

**MINUTES OF MEETING OF THE PLANNING COMMITTEE  
OF TORFAEN COUNTY BOROUGH COUNCIL  
Held on Tuesday 11 December 2018 at 4.00pm  
in the Council Chamber, Civic Centre, Pontypool, NP4 6YB**

**ATTENDANCE**

**Members of the Committee:** *in alphabetical order*

**Councillors:**

Norma Parrish (Chair)	Fay Jones
Stuart Ashley	Janet Jones
Ron Burnett	Jason O'Connell
Len Constance	Richard Overton
Steven Evans	Louise Sheppard
Jon Horlor	Alan Slade
Gaynor James	Neil Waite
Gwyn Jenkins	

**Officers:** *in alphabetical order*

Rachel Beale	Senior Business Support Officer (Democratic Services)
Polly Ellis	Principal Solicitor
Claire Hall	Senior Planner
Norman Jones	Team Leader (Applications)
Richard Lewis	Head of Planning and Development
Craig Mead	Development Planner
Helen Smith	Principal Planner
Paul Wheeldon	Group Leader for Transportation and Highway Development

**Other:** There were four Members of the Public and the Council's Business Development Manager in the Gallery.

The Chair welcomed Councillor Gwyn Jenkins to his first Planning Committee meeting.

**1 Apologies**

1.1 There were no apologies received.

**2 Declarations of interest**

2.1 The Principal Solicitor 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.

2.2 The following interests were declared:

- Councillor Stuart Ashley declared a personal interest in agenda item 9 as a Member of Cwmbran Community Council who had been consulted on the application.

- Councillor Ron Burnett declared a personal and prejudicial interest in agenda item 7 as a close family member had a business in Griffithstown and the proposal would be detrimental to the businesses in Griffithstown.
- Councillor Gaynor James declared a personal interest in agenda items 4, 6, 7 and 8 as a Member of Pontypool Community Council who had been consulted on the applications.
- Councillor Fay Jones declared a personal interest in agenda item 9 as a Member of Cwmbran Community Council who had been consulted on the application.
- Councillor Richard Overton declared a personal interest in agenda items 4, 6, 7 and 8 as a Member of Pontypool Community Council who had been consulted on the applications.
- Councillor Norma Parrish declared a personal interest in agenda items 4, 6, 7 and 8 as a Member of Pontypool Community Council who had been consulted on the applications.
- Prior to agenda item 7 Councillor Louise Sheppard declared a personal and prejudicial interest as she owned a shop in Pontypool Town Centre and the outcome could be detrimental to the future of the shop.
- Prior to agenda item 8 Councillor Jon Horlor declared a personal and prejudicial interest as he was currently in the process of being nominated as a school governor at Cwmffrwdroer School.

### **3 Minutes of Planning Committee - 13/11/2018**

#### **3.1 Members agreed that the minutes of the Planning Committee meeting held on 13th November 2018 be confirmed as a correct record.**

Councillor Louise Sheppard joined the meeting.

### **4 Planning Appeal**

**Appeal against refusal of planning permission for reclamation of former opencast workings, recovery of secondary aggregates and construction on new access road – Section 106 Agreement – Tirpentwys, Hafodyrynys, Pontypool.**

#### **4.1 The Team Leader (Applications) showed Committee a number of maps and made the following comments:**

- Members would recall that the application for planning permission for the reclamation of the former opencast workings, recovery of secondary aggregates and construction on a new access road at Tirpentwys was refused by Planning Committee in April 2017 due to the impact the creation of a new highway would have on the ancient woodland.
- The appeal was subject to a Public Inquiry which was due to take place in January 2019.
- The purpose of the report was to seek permission to allow the Local Planning Authority to engage with the appellants to agree conditions and a Section 106 Agreement. The Section 106 Agreement would give the Council powers to carry out the restoration scheme should the Developer default. The restorations works would be costed in the Section 106 Agreement and the

proposed Heads of Terms would deal with issues such as:

- Dedication of replacement footpaths and bridleways and provision of a permissive route.
- Securing works on replacement common land and a replacement bridleway.
- Goods vehicle management, routeing and funding of traffic regulation orders (if necessary)
- Restoration, bonding and Council 'step-in' rights in respect of the scheme.
- Woodland management, funding and Council 'step-in' rights.
- Any other matter as may be capable of being dealt with by a planning obligation as may be agreed between the parties.
- The matters referred to above were on the assumption the appeal was allowed, however, officers were currently preparing evidence to contest the appeal to support the Council's decision to refuse the application.
- The Section 106 Agreement would be subject to scrutiny at the Public Inquiry and the final decision would be made by Welsh Ministers.

4.2 In response to Member questions the following replies were given by Officers:

- Officers were seeking a Section 106 Agreement that had a robust costing arrangement to ensure the funding was in place for the restoration.
- The Section 106 Agreement would allow the Council to release the funds that would be placed in a bond and carry out the works if the Developer defaulted. The Section 106 Agreement would be worked out specifically for the scheme and was proper use of Section 106 money.
- It was a procedural matter which put the Council in the best possible situation in the event the appeal was won by the Developer.

4.3 Members conveyed their objection to the proposal of the reclamation of the opencast, however would approve the report to allow officers to manage the situation and continue the Councils fight against the appeal.

**4.4 Members unanimously agreed to grant authorisation to Officers to negotiate and complete a Section 106 Agreement covering matters referred to in the report in association with the presentation of evidence at the forthcoming Public Inquiry.**

**5 Appeal Summary  
Works to Oak tree at 18 Ashleigh Court, Henllys, Cwmbran.**

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

**6 Planning Application - 18/P/0476/FUL  
Retention of use of the property for temporary accommodation for individuals under the Housing (Wales) Act 2014 (maximum of 4 people to reside at the property at one time) at 14 Conway Road, Pontypool.**

6.1 The Senior Planner displayed photos of the property and gave the following information:

- The application site was an end of terrace property, with a Primary School situated to the rear of the property.
- It was a three storey building.
- There were no modifications proposed as part of the application.
- The recommendation was approval for temporary two year permission.

6.2 The following responses were given by Officers to questions asked by Members:

- The difference between the current proposal and the previous applications submitted was that it was a Council managed arrangement and the previous applications were submitted by the landowner in a private capacity. The Council's Housing Department were providing a specific service for residents in the borough who needed support on a temporary basis.
- There seemed to have been confusion over the need for planning permission, the Council were exempt from HMO license regulations and did not realise the planning process was separate which was why the application was submitted to regularise that situation.
- Due to the planning history and the physical restraints of the site officers could not support a permanent permission, and the permission was a short term arrangement only.
- It was not known what the landowner may want to do in the future, however the conditions attached to the application stated that the permission would cease when the Council tenancy was no longer in place.
- Officers felt that it was unlikely that the individuals residing there would be in a position where they would add to the car parking pressure in the area.
- The temporary planning permission coincided with the temporary lease that the Council had, if the Housing Department wanted to extend after 2020 a further planning application would need be submitted.
- The Housing Department would be monitoring and managing the site on a daily basis and they had strict licence arrangements and the individuals also had to go through a strict inspection process before they were allocated a space there.
- It had been operating for nearly a year and there had only been one incident and the neighbours were now aware that if they had any issues they needed to contact the Housing Department at the Council. Planning Officers would only be able to monitor that the scheme was being operated in accordance with the conditions ensuring there were no more than four people residing there, that it was only the Council operating the scheme and the scheme ceased operation at the end on 2020.
- The scheme had a very specific use which could be monitored, whereas a private landlord would be less controlled. It was a facility that was necessary and officers were putting tight controls on it. If there were any issues with the operation it was be easier for people to complain to the Council than it would be to complain to a private landlord.
- It would not be in the Planning Committee's remit to look at the affordability of the scheme it would be up to the Housing Department to determine whether it

was cost effective.

- The lawful use of the property was a C3 residential dwelling for people living together as a single household, the individuals residing there did not live together and were independent of each other and, on that basis required planning permission to change the use.
- The main reason for refusal previously was there was no guarantee that people would not have cars, however on this occasion the people occupying the property were unlikely to have cars and on that basis the Highways Officer had not objected to it. Officers were also able to control the use to the Council only on a short term basis. It was a specific use to provide a home for four homeless individuals.
- Officers would not know whether the School was aware of the scheme being operated at the property, although both the School and Education Department were consulted on the planning application, however had not made any representations.
- The reasons that previous applications had been refused was due to there being no access or parking facilities, there was nothing that a Registered Social Landlord could do to make the situation better. The current application was recommended for approval and was due to the Council operating the scheme and the individuals residing there were very unlikely to own a car.
- If the application was refused the Council would be responsible for rehousing the individuals elsewhere.

6.3 A group of members made the following comments:

- The application was setting a precedent and private landlords would expect that any future applications in relation to the site would be approved. It was a danger to have one rule for one and different rule for the Council.
- There was no saying that a private landlord would not be able to provide the same service as the Council.
- It could not be assumed that just because the individuals had found themselves becoming homeless that they did not have cars.

6.4 A further group of members felt that it was an opportunity to prevent four people becoming homeless.

**6.5 Members agreed to approve the application subject to the conditions laid out in the report with 8 Members voting in favour and 7 voting against.**

Councillor Louise Shepphard declared a personal and prejudicial interest in agenda item 7 as she owned a shop in Pontypool Town Centre and the outcome could be detrimental to the future of the shop.

