MINUTES OF MEETING OF THE PLANNING COMMITTEE
OF TORFAEN COUNTY BOROUGH COUNCIL
held on Tuesday, 25 July 2017 at 4.00pm
in the Council Chamber, Civic Centre, Pontypool, NP4 6YB

ATTENDANCE

Members of the Committee: in alphabetical order

Councillors
Norma Parrish (Chair)  Janet Jones
Stuart Ashley  Jason O'Connell
Huw Bevan  Richard Overton
Ron Burnett  Louise Shepphard
Steven Evans  Alan Slade
Jon Horlor  Neil Waite
Fay Jones

Officers: in alphabetical order
Rachel Beale  Senior Business Support Officer (Democratic Services)
Claire Hall  Senior Planner
Tim James  Interim Chief Legal Officer
Richard Lewis  Head of Planning and Development
Helen Smith  Principal Planner
Geraint Thomas  Senior Business Support Officer (Democratic Services)
Paul Wheeldon  Group Leader for Transportation and Highways Development

Other:
There were 18 Members of the Public in the Gallery and Councillors Richard Clark and Giles Davies.

1 Apologies

Apologies were received from Councillors Len Constance, Gaynor James and Sue Malson.

2 Declarations of interest

The Interim Chief Legal Officer reminded members that they needed to complete the declaration of interest form in the attendance register folder if they were declaring an interest in any application. The following interests were declared:

- Councillor Stuart Ashley declared a personal interest in agenda item 7 as a Member of Cwmbran Community Council who had been consulted on the application.
- Councillor Fay Jones declared a personal interest in agenda item 7 as a Member of Cwmbran Community Council who had been consulted on the application.
- Councillor Jason O’Connell declared a personal interest in agenda item 7 as he owned a property on Two Locks Road which was about 200 to 300 metres from the application site.
• Councillor Richard Overton declared a personal interest in agenda item 9 as a Member of Pontypool Community Council who had been consulted on the application.
• Councillor Norma Parrish declared a personal interest in agenda item 9 as a Member of Pontypool Community Council who had been consulted on the application.

3 Minutes of Planning Committee - 13/06/17

Members agreed that the minutes of the Planning Committee meeting held on 13th June 2017 be confirmed as a correct record.

4 Planning Appeal - 16/P/01353/HH
Retention of garden store and deck area in front garden (part retrospective) at 7 Upper Coedcae Road, Blaenavon, Torfaen.

Members agreed to note the decision made by the Planning Inspectorate.

5 Planning Application - 16/P/01281/CEU
Application for Certificate of Lawful Development to retain the existing C3b use offering supported living to a maximum of 5 residents at Edlogan Villa, Avondale Road, Sebastopol, Pontypool.

The Chair explained that there were some Members that were very uneasy about the application as it originally came in as a Planning Application but had been changed to a Certificate of Lawful Development, she reminded Members that the report was to note only.

Councillor Ashley agreed to note the report but also asked that the concerns of the Members of the Public and Members of the Council be noted.

Members agreed to note the report.

Councillors Bevan joined the meeting.

6 Planning Application - 16/P/01295/CEU
Application for Certificate of Lawful Development to retain the existing C3b use offering supported living to a maximum of 5 residents at 5 Pant-Yr-Eos, Pontnewydd, Cwmbran.

The Chair informed Committee that the item was also a Certificate of Lawful Development and the report was to note only.

Councillor Evans asked that the concerns of Members of the Public and Members of the Council also be noted.

Members agreed to note the report.
Planning Application - 17/P/0176/FUL
Construction of 14 residential dwellings and associated works at the former Two Locks Nursery School, Two Locks Road, Cwmbran.

The Chair told Members that the Ward Members had requested a site visit and asked Members for their views.

Members agreed to defer the item pending a Planning Site Inspection.

Planning Application - 17/P/0340/HH
Alteration/extension of existing dwelling, construction of new raised patio, and retention of double garage, at 5 Bryn Gomer, Croesyceiliog, Cwmbran, Torfaen

The Senior Planner advised Members of late correspondence which included annotated photos from the Neighbours, the photos were the same photos that Members had received via email direct from the Objectors. The Senior Planner advised Members that the applicant had emailed his concerns regarding the Neighbours’ annotated photos as they were not to scale and he felt they were not a true representation of the scheme.

She reminded Members that a site visit had been carried out and those who attended would be familiar with the surroundings. Photos were displayed of the narrow Cul-de-sac. The application site was shown and the Senior Planner pointed out where the objectors lived in relation to the site.

Members were shown photos of the view from No. 3, No. 6 and No. 7 Bryn Gomer. Plans were also shown of the existing building and the proposed development.

The Senior Planner highlighted the key changes from the previous appeal explaining that the current proposal included a 3m increase from the eaves of the existing dwelling and the previous scheme which was refused proposed a 6m increase. The proposal included a link from the detached property to the detached pool house to the rear of the site.

The Chair thanked the objectors for sending Members their photos prior to the committee meeting and asked the first Third Party Speaker to come and address the committee.

Mr David Jones (Objector) referred to the photos he had submitted to Members and Officers and made the following comments:

- He lived at 2 Bryn Gomer with his wife and he was speaking on behalf of himself and Mrs Grimas who lived at 3 Bryn Gomer.
- He said that the Officers report stated that the massing fronting Bryn Gomer Lane had been removed but this was not the case. There had been little change in the huge massing and dominate facia adjacent to Number 3. He felt that this was a
major omission from the Planning Officers.

- He stated that the increased mass of the second floor was unchanged from the previous applications. There had been some reduction in massing in the third floor but the mass had been redistributed.

- He referred to the Officer report which described a sloping roof raking away to the eaves level which was the height of exiting dormer. He said that the description was misleading. The eaves level would be a significant 1m higher than the current dormer. The height of the proposed dwelling was unchanged from previous submissions and was 1.2m higher than the existing building and 1.8m nearer to the lane.

- He referred to the scale, size and proportion of the garage that resembled a standalone business or residential unit. He felt that the dimensions were way beyond those required for a domestic garage.

- A key aspect of his objection was the extensive outbuildings which were the full 40m length of the garden adjacent to 3 Bryn Gomer.

