCE - HOT-FOOD TAKEAWAYS

The Planning Policy Manager and Planning Officer presented a report by the Head of Planning and Public Protection (previously circulated) seeking members' views on the draft Supplementary Planning Guidance (SPG) document on hot-food takeaways prior to its submission to Planning Committee and public consultation. The Local Development Plan Steering Group had requested the guidance be presented to the Licensing Committee in view of the clear links with licensing.

Members were advised of the need to update existing SPGs following adoption of the Local Development Plan in June 2013. Following a review of this particular guidance some minor changes had been proposed but the main change was the proposal to introduce a restriction on new hot-food takeaways within 400m of any school boundary. Officers elaborated upon other considerations within the document of particular interest to licensing and emphasised that the guidance would only apply to new planning applications and would not affect existing hot-food takeaway premises.

During consideration of the draft guidance discussion focused on the following:

- the committee supported the proposal to introduce an exclusion zone near schools and was keen for this restriction to be extended to mobile hot food businesses with greater controls exercised over mobile traders generally and proactive enforcement. Officers explained the legalities governing mobile traders advising they could not be regulated via the planning mechanism but through Street Trading Consents and Hawkers Licences. It was agreed that reference be made to street trading within the guidance clarifying those areas of responsibility and control. However, concerns remained that adequate controls could not be exercised over particular traders which fell outside the Council's legislative jurisdiction
- Members reported upon existing traffic and parking problems experienced near established hot-food takeaways and lack of enforcement and officers provided assurances that consultation with Highways formed part of the planning process for new applications
- reference was made to paragraph 6.7 regarding litter and members felt that those measures should be strengthened and made mandatory if possible.

The Planning Policy Manager advised that members' comments would be put before Planning Committee in July when considering the draft document. She added that members would have a further opportunity to comment during the formal consultation stage.

***RESOLVED*** that, subject to the above comments, the draft *Supplementary Planning Guidance* document on hot-food takeaways be received and noted.

APPENDIX 3

Consultation Draft Supplementary  
Planning Guidance - Hot-food takeaways  
15<sup>th</sup> October 2014

Equality Impact Assessment

# Consultation Draft Supplementary Planning Guidance - Hot-food Takeaways

**Contact:** Angela Loftus, Planning & Public Protection Service  
**Updated:** 15/10/14

## 1. What type of proposal / decision is being assessed?

A new or revised policy

## 2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

The proposal is to seek approval from Planning Committee to carry out public consultation on a revised draft Supplementary Planning Guidance for hot-food takeaways. If adopted, following public consultation, this will replace the existing Hot-food Takeaways SPG.

## 3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

No

The proposal is to carry out public consultation on updated planning guidance relating to new hot-food takeaways. The content of the SPG does not set policy but merely provides additional explanation and information for Members, Officers and developers in applying the LDP policies. The LDP underwent a full EqlA in 2010.

## 4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

*(Please refer to section 1 in the toolkit for guidance)*

The Denbighshire Local Development Plan (LDP) is the overarching policy document under which all SPG sit and this underwent an EqlA in 2010.



**5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**  
*(Please refer to section 1 in the toolkit for a description of the protected characteristics)*

No

**6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

No

**7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.**

No	Not required
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**8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?**

No	Not required
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Action(s)	Owner	By when?

**9. Declaration**

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

<b>Review Date:</b>	January 2015
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Name of Lead Officer for Equality Impact Assessment	Date
Angela Loftus	15.10.14

**Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.**

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<b>Adroddiad i'r:</b>	<b>Pwyllgor Cynllunio</b>
<b>Dyddiad y Cyfarfod:</b>	<b>15 Hydref 2014</b>
<b>Aelod/Swyddog Arweiniol:</b>	<b>Y Cyng. David Smith, Parth Cyhoeddus Angela Loftus, Rheolwr Polisi Datblygu a Chynllunio</b>
<b>Awdur yr Adroddiad:</b>	<b>Angela Loftus, Rheolwr Polisi Datblygu a Chynllunio</b>
<b>Teitl:</b>	<b>Datganiad Sefyllfa: Banc Tir Mwynau yn Sir Ddinbych</b>

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## **1. Am beth mae'r adroddiad yn sôn?**

1.1. Cafodd Cynllun Datblygu Lleol Sir Ddinbych (CDLI) ei lunio gan ddefnyddio tystiolaeth wedi'i ddarparu gan Ddatganiad Technegol Rhanbarthol Gogledd Cymru (DTRh). Ers mabwysiadu'r Cynllun Datblygu Lleol mae'r Datganiad Technegol Rhanbarthol wedi cael ei adolygu ac mae Adolygiad 1af y Datganiad Technegol Rhanbarthol wedi'i gyhoeddi. Mae Llywodraeth Cymru wedi cyhoeddi Llythyr Egluro Polisi, CL-04-14, sy'n ymateb i gyhoeddiad Adolygiad 1af o'r Datganiad Technegol Rhanbarthol ac mae'r adroddiad hwn yn ystyried goblygiadau'r dogfennau hyn ar Gynllun Datblygu Lleol Sir Ddinbych.