Councillors Ron Burnett and Louise Shepphard left the meeting after both declaring personal and prejudicial interests in the agenda item 7.

**7 Planning Application - 18/P/0560/FUL  
Erection of a Class A1 foodstore (approximately 1,804 sqm gross floor area), associated access and car parking, and landscaping, together**

**with a replacement car park for the existing industrial building at Former Trico, Skewfields Roundabout, Pontypool.**

7.1 The Senior Planner displayed photos and plans and highlighted the following:

- The report referenced Planning Policy Wales 9 however since the publication on the agenda the policy has been replaced with Planning Policy Wales edition 10. The content of the policy had not changed although the wording and paragraphs were different. The policy did contain a chapter in relation to retail development which stated that retail developments should be located in existing urban centres or areas that could be easily reached by walking, cycling or served by public transport. The three tests for retail development outside town centres remained unchanged in the policy.
- Glandŵr Cymru, the Canal & River Trust in Wales had made late representation and have objected to the proposal on the basis of insufficient flood risk and requested that the application should not be positively determined until discussions had taken place between the Canal & River Trust, the Local Planning Authority and the Applicants and flood mitigation had been agreed.
- The proposal was for a new retail store which would be situated on the existing car park serving the industrial building, located adjacent to a roundabout at the junction of two trunk roads. One of the trunk roads was owned and maintained by Welsh Government and the other by the Council.
- A replacement car park would be provided on an area of green space to the front of the existing buildings.
- The proposed Aldi store would be single storey with glazed frontage.
- There was a bund between the car park and the rugby playing field.
- The four reasons for refusal when it was last presented to committee were the retail impact on Pontypool Town Centre, the retail sequential test, the impact on industrial land and the unsustainable location. The report presented in 2017 contained issues regarding the traffic impact on the trunk network and flood consequences impact, these concerns were not listed for reasons for refusal, however required further work to be carried out by the Developer. The Developer has since carried out the work on the traffic impact and Welsh Government were satisfied, however work had not been carried out on the flood risk issues and the Canal and River Trust were objecting to the proposal. There had been no change in Local or National Planning Policy since the previous refusal and there were still four reasons for refusal, however the reasons were slightly different as the retail sequential test has fallen away, however the flood risk concerns had been added as a reason for refusal as it had not be resolved by the Developer.

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

- The bus companies would need to change their routes to be able to serve the proposed site. The Developer had offered a financial contribution to community transport as part of the proposal.
- The site was deemed an unsustainable location as it was difficult for non-car users to access. The Welsh Government were trying to reduce the reliance

on cars and the remoteness of the site from the town centre made it difficult to access without a car and it was contrary to the Council's Retail Strategy.

- In terms of the site being accessible by various modes of transport the Developer's own submission conceded that the vast majority of their customers would arrive by car.
- It was not the Developer's responsibility to decide whether the store was needed, as the Council's LDP in line with Planning Policy Wales 10 had a number of criteria which all retail development proposals were assessed against as the Council did not have a specific allocation for retail development in the LDP, the need was recognised although the current application was only one way of meeting the identified need.
- The rugby playing field was within a floodable area. The proposed development would bring the public to a site which had a potential to flood.
- Officers were concerned with the impact on Pontypool Town Centre which was already struggling and had a vacancy rate above the national average.
- Aldi had showed a walking route, however it was a 20 minute walk from Pontypool Town Centre, which would be difficult with shopping bags.
- Tesco was situated within the town and facilitated link trips to other stores such as the butchers or the bank. Officers were concerned regarding the loss of trade to the smaller independent shops which relied on the footfall from Tesco.
- The report contained comments from the Officer responsible for Pontypool Town Centre who had listed a number of shops which would be affected by the proposal. Planning Officers had visited the town recently and counted that there were 13 vacant shops in the town centre which was 17% above the national average. The Council had spent a lot of money on the Indoor Market to increase the number of traders and events that took place there and in the Officer's view the public investment would be negatively impacted by the proposal.
- The Developer had identified that there would be a 7-9% impact on the town centre and the Council's Retail Consultant had suggested that it would have a larger impact than Aldi had indicated. The definition of an out of town location was defined in Planning Policy as a 300m walking distance from the town centre. The proposed site was deemed an out of town centre location.
- The Developer had proposed access to the rugby playing field as part of the development however there was no planning policy reason for doing so and any development on that site could facilitate an access.
- The existing use of the site was industrial land and there was a policy that required criteria to be met for non-industrial development to be located on industrial land and the Applicant had not satisfied the criteria. There was demand in the local area for industrial businesses who wanted to move to Skewfields site.
- The Highways Officer was concerned that people would cross the dual carriageway from the service station and hotel area to get to Aldi, the A4042 had a significant accident record and did not have any crossing facilities.
- The Welsh Government were satisfied with the Applicant's proposal to install a visibility screen, however it did not alleviate the Highways Officers concerns regarding people crossing the road.
- The Highways Officer did not raise objections regarding HGVs entering or exiting the site as it was an industrial estate which would already have large

vehicles using it.

- An existing business on the site had stated that introducing the public to that site would affect the logistics of their own business.
- Glandŵr Cymru were objecting to the development based on the potential flood risk and insufficient information on the consequences of that.
- Officers were not objecting on the basis of traffic movements, however were objecting on the unsustainable location for non-car users.
- The proposal did not offer a provision for changing rooms for the rugby club, the Applicant was proposing a potential access to the rugby playing fields, however the access may fall away if it unnecessarily exposed the site to flood risk. The modelling carried out showed there was a potential of the site flooding.
- Torfaen did not have any out of town stores and as a result Cwmbran was thriving. The investment in Pontypool Market was paying off and footfall was increasing, however the proposed developed would undermine the investment made as people would use Aldi as it would be convenient.
- The recommendation was in accordance with adopted Council Policy which was in line with National Policy, if Members approved the application it would go against the policy and would set a precedent for the future.
- B&Q in Cwmbran was within the 300m from town centre and there was a footpath link in to the town.
- The proposed Aldi store would create 40 jobs in total, however it equated to 28 full time equivalent jobs when taking into account part-time and seasonal workers. An existing manufacturing company on the site who employed 150 full time equivalent staff stated that the introduction of retail use on the site would compromise the logistic of the business which may result in having to find an alternative site. There was also another company looking to relocate their expanding business to Skewfields however reported that they would need to reconsider if there was a retail unit on the site.
- Most high streets were struggling due to internet shopping however Pontypool town centre was already struggling and an out of town store would exacerbate the issue.
- It was the responsibility of the Canal and River Trust to maintain the canal, however the Local Planning Authority needed to be mindful of flood risk areas when determining applications, the existing site and rugby playing fields were already prone to flooding.
- Since the previous application Aldi had not progressed any other alternative sites with the Council and had ruled out the possibility of the site at Mamhilad.
- The closer the supermarket was to other shops the more likely people were to make linked trips. There would be no linked trips made at the proposed site as people would drive to the store and go home.
- Aldi would need to provide mitigation and have a contingency plan to protect people visiting their store if the canal flooded.

### 7.3 A Group of Members made the following comments:

- The proposed location was an asset which enabled access by bike, on foot, by car or even a canal barge.
- The rugby playing field had been there for 100 years and there had never been a report of a flood on that pitch from the canal.



- The application would benefit the residents in the north of the borough and prevented them having to leave Torfaen to do their shopping.
- A large number of the shops in Pontypool Town Centre sold different product to Aldi as the town had clothes stores, electrical stores and also had food stores which catered for people without cars for example there was a bus stop adjacent to Farmfoods and Iceland offered free home delivery and felt that there were no traders in the town that would be affected by Aldi.
- The proposed site was not out of town and was only two minutes down the dual carriageway.
- If Aldi was not approved the people of Pontypool would be deprived of choice of where to shop and would drive past the proposed site to Cwmbran Aldi.
- It was unlikely that anyone would want to walk to Aldi and have to carry their shopping home.
- The access to the rugby playing field was appalling and Aldi was proposing to provide better access and would also support them in getting on site changing rooms.
- The proposal would help promote tourism on the canal.
- Trico was situated on the site for around 10 years and the employees worked shifts which resulted in continuous vehicles coming in and out of the site and there had never been any major accidents.
- There was no opposition to Tesco and there was no alternative provision in the north of the borough for people with low incomes.
- Members were of the opinion that a bus operator would be willing to detour in to the site as there was money to be made by doing so.
- A canal found its own level and did not fill up and overflow.
- The proposal would create 40 high paid jobs.

7.4 The Head of Planning and Development reminded Members that they had refused the application a year ago. He reminded Members that officers were operating under Policies which were backed up by a significant retail evidence base and which had been used to defend against other out of town retail developments. The recommendation was entirely in accordance with Policy adopted by the Council. To go against the policy would create a precedent. He cautioned Members to consider the officers report and policies carefully before coming to a decision because of the implications on Pontypool and future retail proposals.

7.5 Other Members commented stating the following:

- It was not the right location for a supermarket and it should be located in a town centre not on a busy roundabout.
- Pontypool Town Centre was already a failing town without having the added pressure of an out of town supermarket.
- If the store was approved in the out of town location it would set a precedent and other applications would be submitted for out of town developments.
- Councillors had a duty of care to the people of Torfaen, the proposal would be situated on a busy roundabout with a significant accident record. There had been occasions when people had been running across the road and the proposal would not help the situation.