- He said that the Officer Report and the recommendation failed to address the devastating impact on Mrs Grimas' home with regard to the loss of light and outlook.

- He pointed out that the pool house height had been marginally increased, and the structure stiffened with replacement cladding which caused an overwhelming glare.

- The applicant had ensured that he looked over and outward to the mountains and trees, blocking No.3's view.

- The applicant had pressed ahead with extensive civil and construction activity with total disregard for neighbours, planning procedures, the decision on the Planning Committee and the Welsh Government Inspectorate. The unapproved work already in place demonstrated how damaging the proposal was to an adjoining property.

- The applicant now sought retrospective planning approval for an imposing garage, a modified pool area with glare-generating cladding and a newly built patio.

- The renewed application in its form, scale, design and material choices remained totally inappropriate and discordant in its location.

- There were aspects of the unapproved structures which should be modified, such a flat roof on the garage.

- The report confirmed that business use on the site could not be undertaken, he said he trusted that was the case.

- If the new application went to appeal it was important that the Inspector was aware of the devastating impact on No.3 evident from almost every window and door.

- It was not only what was overlooked, it was about what Neighbours looked at.

Mrs Ann Phillips (Objector) made the following comments:

- She lived at 6 Bryn Gomer which was directly opposite the house under discussion.

- She had a direct view across the lane to No.5 from her bedroom window, front door, drive and she had a view up at the house from the lounge and garden. She said that her view had never been a consideration for the Developer.

- She referred to the latest plans and agreed that the upper floor had been set back
from the original plan by 4m, and there was no longer a three storey perpendicular elevation so close to the lane and the applicant had addressed the concern of overview but at what cost to aesthetics and to appearance. The configuration of the windows, introducing two odd oriole windows which she felt looked like closed eyelids, she felt that it was an unnecessary compromise.
- The top of the house which could be seen from across the lane remained 1.2m higher than the current apex and it would be 1.8m nearer to her property.
- She raised major concerns with the size and materials used on the sloping roof. She said that the roof measured 12.3m along the front with a 5m slope from the eaves to the back wall, which was an area of 61.5 square meters. The applicant was not going to use roof tiles like the other properties in Bryn Gomer but cladding. She said that it was not listed what the cladding would be made off but she believed that it would echo the material used on the pool room roof, which was a significantly reflective material. She said that the cladding was used in industrial estates and business parks not residential properties.
- She added that the Officer Report did not address the issues surrounding the roof and the material used for the roof was not included on the recommendations of the report even though conditions were laid down that samples of timber and glazing were to be submitted for approval.
- She made reference to sections of Torfaen’s LDP and Planning Policy Wales used in the Officers Report which said that any new development must take full regard to the local environment, promote sympathetic design, materials and layout, taking account of the local context which included elevation treatment, appearance and materials. She said that in spite of this the Officers recommendation was for approval.
- She pointed out that work had continued on site including trees felled, soil removed, building materials delivered, scaffolding stored on site, the garage had been built, walls had been knocked down and Japanese Weed dealt with and no words exchanged.
- She reported that the Community Council drew attention to the fact that although the first application was turned down and the decision upheld, with no valid consent work had carried on.

Councillor Richard Clark (Ward Councillor) made the following points:

- He explained that the residents had contacted him as they were alarmed with the works happening on site during the determination of the last application. He mentioned that he was the outgoing chair of the Community Council when the remarks in respect of the application were made.
- He said that he had also met with the applicant at his request and he had set out his vision of a family home.
- He reminded Members that the original application was rejected due to its position within the site, the increase in mass and form of the dwelling which was considered an unacceptable dominant feature in the street scene. He said that those same words could be said for the current application, he said he respected the decision to modify the design but given the site and its location he still thought it was overbearing on the street.
- In terms of the design criteria in Planning Policy Wales it stated that the visual appearance of proposed development and its relationship to its surroundings and context were material planning considerations he believed that both objectors had
put forward reasonable material planning considerations.
- He said that rejecting the current application was not stifling new design as he felt that everyone accepted the design was a good design but in a different location.
- If the applicant was starting from scratch and demolished the whole site and set it back to where the pool building was and had the pool building where the garage was perhaps that would be more acceptable.
- He felt that refusing the application was not stifling new design as it was a 1950s design street with additions in the 1970s and people would argue that the 1970s houses at the top of Bryn Gomer did not conform but blended in with the exiting, the proposal was against what was existing and would stand out on the site.
- He firmly believed that the materials and character adversely affected the neighbourhood. The Planning Inspector stated that with some design changes it might be considered acceptable from the one that was originally refused he did not think that the changes made met the criteria.
- He asked Members to visualise the design on the single track street and how that would affect the amenity and the surroundings of the residents, he urged Members to vote accordingly when it came to the decision.

Mr Lloyd Jones (Agent for the Applicant) made the following comments:
- He said that as Members would be aware from reading the background of the application that there was an extensive planning history at the site.
- His client had experienced significant delays which had a prime impact on him and his young family.
- His client was living in rented accommodation and given the short time scale of the proposed build he had intended on moving in to the dwelling earlier in year to provide some stability for his family who were deeply upset by the current situation, this was why he had commenced on elements of the proposal that did not require planning permission.
- His client was looking to build a high quality and environmentally friendly home and Members should note that no commercial activities were proposed at the dwelling as the applicant had a commercial unit in Cwmbran.
- He was aware that photographs had been circulated to Members by Objectors and he stressed that they were inaccurate and misrepresented the scheme. The drawings presented by the Planning Officers accurately illustrated the proposed scheme.
- He said that the previous appeal decision at the site gave a clear steer on the way forward. The Planning Inspector’s deliberation found that the existing dwelling was poorly designed, dated and failed to make a positive contribution to the character of the area.
- He pointed out that the dwelling was situated within a substantial plot and would not comprise of an over development.
- He referred to the Neighbour objections which related to the modern design however National Planning Policy set out that innovative design should not be stifled by the planning process. He said that the Inspector accepted that there was scope to create a dwelling of contemporary design and he had no objection to the architectural design. The Inspector was concerned with the mass adjacent to the road which would appear over dominant, which had been addressed in the current application and the mass fronting Bryn Gomer had been reduced. He
pointed out that the dwelling was not 1.8m closer to the highway as mentioned by one of the objectors.

