



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 12/12/19

gan **Richard E. Jenkins BA (Hons) MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 08.01.2020

Appeal Decision

Site visit made on 12/12/19

by **Richard E. Jenkins BA (Hons) MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 08.01.2020

Appeal Ref: APP/L6940/A/19/3237483

Site address: Former Blaengwawr Comprehensive School, Club Street, Aberaman, Aberdare, CF44 6TN

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Matthew Davies of Davies Homes Ltd. against the decision of Rhondda Cynon Taf County Borough Council.
 - The application Ref: 18/1346/10, dated 30 October 2018, was refused by notice dated 24 July 2019.
 - The development is proposed 120 unit residential development, with associated landscaping and engineering works.
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Decision

1. The appeal is allowed and planning permission is granted for proposed 120 unit residential development, with associated landscaping and engineering works at Former Blaengwawr Comprehensive School, Club Street, Aberaman, Aberdare, CF44 6TN in accordance with the terms of the application, Ref: 18/1346/10, dated 30 October 2018, subject to the conditions set out in the attached schedule.

Procedural Matters

2. I have taken the site address from the Council's Notice of Decision. As this is consistent with that outlined on the associated Application and Appeal Forms, I am satisfied that there is no ambiguity in this respect.
3. A planning obligation submitted under Section 106 of the Act has been submitted as part of the appeal proposal. The provisions of that document require compliance with obligations relating to the provision of affordable housing, a play area and ecological mitigation measures. I am satisfied that the Section 106 Agreement is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development proposed. It satisfies the statutory and policy tests and therefore merits due weight in the determination of the appeal.

Application for Costs

4. An application for costs was made by the appellant against the Council. This application is the subject of a separate Decision.
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Main Issue

5. The main issue in this case is the effect of the proposed development upon both pedestrian and highway safety.

Reasons

6. The appeal proposal seeks full planning permission for the construction of 120No. residential dwellings¹ on land formerly occupied by Blaengwawr Comprehensive School in Aberaman, Aberdare. The former school has since been demolished, with much of the building material retained in mounds on the site at the time of my site inspection. The school was accessed from Club Street, via the junction with the B4275 Cardiff Road, and that continues to represent the only viable vehicular access to the appeal site. Club Street is typically characterised by the terraced residential properties that occupy the northern flank of the carriageway, with a care home and residential apartments located to the south. Parking along Club Street is heavily controlled by parking restrictions, meaning on-street parking is in high demand.
7. The appeal site is located in a broadly sustainable location, within the settlement limits of Aberaman as defined by the adopted Rhondda Cynon Taf County Borough Council Local Development Plan (LDP). The Council does not therefore object to the principle of development. Having had regard to the available evidence, including the numerous representations submitted by interested parties, I have no reason to come to a different conclusion on such a matter. I shall therefore concentrate on the principal matter of dispute between the main parties which comprises the effect of the development upon pedestrian and highway safety.

Pedestrian and Highway Safety

8. Despite the Council's highways representatives offering no objection to the proposed development, and the planning case officer recommending a conditional grant of planning permission, the Council ultimately refused planning permission on the basis that the proposed access arrangements would be "*...detrimental to highway safety as a consequence of the inadequate vision splay at the junction between Club Street and Cardiff Road, and the pinch point at the site access point which is considered to be substandard*".² The Council's Statement of Case expands upon such concerns, referring specifically to inadequate carriageway and pedestrian footway width, sub-standard junction radii between Club Street and Cardiff Road and obscured visibility splays. It also contends that highway and pedestrian conditions in the area are exacerbated by the high demand for on-street parking along Club Street. In contrast, the appellant submits that, subject to the proposed mitigation measures, access to the development could be achieved off Club Street without representing a material threat to pedestrian or highway safety. In support of this position, an extensive amount of evidence relating to trip generation and distribution, junction and carriageway analysis, parking provision, sustainable modes of transport, travel planning, traffic regulation orders and personal injury information has been submitted.
9. There is little doubt in my mind that a scheme for the development of 120No. residential dwellings would materially intensify the use of Club Street relative to the current position, with clear implications for the free flow of pedestrians and vehicles. The appellant has submitted TRICS analysis and has compared the data relating to the

¹ 12No. dwellings to comprise affordable housing as defined by Technical Advice Note 2: *Planning and Affordable Housing (TAN2)*

² Local Planning Authority (LPA) Notice of Decision, dated 24 July 2019

number of trips that would be generated by the proposed development to those previously generated by the school. I have not seen anything to indicate that there would be a realistic chance of a similar education use resuming should the appeal fail and do not, therefore, consider such a use to represent a lawful fallback position. Nevertheless, I have been advised that the school closed in 2014 and, as such, I consider the comparison with the historic use of Club Street as a principal means of access to the school to be a useful exercise in gauging the extent of any practical harm that would arise from the development proposed.

Width of the carriageway and parking along Club Street

10. There is little doubt that the 'pinch point' adjacent to No.1 Club Street falls below the 5.5 metre carriageway width typically expected of such residential developments and, given the fact that the only viable access to the land is via an established carriageway that lies outside of the ownership of the appellant, it does not appear that a continuous 5.5 metre carriageway width would be achievable in this instance. Nevertheless, the appeal proposal would make provision for a 5 metre wide carriageway at the aforementioned 'pinch point', with parking restrictions capable of preventing that width from being reduced. Such an arrangement would enable a standard car and Heavy Goods Vehicle (HGV) to pass simultaneously, meaning that the majority of through traffic would be able to pass unhindered. It remains common ground that two HGVs would not be able to pass side by side at the 'pinch point'. However, given the fact that it only represents a limited stretch of the carriageway, in the infrequent situation whereby two HGVs would meet, it would be possible for the drivers to foresee the on-coming vehicle and give way as necessary. I do not therefore consider such a situation to represent a material risk to highway safety.
11. I have fully considered the fact that on-street parking is in high demand along Club Street, with evidence of indiscriminate parking at the time of my site visit. I also accept that such practices have potential to obstruct both the carriageway and pedestrian footways and thereby cause a disruption to the free flow of vehicular and pedestrian traffic. Nevertheless, much of these concerns relate to illegal parking practices that the Council has the ability to enforce against and, notwithstanding this, the parking demand arising from the proposed dwellings would be accommodated on site, with an additional 48No. parking spaces provided on land adjacent to No.1 Club Street. The additional parking spaces would be available for use by the residents of Club Street, the users of the Church located opposite No.1 Club Street and those people utilising the nearby all-weather sports pitch. I therefore have no reason other than to concur with the appellant's contention that the parking provision proposed as part of the development would assist in easing the existing parking problems along Club Street. I do not therefore consider such arguments to represent a reasonable reason to withhold planning permission in this instance.

Junction between Club Street and B4275 Cardiff Road

12. The Council considers that the intensification of the use of the junction between Club Street and Cardiff Road is unacceptable. Specifically, it contends that sub-standard junction radii would result in an increase in stationary and reversing vehicles to the detriment of highway safety. Nevertheless, whilst the Council contends that a development such as that proposed in this case should be served by a junction with a 6 metre radii, I have not seen anything to indicate that this should be an absolute requirement, particularly when the development proposes to utilise such a well-

established access. In fact, national guidance³ clearly indicates that smaller corner radii can be acceptable in the circumstances that prevail in this instance. As such, and having had regard to the speed limit in the area, the historic use of the junction to serve a school with no evidence of personal injury accidents and the fact that the junction represents an important local pedestrian route, I do not consider there to be any cogent evidence to indicate that the geometry of the junction represents a material threat to pedestrian or highway safety. In coming to this conclusion, I have been particularly mindful that the junction has historically served school busses and is already accessed by refuse collection vehicles without any evidence of harm.