- 7.6 Councillor O'Connell proposed a motion to support the people of Pontypool and reject the Officer's recommendation and moved to approve the application.
- 7.7 The motion was seconded.
- 7.8 Councillor Len Constance requested a recorded vote, the request was supported by 8 Members.
- 7.9 The Head of Planning and Development advised that as the recommendation was for refusal the conditions had not been drawn up, there were also a number of offers from Aldi which would need to be incorporated into a Section 106 Agreement which included improved footpath links, a community transport subsidy and access to the rugby playing field. He stated that Officers could either bring a report back to Planning Committee with the proposed conditions and a Section 106 agreement or Members could authorise Officers to negotiate the Section 106 Agreement and conditions and issue the decision under delegated powers.

He added that the issue relating to flooding could be resolved via further negotiations with the Applicant, Local Planning Authority and Canal and River Trust and asked whether Members wanted officers to negotiate in resolving that issue, however the store could be affected and the layout might need to be changed which could result in the access to the rugby playing field not progressing. Even if Members decided to authorise delegated powers the application would still need to be brought back to Members if there were significant changes to the proposals arising out of any measures required to alleviate the flooding issue.

- 7.10 Councillor Janet Jones proposed an amendment to the motion that Officers established the proposed conditions and Section 106 Agreement and brought a report back to committee.
- 7.11 The amendment was seconded.
- 7.12 The Head of Planning and Development gave the following clarification to a number of comments stating that in the event that the application was approved Officers would negotiate with the Applicant on the Section 106 Agreement in terms of the offers made, however Officers could not justify asking the applicant for changing rooms as it was not one of the suggestions made by Aldi. Officers would bring a report back to Planning Committee with the suggested conditions and Section 106 Agreement. Officers would work with the Applicant and Canal and River Trust to try and find a solution to overcome the flooding issue and also bring a report back to committee.
- 7.13 Members voted on the amendment that if the application was approved Officers would negotiate a Section 106 Agreement incorporating the three offers made by the Applicant, establish appropriate conditions, liaise with the applicant on the potential flooding issue and bring a report back to Planning Committee, with 10 Members voting in favour of the amendment and 3

Members abstained from voting. The amendment below was agreed.

**7.14 A recorded vote took place as shown in the table below, Members agreed to approve the application subject to the amendment to allow Officers to attach the relevant conditions and liaise with the applicant on the Section 106 agreement to incorporate the three items proposed, with 10 Members voting in favour and 3 Members voting against.**

COUNCILLOR	FOR	AGAINST	ABSTAIN
Norma Parrish (Chair)		✓	
Stuart Ashley		✓	
Ron Burnett	<b>Absent after declaring a personal and prejudicial interest</b>		
Len Constance	✓		
Steven Evans	✓		
Jon Horlor		✓	
Gaynor James	✓		
Gwyn Jenkins	✓		
Fay Jones	✓		
Janet Jones	✓		
Jason O'Connell	✓		
Richard Overton	✓		
Louise Sheppard	<b>Absent after declaring a personal and prejudicial interest</b>		
Alan Slade	✓		
Neil Waite	✓		

Councillor Louise Sheppard returned to the meeting, however Councillor Ron Burnett did not return.

Councillor Jon Horlor declared a personal and prejudicial in agenda item 8 as he was currently in the process of being nominated as a governor at Cwmffrwdroer School and he left the meeting.

**8 Planning Application - 18/P/0660/FUL  
Construction of 2.1m wide footpath and stepped access from the cycle path down towards Cwmffrwdroer School and out onto Waunddu at Cwmffrwdroer Primary School, Waunddu, Pontnewynydd, Pontypool.**

8.1 The Senior Planner introduced the application showing photos and plans and made the following comments:

- The references in the report in relation to Planning Policy Wales 9 had been superseded by Planning Policy Wales 10 which came in to effect since the report was published. The main change was that Planning Policy Wales 10 had increased the emphasis and importance of the active travel priorities of the Welsh Government, and the need to increase opportunities for walking and cycling and reduce reliance on the private car.
- The application proposed to install a combination of ramps and steps to facilitate access to the school from the existing national cycle network for both cyclists and pedestrians.
- There was a 14m height difference between the school grounds and the cycle path.
- The site was currently a substantial woodland area which would be significantly opened up. A large number of trees would need to be removed to construct the development, however the proposal included mitigation to offset the loss.
- The majority of the trees to be removed were semi-mature broadleaf trees.
- An Ecology Assessment was submitted with the planning application which set out the assessment carried out in relation to the birds, mammals and reptiles.

8.2 The Senior Planner gave the following replies to questions asked by Members:

- The majority of the trees proposed to be removed were a variety of semi-mature broadleaf trees including Oak, Ash and Birch, which were less than 40 years old.
- There was 2,500 square meters of trees to be felled, however 800 square meters was proposed to be replanted in the same section and the additional deficit would be planted on a lower section of the site.
- In relation to habitat terms the proposed number of trees was equal to the number of trees removed.
- There was a condition attached to the application which required a three year aftercare and maintenance programme to ensure the trees established in order for the impact on the landscape to be less dramatic in the long term.
- A contractor would be carrying out the work, however there was a detailed method statement which had been prepared by the Council's Ecologist and Arboricultural Officer.

- The condition of the ground on the site was unknown and the species of trees had not yet been agreed until further assessments of the ground had been carried out.

**8.3 Members unanimously agreed to approve the application subject to the conditions laid out in the report.**

Councillor Jon Horlor returned to the meeting.

**9 Planning Application - 18/P/0706/FUL  
Reconfiguration of existing waste transfer station (bulking, sorting & bailing) used for household recycling including extension of external yard (change of use from open grassed area) at Unit 7 – 8 Ty Coch Distribution Centre, Ty Coch, Cwmbran.**

**9.1 The Principal Planner displayed plans and photos and highlighted the following:**

- Since the report had been published Planning Policy Wales Edition 10 had come in to effect, however there were no changes which affected the application.
- Late representation had been received from Natural Resources Wales who advised that additional conditions regarding drainage and contamination be added. There were already conditions relating to contamination attached to the application which would be altered to take in to consideration Natural Resources Wales views. They also advised that further information should be submitted in relation to the methodology of how the trees had been surveyed in terms of the potential of bats. The information had since been sent to them and the Council's Ecologist was satisfied with the methodology.
- The application related to the existing Waste Transfer Site at Ty Coch which was currently operated on behalf of Torfaen County Borough Council to process the kerb side collection of recycling and bulking and bailing.
- The proposal was to change the area of open space area to the rear of the recycling centre to an external yard with improved bulking and bailing facilities and sorting bays. It was also proposed to install two roller shutter doors on the rear of the building to allow vehicles to enter and exit the new external yard.
- Access would be off the existing industrial estate road, leading to a weighbridge, an additional skip area and bays for sorting materials.
- The proposal would result in the loss of an area of low ecological value grassland and a number of trees. The mature trees which acted as a landscape buffer would be retained.
- There was mitigation planting proposed along the boundary of the yard area.

**9.2 Members unanimously agreed to approve the application subject to the conditions laid out in the report.**

Signature .....

Date.....

Councillor Norma Parrish, Chair of Planning Committee

*Councillors who left the meeting briefly (e.g. for a comfort break) during an officer presentation or a debate are not listed in the minutes above as having left and returned. Councillors are only listed as having left/returned if they were absent from the Chamber when a decision was taken.*

Minutes written by Rachel Beale, Senior Business Support Officer (Democratic Services), Tuesday 11<sup>th</sup> December 2018

**COFNODION CYFARFOD Y PWYLLGOR CYNLLUNIO  
CYNGOR BWRDEISTREF SIROL TORFAEN**  
Cynhaliwyd ddydd Mawrth 11eg Rhagfyr 2018 am 4.00pm  
yn Siambr y Cyngor, Y Ganolfan Ddinesig, Pont-y-pŵl, NP4 6YB

**PRESENOLDEB**

**Aelodau'r Pwyllgor:** *yn nhrefn yr wyddor*

**Y Cynghorwyr:**

Norma Parrish (Cadeirydd)	Fay Jones
Stuart Ashley	Janet Jones
Ron Burnett	Jason O'Connell
Len Constance	Richard Overton
Steven Evans	Louise Shepphard
Jon Horlor	Alan Slade
Gaynor James	Neil Waite
Gwyn Jenkins	

**Swyddogion:** *yn nhrefn yr wyddor*

Rachel Beale	Uwch Swyddog Cefnogi Busnes (Gwasanaethau Democrataidd)
Polly Ellis	Prif Gyfreithiwr
Claire Hall	Uwch Gynllunydd
Norman Jones	Arweinydd Tîm (Ceisiadau)
Richard Lewis	Pennaeth Cynllunio a Datblygu
Craig Mead	Cynllunydd Datblygu
Helen Smith	Prif Gynllunydd
Paul Wheeldon	Arweinydd Grŵp ar gyfer Trafnidiaeth a Datblygu Priffyrdd

**Arall:** Roedd pedwar Aelod o'r Cyhoedd a Rheolwr Datblygu Busnes y Cyngor yn yr Oriel.

Croesawodd y Cadeirydd y Cynghorydd Gwyn Jenkins i'w gyfarfod cyntaf o'r Pwyllgor Cynllunio.

**1. Ymddiheuriadau**

1.1 Ni chafwyd unrhyw ymddiheuriadau.

**2. Datganiadau o Ddiddordeb**

2.1 Atgoffodd y Prif Gyfreithiwr yr Aelodau bod angen iddynt gwblhau'r ffurflen datgan diddordeb yn y ffolder cofrestr presenoldeb os oeddent yn datgan diddordeb mewn unrhyw gais.