- He said that the Inspector was of the opinion that the heavily glazed upper floors would give rise to the sense of being overlooked and had been omitted from the current scheme.
- He confirmed that the proposed external materials were high quality and the Local Planning Authority had control via condition 3 in terms of approving the materials.
- He referred to the trees that were removed on site, he confirmed that the trees were not covered by any Tree Preservation Orders and a Council approved tree surgeon undertook the work.
- He said concerns had been raised in relation to drainage, however there was a condition attached to address the concerns.
- He confirmed that the proposal was a high quality design that addressed the reasons that the Inspector dismissed in the appeal, he requested that Members supported the Officers recommendation and approved the application as it complied with National Planning Policy and the adopted Local Development Plan.

The Senior Planner referred to comments made by the Third Party Speakers commenting on the following:

- She reminded Members that no one had a right to a view in terms of assessing a Planning Application.
- The previous refusal did not reference the materials, the previous appeal related to the mass and form of the dwelling.
- It was not an oversight that Officers did not request the cladding for approval as the cladding was already on site, however samples of timber were required for approval as there were some forms of timber that faded and deteriorated.
- It was mentioned by speakers that the proposal would still be a dominant feature in the Streetscene, however Officers were satisfied that the issue had been overcome in terms of the redesign and the repositioning of the mass.
- She accepted that the design was not to everyone’s liking however Planning Policies allowed for innovative and contemporary design.

Members asked a series of questions and the following responses were given by Officers:

- There would be an informative note, if the application was approved, advising the applicant to contact Welsh Water to ascertain whether there were any private sewers on site, and Officers would not make it a condition. The majority of the works on the site were on the existing footprint so there were no underground works and the garage had already been built so if the developer had come across any apparatus during the build, it would have been dealt with.
- Planning Policies were required to have consideration of local context, in some areas where there was a strong unified design approach a modern design might not be approved, however the existing building was quirky compared to the neighbours and there was not a uniformed style of properties on the street and Officers felt that the site could accommodate the design. In different areas such as Conservation areas or the World Heritage area there may be a more detailed design criteria which was unique to those particular areas.
- Members needed to look at the reasons for refusal last time which was down to
the position within the site, the increased mass and form and the unacceptable dominance in the Streetscene. The applicant had addressed those issues by reconfiguring the design so the mass was redistributed in the plot. The Inspector was not against the materials or the modern design.

- The photos submitted by the objectors were hand drawn annotations and were not professionally drawn to an accurate scale.
- There were different materials used on site but it was the personal taste of the applicant.
- There were still a number of trees on site, however because of the new driveway proposed there was a condition attached to absorb or direct surface water in a manageable way.

Members voted on the Officers recommendation with 4 Members voting in favour and 9 Members voting against. The application was therefore refused.

The Chair asked the committee for the reasons why they were refusing the application.

Members felt that it was still an overbearing feature and the design was not in keeping with the area.

Members agreed for Officers to bring a report back to committee with the appropriate wording for reasons for refusal based on the comments made in committee.

9 Planning Application - 17/P/0448/FUL
Change of use from Agricultural Land to Staff Car Parking serving the adjacent B1 Commercial Vehicle Workshop/Sui Generis Coach/Bus Garage at Land adjacent to Gladstone Terrace, Varteg Road, Varteg, Pontypool

The Senior Planner explained that the application was part retrospective as cars were already using the agricultural land for parking. Photos were displayed which showed the field being used. Members were shown plans which outlined where the existing business was in relation to the application site which was on the opposite side of the road. The business was located within the urban boundary of the LDP, however the application site was not within the urban boundary. The Senior Planner explained that to the south of the business premises was a piece of land which was designated for employment use in the LDP. There had been a lot of objections to the proposal particularly from Residents of Gladstone Terrace.

The following responses were given to questions asked by Members:

- The land to the south of the business premises was not currently being used for parking, it was Council owned land and it was allocated for industrial development in the LDP.
- The cars had only recently been occupying the field for parking, it would be more favourable for them to park in an area allocated for that purpose within the urban boundary rather than the field which was outside the boundary.
- The application site was agricultural land and had previously been used as a paddock.
- The applicant did not own the land which was subject to the application nor the land to the south of the premises, he would require the consent of the land owner for either piece of land.
- Officers recognised that it was an existing business and understood that if the application was refused it could be a problem for the business in the short term, however Officers would work with the applicant to try and secure alternative arrangements. The urban boundary was set in the LDP and Officers would generally want to see development within the Urban Boundary.
- Once permission was granted for the change of use of the land, Officers could control certain aspects of the business use, however the intensification of an existing use may not require permission. Whilst currently there were only 20 cars on site the applicant could reconfigure the site and use it differently whilst still being a business use.

**Members unanimously agreed to refuse the application for reasons set out in the report.**
Aelodau’r Pwyllgor: yn nhrefn yr wyddor

Y Cynghorwyr
Norma Parrish (Cadeirydd) Janet Jones
Stuart Ashley Jason O’Connell
Huw Bevan Richard Overton
Ron Burnett Louise Shepphard
Steven Evans Alan Slade
Jon Horlor Neil Waite
Fay Jones

Swyddogion: yn nhrefn yr wyddor
Rachel Beale Uwch Swyddog Cefnogi Busnes (Gwasanaethau Democrataidd)
Claire Hall Uwch Gynllunydd
Tim James Prif Swyddog Cyfreithiol Dros Dro
Richard Lewis Pennaeth Cynllunio a Datblygu
Helen Smith Prif Gynllunydd
Geraint Thomas Uwch Swyddog Cefnogi Busnes (Gwasanaethau Democrataidd)
Paul Wheeldon Arweinydd Grŵp ar gyfer Trafnidiaeth a Datblygu’r Prifyrdd

Eraill: Roedd 18 aelod o’r cyhoedd yn y Galeri a’r Cynghorwyr Richard Clark a Giles Davies.

1. Ymddiheuriadau

 Cafwyd ymddiheuriadau gan y Cynghorwyr Len Constance, Gaynor James a Sue Malson.