## **2. Beth yw'r rheswm dros lunio'r adroddiad hwn?**

2.1 Cytuno ar ddatganiad o'r sefyllfa o ganlyniad i gyhoeddiad yr Adolygiad 1af o'r DTRh a Llythyr Eglurhad CL-04-14 i ddangos ymrwymiad Sir Ddinbych i gyfrannu at y galw am fwynau, yn unol â pharagraff 11 o Bolisi Cynllunio Mwynau Cymru.

## **3. Beth yw'r Argymhellion?**

3.1. Bod yr Aelodau'n cytuno ar y datganiad sefyllfa a argymhellir wedi'i gynnwys ym mharagraff 5.1 o'r adroddiad hwn.

## **4. Manylion am yr adroddiad**

4.1 Mae paragraff 11 o Bolisi Cynllunio Mwynau Cymru, yn mynnu y dylai pob Awdurdod Cynllunio Mwynau sicrhau fod cyfraniad priodol yn cael ei wneud yn ei gynllun datblygu i gwrdd â'r anghenion am fwynau yn lleol, rhanbarthol ac ar draws y DU. Mae Nodyn Cyngor Technegol Mwynau 1: Agregau yn mynd ymlaen i nodi'r angen am o leiaf 10 mlynedd o fanc tir o gerrig mâl a lleiafswm o fanc tir am 7 mlynedd ar gyfer tywod a graean a dylid eu cynnal ar gyfer holl gyfnod y cynlluniau datblygu. Fel rhan o sefydlu lefel y galw am agregau, mae Nodyn Cyngor Technegol Mwynau (NCTM) 1 yn ei gwneud yn ofynnol i lunio Datganiad Technegol Rhanbarthol, a dylai'r rhannau perthnasol gael eu hymgorffori yn y cynlluniau datblygu.

- 4.2 Cafodd Cynllun Datblygu Lleol Sir Ddinbych ei lunio gan ddefnyddio'r Datganiad Technegol Rhanbarthol a gyhoeddwyd yn 2009 a oedd yn argymhell nad oedd angen unrhyw adnoddau creigiau ar hyn o bryd (sic) a bod dyraniad o 1.0 miliwn tonn (Mt) o dywod a graean ar gyfer cyfnod sy'n o leiaf 12 mlynedd yn cael ei gynnwys yn y Cynllun Datblygu Lleol. Mewn ymateb i Ddatganiad Technegol Rhanbarthol roedd y Cynllun Datblygu Lleol yn cynnwys nodi Ardal a Ffefrir, a ddynodir o dan bolisi ABCh 17, lle caniateir ceisiadau i echdynnu hyd at 1 miliwn tonn o dywod a graeanu, gan gymryd i ystyriaeth y lefel o angen a nodwyd yn ôl ffigyrau dosraniad y Gweithgor Agregau Rhanbarthol.
- 4.3 Ers mabwysiadu Cynllun Datblygu Lleol Sir Ddinbych ym Mehefin 2013, fe gynhaliodd Gweithgor Agregau Gogledd Cymru adolygiad o'r Datganiad Technegol Rhanbarthol, gan arwain at gyhoeddi Adolygiad 1af o'r Datganiad Technegol Rhanbarthol ar 1 Awst 2014. Mae Adolygiad 1af o'r Datganiad Technegol Rhanbarthol yn cynnwys nifer o argymhellion ar gyfer pob awdurdod lleol a oedd mewn rhai achosion, yn wahanol i'r rhai a geir yn Natganiad Technegol Rhanbarthol 2009. Y cyngor i Sir Ddinbych yw y dylai dyraniadau newydd gwerth 2.2 miliwn ar gyfer tywod a graean a 0.8 miliwn ar gyfer cerrig mâl gael eu nodi yn y Cynllun Datblygu Lleol.
- 4.4 Mae Adolygiad 1af y DTRh yn nodi'r angen am agregau tir cynradd dros gyfnod o 25 mlynedd, tan 2036. Mae hyn oherwydd yr angen i sicrhau bod Cynlluniau Datblygu Lleol yn gwneud darpariaeth ddigonol trwy gydol holl gyfnod y Cynllun Datblygu Lleol. Mae Nodyn Cyngor Technegol Mwynau 1 yn nodi *"Banc tir o gerrig mâl am o leiaf 10 mlynedd a banc tir am leiafswm o 7 mlynedd ar gyfer tywod a graean.... yn cael ei gynnal ar gyfer holl gyfnod y cynllun.....Lle mae banciau tir sydd eisoes wedi'u defnyddio am fwy na 20 mlynedd er mwyn echdynnu agregau ni fydd angen gwneud dyraniadau newydd yn y cynlluniau datblygu."* Pan gafodd Nodyn Cyngor Technegol Mwynau 1 ei ysgrifennu, rhagdybiwyd y byddai cyfnod y cynllun yn 10 mlynedd o hyd.
- 4.5 Mae Llywodraeth Cymru wedi cyhoeddi Llythyr Egluro Polisi, CL-04-14 ar 25/07/2014 sy'n ymateb i gyhoeddi Adolygiad 1af o'r Datganiad Technegol Rhanbarthol. Mae'r llythyr Egluro Polisi yn cynghori o ystyried mai hyd cyfnod y Cynllun Datblygu Lleol yw 15 mlynedd, y byddai'n ddoeth pennu nad oes angen nodi dyraniadau newydd yn y cynlluniau datblygu ar gyfer banciau tir sydd eisoes wedi darparu mwy na 25 mlynedd o gloddio agregau. Mae hyn yn hytrach na'r 20 mlynedd a nodir ym mharagraff 49 o Nodyn Cyngor Technegol Mwynau 1.
- 4.6 Roedd y llythyr egluro hefyd yn cynghori bod y dull o gyfrifo banciau tir gan ddefnyddio cyfartaledd gwerthiant 10 mlynedd yn hytrach na chyfartaledd gwerthiant 3 mlynedd yn briodol a bod y gwaharddiad o safleoedd segur o'r cyfrifiad banc tir yn briodol.