13. I have fully considered the Council's concerns relating to the visibility distances at the Club Street/ Cardiff Road junction. However, the evidence indicates that visibility at the junction exceeds the 2.4 metres by 40 metres cited within Technical Advice Note 18: *Transport* (TAN18). I note the presence of a bus stop near the Blaengwawr Public House on Cardiff Road that has potential to temporarily obscure visibility. However, consistent with other recent developments at Club Street, the Highways Authority did not offer any objection to such an arrangement in commenting on the planning application. Having regard to the fact that the bus stop has been in position well before the closure of the school, with no evidence submitted to demonstrate any harm to public safety, I have no reason to come to a different conclusion on such a matter. Indeed, the bus stop in question is also located immediately adjacent to a layby, with nothing to suggest that the Council has needed to consider relocating it out of the sight line of the junction. As such, and having fully considered the frequency of use of the bus service, I consider the visibility at the junction between Club Street and Cardiff Road to be sufficient to serve the proposed development.

Pedestrian Safety

14. It was clear at the time of my site visit that the pedestrian footway that runs along the northern flank of Club Street tapers to approximately 800mm near the junction with Cardiff Road, which is significantly below the recommended 2 metre wide pedestrian footway sought by the Council. Such concerns are exacerbated by the fact that the same area of footway is further restricted by utility and service poles, whilst the wider footway incorporates a number of steps making it inaccessible for wheelchair and pushchair users. Nevertheless, such constraints are clearly historic features that have always been negotiated by users of the pedestrian footway. In any event, the footway located on the southern side of Club Street clearly represents a relatively unconstrained route from Cardiff Road to the appeal site given the fact that the existing school gates are proposed to be removed and dropped curbs exist in convenient locations. I acknowledge the Council's concerns that indiscriminate parking can serve to restrict footway width and visibility at Blaengwawr Close. However, I have already concluded above that enforcement of illegal parking remains within the Council's control and that the development would contribute towards alleviating such concerns. I do not therefore consider there to be any robust evidence to indicate that the development would seriously undermine pedestrian safety.

Other Pedestrian and Highway Safety Matters and Conclusion

15. I have fully considered the wider criticisms of the appellant's transport evidence, but nothing has led me to conclude that it is not sufficiently robust to support the appellant's assertions. In contrast, I have seen little cogent evidence from the Council to lead me to deviate from the conclusions set out above. I note the arguments that

³ Manual for Streets 2

an alternative and/ or a second means of access to the appeal site is necessary. However, I have not seen anything to indicate that there is a viable alternative to the access proposed and, in any event, I am required to determine the appeal proposal on its own particular merits. Notwithstanding this, the Council's highway representatives have not suggested that a second means of access is necessary and I have no reason to come to a different conclusion on such a matter.

16. Based on the foregoing analysis, and having considered all matters raised, I find that the proposed development would not represent a material threat to pedestrian or highway safety. I therefore conclude that there would be no conflict with Policy AW5(2)(c) of the adopted LDP which, amongst other things, states that developments should provide safe access to the highway network and not cause traffic congestion or exacerbate existing traffic congestion.

Other Material Considerations

17. I have considered all other matters raised, including those relating to the disruptions caused during the construction phase. However, given the temporary nature of such impacts, I do not consider that they represent a valid reason to withhold planning permission in this instance, not least because such matters could be satisfactorily controlled through the imposition of planning conditions. I note the concerns relating to the effect of the proposed development upon the living conditions of neighbouring occupiers. However, having regard to the siting, orientation and overall design of the dwellings proposed, I do not consider that the development would be unacceptable in this respect. Similarly, having had regard to matters of layout and detailed design, there would not be any harm to the character or appearance of the area. The provision of affordable housing, a play area and ecological mitigation measures would be secured through the aforementioned Section 106 Agreement and associated planning conditions. I have also not seen anything to indicate that foul and surface water drainage could not be satisfactorily addressed through a planning condition. Anti-social behaviour concerns remain unsubstantiated and the value of individual properties is not a matter that is material to the determination of the appeal.
18. In addition to the lack of harm in respect of the above matters, I consider the positive benefits of the scheme to weigh substantially in favour of the development. Specifically, the development would utilise previously developed land, as encouraged by Planning Policy Wales (Edition 10, 2018), and would be sited within the defined settlement boundary of Aberaman in a largely sustainable location relative to local facilities and services. The development would also make a valuable contribution to the local housing land supply, which I am advised is significantly below that required by national policy, and make a proportionate contribution towards affordable housing.

Overall Conclusions

19. Based on the foregoing, and having considered all matters raised, I conclude that the appeal should be allowed subject to the conditions set out in the attached schedule. In coming to this conclusion, I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

20. I have considered the suggested conditions and, having had regard to the advice in Welsh Government Circular 16/2014: *The Use of Planning Conditions for Development Management* (October 2014), have adjusted their wording in the interest of clarity and precision. Reasons for the imposition of each of the conditions are set out in the Schedule of Conditions attached to this decision.

Richard E. Jenkins

INSPECTOR

Schedule of Conditions

- 1) The development shall begin not later than five years from the date of this decision.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

- 2) The development hereby permitted shall be carried out in accordance with the following plans and documents, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Site location plan drawing no: 1754.PI.01 Rev A
- Planning layout drawing no: 1754.PL01 Rev A
- External works drawing no: 1754.EWL01 Rev A
- Site access arrangements drawing no. IMA-18-15-102
- Garage details drawing no: HAS/GAR01
- Tintern house type drawing no: HAS/TH01
- Ascot house type drawing no: HAS/AH02
- Canterbury house type drawing no: HAS/CH03
- Hereford house type drawing no: HAS/HH04
- Harrowgate house type drawing no: HAS/HH05
- Radliegh house type drawing no: HAS/RH06
- Lynton house type drawing no: HAS/LH07
- Llandovery house type drawing no: HAS/LH08
- Knightsbridge house type drawing no: HAS/KH09
- Affordable drawing no: HAS/TH01
- Affordable drawing no: HAS/2.1.1. AFF
- Affordable drawing no: HAS/4.2.1. AFF
- Proposed site sections drawing no: 18090.C/PL200 Rev 1
- Connection to Club Street agreed with Highways drawing No. IMA-18-15-102

Reason: *To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.*

- 3) Notwithstanding the approved details, the consent hereby granted does not relate to the footpath link between the site and Maesyffynnon Grove shown on the planning layout drawing referred in Condition No.2 above.

Reason: *To preserve the character and amenity of Maesyffynnon Grove in accordance with the requirements of policy AW5 of the Rhondda Cynon Taf Local Development Plan.*

- 4) All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: *In the interests of the character and appearance of the area in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.*

- 5) Before any work is commenced on site, including site works of any description, each of the trees to be retained shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced-off areas they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason: *In the interests of the character and appearance of the area in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.*

- 6) Prior to the construction of the development hereby approved details and/or samples of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: *In the interests of the character and appearance of the area in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.*

- 7) The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:
- i. A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
 - ii. A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority.
 - iii. A written method statement for the remediation of contamination affecting the site.