2. Datganiadau o Fudd

 Atgoffodd y Prif Swyddog Cyfreithiol Dros Dro aelodau bod angen iddyn nhw gwblhau’r ffurflen datganiadau budd yn ffeil y gofestr os oedd yr buddion mewn perthynas ag unrhyw gais. Rhoddwyd datganiadau mewn perthynas á’r buddion canlynol:

- Rhoddodd y Cynghorydd Stuart Ashley ddatganiad o fudd personol yn eitem 7 ar yr Agenda fel Aelod o Gyngor Cymuned Cwmbrân yr oedd ymgyngorhwi wedi bod â’ nhw ynglŷn â’r cais.
- Rhoddodd y Cynghorydd Fay Jones ddatganiad o fudd personol yn eitem 7 ar yr Agenda fel Aelod o Gyngor Cymuned Cwmbrân yr oedd ymgyngorhwi wedi bod â’ nhw ynglŷn â’r cais.
- Rhoddodd y Cynghorydd Jason O’Connell ddatganiad o fudd personol yn eitem 7 ar yr Agenda gan ei fod yn berchen ar eiddo yn
Heol Dwy Loc a oedd tua 200 i 300 metr o’r safle a oedd yn destun y cais.

- Rhoddodd y Cynghorydd Richard Overton ddatganiad o fudd personol yn eitem 9 ar yr Agenda fel Aelod o Gyngor Cymuned Pont-y-pŵl yr oedd ymyngynhori wedi bod â nhw ynglŷn â’r cais.
- Rhoddodd y Cynghorydd Norma Parrish ddatganiad o fudd personol yn eitem 9 ar yr Agenda fel Aelod o Gyngor Cymuned Pont-y-pŵl yr oedd ymyngynhori wedi bod â nhw ynglŷn â’r cais.

3. Cofnodion y Pwyllgor Cynllunio – 13/06/17

Cytunodd aelodau i gadarnhau bod cofnodion y Pwyllgor Cynllunio ar 13th Mehefin 2017 yn gofnodion cywir.

4. Apêl Cynllunio – 16/P/01353/HH

Cadw storfa gardd ac ardal deciau yn yr ardd i’r tu blaen (yn rhannol ôl-wealthredol) yn 7 Heol Coedcae Uchaf, Blaenafon, Torfaen.

Cytunodd yr Aelodau i nodi’r penderfyniad gan yr Aroligyiaeth Gynllunio.

5. Cais Cynllunio – 16/P/01281/CEU

Cais am Dystysgrif o Ddatblygiad Cyfreithlon i gael cadw’r defnydd C3b sy’n bodoli eisoes sy’n cynnig byw wedi ei gefnogi i fwyafswm o 5 o drigolion yn Edlogan Villa, Avondale Road, Sebastopol, Pont-y-pŵl.

Esboniodd y Cadeirydd bod rhai Aelodau yn teimlo’n anesmwyth ynglŷn â’r cais gan ei fod wedi ei gyflwyno’n wreiddiol fel Cais Cynllunio ond cafodd ei newid i Dystysgrif o Ddatblygiad Cyfreithiol, atgoffodd Aelodau mai er mwyn ei nodi’n unig oedd yr adroddiad.

Cytunodd yr Aelodau i nodi’r adroddiad ond gofynnodd hefyd i bryderon aelodau’r cyhydd ac aelodau’r Cyngor gael eu nodi.

Cytunodd Aelodau i nodi’r adroddiad.

Ymunodd y Cadeirydd Bevan â’r cyfarfod.

6. Cais Cynllunio – 16/P/01295/CEU

Cais am Dystysgrif o Ddatblygiad Cyfreithlon i gael cadw’r defnydd C3b sy’n bodoli eisoes sy’n cynnig byw wedi ei gefnogi i fwyafswm o 5 o drigolion yn at 5 Pant-Yr-Eos, Pontnewydd, Cwmbrân.

Dyweddodd y Cadeirydd wrth y Pwyllgor bod yr eitem hefyd yn Dystysgrif o Ddatblygiad Cyfreithlon ac mai er mwyn ei nodi’n unig oedd yr adroddiad.

Gofynnodd y Cynghorydd Evans i bryderon aelodau’r cyhoedd ac aelodau’r Cyngor gael eu nodi hefyd.
Cytunodd Aelodau i nodi’r adroddiad.

7. **Cais Cynllunio – 17/P/0176/FUL**

Adeiladu 14 o gartrefi a gwaith cysylltiedig ar hen ysgol Feithrin Dwy Loc, Heol Dwy Loc, Cwmbrân.

Dyweddodd y Cadeirydd wrth Aelodau bod yr Aelodau yn y ward wedi gofyn am ymweliad i’r safle a gofynnodd i Aelodau am eu barn.

Cytunodd Aelodau i ohirio’r eitem er mwyd cynnal arolwg ar y safle cynllunio.

8. **Cais Cynllunio – 17/P/0340/HH**

Newid/ymestyn trigfan sy’n bodoli, adeiladu patio uchel newydd, a chadw garej ddwbl yn 5 Bryn Gomer, Croesyceiliog, Cwmbrân, Torfaen

Dyweddodd yr Uwch Gynllunydd wrth Aelodau am ohebiaeth hwyra oedd yn cynnwys lluniau gyda nodiadau oddi wrth y Cymdogion, yr un oedd yr lluniau â’r rheiny yr oedd yr Aelodau wedi derbyn trwy e-bost gan y gwrthwynebwyr. Dywedodd yr Uwch Gynllunydd wrth Aelodau bod yr ceisydd wedi mynegi ei bryderon trwy e-bost ynglŷn â lluniau'r Cymdogion gan nad oeddenn nhw yn ôl graddfa ac roedd yn teimlo nad oeddenn nhw'n cynrychioli'r cynllun yn wir.

Atgoffodd Aelodau bod ymweliad i’r safle wedi ei gynnal ac roedd y rheiny a oedd yn bresennol yn gyfarthywodd gan rhonwydd gan y gwrthwynebwyr. Dangoswyd lluniau o'r fforst bengaead gul. Dangoswyd safe’r cais a dangosodd yr Uwch Gynllunydd ble roedd y gwrthwynebwyr yn byw mewn perthynas â’r safle.

Dangoswyd lluniau i’r Aelodau o’r olygfa o rif 3, rhif 6 a rhif. 7 Bryn Gomer. Dangoswyd cynlluniau hefyd o’r adeilad presennol o’r datblygiad arfaethedig.