Datganwyd y diddordebau canlynol:

- Datganodd y Cynghorydd Stuart Ashley diddordeb personol yn eitem 9 ar yr agenda fel Aelod o Gyngor Cymuned Cwmbrân a ymgynghorwyd ag ef ar y cais.

- Datganodd y Cynghorydd Ron Burnett ddiddordeb personol a rhagfarnol yn eitem 7 ar yr agenda gan fod gan aelod agos o'r teulu fusnes yn Griffithstown a byddai'r bwriad yn niweidiol i'r busnesau yn Griffithstown.
- Datganodd y Cynghorydd Gaynor James ddiddordeb personol yn eitemau agenda 4, 6, 7 ac 8 fel Aelod o Gyngor Cymuned Pont-y-pŵl a ymgynghorwyd â hi ar y ceisiadau.
- Datganodd y Cynghorydd Fay Jones ddiddordeb personol yn eitem 9 ar yr agenda fel Aelod o Gyngor Cymuned Cwmbrân a ymgynghorwyd â hi ar y cais.
- Datganodd y Cynghorydd Richard Overton ddiddordeb personol yn eitemau agenda 4, 6, 7 ac 8 fel Aelod o Gyngor Cymuned Pont-y-pŵl a ymgynghorwyd ag ef ar y ceisiadau.
- Datganodd y Cynghorydd Norma Parrish ddiddordeb personol yn eitemau agenda 4, 6, 7 ac 8 fel Aelod o Gyngor Cymuned Pont-y-pŵl a ymgynghorwyd â hi ar y ceisiadau.
- Cyn eitem 7 ar yr agenda datganodd y Cynghorydd Louise Sheppard ddiddordeb personol a rhagfarnol gan ei bod yn berchen ar siop yng Nghanolfan Tref Pont-y-pŵl a gallai'r canlyniad fod yn niweidiol i ddyfodol y siop.
- Cyn eitem 8 ar yr agenda datganodd y Cynghorydd Jon Horlor ddiddordeb personol a rhagfarnol gan ei fod ar hyn o bryd yn y broses o gael ei enwebu fel llywodraethwr ysgol yn Ysgol Cwmffrwdoer.

### **3. Cofnodion y Pwyllgor Cynllunio - 13/11/2018**

- 3.1 Cytunodd yr aelodau y dylid cadarnhau cofnodion cyfarfod y Pwyllgor Cynllunio a gynhaliwyd ar 13eg Tachwedd 2018 fel cofnod cywir.

Ymunodd y Cynghorydd Louise Sheppard â'r cyfarfod.

### **4. Apêl Cynllunio**

**Apêl yn erbyn gwrthod caniatâd cynllunio i adfer hen waith glo brig, adfer agregau eilaidd ac adeiladu ar ffordd fynediad newydd - Cytundeb Adran 106 - Tirpentwys, Hafodyrynys, Pont-y-pŵl.**

- 4.1 Dangosodd yr Arweinydd Tîm (Ceisiadau) nifer o fapiau i'r Pwyllgor a gwnaeth y sylwadau canlynol:
- Byddai'r Aelodau'n cofio y gwrthodwyd y cais am ganiatâd cynllunio ar gyfer adennill y cyn-weithfeydd glo brig, adfer agregau eilaidd ac adeiladu ar ffordd fynediad newydd yn Nhirpentwys gan y Pwyllgor Cynllunio ym mis Ebrill 2017 oherwydd yr effaith y byddai creu ffordd newydd yn ei gael ar y coetir hynafol.
  - Roedd yr apêl yn destun Ymchwiliad Cyhoeddus a oedd fod i ddigwydd ym mis Ionawr 2019.
  - Pwrpas yr adroddiad oedd ceisio caniatâd i ganiatáu i'r Awdurdod Cynllunio Lleol ymgysylltu â'r apelyddion i gytuno ar amodau a Chytundeb Adran 106. Byddai'r Cytundeb Adran 106 yn rhoi pwerau i'r Cyngor gyflawni'r cynllun adfer pe bai'r Datblygwr yn diffygdalu. Byddai'r gwaith adfer yn cael ei gostio yn y Cytundeb Adran 106 a byddai'r Penaethiaid Telerau arfaethedig yn delio â materion fel:



- Cyflwyno llwybrau troed a llwybrau ceffylau newydd a darparu llwybr caniatool.
- Sicrhau gwaith ar dir comin newydd a llwybr ceffylau newydd.
- Rheoli cerbydau nwyddau, llunio a chyllido gorchmynion rheoleiddio traffig (os oes angen).
- Adfer, bondio a hawliau 'camu i mewn' y Cyngor mewn perthynas â'r cynllun.
- Rheoli coetiroedd, cyllid a hawliau 'camu i mewn' y Cyngor.
- Unrhyw fater arall y gellid delio ag ef drwy rwymedigaeth gynllunio fel y cytunir arno rhwng y partïon.
- Roedd y materion y cyfeiriwyd atynt uchod ar y rhagdybiaeth y caniatawyd yr apêl, fodd bynnag, roedd swyddogion yn paratoi tystiolaeth ar hyn o bryd i herio'r apêl i gefnogi penderfyniad y Cyngor i wrthod y cais.
- Byddai'r Cytundeb Adran 106 yn destun craffu yn yr Ymchwiliad Cyhoeddus a byddai'r penderfyniad terfynol yn cael ei wneud gan Weinidogion Cymru.

#### 4.2 Mewn ymateb i gwestiynau Aelodau, rhoddwyd yr atebion canlynol gan Swyddogion:

- Roedd swyddogion yn ceisio Cytundeb Adran 106 a oedd â threfniant costio cadarn i sicrhau bod y cyllid ar gael ar gyfer yr adferiad.
- Byddai Cytundeb Adran 106 yn caniatáu i'r Cyngor ryddhau'r arian a fyddai'n cael ei roi mewn bond a chynnal y gwaith pe bai'r Datblygwr wedi methu. Byddai'r Cytundeb Adran 106 yn cael ei gyfrifo'n benodol ar gyfer y cynllun ac roedd yn ddefnydd priodol o arian Adran 106.
- Roedd yn fater gweithdrefnol a roddodd y Cyngor yn y sefyllfa orau bosibl pe bai'r Datblygwr yn ennill yr apêl.

#### 4.3 Mynegodd yr Aelodau eu gwrthwynebiad i'r bwriad o adennill y glo brig, fodd bynnag byddai'n cymeradwyo'r adroddiad i ganiatáu i swyddogion reoli'r sefyllfa a pharhau i ymladd ar ran y Cyngor yn erbyn yr apêl.

#### 4.4 **Cytunodd yr aelodau yn unfrydol i roi caniatâd i Swyddogion drafod a chwblhau Cytundeb Adran 106 yn cwmpasu materion y cyfeirir atynt yn yr adroddiad mewn cysylltiad â chyflwyno tystiolaeth yn yr Ymchwiliad Cyhoeddus sydd i ddod.**

### 5. **Crynodeb o'r Apêl**

**Gwaith i Oak Tree yn 18 Cwrt Ashleigh, Henllys, Cwmbrân.**

#### 5.1 **Cytunodd yr aelodau i nodi'r penderfyniad a wnaed gan yr Arolygiaeth Gynllunio.**

### 6. **Cais Cynllunio - 18 / P / 0476 / FUL**

**Cadw'r defnydd o'r eiddo ar gyfer llety dros dro i unigolion o dan Ddeddf Tai (Cymru) 2014 (uchafswm o 4 o bobl i fyw yn yr eiddo ar un adeg) yn 14 Conway Road, Pont-ypŵl.**

6.1 Dangosodd yr Uwch Gynllunydd luniau o'r eiddo a rhoddodd y wybodaeth ganlynol:

- Roedd safle'r cais yn eiddo diwedd teras, gydag Ysgol Gynradd wedi'i lleoli yng nghefn yr eiddo.
- Roedd yn adeilad tri llawr.
- Ni chynigiwyd unrhyw addasiadau fel rhan o'r cais.
- Yr argymhelliad oedd cymeradwyaeth am ganiatâd dros dro dwy flynedd.