Reason: *In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.*

- 8) Any dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 7 above) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority

Reason: *In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the adopted Rhondda Cynon Taf Local Development Plan.*

- 9) If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

Reason: *In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.*

- 10) Any topsoil, natural or manufactured, or subsoil to be imported shall be assessed by a competent person for chemical or the potential contaminants, in accordance with a scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Subject to approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority. Only material approved by the Local Planning Authority shall be imported.

Reason: *In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.*

- 11) No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the dwellings being occupied and retained in perpetuity.

Reason: *To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.*

- 12) Other than for works of site clearance, decontamination and preparation, no building works shall commence until full engineering design and details of the works to construct access from Club Street in accordance with site access arrangements drawing No. IMA-18-15-102, including measures to accommodate displaced parking, as shown on TA plan 3 and application planning layout drawing no: PL 01 Rev A, including longitudinal and cross sections, contoured plan, street lighting details, traffic calming, parking bay layout/allocation, surface water drainage and service diversions including construction details have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with a timetable to be agreed with the Local planning Authority at the time the required details are submitted.

Reason: *In the interests of pedestrian and highway safety in accordance with the provisions of Policy AW5 of the Rhondda Cynon Taf Local Development Plan.*

- 13) Other than for works of site clearance, decontamination and preparation, no building works shall commence until full engineering design and details of the internal road layout, as shown on the application layout drawing no: PL 01 rev A, including longitudinal and cross sections, contoured plans, street lighting details, traffic calming, parking bay layout and allocation, surface water drainage and details of private shared accesses with associated bin storage, including construction details have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with a timetable to be agreed with the Local Planning Authority at the time the details are submitted.

Reason: *In the interests of pedestrian and highway safety in accordance with the provisions of Policy AW5 of the Rhondda Cynon Taf Local Development Plan.*

- 14) Heavy Goods Vehicles (HGVs) used as part of the construction of the development shall be restricted to 09:30 to 16:30 hours on weekdays and 09:30 to 13:00 hours on Saturdays, with no deliveries at all on Sundays or bank or public holidays.

Reason: *In the interests of pedestrian and highway safety and the living conditions of neighbouring residential properties, in accordance with the provisions of Policy AW5 of the Rhondda Cynon Taf Local Development Plan.*

- 15) No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- a. The means of access into the site for all construction traffic;
- b. The parking of vehicles of site operatives and visitors;
- c. The management of vehicular and pedestrian traffic;
- d. Loading and unloading of plant and materials;
- e. Storage of plant and materials used in constructing the development;
- f. Wheel cleansing facilities; and
- g. The sheeting of lorries leaving the site.

Reason: *In the interests of pedestrian and highway safety and the living conditions of neighbouring residential properties, in accordance with the provisions of Policy AW5 of the Rhondda Cynon Taf Local Development Plan.*

- 16) The developer shall provide to the occupier of each dwelling a Travel Plan which should contain the following:

- a. Bus/train service providers, their contact details, frequency of service, timetable, bus stops/train stations, current ticket costs and financial incentives to encourage use of public transport;
- b. Park and ride/park and share facilities and associated costs and restrictions on use of such facilities;
- c. Pedestrian links to public transport services, to local facilities, areas of employment, education and leisure;
- d. Voucher or other means of contribution towards the cost of public transport season ticket, or purchase of bicycle or cycling accessories;
- e. Local and national cycling routes; and
- f. Any other measures that would encourage use of sustainable modes of travel

Reason: *In the interests of pedestrian and highway safety and the use of sustainable modes of transport in accordance with the provisions of Policy AW5 of the Rhondda Cynon Taf Local Development Plan.*

- 17) No development shall take place until a Species, Habitat and Tree Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a. An appropriate scale plan showing Protection Zones where construction activities are restricted and where protective measures will be installed or implemented;

- b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction including tree protection;
- c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife and species could be harmed;
- d. Details of specific species mitigation measures for bats (including tree felling), reptiles and birds;
- e. Details of water pollution control measures;
- f. Wildlife sensitive lighting;
- g. Precautionary invasive plant control;
- h. An agreed scheme of monthly progress reporting to the Council during the construction programme.
- i. Details of the persons responsible for:
 - I. Compliance with legal consents relating to nature conservation;
 - II. Compliance with planning conditions relating to nature conservation (Ecological Clerk of Works);
 - III. Installation of physical protection measures and management during construction;
 - IV. Implementation of sensitive working practices during construction;
 - V. Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - VI. Specific species and Habitat Mitigation measures; and
 - VII. Provision of training and information about the importance of the 'Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

Reason: *In the interest of maintaining biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.*

- 18) The proposed development shall be carried out in accordance with the engineering considerations and recommendations of the site investigation report prepared by Integral Geotechnique submitted in support of the application insofar as it relates to issues of ground stability.

Reason: *To mitigate any potential ground instability in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.*



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 12/12/19

gan Richard E. Jenkins BA (Anrh) MSc
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 08.01.2020

Appeal Decision

Site visit made on 12/12/19

by Richard E. Jenkins BA (Hons) MSc
MRTPI

an Inspector appointed by the Welsh Ministers

Date: 08.01.2020

Cyf yr apêl: APP/L6940/A/19/3237483

Cyfeiriad y safle: Hen Ysgol Gyfun Blaengwawr, Club Street, Aberaman, Aberdâr, CF44 6TN

Mae Gweinidogion Cymru wedi trosglwyddo'r awdurdod i benderfynu ar yr apêl hon i mi fel yr Arolygydd penodedig.

- Gwneir yr apêl o dan adran 78 Deddf Cynllunio Gwlad a Thref 1990 yn erbyn gwrthod rhoi caniatâd cynllunio.
- Gwneir yr apêl gan Mr Matthew Davies o Davies Homes Ltd. yn erbyn penderfyniad Cyngor Bwrdeistref Sirol Rhondda Cynon Taf.
- Gwrthodwyd y cais, Cyf: 18/1346/10, dyddiedig 30 Hydref 2018, drwy hysbysiad dyddiedig 24 Gorffennaf 2019.
- Y datblygiad arfaethedig yw datblygiad preswyl â 120 o unedau, ynghyd â gwaith tirlunio a pheirianeg cysylltiedig.

Penderfyniad

1. Caniateir yr apêl a rhoddir caniatâd cynllunio ar gyfer datblygiad preswyl â 120 o unedau, ynghyd â gwaith tirlunio a pheirianeg cysylltiedig yn Hen Ysgol Gyfun Blaengwawr, Club Street, Aberaman, Aberdâr, CF44 6TN, yn unol â thelerau'r cais, Cyf: 18/1346/10, dyddiedig 30 Hydref 2018, yn ddarostyngedig i'r amodau a amlinellir yn yr atodlen atodedig.

Materion gweithdrefnol

2. Rwyf wedi cymryd cyfeiriad y safle o Hysbysiad o Benderfyniad y Cyngor. Gan ei fod yn gyson â'r hyn a amlinellwyd ar y Cais a'r Ffurflenni Apêl cysylltiedig, rwy'n fodlon nad oes unrhyw amwysedd, yn hyn o beth.
3. Cyflwynwyd rhwymedigaeth gynllunio o dan Adran 106 y Ddeddf fel rhan o gynnig yr apêl. Mae darpariaethau'r ddogfen honno'n mynnu cydymffurfiaeth â rhwymedigaethau sy'n ymwneud â darparu tai fforddiadwy, man chwarae a mesurau lliniaru ecolegol. Rwy'n fodlon bod y Cytundeb Adran 106 yn angenrheidiol er mwyn i'r datblygiad fod yn dderbyniol mewn termau cynllunio, ei fod yn uniongyrchol gysylltiedig â'r datblygiad a'i fod yn ymwneud yn deg ac yn rhesymol â'r datblygiad arfaethedig o ran ei raddfa a'i fath. Mae'n bodloni'r profion statudol a pholisi ac felly mae'n haeddu pwysoliad priodol wrth benderfynu ar yr apêl.