Pwysleisiodd yr Uwch Gynllunydd y newidiadau allweddol o’r apêl flaenol gan esbionio bod y cynnig presennol yn cynnwys cynnwd o 3m o’r bargod o gymharu â’r adeilad presennol ac roedd y cynllun blaenol a wraithod ym cynnig cynnydd o 6m. Roedd y cais yn cynnig cywllt o’r eiddo ar wahân i’r baddondy ar wahân i gefn y safle.

Diolchodd y Cadeirydd i'r gwrthwynebwyr am ddanfon eu lluniau i’r Aelodau cyn cyfarfod y Pwyllgor a gofynnodd y Siaradwr Trydydd Parti cyntaf i ddod i anferch y Pwyllgor.

Cyfeiriodd Mr David Jones (Gwrthwyneb) at y lluniau yr oedd wedi danfon at yr Aelodau a’r Swyddogion a gwnaeth y sylwadau canlynol:
- Roedd yn byw yn 2 Bryn Gomer gyda’i wraig ac roedd yn siarad ar ei ran ef ei hun a Mrs Grimas a oedd yn byw yn 3 Bryn Gomer.
- Dywedodd bod adroddiad y Swyddogion yn datgan bod y ffurf i du blaen i Lôn Bryn Gomer wedi ei dileu ond nid felly yr oedd. Ychydig
iawn o newid oedd wedi bod yn y ffurf anferth a’r brif astell yn ymyl rhif 3. Roedd yn teimlo bod hyn yn henggoriad mawr gan y Swyddogion Cynllunio.

- Dywedodd bod maint mwyr ail lawr heb newid o gymharu â’r ceisiad trydydd lawr ond roedd wedi ei ail-ddosbarthu.
- Cyfeiriodd at adroddiad y Swyddog a oedd yn disgrifio to ar lethyr yn cribynio at lefel y bondo a oedd ar uchder presennol. Dywedodd bod y disgrifiad yn gamarweiniol. Byddai lefel y bondo yn 1m arwyddocao l yn uwch na’r dormer presennol. Nid oedd uchder yr adeilad arfaethedig wedi newid o gymharu â’r ceisiadau blaenorol ac roedd 1.2m yn uwch na’r adeilad presennol ac 1.8m yn agosach at y lôn.
- Cyfeiriodd at raddfa, maint a chyfartaledd y garej a oedd yn ymddebygu i uned busnes neu breswyl ar wahân. Roedd yn teimlo bod y maintioli ymhell y tu hwnt i’r hyn sy’n angenrheidiol ar gyfer garej i’r cartref.
- Rhan allweddol o’i wrthwynebiad oedd yr adeiladau helaeth y tu allan a oedd 40m o hyd sef hyd cyfan yr ardd yn ymyl 3 Bryn Gomer.
- Dywedodd bod Adroddiad y Swyddog wedi methu â mynd i’r afael â’r effaith ddinistriol ar gartref Mrs Grimas o ran colli goleuni a golygwedd.
- Nododd bod maintioli ymhell y tu hwnt i’r hyn sy’n angenrheidiol ar gyfer garej i’r cartref.
- Roedd yr adroddiad wedi sicrhau ei fod yn edrych dros ac i’r tu allan tuaq at y mynyddoedd a’r coed, gan rwystro golygfa Rhif 3.
- Roedd yr adroddiad wedi bwrw ymlaen gyda gwaith siâl ac adeiladu helaeth yn ddi-hid o’r effaith ar gymdogion, prosesau cynllunio, penderfyniad y Pwyllgor Cynllunio ac Arolgyaeth Llywodraeth Cymru. Roedd yr gwaith a oedd eisoes wedi ei wneud heb ganiatâd yn dangos pa mor niweidiol oedd y cais i eiddo cyfagos.
- Roedd yr adroddiad eisoes wedi ei wneud heb ganiatâd Öl-Weithredol nawr am garej anferth, ardal baddon diwygiedig gyda chaenen a oedd yn achosi disgleirdeb a phatro newydd.
- Roedd yr adroddiad wedi sicrhau ei fod yn edrych dros ac i’r tu allan tuaq at y mynyddoedd a’r coed, gan rwystro golygfa Rhif 3.
- Roedd yr adroddiad wedi bwrw ymlaen gyda gwaith siâl ac adeiladu helaeth yn ddi-hid o’r effaith ar gymdogion, prosesau cynllunio, penderfyniad y Pwyllgor Cynllunio ac Arolgyaeth Llywodraeth Cymru. Roedd yr gwaith a oedd eisoes wedi ei wneud heb ganiatâd yn dangos pa mor niweidiol oedd y cais i eiddo cyfagos.
- Roedd yr adroddiad eisoes wedi ei wneud heb ganiatâd Öl-Weithredol nawr am garej anferth, ardal baddon diwygiedig gyda chaenen a oedd yn achosi disgleirdeb a phatro newydd.
- Roedd yr adroddiad wedi sicrhau ei fod yn edrych dros ac i’r tu allan tuaq at y mynyddoedd a’r coed, gan rwystro golygfa Rhif 3.
Gwnaeth Mrs Ann Phillips (Gwrthwynebydd) y sylwadau canlynol:
- Roedd yn byw yn 6 Bryn Gomer a oedd yn union gyferbyn â’r tŷ o dan sylw.
- Roedd ganddi olwg uniongyrchol ar draws y lôn i Rhif 5 o ffenestr ei hystafell wely, y drws ffrynt, y dreif ac roedd ganddi olwg i fyny at y tŷ o’r llofa a’r ardd. Dywedodd nad oedd yr olygfa a oedd ganddi erioed wedi bod yn ystyriaeth i’r Datblygwr.
- Cyfeiriodd at y cynlluniau diweddaraf a chytunodd bod y llawr uchaf wedi ei dynnu’n ôl o’r cynllun gwreiddiol gan 4m, a doedd dim gweddllun unionsyth tri llawr bellach mor agos at y lôn ac roedd y ceisydd wedi deilio â phryder y trosolwg ond ar draul estheteg ac ymddangosiad. Roedd cyfluniad y ffenestr, yn cyflwyno dwy ffenestr oriel a oedd yn edrych fel dwy lygad ar gau, roedd yn teimlo bod hyn y cyfaddawd dianghenraid.
- Roedd top y tŷ, y gellid ei weld o ar draws y lôn yn dal i fod 1.2m yn uwch na’r brig presennol a byddai 1.8m yn agosach i’w heiddo.
- Mynegodd bryderon ynglŷn â maint a defnyddiau’r to llethr. Dywedodd bod y to 12.3m o hyd ar hyd y blaen gyda llethr 5m o’r bargod i'r wal gefn, a oedd yn arwynebedd 61.5 metr sgwâr. Doedd y ceisydd ddim yn mynd i ddefnyddio teils toi fel y tai eraill ym Mryn Gomer ond caenen on dal yna. Dywedodd nad oedd manylion pa ddefnydd y gwnaed y caenen ohono ond roedd yn credu y byddai’r un fath â’r gaenen ar do’r baddondy, a oedd yn adlewyrchu golau’n sylweddol. Dywedodd bod y gaenen y cael ei defnyddio mewn ystadau diwydiannol a pharciau busnes ac nid eiddo preswyl.
- Ychwanegodd nad oedd Adroddiad y Swyddog yn mynd i’r afael a’r materion yn ymweud â’r to ac nid oedd y defnydd ar gyfer y to wedi ei gynnwys yn yr argymhellion er bod amodau y dylai samplau o’r pren a’r gwydr gael eu cyflwyno i’w cymeradwyo.
- Cyfeiriodd a rannau o gynllun Datblygu Lleol Torfaen a Pholisi Cynllunio Cymru a ddefnyddiodd yn adroddiad y Wyddog a oedd yn dweud y dylai unrhyw ddatblygiad newydd ystyried yr amgylchedd leol yn llawn, hybu dyluniad, ddefnyddiau a gosodiad cyseiniol, gan ystyried y cyd-destun lleol a oedd y cynnwys triniaeth, ymddangosiad a ddefnyddiau’r gweddllun. Dywedodd bod argymhelliad y Wyddogion o blaid cymeradwyo er gwaethaf hyn.
- Nododd bod y gwaith wedi parhau ar y safle gan gynnwys dymchwil coed, tynnau pridd, ddefnyddiau adeiladau’n cael eu cyflenwi, sgaffaldau’n cael eu storio ar y safle, roedd dy garej wedi ei adeiladu, waliau wedi eu dymchwel a llysiau’r dial wedi’i drill am y peth.
- Dywedodd bod y Cyngor Cymuned wedi tynnau sylw at y ffaith bod y gwaith wedi parhau heb ganiatâd er bod y cais cyntaf wedi ei wrthod a bod y penderfyniad wedi ei ateu.