6.2 Rhoddwyd yr ymatebion canlynol gan Swyddogion i'r cwestiynau a ofynnwyd gan yr Aelodau:

- Y gwahaniaeth rhwng y cynnig presennol a'r ceisiadau blaenorol a gyflwynwyd oedd ei fod yn drefniant a reolir gan y Cyngor a chyflwynwyd y ceisiadau blaenorol gan y tîrfeiddiannwr mewn modd preifat. Roedd Adran Tai y Cyngor yn darparu gwasanaeth penodol i drigolion y fwrdeistref oedd angen cefnogaeth dros dro.
- Ymddengys bod yna ddryswch ynghylch yr angen am ganiatâd cynllunio, roedd y Cyngor yn eithriedig o reoliadau trwydded HMO ac nid oeddent yn sylweddoli bod y broses gynllunio ar wahân a dyna pam y cyflwynwyd y cais i reoleiddio'r sefyllfa honno.
- Oherwydd yr hanes cynllunio a chyfyngiadau ffisegol y safle ni allai'r swyddogion gefnogi caniatâd parhaol, a threfniant tymor byr yn unig oedd y caniatâd.
- Nid oedd yn hysbys beth y gallai'r tîrfeiddiannwr ei wneud yn y dyfodol, ond dywedodd yr amodau ynghlwm wrth y cais y byddai'r caniatâd yn dod i ben pan nad oedd tenantiaeth y Cyngor bellach yn ei le.
- Teimlai'r swyddogion ei bod hi'n annhebygol y byddai'r unigolion sy'n byw yno mewn sefyllfa lle byddent yn ychwanegu at y pwysau parcio ceir yn yr ardal.
- Roedd y caniatâd cynllunio dros dro yn cyd-fynd â'r brydles dros dro a oedd gan y Cyngor, os oedd yr Adran Dai eisiau ymestyn ar ôl 2020 byddai angen cyflwyno cais cynllunio pellach.
- Byddai'r Adran Dai yn monitro a rheoli'r safle bob dydd ac roedd ganddynt drefniadau trwydded lem ac roedd yn rhaid i'r unigolion hefyd fynd trwy broses arolygu llym cyn iddynt gael lle yno.
- Roedd wedi bod yn gweithredu ers bron i flwyddyn a dim ond un digwyddiad a gafwyd ac roedd y cymdogaion bellach yn ymwybodol pe byddai ganddynt unrhyw broblemau bod rhaid iddynt gysylltu â'r Adran Dai yn y Cyngor. Byddai Swyddogion Cynllunio ond yn gallu monitro bod y cynllun yn cael ei weithredu yn unol â'r amodau gan sicrhau nad oedd mwy na phedwar o bobl yn byw yno, mai dim ond y Cyngor oedd yn gweithredu'r cynllun a byddai'r cynllun yn dod i ben ar ddiwedd 2020.
- Roedd gan y cynllun ddefnydd penodol iawn y gellid ei fonitro, tra byddai landlord preifat yn llai rheoledig. Roedd yn gyfleuster a oedd yn angenrheidiol ac roedd swyddogion yn rhoi rheolaethau tynn arno. Pe bai unrhyw broblemau gyda'r gweithrediad, byddai'n haws i bobl gwyno i'r Cyngor nag i landlord preifat.
- Ni fyddai yng nghylch gorchwyl y Pwyllgor Cynllunio i edrych ar fforddiadwyedd; byddai'r Adran Tai yn gwneud penderfyniad a oedd yn gost effeithiol.

- Roedd defnydd cyfreithlon yr eiddo yn annedd preswyl C3 i bobl sy'n byw gyda'i gilydd fel un cartref, nid oedd yr unigolion oedd yn byw yno yn byw gyda'i gilydd ac yn annibynnol ar ei gilydd ac, ar y sail honno, roedd angen caniatâd cynllunio i newid y defnydd.
- Y prif reswm dros wrthod yn flaenorol oedd nad oedd unrhyw sicrwydd na fyddai gan bobl geir, ond ar yr achlysur hwn roedd y bobl oedd yn meddiannu'r eiddo yn annhebygol o fod â cheir ac ar y sail honno nid oedd y Swyddog Priffyrdd wedi gwrthwynebu hynny. Roedd swyddogion hefyd yn gallu rheoli'r defnydd i'r Cyngor yn unig ar sail tymor byr. Roedd yn ddefnydd penodol i ddarparu cartref i bedwar unigolyn digartref.
- Ni fyddai swyddogion yn gwybod a oedd yr Ysgol yn ymwybodol o'r cynllun sy'n cael ei weithredu yn yr eiddo, er yr ymgynghorwyd â'r Ysgol a'r Adran Addysg ar y cais cynllunio, ond nid oeddent wedi gwneud unrhyw sylwadau.
- Y rhesymau dros wrthod ceisiadau blaenorol oedd oherwydd nad oedd cyfleusterau mynediad neu barcio, nid oedd unrhyw beth y gallai Landlord Cymdeithasol Cofrestredig ei wneud i wella'r sefyllfa. Argymhellwyd y cais presennol i'w gymeradwyo ac roedd y Cyngor yn gweithredu'r cynllun ac roedd yr unigolion sy'n byw yno yn annhebygol iawn o fod yn berchen ar gar.
- Os gwrthodwyd y cais, byddai'r Cyngor yn gyfrifol am ailgartrefu'r unigolion mewn mannau eraill.

### 6.3 Gwnaeth grŵp o aelodau'r sylwadau canlynol:

- Roedd y cais yn gosod cysail a byddai landlordiaid preifat yn disgwyl y byddai unrhyw geisiadau yn y dyfodol mewn perthynas â'r safle yn cael eu cymeradwyo. Roedd yn beryglus cael un rheol ar gyfer rhai a rheol wahanol i'r Cyngor.
- Ni ddywedwyd na fyddai landlord preifat yn gallu darparu'r un gwasanaeth â'r Cyngor.
- Ni ellid tybio nad oedd ceir gan yr unigolion a oedd wedi canfod eu hunain yn ddigartref.

### 6.4 Teimlai grŵp arall o aelodau ei fod yn gyfle i atal pedwar person rhag mynd yn ddigartref.

### 6.5 **Cytunodd yr Aelodau i ganiatau'r cais yn ddarostyngedig i'r amodau a bennwyd yn yr adroddiad gydag 8 Aelod yn pleidleisio o blaid a 7 yn pleidleisio yn erbyn.**

Datganodd y Cynghorydd Louise Sheppard ddiddordeb personol a rhagfarnol yn eitem 7 ar yr agenda gan ei bod yn berchen ar siop yng Nghanolfan Tref Pont-y-pŵl a gallai'r canlyniad fod yn niweidiol i ddyfodol y siop.

Gadawodd y Cynghorwyr Ron Burnett a Louise Sheppard y cyfarfod ar ôl i'r ddau ddatgan diddordeb personol a rhagfarnol yn eitem 7 ar yr agenda.

## 7. **Cais Cynllunio - 18 / P / 0560 / FUL**

**Codi storfa fwyd Dosbarth A1 (tua 1,804 metr sgwâr (gros)), mynediad cysylltiedig a maes parcio, a thirweddu, ynghyd â maes parcio newydd ar**

## **gyfer yr adeilad diwydiannol presennol yng Nghylchfan Trico, Skewfields, Pont-y-pŵl.**

7.1 Dangosodd yr Uwch Gynllunyydd luniau a chynlluniau a thynnodd sylw at y canlynol:

- Roedd yr adroddiad yn cyfeirio at Bolisi Cynllunio Cymru 9, fodd bynnag, ers i'r cyhoeddiad ar yr agenda mae'r polisi wedi'i ddisodli gan argraffiad Polisi Cynllunio Cymru 10. Nid oedd cynnwys y polisi wedi newid er bod y geiriad a'r paragraffau yn wahanol. Roedd y polisi yn cynnwys pennod mewn perthynas â datblygiad manwerthu a nododd y dylai datblygiadau manwerthu gael eu lleoli mewn canolfannau trefol neu ardaloedd presennol y gellid eu cyrraedd yn hawdd trwy gerdded, beicio neu wasanaethu gan drafnidiaeth gyhoeddus. Nid oedd y tri phrawf ar gyfer datblygu manwerthu y tu allan i ganol trefi wedi newid yn y polisi.
- Roedd Glandŵr Cymru, yr Ymddiriedolaeth Canal ac Afon yng Nghymru wedi gwneud cynrychiolaeth hwyr ac wedi gwrthwynebu'r cynnig ar sail perygl llifogydd annigonol gan ofyn na ddylid penderfynu ar y cais yn gadarnhaol nes bod trafodaethau rhwng yr Ymddiriedolaeth Canal ac Afonydd, yr Awdurdod Cynllunio Lleol a'r Ymgeiswyr a lliniaru llifogydd wedi cymryd lle.
- Roedd y cynnig ar gyfer siop manwerthu newydd a fyddai'n cael ei leoli ar y maes parcio presennol sy'n gwasanaethu'r adeilad diwydiannol, wedi'i leoli ger cylchfan wrth gyffordd dwy gefnffordd. Roedd un o'r cefnffyrdd yn eiddo ac yn cael ei chynnal gan Lywodraeth Cymru a'r llall gan y Cyngor.
- Darperir maes parcio newydd ar faes o ofod gwyrdd i flaen yr adeiladau presennol.
- Byddai'r storfa Aldi arfaethedig yn un llawr gyda ffrynt gwyrdd.
- Roedd yna fwnd rhwng y maes parcio a'r cae chwarae rygbi.
- Y pedwar rheswm dros wrthod pan gyflwynwyd i'r pwyllgor diwethaf oedd yr effaith manwerthu ar Ganol Tref Pont-y-pŵl, y prawf dilyniannol manwerthu, yr effaith ar dir diwydiannol a'r lleoliad anghynaliadwy. Roedd yr adroddiad a gyflwynwyd yn 2017 yn cynnwys materion yn ymwneud ag effaith traffig ar y rhwydwaith cefnffyrdd a'r effaith ar lifogydd, nid oedd y pryderon hyn wedi'u rhestru fel rhesymau dros wrthod, fodd bynnag, roedd angen i waith datblygu pellach gael ei wneud gan y Datblygwr. Mae'r Datblygwr ers hynny wedi cyflawni'r gwaith ar yr effaith traffig ac roedd Llywodraeth Cymru yn fodlon, ond nid oedd gwaith wedi'i wneud ar y materion risg llifogydd ac roedd yr Ymddiriedolaeth Canal ac Afon yn gwrthwynebu'r cynnig. Ni fu newid yn y Polisi Cynllunio Lleol na Chenedlaethol ers y gwrthodiad blaenorol ac roedd yna bedwar rheswm dros wrthod, ond roedd y rhesymau ychydig yn wahanol gan fod y prawf dilyniannol manwerthu wedi diflannu, ond roedd y pryderon ynghylch perygl llifogydd wedi cael eu hychwanegu fel rheswm dros wrthod gan nad oedd y Datblygwr wedi datrys hynny.