Cais am gostau

4. Cyflwynwyd cais am gostau gan yr apelydd yn erbyn y Cyngor. Mae'r cais hwn yn destun Penderfyniad ar wahân.

Prif fater

5. Y prif fater yn yr achos hwn yw effaith y datblygiad arfaethedig ar ddiogelwch i gerddwyr a diogelwch ar y ffordd.

Rhesymau

6. Mae cynnig yr apêl yn ceisio caniatâd cynllunio llawn ar gyfer adeiladu 120 o anheddau preswyl¹ ar dir lle safodd Ysgol Gyfun Blaengwawr gynt yn Aberaman, Aberdâr. Mae'r hen ysgol wedi'i ddymchwel erbyn hyn, ac roedd llawer o'r deunyddiau adeiladu wedi'u cadw mewn tomenni ar y safle yn ystod fy ymweliad â'r safle. Cafwyd mynediad at yr ysgol o Club Street, drwy'r gyffordd â'r B4275 Cardiff Road, a dyma'r unig fynedfa i gerbydau ar safle'r apêl o hyd. Mae Club Street wedi'i nodweddu gan dai teras preswyl sy'n sefyll ar hyd ymyl ogleddol y lôn gerbydau, ynghyd â chartref gofal a fflatiau preswyl i'r de. Mae parcio ar hyd Club Street wedi'i reoli'n drwm gan gyfyngiadau parcio, sy'n golygu bod galw mawr am leoedd parcio ar y stryd.
7. Mae safle'r apêl wedi'i leoli mewn lleoliad cynaliadwy, yn gyffredinol, o fewn ffiniau anheddiad Aberaman, fel y diffinnir yng Nghynllun Datblygu Lleol (CDLI) mabwysiedig Cyngor Bwrdeistref Sirol Rhondda Cynon Taf. Felly, nid yw'r Cyngor yn gwrthwynebu'r egwyddor o ddatblygu. Ar ôl ystyried y dystiolaeth sydd ar gael, gan gynnwys nifer o sylwadau a gyflwynwyd gan bartion â buddiant, nid oes gennyf unrhyw reswm i ddod i gasgliad gwahanol ynghylch y mater hwn. Felly, byddaf yn canolbwyntio ar y prif fater y mae dadl yn ei gylch rhwng y prif bartion, sef effaith y datblygiad ar ddiogelwch i gerddwyr a diogelwch ar y ffordd.

Diogelwch i gerddwyr a diogelwch ar y ffordd

8. Er nad yw cynrychiolwyr priffyrdd y Cyngor wedi cynnig unrhyw wrthwynebiad i'r datblygiad arfaethedig, ac er i'r swyddog achos cynllunio argymhell roi caniatâd cynllunio amodol, gwrthododd y Cyngor roi caniatâd cynllunio yn y pen draws, ar y sail y byddai'r trefniadau mynediad arfaethedig "*...yn niweidiol i ddiogelwch ar y ffordd o ganlyniad i lain gwelededd annigonol ar y gyffordd rhwng Club Street a Cardiff Road, a'r man cyfyng ger mynedfa'r safle, yr ystyrir ei fod yn is-safonol*".² Mae Datganiad o Achos y Cyngor yn ymhelaethu ar y pryderon hyn, gan gyfeirio'n benodol at led annigonol y lôn gerbydau a'r droedffordd i gerddwyr, radiws is-safonol y gyffordd rhwng Club Street a Cardiff Road, a'r lleiniau gwelededd sydd wedi'u cysgodi. Mae hefyd yn dadlau bod amodau'r ffordd ac amodau i gerddwyr yn yr ardal yn cael eu gwaethygu gan y galw uchel am leoedd parcio ar y stryd ar hyd Club Street. I'r gwrthwyneb, dywed yr apelydd, yn amodol ar y mesurau lliniaru arfaethedig, y gellid cyflawni mynediad at y datblygiad oddi ar Club Street heb achosi bygythiad sylweddol i ddiogelwch cerddwyr a'r ffordd. I gefnogi'r safbwynt hwn, cyflwynwyd tystiolaeth sylweddol yn ymwneud â'r rhesymau am deithiau a'u dosbarthiad, dadansoddiad o'r gyffordd a'r lôn gerbydau, darpariaeth parcio, dulliau teithio cynaliadwy, cynllunio teithiau, gorchmynion rheoleiddio traffig a gwybodaeth am anafiadau personol.
9. Nid oes gennyf lawer o amheuaeth y byddai cynllun i ddatblygu 120 o anheddau preswyl yn dwysau'r defnydd o Club Street yn sylweddol o gymharu â'r sefyllfa bresennol, ac y byddai goblygiadau amlwg ar gyfer y llif rhwydd o gerddwyr a cherbydau. Mae'r apelydd wedi cyflwyno dadansoddiad TRICS ac wedi cymharu'r data yn ymwneud â nifer y teithiau y byddai'r datblygiad arfaethedig yn ei chreu o gymharu

¹ Bydd 12 annedd yn dai fforddiadwy, fel y diffinnir gan Nodyn Cyngor Technegol 2: Cynllunio a Thai Fforddiadwy (TAN2)

² Hysbysiad o Benderfyniad yr Awdurdod Cynllunio Lleol (ACLI), dyddiedig 24 Gorffennaf 2019

â'r nifer a grëwyd yn flaenorol gan yr ysgol. Nid wyf wedi gweld unrhyw beth i ddangos y byddai siawns realistig o ddefnydd addysg debyg yn aildechrau pe byddai'r apêl yn methu, ac felly nid wyf o'r farn bod defnydd tebyg yn cynrychioli sefyllfa gyfreithlon i gamu'n ôl iddi. Serch hynny, fe'm cynghorwyd y cafodd yr ysgol ei chau yn 2014 ac, fel y cyfryw, rwyf o'r farn bod y gymhariaeth â defnydd hanesyddol Club Street fel prif fynedfa i'r ysgol yn ymarfer ddefnyddiol o ran mesur i ba raddau y byddai'r datblygiad arfaethedig yn achosi niwed.