*Goblygiadau ar gyfer Sir Ddinbych: Creigiau Mâl*

- 4.7 Cyfnod Cynllun Datblygu Lleol Sir Ddinbych yw rhwng 2006 a 2021. Mae angen rhoi ystyriaeth felly i lefel y gofyniad am gerrig mâl dros y cyfnod hwn ac ar gyfer y 10 mlynedd tu hwnt i hynny, ac nid tan 2036. Mae'r gofyniad blynyddol ar gyfer cerrig mâl yn seiliedig ar ddsraniad blynyddol o 0,89 miliwn tunnell y flwyddyn. Rhwng 2011 a 2021 mae hyn yn cyfateb i ofyniad am 8.9 miliwn o dunelli, a thros gyfnod o 20 mlynedd (tan 2031) mae hyn yn cyfateb i 17.8 miliwn tunnell, sy'n llawer is na'r banc tir 22.07 miliwn sydd ar gael (hyd at 31 Rhagfyr 2010).
- 4.8 **Ystyrir felly nad oes angen i nodi dyraniad ar gyfer cerrig mâl yn y Cynllun Datblygu Lleol ar hyn o bryd.** Fodd bynnag, bydd hyn yn cael ei fonitro trwy'r broses o Fonitro'r Cynllun Datblygu Lleol yn flynyddol i sicrhau, os bydd angen yn codi y gellir dyrannu, neu, fel arall, archwilio a fyddai'n briodol cydweithio â Chonwy sydd â gwarged sylweddol o gerrig mâl. Ystyrir yn bosibl y bydd angen dyraniad o gerrig mâl yn ystod cyfnod y Cynllun Datblygu Lleol nesaf, er y bydd hyn yn dibynnu ar sawl ffactor fel y gyfradd o'r echdynnir y graig a'i werthu o chwareli yn Sir Ddinbych, y sefyllfa gynllunio chwareli yn Sir Ddinbych ac os y cytunir i gydweithio â Chonwy.
- 4.9 Ar ben hynny, ym marn y Swyddog, mae'r polisi presennol yn gallu delio â cheisiadau i gloddio mwynau heb eu diwygio o ystyried y geiriad a geir ym meini prawf (ii) a (iii). Argymhellir bod yr Awdurdod Cynllunio Lleol yn mabwysiadu datganiad o'r sefyllfa sy'n cydnabod y newid mewn cyngor ar lefel rhanbarthol a pham yr ystyrir nad oes angen cymryd unrhyw gamau ar hyn o bryd.

*Tywod a Graean*

- 4.10 Nododd Datganiad Technegol Rhanbarthol 2009 yr angen am dywod a graean trwy broses y Cynllun Datblygu Lleol a nodwyd bod Ardal a Ffefrir sy'n fwy na 220ha, lle cefnogir o bosib geisiadau i echdynnu hyd at 1 miliwn tunnell o dywod a graean o dan bolisi HEG17 yn amodol ar nifer o brofion, gan gynnwys anghenion. Mae Adolygiad 1af o'r Datganiad Technegol Rhanbarthol yn pennu angen am 2.2 miliwn o dunelli dros gyfnod o 25 mlynedd o gymryd yn ganiataol bod y banc tir presennol yn 0, heb gynnwys cronfeydd wrth gefn a ganiateir o Chwarel Maes y Droell sef chwarel tywod silica sydd ag allbwn o gymwysiadau diwydiannol ac felly nid yw'n cael ei ddsbarthu fel chwarel agregau.
- 4.11 Gan dybio bod yr angen rhanbarthol ar gyfer tywod a graean yn seiliedig ar y ddarpariaeth hon a bod gwerthiant tywod a graean mewn mannau eraill o'r rhanbarth yn y gorffennol yn arwain at fanc tir damcaniaethol negyddol yn Sir Ddinbych, dylid gwneud darpariaeth dros y cyfnod 2011-2021 (yn ogystal â 7 mlynedd). Felly, dros gyfnod y Cynllun Datblygu Lleol dylid gwneud darpariaeth ar gyfer 1.7 miliwn o dunelli o dywod a graean. Mae Polisi HEG 17 eisoes yn darparu diffyg yn unol â'r Datganiad Technegol Rhanbarthol (0.1 miliwn tunnell erbyn diwedd 2014). Fodd bynnag, ystyrir bod digon o le yn yr ardal a ffefrir a nodir ar y mapiau o'r cynigion i gwrdd â'r angen ychwanegol a nodwyd yn yr Adolygiad 1af o'r Datganiad Technegol Rhanbarthol. Os daw i'r amlwg mai nid dyma'r achos yna byddai angen adolygu'r polisi eto.