Gwnaeth y Cynghorydd Richard Clark (Cynghorydd y Ward) y pwyntiau canlynol:
- Esboniodd bod y trigolion wedi cysylltu ag ef gan eu bod wedi dyrchryn gan y gwaith a oedd yn digwydd ar y safle yn ystod penderfynu’r cais diwethaf. Dywedodd mai ef oedd Cadeirydd y
Cyngor Cymuned pan gafodd y sylwadau ynglŷn â’r cais.

- Dywedodd ei fod wedi crwdd â’r ceisydd yn dilyn cais ganddo ac roedd wedi esbonio’i weledigaeth o gartref teuluol.
- Atgoffodd Aelodau i’r cais gwreiddiol gael ei wrthod oherwydd ei leoliad o fewn y safle, y cynnydd ym maint a ffurf y cartref a ystyrid yn arwedd drech yn y strydlun. Dywedodd y gellid dweud yr un prif am y cais presennol, dywedodd ei fod yn parchu’r penderfyniad i addasu’r dyluniad ond o ystyried y safle a’i leoliad roedd yn credu ei fod yn dal i fod yn ormesol dros y stryd.
- O ran y meini prawf dylunio ym Mholisi Cynllunio Cymru roedd yn dweud bod ymddangosiad gweledol y datblygiad arfaethedig a’i berthynas a’r cydagddu ystyriaethau Cynllunio perthnasol. Roedd yn credu bod y ddau a ddod o ddraw yn wthwynhydd wedi gosod ystyriaethau cynllunio perthnasol gerbron.
- Dywedodd nad oedd gwrthod y cais presennol yn golygu rhwystro dyluniad newydd gan ei fod yn teimlo bod pa’i dyna blodau o’r cartref yn dechrau llety fel un da ond mewn lleoliad gwahanol.
- Os oes y ceisydd yn dechrau o’r dechrau ac yn dymchwel yr holl safle cyfan a’i osod yn ôl i ble roedd y baddon a’i bear gan fenni o’i lle’r oedd gan gareg gallai hynny bod yn fwy derbyniol o bosibl.
- Roedd yn teimlo nad oedd gwrthod y cais yn golygu rhwystro dyluniad newydd gan ei fod yn stryd gyda dyluniad o’r 1950au gyda ychwanegiadau o’rych 1970au a byddai pobl yn dod y nadlau bod y tai o’r 1970au ddyn yn dydyddiau gyda’r rai presennol, roedd y cais yn erbyn yr hyn a oedd yn bodoli eisoes a byddai i sefyll allan ar y safle.
- Roedd yn credu’n gryf bod y deunyddiau a’r cymeriad yn effeithio’r gymdogaeth yn anddwyol. Dywedodd yr Arolygydd Cynllunio y gellid ei ystyried yr dderbyniol gyda’r rai presennol un a wthwydd gan addasu’r dyluniad newydd i’r gwaith adeiladu arfaethedig roedd wedi bwriadau symud i mewn i’w cartref i gynharach y mewn rhai rhywain sy’n seftesydd o sefydlogwydd i’w deulu a oedd o ddefod gwel iawn am y seftesydd bresennol, dyma pam yr oedd wedi dechrau ar elfennau o’r cais nad oes angen caniatâd cynllunio.
- Roedd ei gleient am adeiladu cartref o ansawdd uchel ac yn amgylcheddol gyfeillgar a dylai Aelodau nodi nad oedd bwriad rhywun weithgareddau masnachol ym y cartref gan fod gan y Ceisydd uned fasnachol yng Nghwmbrân.