Lled y lôn gerbydau a pharcio ar hyd Club Street

10. Nid oes llawer o amheuaeth bod y 'man cyfyng' yn gyfagos at rif 1 Club Street yn disgyn islaw'r lled nodweddiadol o 5.5 metr ar gyfer lôn gerbydau a ddisgwyllir ar gyfer datblygiadau preswyl tebyg ac, o ystyried y ffaith mai'r unig fynedfa ymarferol i'r tir yw ar hyd lôn gerbydau sefydledig sy'n disgyn y tu allan i berchenogaeth yr apelydd, nid yw'n ymddangos y byddai modd cyflawni lled parhaus o 5.5 metr ar hyd y lôn gerbydau yn yr achos hwn. Serch hynny, byddai cynnig yr apêl yn darparu ar gyfer lôn gerbydau 5 metr o led yn y 'man cyfyng' rhagddywededig, gyda chyfyngiadau parcio i atal y lled hwnnw rhag cael ei leihau. Byddai trefniant tebyg yn galluogi car safonol a cherbyd nwyddau trwm (HGV) i fynd heibio i'w gilydd ar yr un pryd, gan olygu y byddai mwyafrif y traffig trwodd yn gallu teithio ar hyd y lôn gerbydau'n ddirwystr. Mae'n dir cyffredin o hyd na fyddai dau HGV yn gallu mynd heibio i'w gilydd yn y 'man cyfyng'. Fodd bynnag, o ystyried ei fod yn cynrychioli rhan gyfyngedig o'r lôn gerbydau yn unig, mewn sefyllfa anaml pa fyddai dau HGV yn cyfarfod â'i gilydd, byddai'n bosibl i'r gyrwyr rhagweld y cerbyd arall yn dod tuag atynt ac ildio, yn ôl yr angen. Felly, nid wyf o'r farn bod sefyllfa debyg yn cynrychioli risg sylweddol i ddiogelwch y ffordd.
11. Rwyf wedi rhoi ystyriaeth lawn i'r ffaith bod galw mawr am leoedd parcio ar y stryd ar hyd Club Street, a gwelwyd tystiolaeth o barcio diwahaniaeth yn ystod fy ymweliad â'r safle. Rwy'n derbyn hefyd y gallai'r arferion hyn rwystro'r lôn gerbydau a'r droedffordd i gerddwyr, ac felly y gallant amharu ar y llif rhwydd o draffig cerbydau a cherddwyr. Serch hynny, mae llawer o'r pryderon hyn yn ymwneud ac arferion parcio anghyfreithlon y gall y Cyngor orfodi yn eu herbyn ac, ar ben hynny, byddai'r galw am leoedd parcio a fyddai'n deillio o'r anheddau arfaethedig yn cael ei fodloni ar y safle, a byddai 48 o leoedd parcio ychwanegol yn cael eu darparu ar dir yn gyfagos at rif 1 Club Street. Byddai'r lleoedd parcio ychwanegol ar gael i'w defnyddio gan drigolion Club Street, defnyddwyr yr eglwys gyferbyn â rhif 1 Club Street a'r bobl hynny sy'n defnyddio'r cae bob tywydd gerllaw. Felly, nid oes gennyf unrhyw reswm heblaw cytuno â dadl yr apelydd, sef y byddai'r ddarpariaeth parcio a gynigir fel rhan o'r datblygiad yn helpu i leddfu'r problemau parcio presennol ar hyd Club Street. Felly, nid wyf o'r farn bod y dadleuon hyn yn cynrychioli rheswm rhesymol i wrthod rhoi caniatâd cynllunio yn yr achos hwn.

Cyffordd rhwng Club Street a'r B4275 Cardiff Road

12. Mae'r Cyngor o'r farn bod dwysáu'r defnydd o'r gyffordd rhwng Club Street a Cardiff Road yn annerbyniol. Yn benodol, mae'n dadlau y byddai radiws is-safonol y gyffordd yn arwain at gynnydd mewn cerbydau llonydd a cherbydau'n gyrru am yn ôl, a fyddai'n niweidio diogelwch y ffordd. Serch hynny, er bod y Cyngor yn dadlau y dylai datblygiad fel yr un a gynigir yn yr achos hwn gael ei wasanaethu gan gyffordd â radiws o 6 metr, nid wyf wedi gweld unrhyw beth sy'n dangos y dylai hyn fod yn ofyniad absoliwt, yn enwedig pan mae'r datblygiad yn cynnig defnyddio mynedfa hen

sefydledig. Mewn gwirionedd, mae arweiniad cenedlaethol³ yn nodi'n glir y gall radiws cornel llai fod yn dderbyniol dan yr amgylchiadau sy'n bodoli yn yr achos hwn. Fel y cyfryw, ac ar ôl ystyried y cyfyngiad cyflymder yn yr ardal, defnydd hanesyddol y gyffordd i wasanaethu ysgol heb unrhyw dystiolaeth o ddamweiniau lle bu anafiadau personol, a'r ffaith bod y gyffordd yn cynrychioli llwybr pwysig lleol i gerddwyr, nid wyf o'r farn bod unrhyw dystiolaeth gymhellol i awgrymu bod geometreg y gyffordd yn cynrychioli bygythiad sylweddol i ddiogelwch cerddwyr na'r ffordd. Wrth ddod i'r casgliad hwn, rwyf wedi rhoi ystyriaeth benodol o'r ffaith bod y gyffordd wedi gwasanaethu bysiau ysgol yn hanesyddol, a'i bod eisoes yn cael ei defnyddio gan gerbydau casglu gwastraff heb unrhyw dystiolaeth o niwed.

13. Rwyf wedi ystyried pryderon y Cyngor yn ymwneud â'r pellteroedd gwelededd ar gyffordd Club Street/Cardiff Road yn llawn. Fodd bynnag, mae'r dystiolaeth yn nodi bod gwelededd ar y gyffordd yn rhagori ar y 2.4 metr wrth 40 metr a ddyfynnir yn Nodyn Cyngor Technegol: *Trafnidiaeth* (TAN 18). Nodaf bresenoldeb arhosfan fysiau ger tafarn Blaengwawr ar Cardiff Road, a all guddio gwelededd dros dro. Fodd bynnag, yn gyson â datblygiadau diweddar eraill ar Club Street, ni chynigiodd yr Awdurdod Prifffyrdd unrhyw wrthwynebiad i drefniant tebyg wrth roi sylwadau ar y cais cynllunio. O ystyried y ffaith y bu'r arhosfan fysiau yn ei lle ymhell cyn i'r ysgol gau, ac ni chyflwynwyd unrhyw dystiolaeth i ddangos unrhyw niwed i ddiogelwch y cyhoedd, nid oes gennyf unrhyw reswm i ddod i gasgliad gwahanol ynghylch y mater. Yn wir, mae'r arhosfan dan sylw wedi'i lleoli'n uniongyrchol gyfagos at gilfan hefyd, ac nid oes unrhyw beth i awgrymu y bu angen i'r Cyngor ystyried ei symud y tu allan i linell weld y gyffordd. Fel y cyfryw, ac ar ôl rhoi ystyriaeth lawn i ba mor aml y caiff y gwasanaeth bysiau ei ddefnyddio, rwyf o'r farn bod gwelededd ar y gyffordd rhwng Club Street a Cardiff Road yn ddigonol i wasanaethu'r datblygiad arfaethedig.