- 4.12 Bod geiriad meini prawf (iii) o bolisi HEG 17 yn nodi bod "Ceisiadau i echdynnu hyd at 1 miliwn tunnell o dywod a graean yn cael eu caniatáu mewn Ardaloedd a Ffefrir (a nodir ar y mapiau o'r cynigion) gan ystyried y meini prawf uchod. Mae Meini Prawf (ii) yn nodi "*Caniatau ceisiadau i echdynnu mwynau agregau dim ond pan fo angen cynnal y stoc o gronfeydd wrth gefn sydd wedi'u caniatáu gan gymryd i ystyriaeth ffigurau dosraniad y Gweithgor Agregau Rhanbarthol.....*". Ym marn y Swyddog mae'r geiriad hwn yn cynnig digon o hyblygrwydd i alluogi'r Awdurdod Cynllunio Lleol i ymateb i unrhyw gynnydd yn y galw.
- 4.13 Ers mabwysiadu'r Cynllun Datblygu Lleol, ni dderbyniwyd unrhyw ddi-ddordeb yn Sir Ddinbych hyd yma i echdynnu tywod a graean. Ceir chwareli tywod a graean presennol o fewn y rhanbarth sy'n diwallu anghenion sy'n bodoli eisoes, felly, tra mae angen i sicrhau cydymffurfiaeth â pholisi cenedlaethol, nid yw diwydiant wedi nodi angen dybryd yn y lleoliad hwn. Yn absenoldeb diddordeb gan y diwydiant bydd adnabod ardaloedd eraill neu ymchwiliad pellach i'r Ardal a Ffefrir presennol yn cael eu hystyried i fod yn ddi-angen. Fel yn achos cerrig mâl, argymhellir bod y mater hwn yn cael ei adolygu trwy broses o fonitro blynyddol.

## 5. Argymhelliad

5.1 Bod yr aelodau yn cytuno ar y datganiad sefyllfa canlynol:

### **Datganiad Sefyllfa**

Nid oes angen i nodi dyraniad ar gyfer cerrig mâl yn y Cynllun Datblygu Lleol oherwydd y banciau tir presennol yn ardal y Cynllun Datblygu Lleol a fyddai'n cwrdd â'r angen am gerrig mâl tan 2035. Bydd y mater hwn yn cael ei adolygu os bydd angen yn codi i sicrhau y gellir adnabod dyraniad neu, fel arall, i edrych a fyddai gweithio ar y cyd â Chonwy yn briodol.

Rhaid i unrhyw ofyniad ychwanegol am dywod a graean a nodwyd yn yr Adolygiad 1af o'r Datganiad Technegol Rhanbarthol gael ei ddiwallu drwy bolisi ABCh 17. Os mewn unrhyw sefyllfa mai nid dyma'r achos bydd y polisi yn cael ei adolygu.

## Atodiad 1: Detholiad o'r DTRh ac Adolygiad 1af o'r DTRh

### Dyfyniad o Ddatganiad Technegol Rhanbarthol 2009 (tudalen 76)

**Recommendation:**

On the basis of the information available on permitted reserves and in the light of MTAN1 policy (para 49), and applying Method A and Method B apportionment, no rock resource allocation is required at present. However, in preparing Local Development Plans, consideration should be given to whether the factors in (para 4.16) above give rise to any requirement for resource allocations.

An allocation of 1.0 Mt sand and gravel in the Denbighshire LDP to cover at least a 12 year period should be made in liaison with Flintshire and where possible, outside the AONB. Steps should be taken to maximise the use of CD&EW as aggregates.

Sand and gravel and rock (especially limestone) deposits should be safeguarded in the LDP.

### Dyfyniad o Adolygiad 1af o'r DTRh 2014 (tudalen 17 o Atodiad A)

**Allocations required to be identified in the Local Development Plan**

In order to address the resulting shortfalls, new allocations totalling at least 2.2 million tonnes for sand & gravel and at least 0.18 million tonnes for crushed rock will need to be identified within the LDP. In practice, the crushed rock allocation will probably need to be significantly greater than this, in recognition of scale of extraction needed to justify a new planning application, even for an extension to an existing quarry.