7.2 Gofynnodd yr Aelodau gyfres o gwestiynau a rhoddwyd yr ymatebion canlynol gan Swyddogion:

- Byddai'n rhaid i'r cwmnïau bysiau newid eu llwybrau er mwyn gallu gwasanaethu'r safle arfaethedig. Roedd y Datblygwr wedi cynnig cyfraniad ariannol i drafnidiaeth gymunedol fel rhan o'r cynnig.
- Ystyriwyd y safle yn lleoliad anghynaliadwy gan ei fod yn anodd i ddefnyddwyr heb gar ei gyrraedd. Roedd Llywodraeth Cymru yn ceisio lleihau'r ddibyniaeth ar geir ac roedd pa mor bell yw'r safle o ganol y dref, yn ei gwneud hi'n anodd cael mynediad heb gar ac roedd yn groes i Strategaeth Manwerthu'r Cyngor.
- O ran bod y safle yn hygyrch gan wahanol ddulliau cludiant, derbyniodd cyflwyniad y Datblygwr ei hun y byddai mwyafrif helaeth eu cwsmeriaid yn cyrraedd mewn car.
- Nid cyfrifoldeb y Datblygwr oedd penderfynu a oedd angen y siop, gan fod gan Gynllun Datblygu Lleol (CDLI) y Cyngor yn unol â Pholisi Cynllunio Cymru 10 nifer o feini prawf ac aseswyd pob cynnig datblygu manwerthu yn ei erbyn gan nad oedd gan y Cyngor ddyraniad penodol ar gyfer manwerthu datblygiad yn y CDLI, cydnabuwyd yr angen er mai dim ond un ffordd o gwrdd â'r angen a nodwyd oedd y cais presennol.
- Roedd y cae chwarae rygbi mewn ardal orlifdir. Byddai'r datblygiad arfaethedig yn dod â'r cyhoedd i safle a allai gael llifogydd.
- Roedd swyddogion yn pryderu am yr effaith ar Ganol Tref Pont-y-pŵl oedd eisoes yn ei chael hi'n anodd ac roedd ganddi gyfradd swyddi gwag uwchlaw'r cyfartaledd cenedlaethol.
- Roedd Aldi wedi dangos llwybr cerdded, fodd bynnag roedd yn daith gerdded 20 munud o Ganol Tref Pont-y-pŵl, a fyddai'n anodd gyda bagiau siopa.
- Roedd Tesco wedi'i leoli yn y dref a theithiau cysylltiedig wedi'u hwyluso i siopau eraill megis y cigyddion neu'r banc. Roedd swyddogion yn pryderu ynghylch colli masnach i'r siopau annibynnol llai a oedd yn dibynnu ar nifer yr ymwelwyr o Tesco.
- Roedd yr adroddiad yn cynnwys sylwadau gan y Swyddog sy'n gyfrifol am Ganol Tref Pont-y-pŵl a oedd wedi rhestru nifer o siopau y byddai'r cynnig yn effeithio arnynt. Roedd Swyddogion Cynllunio wedi ymweld â'r dref yn ddiweddar ac yn cyfrif bod 13 o siopau gwag yng nghanol y dref, sef 17% yn uwch na'r cyfartaledd cenedlaethol. Roedd y Cyngor wedi treulio llawer o arian ar y Farchnad Dan Do i gynyddu'r nifer o fasnachwyr a digwyddiadau a ddigwyddai yno ac ym marn y Swyddog byddai'r buddsoddiad cyhoeddus yn cael effaith negyddol gan y cynnig.
- Roedd y Datblygwr wedi nodi y byddai effaith 7-9% ar ganol y dref ac roedd Ymgynghorydd Manwerthu'r Cyngor wedi awgrymu y byddai'n cael mwy o effaith nag a nodwyd gan Aldi. Diffiniwyd y diffiniad o leoliad y tu allan i'r dref yn y Polisi Cynllunio fel pellter cerdded 300m o ganol y dref. Ystyriwyd bod y safle arfaethedig yn lleoliad y tu allan i'r dref.
- Roedd y Datblygwr wedi cynnig mynediad i'r cae chwarae rygbi fel rhan o'r datblygiad, fodd bynnag, nid oedd rheswm polisi cynllunio ar gyfer gwneud hynny a gallai unrhyw ddatblygiad ar y safle hwnnw hwyluso mynediad.
- Y defnydd presennol o'r safle oedd tir diwydiannol ac roedd polisi yn ei gwneud yn ofynnol bod meini prawf yn cael eu bodloni i leoli datblygiad

an-ddiwydiannol ar dir diwydiannol ac nid oedd yr Ymgeisydd wedi bodloni'r meini prawf. Roedd galw yn yr ardal leol ar gyfer busnesau diwydiannol a oedd am symud i safle Skewfields.

- Roedd y Swyddog Priffyrdd yn pryderu y byddai pobl yn croesi'r ffordd ddeuol o'r orsaf wasanaeth a'r ardal gwesty i gyrraedd Aldi. Roedd gan yr A4042 record ddamweiniau arwyddocaol ac nid oedd ganddi unrhyw gyfleusterau croesi.
- Roedd Llywodraeth Cymru yn fodlon â chynnig yr Ymgeisydd i osod sgrin gwelededd, ond nid oedd yn lliniaru pryderon Swyddogion Priffyrdd ynglŷn â phobl sy'n croesi'r ffordd.
- Ni chododd y Swyddog Priffyrdd wrthwynebiadau ynglŷn â HGVau sy'n mynd i mewn i'r safle neu'n gadael y safle oherwydd ei fod yn ystad ddiwydiannol a fyddai eisoes â cherbydau mawr yn ei ddefnyddio.
- Roedd busnes presennol ar y safle wedi datgan y byddai cyflwyno'r cyhoedd i'r safle hwnnw yn effeithio ar logisteg eu busnes eu hunain.
- Roedd Glandŵr Cymru yn gwrthwynebu'r datblygiad yn seiliedig ar y perygl llifogydd posibl a gwybodaeth annigonol ar ganlyniadau hynny.
- Nid oedd swyddogion yn gwrthwynebu ar sail symudedd traffig, ond roeddent yn gwrthwynebu'r lleoliad anghynaliadwy i ddefnyddwyr heb gar.
- Nid oedd y cynnig yn cynnig darpariaeth ar gyfer ystafelloedd newid ar gyfer y clwb rygbi, roedd yr Ymgeisydd yn cynnig mynediad posibl i'r caeau chwarae rygbi, ond efallai y byddai'r fynedfa yn diflannu os oedd yn agored i'r safle i berygl llifogydd. Dangosodd y modelu a gynhaliwyd bod potensial i'r safle fod yn agored i lifogydd.
- Nid oedd gan Dorfaen unrhyw siopau y tu allan i'r dref ac o ganlyniad roedd Cwmbran yn ffynnu. Roedd y buddsoddiad ym Marchnad Pont-y-pŵl yn llwyddo ac roedd nifer yr ymwelwyr yn cynyddu, ond byddai'r datblygiadau arfaethedig yn tansellio'r buddsoddiad a wnaed gan y byddai pobl yn defnyddio Aldi gan y byddai'n gyfleus.
- Roedd yr argymhelliad yn unol â Pholisi mabwysiedig y Cyngor a oedd yn unol â Pholisi Cenedlaethol, pe bai'r Aelodau'n cymeradwyo'r cais y byddai'n mynd yn erbyn y polisi a byddai'n gosod cynsail ar gyfer y dyfodol.
- Roedd B & Q yng Nghwmbrân o fewn y 300m o ganol y dref ac roedd yna lwybr troed i mewn i'r dref.
- Byddai'r siop Aldi arfaethedig yn creu cyfanswm o 40 o swyddi, ond roedd yn cyfateb i 28 o swyddi cyfwerth ag amser llawn wrth gymryd i ystyriaeth weithwyr rhan-amser a thymhorol. Dywedodd cwmni gweithgynhyrchu presennol ar y safle a gyflogodd 150 o staff cyfwerth ag amser llawn y byddai cyflwyno defnydd manwerthu ar y safle yn peryglu logisteg y busnes a allai arwain at orfod dod o hyd i safle arall. Roedd yna gwmni arall hefyd yn awyddus i adleoli eu busnes a oedd yn ehangu i Skewfields ond dywedodd y byddai angen iddynt ailystyried a oedd uned fanwerthu ar y safle.
- Roedd y rhan fwyaf o strydoedd stryd fawr yn cael trafferth oherwydd siopa ar y we, fodd bynnag, roedd canol tref Pont-y-pŵl yn ei chael hi'n anodd eisoes a byddai siop y tu allan i'r dref yn gwaethgu'r broblem.
- Cyfrifoldeb yr Ymddiriedolaeth Canal ac Afon oedd cynnal y gamlas, ond roedd angen i'r Awdurdod Cynllunio Lleol fod yn ymwybodol o ardaloedd perygl llifogydd

wrth benderfynu ar geisiadau, roedd y safle presennol a chaeau chwarae rygbi eisoes â thueddiad o lifogydd.