Diogelwch i gerddwyr

14. Roedd yn amlwg adeg fy ymweliad â'r safle bod y droedffordd i gerddwyr sy'n rhedeg ar hyd ymyl ogleddol Club Street yn meinhaus i tua 800mm ger y gyffordd â Cardiff Road, sy'n sylweddol islaw'r droedffordd 2 metr o led a argymhellir gan y Cyngor. Caiff y pryderon hyn eu gwaethygu gan y ffordd bod yr un rhan o'r droedffordd wedi'i chyfyngu ymhellach gan bolion cyfleustodau a gwasanaethau, tra mae'r droedffordd letach yn cynnwys nifer o risiau, sy'n ei gwneud yn anhygyrch i ddefnyddwyr cadeiriau olwyn a choetsis babanod. Serch hynny, mae'n amlwg bod y cyfyngiadau hyn yn nodweddion hanesyddol y mae defnyddwyr y droedffordd wedi ymdopi â nhw erioed. Beth bynnag, mae'r droedffordd ar ochr ddeheuol Club Street yn amlwg yn llwybr cymharol ddigyfyngiad o Cardiff Road i safle'r apêl, o ystyried y ffaith y cynigir tynnu gatiau presennol yr ysgol a bod cyrbau isel mewn lleoliadau cyfleus. Rwy'n cydnabod pryderon y Cyngor ynghylch y ffaith y gall parcio diwahaniaeth gyfyngu lled y droedffordd a gwelededd ger Blaengwawr Close. Fodd bynnag, rwyf eisoes wedi dod i'r casgliad uchod bod gorfodi parcio anghyfreithlon dan reolaeth y Cyngor, ac y byddai'r datblygiad yn cyfrannu at leddfu'r pryderon hyn. Felly, nid wyf o'r farn bod unrhyw dystiolaeth gadarn i awgrymu y byddai'r datblygiad yn tanseilio diogelwch i gerddwyr yn ddifrifol.

Materion eraill yn ymwneud â diogelwch cerddwyr a'r ffordd, a chasgliad

15. Rwyf wedi rhoi ystyriaeth lawn i'r beirniadaethau ehangach o dystiolaeth trafndiaeth yr apelydd, ond nid oes unrhyw beth wedi fy arwain at y casgliad nad yw'n ddigon cadarn i ategu honiadau'r apelydd. I'r gwrthwyneb, nid wyf wedi gweld llawer o

³ Llawlyfr Strydoedd 2

dystiolaeth gymhellol gan y Cyngor i'm harwain i wyro oddi wrth y casgliadau a amlinellir uchod. Nodaf y dadleuon bod angen mynedfa amgen a/neu ail fynedfa i safle'r apêl. Fodd bynnag, nid wyf wedi gweld unrhyw beth sy'n awgrymu bod dewis arall ymarferol i'r fynedfa arfaethedig a, beth bynnag, mae'n ofynnol i mi benderfynu ar gynnig yr apêl yn ôl ei deilyngdod ei hun. Ar ben hynny, nid yw cynrychiolwyr priffyrdd y Cyngor wedi awgrymu bod angen ail fynedfa ac nid oes gennyf unrhyw reswm i ddod i gasgliad gwahanol mewn perthynas â'r mater hwn.

16. Ar sail y dadansoddiad blaenorol ac ar ôl ystyried yr holl faterion a godwyd, rwyf o'r farn na fyddai'r datblygiad arfaethedig yn cynrychioli bygythiad sylweddol i ddiogelwch cerddwyr na'r ffordd. Felly, deuaif i'r casgliad na fyddai unrhyw wrthdaro â Pholisi AW5(2)(c) y CDLI mabwysiedig sydd, ymhlith pethau eraill, yn datgan y dylai datblygiadau ddarparu mynediad diogel at rwydwaith y priffyrdd a pheidio ag achosi tagfeydd traffig na gwaethygu unrhyw dagfeydd presennol.

Ystyriaethau perthnasol eraill

17. Rwyf wedi ystyried yr holl faterion eraill a godwyd, gan gynnwys y rhai yn ymwneud â'r aflonyddwch a achosir yn ystod y cyfnod adeiladu. Fodd bynnag, o ystyried natur dros dro yr effeithiau hyn, nid wyf o'r farn eu bod yn cynrychioli rheswm dilys i wrthod caniatâd cynllunio yn yr achos hwn, yn enwedig oherwydd y gellid rheoli'r materion hyn yn foddhaol drwy osod amodau cynllunio. Nodaf y pryderon yn ymwneud ag effaith y datblygiad arfaethedig ar amodau byw preswylwyr cyfagos. Fodd bynnag, ar ôl ystyried lleoliad, cyfeiriadedd a dyluniad cyffredinol yr anheddau arfaethedig, nid wyf o'r farn y byddai'r datblygiad yn annerbyniol yn hyn o beth. Yn yr un modd, ar ôl ystyried y gosodiad a'r dyluniad manwl, ni fyddai unrhyw niwed i gymeriad na golwg yr ardal. Byddai tai fforddiadwy, man chwarae a mesurau lliniaru ecolegol yn cael eu sicrhau drwy'r Cytundeb Adran 106 a grybwyllwyd yn flaenorol, ynghyd ag amodau cynllunio cysylltiedig. Hefyd, nid wyf wedi gweld unrhyw beth sy'n awgrymu na fyddai amod cynllunio'n ymdrin â draenio dŵr budr a dŵr wyneb yn foddhaol. Nid yw'r pryderon yn ymwneud ag ymddygiad gwrthgymdeithasol wedi'u profi o hyd ac nid yw gwerth eiddo unigol yn fater sy'n berthnasol wrth benderfynu ar yr apêl.
18. Yn ogystal â'r diffyg niwed mewn perthynas â'r materion uchod, rwyf o'r farn bod manteision y cynllun yn pwysoli'n sylweddol o blaid y datblygiad. Yn benodol, byddai'r datblygiad yn defnyddio tir a ddatblygwyd yn flaenorol, fel yr anogir gan Bolisi Cynllunio Cymru (Argraffiad 10, 2018), a byddai wedi'i leoli o fewn ffin anheddiad diffiniedig Aberaman mewn lleoliad cynaliadwy'n bennaf o ran cyfleusterau a gwasanaethau lleol. Byddai'r datblygiad yn gwneud cyfraniad gwerthfawr i'r cyflenwad tir lleol ar gyfer tai hefyd, yr wyf wedi fy nghynghori ei fod yn sylweddol is na'r hyn sy'n ofynnol dan bolisi cenedlaethol, ac yn gwneud cyfraniad cymesur tuag at dai fforddiadwy.

Casgliadau cyffredinol

19. Ar sail yr uchod ac ar ôl ystyried yr holl faterion a godwyd, deuaif i'r casgliad y dylid caniatáu'r apêl, yn ddarostyngedig i'r amodau a bennir yn yr atodlen atodedig. Wrth ddod i'r casgliad hwn, rwyf wedi ystyried y ddyletswydd i wella llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol Cymru, yn unol â'r egwyddor datblygu cynaliadwy, dan adran 3 Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (y Ddeddf). Rwyf wedi ystyried y ffyrdd o weithio a amlinellir yn adran 5 y Ddeddf ac rwyf o'r farn bod y penderfyniad hwn yn unol â'r egwyddor datblygu cynaliadwy drwy ei gyfraniad at un neu fwy o amcanion llesiant Gweinidogion Cymru, fel sy'n ofynnol dan adran 8 y Ddeddf.

20. Rwyf wedi ystyried yr amodau awgrymedig ac, ar ôl ystyried y cyngor yng Nghylchlythyr 16/2014 Llywodraeth Cymru: *Defnyddio Amodau Cynllunio i Reoli Datblygu* (Hydref 2014), wedi addasu eu geiriad er mwyn eglurder a manwl gywirdeb. Mae'r rhesymau dros osod pob un o'r amodau wedi'u hamlinellu yn y Rhestr Amodau sydd wedi'i hatodi i'r penderfyniad hwn.

Richard E. Jenkins

AROLYGYDD

Rhestr Amodau

- 1) Bydd y datblygiad yn dechrau heb fod yn hwyrach na phum mlynedd o ddyddiad y penderfyniad hwn.