Mae tudalen hwn yn fwriadol wag



<b>Adroddiad i'r:</b>	<b>Pwyllgor Cynllunio</b>
<b>Dyddiad y Cyfarfod:</b>	<b>15 Hydref 2014</b>
<b>Adroddiad Gan:</b>	<b>Pennaeth Cynllunio a Gwarchod y Cyhoedd</b>
<b>Awdur yr Adroddiad:</b>	<b>Rheolwr Datblygu</b>
<b>Teitl:</b>	<b>Diweddariad ar Achosion Cydymffurfiaeth Cynllunio</b>

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## **1. Am beth mae'r adroddiad yn sôn?**

Mae'r adroddiad yn rhoi diweddariad i Aelodau ar achosion cydymffurfiaeth cynllunio. Nid yw'r rhestr o achosion sydd wedi cael eu cynnwys yn y tabl ynghlwm yn holl gynhwysfawr ond maent yn rhai a fyddai wedi'u hawdurdodi o'r blaen gan y Pwyllgor. Yn ogystal, mae Swyddogion wedi cynnwys achosion maent yn credu sydd o ddiddordeb cyffredinol.

## **2. Beth yw'r rheswm dros wneud yr adroddiad hwn?**

Dan y Cynllun Dirprwyo Cynllunio presennol, rhoddwyd awdurdod i Swyddogion fwrw ymlaen ag achosion cydymffurfiaeth cynllunio dan rymoedd a ddirprwywyd. Mae hyn yn golygu na chyflwynwyd unrhyw adroddiadau i'r Pwyllgor Cynllunio dros y 12 mis diwethaf yn gofyn am awdurdod gan Aelodau i gymryd camau gorfodi cynllunio ar achosion penodol. Bydd Swyddogion yn cysylltu yn uniongyrchol ag Aelodau lleol ar achosion yn eu hardaloedd cyn bwrw ymlaen i gymryd camau gorfodi ffurfiol.

Gan hynny, teimlir ei bod yn bwysig darparu adroddiad diweddar blynyddol i'r Pwyllgor Cynllunio ar achosion penodol o bwys. Bydd yn dal modd i Aelodau gysylltu'n uniongyrchol â Swyddogion cydymffurfio unigol ar achosion cydymffurfio unigol.

## **3. Beth yw'r Argymhellion?**

Bod yr Aelodau'n nodi cynnwys yr adroddiad ac yn codi unrhyw faterion ynglŷn ag achosion penodol gyda Swyddogion perthnasol y tu allan i'r Pwyllgor Cynllunio.

## **4. Manylion am yr adroddiad**

### **Cefndir**

Mae 3 swyddog o fewn y Gwasanaeth Gwarchod y Cyhoedd sy'n ymwneud â gwaith Cydymffurfiaeth Cynllunio ar hyn o bryd.

- Wayne Williams (yn gweithio Mer, Iau, Gwe). Yn ymwneud yn bennaf a gwaith prosiect ar flaenoriaethau'r gwasanaeth, e.e. prosiect Tai Amlbreswyl, gwaith apêl.
- Jill Daniel (yn gweithio Llun, Maw, Mer, Iau). Yn ymwneud â phob gwaith cydymffurfiaeth gan ganolbwyntio ar waith yn ymwneud â safleoedd dolur llygad a gwaith arall sy'n flaenoriaeth i'r gwasanaeth e.e. Prosiect Safleoedd Carafanau a Phrosiect Coedwigaeth.
- Bryn Bolton (yn gweithio Llun, Maw, Mer, Iau, Gwe). Yn ymwneud â phob gwaith cydymffurfiaeth ar draws y Sir.

Gellir cysylltu â'r Swyddogion uchod ar 01824 706727 neu ar [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk).

Gall gwaith Cydymffurfiaeth Cynllunio fod yn gymhleth a chymryd amser. Mae angen ymchwilio'n drylwyr i unrhyw achosion posibl o dorri rheolau cynllunio cyn cymryd camau ffurfiol ac mae angen creu dogfennau cyfreithiol.

Rhaid i swyddogion flaenoriaethu gwaith a rhaid iddynt ddilyn egwyddorion a amlinellir yng nghanllawiau Llywodraeth Cymru sy'n nodi y dylid ond cymryd camau gorfodi ffurfiol fel dewis olaf.

Gan hynny, mae llawer o'u gwaith yn cynnwys trafod rhwng cwynwyr a rhai a allai fod yn torri rheolau cynllunio, gan geisio datrys unrhyw fater heb fod angen cymryd camau ffurfiol. Cynhaliwyd sesiynau hyfforddi Aelodau ar fater cydymffurfiaeth cynllunio gan y gall fod yn faes cymhleth a dadleuol. Bydd cwynwyr yn aml yn teimlo fod eu mater yn flaenoriaeth ac y dylid delio ag o cyn pob mater arall. Dyma pan fod y Gwasanaeth wedi datblygu rhestr o safleoedd sy'n ddolur llygad a blaenoriaethau gwasanaeth mewn ymgais i ganolbwyntio amser Swyddogion ar fynd i'r afael â'r materion pwysicaf a mwyaf niweidiol.

Dylid nodi hefyd y bydd Swyddogion yn canolbwyntio ar fynd i'r afael ag achosion tir blêr mor fuan â phosibl o ystyried y flaenoriaeth gorfforaethol Strydoedd Glân a Thaclus.