Gwnaeth Mr Lloyd Jones (Asiant y Ceisydd) y sylwadau canlynol:

- Dywedodd bod hanes cynllunio helaeth ar y safle fel byddai Aelodau’n ymwybodol o ddarllen cefndir y cais.
- Roedd ei gleient wedi profi oedi sylweddol a oedd wedi effeithio arno i’w deulu ifanc.
- Roedd ei gleient yn byw mewn eiddo a’r rhent a oedd wedi rhyfedd o amser byr ar gyfer y gwaith adeiladu arfaethedig roedd wedi bwyta symud i mewn i’r cartref i gynharach. Yn y flwyddyn er mwyn rhoi rhywfaint o sefydlogwydd i’w deulu a oedd y byd fawr a thân am y seftesydd masnachol, dyma pam yr oedd wedi dechrau ar elfennau o’r cais nad oes angen caniatâd cynllunio.
- Roedd ei gleient am adeiladu cartref o ansawdd uchel ac yn amgylcheddol-gyfeillgar a dylai Aelodau nodi nad oedd bwriad rhywun weithgareddau masnachol ym y cartref gan fod gan y Ceisydd uned fasnachol yng Nghwmbrân.
Roedd yn ymwybodol bod y lluniau wedi eu danfon at Aelodau gan y gwrthwynebwyr a phwysleisiodd eu bod yn anghywir ac yn camddarllunio’r cynllun. Roedd y darluniau gan y Swyddogion Cynllunio yn dangos y cynllun arfaethedig yn gywir.

Dywedodd bod y penderfyniad apêl blaenorol wedi cyfeirio’r ffordd ymlaen yn glir. Penderfynodd yr Arolygwr Cynllunio bod yr adeilad presennol wedi ei ddylunio’n wael, yn hen ffasiwn ac yn methu â chyfrannu’n gadarnhaol i gymeriad yr ardal. Roedd yr adeilad mewn rhandir sylweddol ac ni fyddai’n golygu gor ddatblygu. Dywedodd yr Arolygydd wedi derbyn bod lle i creu adeilad gyda dyluniad cyfoes ac nad oedd ganddo wrthwynebiad i’r dyluniad pensaerlonol. Roedd yr Arolygydd yn prydfer am y más yn ymmlr yr heol a fyddai i weld yn oruchafol, yr oedd y cais presennol wedi mynd i’r afael ag e a roedd yr más o flaen Bryn Gomer wedi ei leihau. Cyfeiriodd sylw nad oedd yr adeilad 1.8m yn agosach at y briffordd fel y soniwyd gan un o’r gwrthwynebwyr. Dywedodd bod yr Arolygydd o’r farn bod y lloriau uwch a oedd yn wydrog iawn yn achosi'r teimlad o drosolwg ac roeddynt wedi eu hepgor o’r cynllun presennol. Cadarnhaodd bod y defnyddiau arfaethedig ar gyfer y tu allan o ansawdd uchel ac roedd gan yr Awdurdod Cynllunio Lleol rheolaeth trwy amod 3 o ran cymeradwyo’r defnyddiau. Cyfeiriodd at y coed a oedd wedi eu tynnu o’r safle, cadarnhaodd nad oedd Gorchmynion Cadwraeth Coed ac roedd Triniwr Coed a gymeradwywyd gan y Cyngor wedi ymgymryd â’r gwaith. Dywedodd bod pryderon wedi eu mynegi mewn perthynas a thraeniog, ond roedd yna amod ynghlwm i ddedol â’r pryderon. Cadarnhaodd bod y cais yn ddyliad o ansawdd uchel a oedd yn mynd i’r afael â’r rhesymau a achosodd i’r arolygydd wrthod yr apêl, gofynnodd i Aelodau geginogi argymhelliaid y Swyddogion a chymeradwyo’r cais gan ei fod yn cydymffurfio â Pholisi Cynllunio Cenedlaethol a’r Cynllun Datblygu Lleol.

Cyfeiriodd yr Uwch Gynllunydd at sylwadau a wnaed gan Siaradwyr a gwnaeth sylwadau ar y canlynol:

- Atgoffodd Aelodau nad oedd gan unrhyw un yr hawl i olygfa mewn termau asesu Cais Cynllunio.
- Doedd y gwrthodiad blaenorol ddim yn cyfeirio at y defnyddiau, roedd yr apêl blaenorol yn ymwneud â maint a ffurf yr adeilad.
- Nid esgeulustod oedd nad oedd Swyddogion wedi gofyn am y gaenen er mwyn ei chymeradwyo gan fod y gaenen eisoes ar y safle, ond roedd angen samplau o’r pren er mwyn eu cymeradwyo gan fod rhai fathau o bren o a oedd yn pylvu ac yn dirywio. Soniwyd gan siaradwyr y byddai’r cynnig yn dal i fod yn nodwed goruchafol yn y Strydlun. Serch hynny roedd swyddogion yn fodlon bod y mater wedi ei oresgyn yn nhermau’r ail-ddyluniad ac ailosod y
más.
- Derbyniodd nad oedd y dyluniad at ddant pawb ond roedd polisiau
cynllunio caniatáu dyluniad arloesol a chyfoes.