Rheswm: *I gydymffurfio ag Adran 91 Deddf Cynllunio Gwlad a Thref 1990.*

- 2) Caiff y datblygiad a ganiateir drwy hyn ei gyflawni'n unol â'r cynlluniau a'r dogfennau canlynol, oni bai bod angen eu cymeradwyo fel arall a'u disodli gan fanylion sy'n ofynnol dan unrhyw amod arall sy'n gysylltiedig â'r caniatâd hwn:

- Lluniad o gynllun lleoliad y safle rhif: 1754.PI.01 Rev A
- Lluniad o osodiad y cynllun rhif: 1754.PL01 Rev A
- Lluniad o waith allanol rhif: 1754.EWL01 Rev A
- Lluniad o drefniadau mynediad y safle rhif: IMA-18-15-102
- Lluniad o fanylion garejis rhif: HAS/GAR01
- Lluniad o dai math Tintern rhif: HAS/TH01
- Lluniad o dai math Ascot rhif: HAS/AH02
- Lluniad o dai math Canterbury rhif: HAS/CH03
- Lluniad o dai math Hereford rhif: HAS/HH04
- Lluniad o dai math Harrogate rhif: HAS/HH05
- Lluniad o dai math Radliegh rhif: HAS/RH06
- Lluniad o dai math Lynton rhif: HAS/LH07
- Lluniad o dai math Llandovery rhif: HAS/LH08
- Lluniad o dai math Knightsbridge rhif: HAS/KH09
- Lluniad tai fforddiadwy rhif: HAS/TH01
- Lluniad tai fforddiadwy rhif: HAS/2.1.1. AFF
- Lluniad tai fforddiadwy rhif: HAS/4.2.1. AFF
- Lluniad o adrannau arfaethedig y safle rhif: 18090.C/PL200 Rev 1
- Lluniad o'r cysylltiad â Club Street a gytunwyd â Phriffyrdd, rhif: IMA-18-15-102

Rheswm: *Er mwyn sicrhau y caiff y datblygiad ei gyflawni'n unol â'r dogfennau, cynlluniau a'r lluniadau cymeradwy a gyflwynwyd gyda'r cais.*

- 3) Er gwaethaf y manylion cymeradwy, nid yw'r caniatâd a roddir drwy hyn yn ymwneud â chysylltiad y llwybr troed rhwng y safle a Maesyffynnon Grove a ddangosir ar osodiad y cynllun y cyfeirir ato yn Amod Rhif 2 uchod.

Rheswm: *Er mwyn cynnal cymeriad ac amwynder Maesyffynnon Grove, yn unol â gofyniad polisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 4) Caiff yr holl waith plannu, hadu neu dywarchu yn y manylion tirlunio cymeradwy ei gyflawni yn ystod y tymor plannu a hadu cyntaf ar ôl i unrhyw un ddechrau byw yn yr adeilad(au) neu ar ôl i'r datblygiad gael ei gwblhau, pa un bynnag sydd gyntaf, a rhaid i unrhyw goed neu blanhigion sy'n marw, yn cael eu tynnu neu'n cael ei difrodi'n ddifrifol neu'n dod yn ddifrifol afiach cyn pen cyfnod o bum mlynedd ar ôl i'r datblygiad gael ei gwblhau, gael eu disodli yn ystod y tymor plannu nesaf gan goed eraill o faint a rhywogaeth debyg, oni bai bod yr Awdurdod Cynllunio Lleol yn rhoi caniatâd ysgrifenedig ar gyfer unrhyw amrywiad.

Rheswm: *Er lles cymeriad a golwg yr ardal, yn unol â Pholisiau AW5 ac AW6 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 5) Cyn i unrhyw waith ddechrau ar y safle, gan gynnwys gwaith safle o unrhyw ddisgrifiad, rhaid i bob un o'r coed sydd i'w cadw gael eu ffensiō'n ddiogel â ffens bolion castan neu ffens debyg wedi'i gosod mewn cylch o amgylch bob coeden i gyd-fynd â phen pellaf canopi'r goeden. O fewn yr ardaloedd hynny sydd wedi'u ffensiō, ni ddylid codi na gostwng lefel y tir, ac ni ddylai unrhyw ddeunyddiau neu adeiladau dros dro neu bridd dros ben o unrhyw fath gael eu gosod na'u storio ynddynt. Os oes angen unrhyw ffosydd ar gyfer gwasanaethau yn yr ardaloedd sydd wedi'u ffensiō, cânt eu cloddio a'u hól-lenwi â llaw, a chaiff unrhyw wreiddiau coed sydd â diamedr o 5cm neu fwy eu gadael heb eu torri.

Rheswm: *Er lles cymeriad a golwg yr ardal, yn unol â Pholisiau AW5 ac AW6 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 6) Cyn adeiladu'r datblygiad a gymeradwyir drwy hyn, rhaid i fanylion a/neu samplau o'r deunyddiau a ddefnyddir wrth adeiladu'r wynebaw allanol gael eu cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo ganddo'n ysgrifenedig. Caiff y datblygiad ei gyflawni'n unol â'r manylion cymeradwy.

Rheswm: *Er lles cymeriad a golwg yr ardal, yn unol â Pholisiau AW5 ac AW6 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 7) Ni fydd y datblygiad a ganiateir drwy hyn yn dechrau nes bydd cynllun i ymdrin â halogiad wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo ganddo'n ysgrifenedig. Bydd y cynllun yn cynnwys pob un o'r mesurau canlynol, oni bai y bydd yr Awdurdod Cynllunio Lleol yn cytuno fel arall yn ysgrifenedig:
- i. Astudiaeth bwrdd gwaith i amlygu a gwerthuso pob ffynhonnell ac effaith bosibl o halogiad sy'n berthnasol i'r safle. Dylai'r astudiaeth bwrdd gwaith gynnwys model cysyniadol o'r safle.
 - ii. Caiff archwiliad llawn ac effeithiol o'r safle ei gyflawni er mwyn nodweddu natur a graddau unrhyw halogiad a'i oblygiadau. Ni fydd yr archwiliad safle'n dechrau nes bydd astudiaeth bwrdd gwaith wedi'i gytuno'n ysgrifenedig â'r Awdurdod Cynllunio Lleol.
 - iii. Datganiad dull ysgrifenedig ar gyfer adfer halogiad sy'n effeithio ar y safle.

Rheswm: *Er mwyn iechyd a diogelwch ac amwynder amgylcheddol, ac er mwyn cydymffurfio â Pholisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 8) Ni chaiff unrhyw un fyw mewn unrhyw annedd a ganiateir drwy hyn nes i'r mesurau a gymeradwyir yn y cynllun (y cyfeirir atynt yn Amod 7 uchod) gael eu rhoi ar waith, ac nes y bydd adroddiad dilysu addas ar y cynllun arfaethedig wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo ganddo'n ysgrifenedig.

Rheswm: *Er mwyn iechyd a diogelwch ac amwynder amgylcheddol, ac er mwyn cydymffurfio â Pholisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 9) Os, yn ystod y gwaith datblygu, y deuir ar draws unrhyw halogiad na amlygwyd yn flaenorol ac sy'n deillio o ffynhonnell wahanol a/neu sydd o fath gwahanol i'r hyn a gynhwyswyd yn y cynigion halogiad, bydd y gwaith yn darfod a rhaid cyflwyno cynigion halogiad diwygiedig i'r Awdurdod Cynllunio Lleol. Ni fydd y datblygu'n aildechrau nes i'r cynigion ychwanegol gael eu cymeradwyo'n ysgrifenedig gan yr Awdurdod Cynllunio Lleol.