Mae'r tabl sydd ynghlwm (**Dogfen 1**) yn rhestru nifer o achosion y mae Swyddogion wedi bod yn ymwneud â nhw ac mae'n ddigon eglur. Anogir Aelodau i gysylltu'n uniongyrchol â'r Swyddogion os hoffent gael gwybodaeth fanylach ar achosion penodol.

**PLANNING COMMITTEE AUTHORISATIONS FOR ENFORCEMENT AND OTHER ENFORCEMENT  
NOTICES SERVED – LAST 2 YEARS**

**CASE REVIEW REPORT: 24 SEPTEMBER 2014**

*Cases detailed in italics are closed*

REF. NO.	ADDRESS	P/CMTE	BREACH	ACTION	NOTES	CASE OFFICER
<i>ENF/2012/00029</i>	<i>102 Vale St, Denbigh</i>	<i>Delegated</i>	<i>Untidy land</i>	<i>S.215 Notice served 1/10/12</i>	<i>Compliance by 5/2/13  26/2/13 – A Lord served PDP Act notice – not complied with.  Owner failed to comply - 2/8/13 – works in default completed  30/10/13 – letter to owner demanding payment – invoice raised – owner has arranged payment plan.  Case closed</i>	<i>WW</i>
<i>ENF/2012/00027</i>	<i>4 The Paddock, Park St, Denbigh</i>	<i>Delegated</i>	<i>Untidy land</i>	<i>S.215 Notice re-served by hand 30/10/12</i>	<i>Compliance by 30/1/13  Owner failed to comply - 6/9/13 – works in default completed  3/10/13 – letter to owner demand payment of costs for works in default – invoice raised  Case closed</i>	<i>WW</i>
<i>ENF/2012/00031</i>	<i>45 Aquarium St, Rhyl</i>	<i>21/11/12</i>	<i>Unauthorised development –</i>	<i>Enforcement action authorised</i>	<i>Instructions to Legal Services to prepare E Notices sent 22/11/12</i>	<i>WW</i>

Tudalen 235

REF. NO.	ADDRESS	P/CMTE	BREACH	ACTION	NOTES	CASE OFFICER
			<i>sub-division of single dwelling prior to agreement on S.106</i>		<i>Original application amended (45/2008/0412/PF) – to retain conversion to three self contained units – granted 9/12/13.  Case Closed</i>	
ENF/2012/00032	1 Willow Court, Rhyl	21/11/12	<i>Unauthorised development – erection of fence over 1m</i>	<i>Enforcement action authorised</i>	<i>Owner has notified Appeal to be lodged  Appeal against refusal lodged 27/3/13 – dismissed  30/10/13 – E Notices served by Legal Services – compliance by 30/1/14  31/1/14 – owner requested more time – further 2 weeks allowed.  S/V 6/3/14 – no change – LBA to owner 7/3/14  10/4/14 – SV – fencing reduced in height.  Case closed</i>	WW
ENF/2013/00006	Y Foelas, Peakes Lane, Denbigh	20/3/13	<i>Unauthorised development – installation of uPVC windows and door in Article 4 area</i>	<i>10/7/13 – E Notices served</i>	<i>Compliance by 8/8/14  4/9/13 – app submitted for replacement windows – 01/2013/0998/PF – granted 28/10/13  S/V 4/4/14 – new timber windows &amp; door inserted as per pp</i>	WW

Tudalen 236

REF. NO.	ADDRESS	P/CMTE	BREACH	ACTION	NOTES	CASE OFFICER
					<i>Case closed</i>	
ENF/2012/00010	Isfryn, Glyndyrdwy	Delegated	Untidy land	S.215 Notice served 22/3/13	<p>Compliance by 29/8/13</p> <p>27/9/13 – LBA sent out by LS.</p> <p>14/10/13 - owner's nephew responded – has engaged builder who advised required works will require more time than allowed. To be discussed with nephew.</p> <p>4/11/13 – discussed with nephew – quote from builder £20-25K. Needs to gain approval from owner on whether she has funds to complete repairs or whether property to be sold.</p> <p>29/1/14 – S/V – scaffolding erected</p> <p>17/2/14 – contractor has submitted Building Notice re roof works for BC to approve.</p> <p>S/V 9/4/14 – roof works underway, render removed &amp; new windows inserted – works on-going</p> <p>Further S/V required to confirm works complete.</p>	WW
ENF/2012/00034	8 Pine Tree Walk, Rhyl		Untidy land	S.215 Notice served 22/3/13	<p>Compliance by 29/6/13</p> <p>WID completed 18/12/13</p> <p>17/1/14 – letter to owner seeking</p>	WW