Gofynnodd aelodau gyfres o gwestiynau a rhoddwyd yr atebion canlynol
gan swyddogion:
- Byddai nodyn yn cael ei roi, er gwybodaeth, pe bai'r cais yn cael ei
gymeradwyo, i gynghori'r ceisyydd i gysylltu â Dŵr Cymru er mwyn
gwybod a oes carthfysydd preifat ar y safle, ac ni fyddai
swyddogion yn gwneud hynny’n amod. Roedd mwyafrif y gwaith ar
y safle ar y seiliau presennol fel y does dim gweithfeydd tandaearol
ac roedd y garej eisoes wedi cael ei adeiladu felly pe bai’r dafalwgr
wedi dod ar draws unrhyw gyfarpar ynstod y gwaith byddai wedi
delio ag e.
- Roedd angen i polisiau cynllunio ystyr i'w dechreu wedi
cheduling cydestrun lleol, mewn rhai mannau ble roedd dyluniad unedig cryf efalai na fyddai
dyluniad cyfoes yn cael ei gymeradwyo, serch hynny roedd yr
adeilad presennol yn od o gymharu â’r cymdogion a doedd dim un
math sengl o adeiladau ar y strydr ac roedd swyddogion yn teimlo y
gallai’r safle cynnwys y dyluniad. Mewn ardaloedd gwahanol fel
ardaloedd Cadwraeth neu'r ardalo Treftadaeth y Byd efalai bydd
gofynnion dylunio mwy manwl a oedd yn unigryw i’r ardaloedd
arbennig hynny.
- Roedd angen i aelodau edrych ar y rhesymau dros wrthod y tro
diwethaf set oherwydd y lleoliad o fewn y safle, y cynnydd mewn
miant a ffurf ar y gorbwyssedd annerbyniol yn y strydlun. Roedd y
cysydd wedi delio â’r materion hynny trwy ail dylunio fel bod y más
yn cael ei ailddosbarthu o fewn y llain. Doedd yr Arolygydd ddim yn
erbyn y defnyddiau na’r cynllun cyfoes.
- Roedd y lluniau a gyflwynwyd gan y gwrthwynebwyr yn nodi ar y
llaw ac nid oedd y dylunio fel bod y más
yn cael eu defnyddio ar y safle ond
chwaeth y ceisyydd oeddy hynny.
- Roedd nifer o goed dal ar y safle, ond oherwydd y dreif newydd sy’n
cael ei gynghrair roedd yna amod i ddelio â dŵr ar yr wyneb mewn
ffordd rhwydd.

Pleidleisiodd yr aelodau ar argymhellion y swyddogion gyda 4 aelod
yn pleidleisio o blaid a 9 aelod yn pleidleisio yn erbyn. Gwrthoddwyd y
cais felly.

Gofynnodd y Cadeirydd i’r Pwyllgor am y rhesymau dros wrthod y cais.

Roedd aelodau’n dal i deimlo ei bod yna nodweddi wedd gormesol ac nic oedd y
dyluniad yn gweddu i’r ardalo.

Cytunodd aelodau i swyddogion ddod ag adroddiad yn ôl i’r pwylgor
gyda’r geiriad perthnasol ar gyfer y rhesymau yn seiliedig ar y
sylwadau a gafodd eu gwneud yn y Pwyllgor.
9. **Cais Cynllunio – 17/P/0448/FUL**

Newid defnydd o Dir Amaethyddol i Barcio Ceir i Staff ar gyfer y Gweithdy Cerbydau Masnachol/Garej Bysiau Sui Generis cyfagos ar dir gerllaw Teras Gladstone, Varteg Road, Varteg, Pont-y-pŵl

Esboniodd yr Uwch Gynllunydd bod y cais yn rhannol ôl-weithredol gan fod ceir eisoes yn defnyddio’r tir amaethyddol i barcio. Dangoswyd lluniau a oedd yn dangos y cae yn cael ei dddefnyddio. Dangoswyd cynlluniau i aelodau a oedd yn amlinellu ble roedd y busnes presennol mewn perthynas â safle’r cais ar ochr arall yr heol. Roedd y busnes o fewn ffiniau trefol y Cynllun Datblygu Lleol, ond doedd safle’r cais ddim o fewn y ffin.

Esboniodd yr Uwch Gynllunydd bod darn o dir i dde’r busnes a oedd wedi ei ddyndodi ar gyfer cyflogaeth yn y Cynllun Datblygu Lleol. Roedd nifer o wrthwynebiadau i’r cais, yn arbennig gan drigolion Teras Gladstone.

Rhoddwyd yr atebion canlynol i gwestiynau gan yr aelodau:

- Doedd y tir i’r de o safle’r busnes ddim yn cael ei ddefnyddio ar gyfer parcio, roedd yn eiddo i Cyngor ac roedd wedi ei ddynodi ar gyfer datblygiad diwydiannol yn y Cynllun Datblygu Lleol.
- Dim ond yn ddiweddar yr oedd y ceir wedi bod yn defnyddio’r cae ar gyfer parcio, byddai’n ffafriol iddyn nhw barcio mewn ardal a oedd wedi ei dynodi ar gyfer y diben hwnnw oddi mewn i’r ffin drefol yn hytrach na chae y tu allan i’r ffin.
- Roedd safle’r cais yn dir amaethyddol ac roedd wedi ei dddefnyddio gynt fel padog.
- Roedd y ceisydd ddim yn berchen y tir a oedd yn destun y cais na’r tir i’r de o’r eiddo, byddai angen caniatâd perchenno g ynaill ddarn o dir neu’r llall.
- Roedd swyddogion yn cydnabod ei fod yn fusnes a oedd yn bodol eisoes ac yn deall y gallai fod yn problem i’r busnes yn y tymor byr, ond byddai swyddogion yn gweithio gyda’r ceisydd i geisio sicrhau trefniadau amgen. Sefylwyd y ffin drefol yn y Cynllun Datblygu Lleol a byddai swyddogion ar y cyfan am weld datblygiad o fewn y Ffin Drefol.
- Unwraith rhoddwyd caniatâd i newid defnydd y tir, gallai swyddogion reoli rhai agweddu o’r defnydd busnes, ond efallai na fyddai angen caniatâd i gynyddu’r defnydd presennol. Tra bod dim ond 20 car ar y safle a hyn o bryd gallai’r ceisydd aildefnyd’r safle a’i ddefnyddio mewn ffordd wahanol tra byddai’n dal i fod yn ddefnydd busnes.

**Cytunodd Aelodau yn unfrydol i wrthod y cais am y rhesymau yn yr adroddiad.**

**Anwyddwyd ……………………………………………**

**Dyddiad………………………**

Y Cyngorydd Norma Parrish, Cadeirydd y Pwyllgor Cynllunio

*Ni restrir y cynghorwyd a adawodd y cyfarfod am amser byr (e.e. i fynd i’r ty bach) yn ystod cyfwyniad gan swyddog neu drafodaeth fel rhai a adawodd ac a ddychwelodd. Rhestri cynghorwy fel rhai a adawodd ac a ddychwelodd dim ond os oeddyn nhw’n absennol o’r siambr pan wnaed penderfyniad.*
Cofnodion gan Rachel Beale, Uwch Swyddog Cefnoig Busnes (Gwasanaethau Democrataidd), Dydd Mawrth 25ain Gorffennaf 2017