- Ers y cais blaenorol, nid oedd Aldi wedi datblygu unrhyw safleoedd eraill gyda'r Cyngor ac wedi gwrthod posibilrwydd y safle ym Mamhilad.
- Po fwyaf agos oedd yr archfarchnad at siopau eraill, y mwyaf tebygol y byddai pobl i wneud tripiâu cysylltiedig. Ni fyddai unrhyw deithiau cysylltiedig yn cael eu gwneud ar y safle arfaethedig gan y byddai pobl yn gyrru i'r siop ac yn mynd adref.
- Byddai angen i Aldi ddarparu mesurau lliniaru a chael cynllun wrth gefn i amddiffyn pobl sy'n ymweld â'u siop os bydd y gamlas yn gorlifo.

### 7.3 Gwnaeth Grŵp o Aelodau'r sylwadau canlynol:

- Roedd y lleoliad arfaethedig yn ased a oedd yn galluogi mynediad ar feic, ar droed, mewn car neu hyd yn oed bad camlas.
- Roedd y cae chwarae rygbi wedi bod yno ers 100 mlynedd ac ni fu adroddiad erioed o lifogydd ar y cae hwnnw o'r gamlas.
- Byddai'r cais o fudd i'r trigolion yng ngogledd y fwrdeistref ac yn eu hatal rhag gorfod gadael Torfaen i wneud eu siopa.
- Roedd nifer fawr o'r siopau yng Nghanol Tref Pont-y-pŵl yn gwerthu gwahanol gynnyrch i Aldi gan fod gan y dref siopau dillad, siopau trydanol a hefyd siopau bwyd a oedd yn darparu ar gyfer pobl heb geir, er enghraifft, roedd yna arhosfan bysiau ger Farmfoods ac Iceland a oedd yn cynnig cludo i'r cartref am ddim a theimlwyd na fyddai unrhyw fasnachwyr yn y dref yn cael eu heffeithio gan Aldi.
- Nid oedd y safle arfaethedig y tu allan i'r dref ac nid oedd ond dau funud i lawr y ffordd ddeuol.
- Pe na bai Aldi yn cael ei gymeradwyo, byddai pobl Pont-y-pŵl yn cael eu hamddifadu o ddewis lle i siopa ac yn gyrru heibio i'r safle arfaethedig i Aldi Cwmbran.
- Roedd hi'n annhebygol y byddai unrhyw un am gerdded i Aldi a gorfod cario eu siopa gartref.
- Roedd y fynedfa i'r cae chwarae rygbi yn ddychrynlyd ac roedd Aldi yn cynnig darparu mynediad gwell a byddai hefyd yn eu cynorthwyo i gael ystafelloedd newid ar y safle.
- Byddai'r cynnig yn helpu i hyrwyddo twristiaeth ar y gamlas.
- Roedd Trico ar y safle ers tua 10 mlynedd ac roedd y gweithwyr yn gweithio sifftiau a arweiniodd at gerbydau parhaus yn dod i mewn ac allan o'r safle ac ni fu unrhyw ddamweiniau mawr erioed.
- Nid oedd unrhyw wrthwynebiad i Tesco ac nid oedd darpariaeth arall yng ngogledd y fwrdeistref i bobl ar incwm isel.
- Roedd yr Aelodau o'r farn y byddai gweithredwr bysiau yn barod i ddargyfeirio i'r safle gan fod arian i'w wneud trwy wneud hynny.
- Canfu camlas ei lefel ei hun ac nid oedd yn llenwi a gorlifo.
- Byddai'r cynnig yn creu 40 o swyddi â thâl uchel.

- 7.4 Atgoffodd y Pennaeth Cynllunio a Datblygu yr Aelodau eu bod wedi gwrthod y cais flwyddyn yn ôl. Atgoffodd yr Aelodau fod swyddogion yn gweithredu o dan Bolisiâu a gefnogwyd gan sylfaen dystiolaeth manwerthu sylweddol ac a ddefnyddiwyd i amddiffyn yn erbyn datblygiadau manwerthu eraill y tu allan i'r dref. Roedd yr argymhelliad yn unol â'r Polisi a fabwysiadwyd gan y Cyngor. Byddai mynd yn erbyn y polisi yn creu cynsail. Rhybuddiodd yr Aelodau i ystyried adroddiad a pholisiâu'r swyddogion yn ofalus cyn dod i benderfyniad oherwydd y goblygiadau ar Bont-y-pŵl a chynigion manwerthu yn y dyfodol.
- 7.5 Gwnaeth Aelodau Eraill y sylwadau canlynol:
- Nid dyna'r lleoliad cywir ar gyfer archfarchnad a dylid ei leoli yng nghanol tref nid ar gylchfan brysur.
  - Roedd Canol Tref Pont-y-pŵl eisoes yn dref sy'n methu heb gael pwysau ychwanegol archfarchnad y tu allan i'r dref.
  - Pe bai'r siop yn cael ei chymeradwyo yn y lleoliad y tu allan i'r dref, byddai'n gosod cynsail a byddai ceisiadau eraill yn cael eu cyflwyno ar gyfer datblygiadau y tu allan i'r dref.
  - Roedd gan Gynghorwyr ddyletswydd gofal i bobl Torfaen, lleolir y cynnig ar gylchfan brysur gyda chofnod damweiniau sylweddol. Bu adegau pan oedd pobl wedi bod yn rhedeg ar draws y ffordd ac ni fyddai'r cynnig yn helpu'r sefyllfa.
- 7.6 Cynigiodd y Cynghorydd O'Connell gynnis i gefnogi pobl Pont-y-pŵl a gwrthod argymhelliad y Swyddog a chynnig caniatáu'r cais.
- 7.7 Eiliwyd y cynnig.
- 7.8 Gofynnodd y Cynghorydd Len Constance am bleidlais gofnodedig, cefnogwyd y cais gan 8 Aelod.
- 7.9 Dywedodd y Pennaeth Cynllunio a Datblygu, gan mai argymhelliad oedd gwrthod yr amodau nad oeddent wedi'u llunio, bod yna nifer o gynigion gan Aldi hefyd y byddai angen eu hymgorffori i'r Cytundeb Adran 106 a oedd yn cynnwys gwell cysylltiadau llwybrau troed, cymuned cymhorthdal cludiant a mynediad i'r cae chwarae rygbi. Dywedodd y gallai Swyddogion naill ai gyflwyno adroddiad i'r Pwyllgor Cynllunio gyda'r amodau arfaethedig a chytundeb Adran 106 neu gallai Aelodau awdurdodi Swyddogion i drafod Cytundeb Adran 106 ac amodau a chyhoeddi'r penderfyniad dan bwerau dirprwyedig.

Ychwanegodd y gellid datrys y mater yn ymwneud â llifogydd trwy drafodaethau pellach gyda'r Ymgeisydd, yr Awdurdod Cynllunio Lleol a'r Ymddiriedolaeth Canal ac Afon a gofynnodd a oedd Aelodau'n dymuno i swyddogion negodi i ddatrys y mater hwnnw, fodd bynnag gellid effeithio ar y siop a gallai fod angen newid y cynllun a allai olygu na fyddai'r mynediad i'r cae chwarae rygbi yn mynd rhagddo. Hyd yn oed pe bai'r Aelodau'n penderfynu awdurdodi pwerau dirprwyedig, byddai angen i'r cais gael ei ddwyn yn ôl i'r Aelodau os oedd newidiadau sylweddol i'r cynigion yn codi o unrhyw fesurau sydd eu hangen i liniaru'r mater llifogydd.



- 7.10 Cynigiodd y Cynghorydd Janet Jones welliant i'r cynnig sef bod y Swyddogion yn sefydlu amodau arfaethedig a Chytundeb Adran 106 a dod ag adroddiad yn ôl i'r pwyllgor.
- 7.11 Eiliwyd y gwelliant.
- 7.12 Rhoddodd y Pennaeth Cynllunio a Datblygu yr eglurhad canlynol i nifer o sylwadau yn nodi, pe bai'r cais yn cael ei gymeradwyo, y byddai'r Swyddogion yn trafod gyda'r Ymgeisydd ar Gytundeb Adran 106 o ran y cynigion a wnaed, ond ni allai Swyddogion gyfiawnhau gofyn i'r ymgeisydd am ystafelloedd newid gan nad oedd yn un o'r awgrymiadau a wnaed gan Aldi. Byddai swyddogion yn cyflwyno adroddiad i'r Pwyllgor Cynllunio gyda'r amodau a awgrymwyd a Chytundeb Adran 106. Byddai swyddogion yn gweithio gyda'r Ymgeisydd a'r Ymddiriedolaeth Canal ac Afon i geisio dod o hyd i ateb i oresgyn y mater llifogydd a hefyd gyflwyno adroddiad yn ôl i'r pwyllgor.
- 7.13 Pleidleisiodd yr Aelodau ar y gwelliant sef pe bai'r cais yn cael ei gymeradwyo y byddai'r swyddogion yn trafod Cytundeb Adran 106, yn ymgorffori'r tri chynig a wnaed gan yr Ymgeisydd, yn sefydlu amodau priodol, yn cysylltu â'r ymgeisydd ar y mater llifogydd posibl ac yn cyflwyno adroddiad yn ôl i'r Pwyllgor Cynllunio, gyda 10 aelod yn pleidleisio o blaid y gwelliant a 3 Aelod yn atal pleidlais. Cytunwyd ar y gwelliant isod.
- 7.14 **Cynhaliwyd pleidlais gofnodedig fel y dangosir yn y tabl isod. Cytunodd yr Aelodau i ganiatau'r cais yn ddarostyngedig i'r diwygiad i ganiatáu i Swyddogion atodi'r amodau perthnasol a chysylltu â'r ymgeisydd ar y cytundeb Adran 106 i ymgorffori'r tair eitem arfaethedig, gyda 10 Aelod yn pleidleisio o blaid a 3 Aelod yn pleidleisio yn erbyn.**