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REF. NO.	ADDRESS	P/CMTE	BREACH	ACTION	NOTES	CASE OFFICER
					<i>costs. Invoice raised.</i> <i>Case closed</i>	
ENF/2013/00007	127-129 High St, Rhyl	20/3/13	Unauthorised development – installation of uPVC shopfront in Conservation Area	Enforcement action authorised – 2 year compliance period	E Notices served 14/10/13 – compliance by 14/11/15.  Appeal lodged – 4/12/13 statement submitted  7/5/14 – Appeal upheld  Case closed	WW
ENF/2013/00011	26 Butterson Rd, Rhyl	24/7/13	Unauthorised change of use from HMO to four self contained flats	Enforcement Notice served 5/12/13	Compliance by 3/10/14  No Appeal lodged  15/8/14 – reminder sent to owner who responded 20/8/14 stating agent dealing with revised plans & will correspond further re amended layout.	WW
ENF/2013/00008	Amber Coffee House, 85 High St, Rhyl	24/7/13	Unauthorised new shop front	Enforcement action authorised	16/7/13 S/V – coffee shop closed, but unauthorised shop front remains in situ.  30/7/13 – shop front removed by owners.  Case closed	WW
ENF/2013/00014	Plas Elwy, The Roe, St Asaph	24/7/13	Unauthorised change of use from residential to mixed residential & vehicle sales	Draft report prepared for P/Comm	10/7/13 – valid app submitted to continue car sales operation for temp period of 3 years – application granted by P/Comm  Case closed	WW

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REF. NO.	ADDRESS	P/CMTE	BREACH	ACTION	NOTES	CASE OFFICER
ENF/2013/00010	Craig Villa, Abraham's Lane, Denbigh	24/7/13	Unauthorised development – installation of uPVC windows and door in Article 4 Area	Enforcement action authorised  P/Committee require press release to explain Article 4	11/11/13 – E Notice served – compliance by 15/12/14  Appeal lodged – 29/1/14 statement submitted  9/5/14 – Appeal dismissed – compliance date now 9/5/15.  28/5/14 – owner called to clarify works required. 29/5/14 – letter sent to owner to clarify & seek intended course of action.	WW
ENF/2013/00016	Crown Hotel, Crown Sq, Denbigh	Delegated	Untidy land	S.330 served 11/7/13  S.215 Notice served 23/7/13	Compliance by 26/9/13  25/10/13 - boards removed.  Case closed	WW
ENF/2013/00012	Scout Hall, Middle Lane, Denbigh	Delegated	Untidy land	S.215 Notice served 8/8/13	Compliance by 9/11/13  Application 01/2013/1061 validated 10/9/13 – granted 6/1/14  15/4/14 – S/V – building demolished & site cleared.  Case closed	WW
ENF/2013/00015	Marlborough Hotel, 16 East Parade, Rhyl	Delegated	Unauthorised HMO	Delegated report supported by local Members	30/10/13 – E Notices served by Legal Services – compliance by 30/4/14  Appeal lodged – 13/12/13 statement submitted. Inquiry to be held 20/5/14	WW

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REF. NO.	ADDRESS	P/CMTE	BREACH	ACTION	NOTES	CASE OFFICER
					20/5/14 – Inquiry part heard & adjourned to 3/9/14 – Appellant (unrepresented) produced documents not seen by DCC – ‘hotel booking logs’  Inquiry held 3/9/14 – decision expected by 16/10/14	
ENF/2011/00021	The Money Shop, 83 High St, Rhyl	Delegated	Unauthorised fascia signage	Discontinuance Notice served 20/11/13	Compliance by 20/4/14  6/12/13 – replacement fascia boarding & signage installed.  Case closed	WW
ENF/2013/00013	Land at Coed y Glyn, Glyndyfrdwy, Corwen	Delegated	Unauthorised development – building on agricultural land	Delegated report supported by local Members	7/11/13 - instructions sent to Legal Services for preparation of E Notice  7/4/14 – E Notice served – no appeal lodged – compliance by 7/9/14  Land owner requested further time to comply due to seasonal agricultural pressures. Compliance period extended to 7/10/14	WW
ENF/2013/00024	Lleweni Parc, Mold Rd, Denbigh	Delegated	Unauthorised residential use of static caravan	Delegated report supported by local Members	23/12/13 - instructions sent to Legal Services for preparation of E Notice  6/2/14 – new app submitted to retain residential use of static caravan – 01/2014/0070/PC – service of notice withheld pending review of application by EOC	WW

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REF. NO.	ADDRESS	P/CMTE	BREACH	ACTION	NOTES	CASE OFFICER
					<p>26/3/14 – app refused</p> <p>7/4/14 – E Notice served – compliance by 7/10/14</p> <p>16/4/14 – appeal lodged – Hearing set for 15/10/14</p>	
ENF/2014/00001	Land adj to 21 Stanley Park Ave, Rhyl	Delegated	Untidy land	S.215 Notice served 30/1/14	<p>Compliance by 28/4/14</p> <p>28/5/14 – S/V site cleared. (PP granted for erection of garage for domestic use)</p> <p>Case closed</p>	WW
ENF/2014/00002	Ocean Beach Site, Wellington Rd, Rhyl	Delegated	Breach of Condition 33 attached to 45/2012/1236/PS	Breach of Condition Notice served 7/3/14	<p>Compliance by 7/4/14</p> <p>2/4/14 - submission made to discharge condition – for consideration by PM</p> <p>16/4/14 – letter from GHB to agents advising latest proposals to discharge condition are welcomed &amp; response will be given once revised plans have been considered by all interested Council parties.</p> <p>13/6/14 – S/V – all missing boarding replaced, 95% painted blue remainder painted white undercoat</p> <p>10/7/14 – following meeting between agent/developer &amp; PM/GHB – current proposals are</p>	WW

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REF. NO.	ADDRESS	P/CMTE	BREACH	ACTION	NOTES	CASE OFFICER
					acceptable. Progress to be monitored.	
ENF/2013/00019	Land at Bwlch Cottage, Berwyn, Llangollen	Delegated	1. Unauthorised engineering operation 2. Unauthorised Siting of 2 static caravans	Delegated report submitted to local Members 28/2/14 – view awaited	13/3/14 - instructions sent to Legal Services for preparation of E Notice  E Notice served by Legal 18/9/14 – compliance by 18/4/15	WW
ENF/2014/00005	4 Dyffryn, Pwllglas, Ruthin	Delegated	Untidy land	S.215 Notice served 27/3/14	Compliance by 29/7/14  19/8/14 S/V by Andrea Fisher – 90% compliance with Notice.  27/8/14 – letter to owner to seek full compliance by painting windows, doors & fascia boards  Further S/V required to check progress	WW
ENF/2014/00009	5 Heol y Llys, Rhyl	Delegated	Untidy land	S.215 Notice served 2/4/14 Notice re-served by hand 2/5/14	Compliance by 4/8/14 Andrew Lord served PDP Act notice regarding rear garden.  Andrew Lord to assess site & compliance with both notices	WW
ENF/2012/00020	The Royal Hotel, Bridge Street Llangollen	21/11/2012	Unauthorised Change of Use of Hotel to mixed use Hotel and Hostel housing the homeless	Committee authorised the service of an Enforcement Notice with a 2 month compliance period, requiring the cessation of a mixed use of the hotel as a hostel for housing the homeless and the return to its sole use as a Hotel providing shorter stay	Following Committee's resolution, we received assurances via the owner's Solicitor that the unauthorised use would cease immediately. No further complaints were received and therefore there was no need to serve the Enforcement Notice.	JD

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REF. NO.	ADDRESS	P/CMTE	BREACH	ACTION	NOTES	CASE OFFICER
				<i>accommodation for travellers with permanent addresses elsewhere</i>		
ENF/2012/00033	Bryntirion Farm Rhualt	21/11/2012	Unauthorised change of use of agricultural field to mixed use residential and agricultural Unauthorised development – siting of residential static caravan; erection of tree house and ancillary ladder; zip wire with landing platform	Committee authorised the service of an Enforcement Notice with a 2 month compliance period, requiring: <ul style="list-style-type: none"> <li>(i) Removal of the unauthorised Tree House and Zip Wire from the agricultural land.</li> <li>(ii) Cessation of use of the agricultural land as a play / recreational area and restoration of the land to its previous state as an agricultural field.</li> <li>(iii) Removal of the unauthorised static caravan from the land.</li> </ul>		
ENF/2013/00026	<b>TY CAPEL, WAEN ST ASAPH</b>	19/2/2013	<i>Unauthorised creation of vehicular access onto a classified road.</i>	<i>Committee authorised the service of an Enforcement Notice in circumstances where application(s) attempting to regularise or address the breach of planning and highway control were <b>not</b> submitted within THREE month of authorisation being given. Such Notice would require that use of the vehicular access</i>	<i>Following Committee's resolution, a retrospective planning application was submitted on 20/5/2014 (47/2014/0579) and therefore there was no need to serve an Enforcement Notice. This was GRANTED 30/7/2014.</i>	JD

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REF. NO.	ADDRESS	P/CMTE	BREACH	ACTION	NOTES	CASE OFFICER
				<i>ceases and that the access be reinstated to a pedestrian access only.</i>		
ENF/2014/00006	Aldi Stores, Prestatyn	Delegated	Breach of Conditions	Breach of Condition Notices served 17/4/2014	Service of Notices secured compliance with conditions and encouraged planning application.	JD
ENF/2010/00081	Commerce House, Corwen	Delegated	Untidy Property	Enforcement Notice served	Owner only partially complied with Notice. Successful prosecution in Magistrates Court on 15/7/2014 for non-compliance with the Notice. Owner found guilty and given conditional discharge for 12 months rather than a fine. Costs awarded to DCC (£126.50 Investigative costs and £150 legal costs). Since the prosecution, the site has been monitored and the owner has clearly been more motivated to comply. Further works required by the original notice have since been carried out and only 1 item of works remains to be completed.	JD
ENF/2014/00017	Vale Country Club, Ruthin	Delegated	Breach of Conditions	Breach of Condition Notices served 11/8/2014	Service of Notices secured the submission of a retrospective planning application.	JD
ENF/2012/00028	Land to Rear of 2 Allt y Graig, Dyserth	Delegated	Untidy Land	S.215 Untidy Land Notice served	Owner failed to comply with the Notice. Successful prosecution in Magistrates Court on 16/9/2014 for non-compliance. Owner found guilty and fined £200. Costs awarded to DCC (Victim surcharge £20, Investigative costs £50 and Legal costs £130). The site will now be monitored and if he continues not to comply a further prosecution will follow.	JD

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