Y CYNGHORYDD	O BLAID	YN ERBYN	ATAL PLEIDLAIS
Norma Parrish (Cadeirydd)		✓	
Stuart Ashley		✓	
Ron Burnett	Yn absennol ar ôl datgan diddordeb personol a rhagfarnol		
Len Constance	✓		
Steven Evans	✓		
Jon Horlor		✓	
Gaynor James	✓		

<b>Gwyn Jenkins</b>	✓		
<b>Fay Jones</b>	✓		
<b>Janet Jones</b>	✓		
<b>Jason O'Connell</b>	✓		
<b>Richard Overton</b>	✓		
<b>Louise Shepphard</b>	<b>Yn absennol ar ôl datgan diddordeb personol a rhagfarnol</b>		
<b>Alan Slade</b>	✓		
<b>Neil Waite</b>	✓		

Dychwelodd y Cynghorydd Louise Shepphard i'r cyfarfod, ond ni ddychwelodd y Cynghorydd Ron Burnett.

Datganodd y Cynghorydd Jon Horlor ddiddordeb personol a rhagfarnol yn eitem 8 ar yr agenda gan ei fod ar hyn o bryd yn y broses o gael ei enwebu fel llywodraethwr yn Ysgol Cwmffrwoer a gadawodd y cyfarfod.

## **8. Cais Cynllunio - 18 / P / 0660 / FUL**

**Adeiladu llwybr troed 2.1m o led a mynediad camu o'r llwybr beicio i lawr i Ysgol Cwmffrwoer ac allan i Waunddu yn Ysgol Gynradd Cwmffrwoer, Waunddu, Pontnewynydd, Pont-y-pŵl.**

8.1 Cyflwynodd yr Uwch Gynllunydd y cais yn dangos lluniau a chynlluniau a gwnaeth y sylwadau canlynol:

- Cafodd y cyfeiriadau yn yr adroddiad mewn perthynas â Pholisi Cynllunio Cymru 9 eu disodli gan Bolisi Cynllunio Cymru 10 a ddaeth i rym ers cyhoeddi'r adroddiad. Y prif newid oedd bod Polisi Cynllunio Cymru 10 wedi cynyddu pwyslais a phwysigrwydd blaenoriaethau teithio gweithredol Llywodraeth Cymru, a'r angen i gynyddu'r cyfleoedd ar gyfer cerdded a beicio a lleihau dibyniaeth ar y car preifat.
- Bwriad y cais yw gosod cyfuniad o rampiau a champau i hwyluso mynediad i'r ysgol o'r rhwydwaith beicio cenedlaethol presennol ar gyfer beicwyr a cherddwyr.
- Roedd gwahaniaeth 14m o uchder rhwng tir yr ysgol a'r llwybr beiciau.
- Ar hyn o bryd roedd y safle yn ardal coetir sylweddol a fyddai'n cael ei agor yn sylweddol. Byddai angen tynnu nifer fawr o goed i adeiladu'r datblygiad, ond roedd y cynnig yn cynnwys lliniaru i wrthbwysu'r golled.
- Y mwyafrif o'r coed i'w tynnu oedd coed llydanddail lled-aeddfed.

- Cyflwynwyd Asesiad Ecoleg gyda'r cais cynllunio a oedd yn nodi'r asesiad a wnaed mewn perthynas â'r adar, mamaliaid ac ymlusgiaid.

## 8.2 Rhoddodd yr Uwch Gynllunydd yr atebion canlynol i gwestiynau a ofynnwyd gan yr Aelodau:

- Roedd y mwyafrif o'r coed y bwriedir eu tynnu yn amryw o goed llydanddail lled-aeddfed, gan gynnwys Derw, Onnen a Bedwen, a oedd yn llai na 40 mlwydd oed.
- Roedd 2,500 metr sgwâr o goed i'w torri, ond bwriedir ail-blannu 800 metr sgwâr yn yr un adran a byddai'r diffyg ychwanegol yn cael ei blannu ar ran isaf y safle.
- Mewn perthynas â thermau cynefin, roedd nifer arfaethedig y coed yn gyfartal â nifer y coed a dynnwyd.
- Roedd amod ynghlwm wrth y cais a oedd yn gofyn am raglen ôl-ofal a chynnal tair blynedd i sicrhau bod y coed yn cael eu sefydlu er mwyn i'r effaith ar y dirwedd fod yn llai dramatig yn yr hirdymor.
- Byddai contractwr yn cyflawni'r gwaith, ond roedd datganiad dull manwl a baratowyd gan Ecolegydd a Swyddog Coedyddiaeth y Cyngor.
- Nid oedd cyflwr y ddaear ar y safle yn hysbys ac nid oedd y rhywogaethau o goed wedi eu cytuno hyd nes y cynhaliwyd asesiadau pellach o'r ddaear.

## 8.3 Cytunodd yr Aelodau yn unfrydol i gymeradwyo'r cais yn ddarostyngedig i'r amodau a nodwyd yn yr adroddiad.

Dychwelodd y Cynghorydd Jon Horlor i'r cyfarfod.

## 9. Cais Cynllunio - 18 / P / 0706 / FUL

**Ailgyflunio'r orsaf trosglwyddo gwastraff bresennol (crynhoi, didoli a disbyddu) a ddefnyddir ar gyfer ailgylchu gwastraff cartrefi, gan gynnwys estyniad i'r iard allanol (newid defnydd o ardal glaswellt agored) yn Uned 7 - 8 Canolfan Ddosbarthu Tŷ Coch, Tŷ Coch, Cwmbrân.**

### 9.1 Dangosodd y Prif Gynllunydd gynlluniau a lluniau a thynnodd sylw at y canlynol:

- Ers cyhoeddi'r adroddiad, roedd Polisi Cynllunio Cymru, Argraffiad 10 wedi dod i rym, ond nid oedd unrhyw newidiadau a effeithiodd ar y cais.
- Derbyniwyd cynrychiolaeth hwyr gan Cyfoeth Naturiol Cymru a ddywedodd fod amodau ychwanegol ynglŷn â draeniad a halogiad i'w hychwanegu. Roedd amodau eisoes yn ymwneud â halogiad yn atodedig wrth y cais a newidir i gymryd i ystyriaeth barn Cyfoeth Naturiol Cymru. Fe wnaethon nhw hefyd gynghori y dylid cyflwyno rhagor o wybodaeth mewn perthynas â methodoleg y ffordd y cafodd y coed eu harolygu o ran potensial ystlumod. Ers hynny anfonwyd y wybodaeth atynt ac roedd Ecolegydd y Cyngor yn fodlon â'r fethodoleg.
- Roedd y cais yn ymwneud â'r Safle Trosglwyddo Gwastraff presennol yn Nhŷ Coch a oedd ar hyn o bryd yn gweithredu ar ran Cyngor Bwrdeistref Sirol Torfaen i brosesu'r casgliad ochr y ffordd ar gyfer ailgylchu a chrynhoi a disbyddu.
- Y bwriad oedd newid yr ardal o ofod agored yng nghefn y ganolfan ailgylchu i iard allanol gyda chyfleusterau crynhoi a disbyddu gwell a baeau didoli. Hefyd,

cynigiwyd gosod dau ddrws caead rholer ar gefn yr adeilad i ganiatáu i gerbydau fynd i mewn ac allan o'r iard allanol newydd.

- Byddai mynediad oddi ar y ffordd ystad ddiwydiannol bresennol, gan arwain at bont bwyso, ardal sgip ychwanegol a baeau ar gyfer deunyddiau didoli.
- Byddai'r bwriad yn arwain at golli ardal o laswelltir gwerth ecolegol isel a nifer o goed. Cedwir y coed aeddfed a weithredodd fel byffer tirlun.
- Cynigiwyd plannu lliniarol ar hyd ffin yr iard.

## **9.2 Cytunodd yr Aelodau yn unfrydol i ganiatau'r cais yn ddarostyngedig i'r amodau a nodwyd yn yr adroddiad.**

Llofnod ..... Dyddiad .....

Y Cynghorydd Norma Parrish, Cadeirydd y Pwyllgor Cynllunio

*Nid yw cynghorwyr a adawodd y cyfarfod am gyfnod byr (e.e. ar gyfer egwyl cysur) yn ystod cyflwyniad swyddog neu drafodaeth wedi'u rhestru yn y cofnodion uchod fel rhai a adawodd ac a ddychwelodd. Rhestrir y Cynghorwyr yn unig fel rhai sydd wedi gadael / dychwelyd os ydynt yn absennol o'r Siambr pan wnaethpwyd penderfyniad.*

Ysgrifennwyd y cofnodion gan Rachel Beale, Uwch Swyddog Cefnogi Busnes (Gwasanaethau Democrataidd), dydd Mawrth 11eg Rhagfyr 2018