Rheswm: *Er mwyn iechyd a diogelwch ac amwynder amgylcheddol, ac er mwyn cydymffurfio â Pholisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 10) Caiff unrhyw uwchbridd, p'un a yw'n naturiol neu wedi'u wneud, neu isbridd i'w fewnfudo ei asesu gan unigolyn cymwys ar gyfer cemegau neu halogyddion posibl, yn unol â chynllun archwilio, a fydd yn cael ei gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo ganddo cyn iddo gael ei fewnfudo. Yn amodol ar gymeradwyo'r cynllun archwilio, bydd unigolyn cymwys yn samplu'r deunydd sy'n cael ei dderbyn ar safle'r datblygiad er mwyn cadarnhau bod y pridd sydd wedi'i fewnfudo'n rhydd rhag halogiad, yn unol â chynllun ac amserlen a gytunir yn ysgrifenedig gan yr Awdurdod Cynllunio Lleol. Dim ond deunydd a gymeradwyir gan yr Awdurdod Cynllunio Lleol fydd yn cael ei fewnfudo.

Rheswm: *Er mwyn iechyd a diogelwch ac amwynder amgylcheddol, ac er mwyn cydymffurfio â Pholisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 11) Ni fydd unrhyw ddatblygu'n dechrau nes caiff manylion am gynllun i waredu dŵr budr a dŵr wyneb ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo'n ysgrifenedig. Caiff y cynllun ei weithredu'n unol â'r manylion cymeradwyo cyn i unrhyw un fyw yn yr anheddau, a'i gadw am byth.

Rheswm: *Er mwyn sicrhau y caiff draeniad dŵr budr a dŵr wyneb ei waredu'n ddigonol, yn unol â Pholisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 12) Heblaw ar gyfer gwaith arall i glirio, dihalogi a pharatoi'r safle, ni fydd unrhyw waith adeiladu'n dechrau nes bydd dyluniad peirianegol llawn a manylion am y gwaith i adeiladu mynedfa o Club Street, yn unol â'r lluniad o drefniadau mynediad y safle rhif IMA-18-15-102, gan gynnwys mesurau i ddarparu manau parcio a dadleolir, fel y dangos ar TA cynllun 3 a lluniad gosodiad cynllunio'r cais rhif: PL 01 Rev A, gan gynnwys trychiadau hydredol a thrawstoriadau, cynllun cyfuchlin, manylion am oleuadau stryd, mesurau arafu traffig, gosodiad/dyraniad cilfachau parcio, draenio dŵr wyneb a dargyfeirio gwasanaethau, gan gynnwys manylion adeiladu, wedi'u cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo ganddo'n ysgrifenedig. Caiff y manylion cymeradwy eu rhoi ar waith yn unol ag amserlen a gytunir â'r Awdurdod Cynllunio Lleol adeg cyflwyno'r manylion gofynnol.

Rheswm: *Er diogelwch i gerddwyr a'r ffordd, yn unol â darpariaethau Polisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 13) Heblaw ar gyfer gwaith arall i glirio, dihalogi a pharatoi'r safle, ni fydd unrhyw waith adeiladu'n dechrau nes bydd dyluniad peirianegol llawn a manylion am osodiad y ffyrdd mewmol, fel y dangosir ar luniad gosodiad y cais rhif: PL 01 rev A, gan gynnwys trychiadau hydredol a thrawstoriadau, cynlluniau cyfuchlin, manylion am oleuadau stryd, mesurau arafu traffig, gosodiad a dyraniad cilfachau parcio, draenio dŵr wyneb a manylion am fynedfeydd preifat rhanedig a storfa finiau gysylltiedig, gan gynnwys manylion adeiladu, wedi'u cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo ganddo'n ysgrifenedig. Caiff y manylion cymeradwy eu rhoi ar waith yn unol ag amserlen a gytunir â'r Awdurdod Cynllunio Lleol adeg cyflwyno'r manylion gofynnol.

Rheswm: *Er diogelwch i gerddwyr a'r ffordd, yn unol â darpariaethau Polisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 14) Caiff cerbydau nwyddau trwm (HGVau) sy'n cael eu defnyddio wrth adeiladu'r datblygiad eu cyfyngu i 09:30 o 16:30 yn ystod yr wythnos a 09:30 i 13:00 ar ddyddiau Sadwrn, heb unrhyw gludiadau o gwbl ar ddyddiau Sul neu wyliau banc neu gyhoeddus.

Rheswm: *Er diogelwch i gerddwyr a'r ffordd ac amodau byw tai preswyl cyfagos, yn unol â darpariaethau Polisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 15) Ni fydd unrhyw waith datblygu'n dechrau, gan gynnwys unrhyw waith dymchwel, nes bydd Datganiad o'r Dull Adeiladu wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo ganddo'n ysgrifenedig. Cedwir at y datganiad cymeradwy ar hyd y cyfnod adeiladu. Bydd y datganiad yn amodi ar gyfer:

- a. Y fynedfa i'r safle ar gyfer yr holl draffig adeiladu;
- b. Parcio cerbydau gweithwyr ac ymwelwyr â'r safle;
- c. Rheoli traffig cerbydau a cherddwyr;
- d. Llwytho a dadlwytho peiriannau a deunyddiau;
- e. Storio peiriannau a deunyddiau sy'n cael eu defnyddio wrth adeiladu'r datblygiad;
- f. Cyfleusterau golchi olwynion; a
- g. Cynfasau lorïau sy'n gadael y safle.

Rheswm: *Er diogelwch i gerddwyr a'r ffordd ac amodau byw tai preswyl cyfagos, yn unol â darpariaethau Polisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 16) Bydd y datblygwr yn darparu Cynllun Teithio i ddeiliaid pob annedd a ddylai gynnwys y canlynol:

- a. Darparwyr gwasanaethau bws/trên, eu manylion cyswllt, amlder gwasanaethau, amserlen, arosfannau bysiau/gorsafoedd trenau, costau tocynnau ar hyn o bryd a chymhellion ariannol i'w hannog i ddefnyddio trafndiaeth gyhoeddus;
- b. Cyfleusterau parcio a theithio/parcio a rhannu, a chostau a chyfyngiadau cysylltiedig ar gyfer defnyddio'r cyfleusterau hyn;
- c. Cysylltiadau i gerddwyr i wasanaethau trafndiaeth gyhoeddus i gyfleusterau lleol, manau cyflogaeth, addysg a hamdden;
- d. Taleb neu ddull arall o gyfrannu tuag at gostau tocyn tymor ar gyfer trafndiaeth gyhoeddus, neu brynu beic neu gyfarpar beicio;
- e. Llwybrau beicio lleol a chenedlaethol; ac
- f. Unrhyw fesurau eraill a fyddai'n eu hannog i ddefnyddio dulliau teithio cynaliadwy

Rheswm: *Er diogelwch i gerddwyr a'r ffordd a defnyddio dulliau teithio cynaliadwy, yn unol â darpariaethau Polisi AW5 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 17) Ni fydd unrhyw waith datblygu'n dechrau nes bydd Cynllun Gwarchod Rhywogaethau, Cynefinoedd a Choed ar gyfer Adeiladu yn cael ei gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo ganddo'n ysgrifenedig. Bydd y cynllun yn cynnwys:

- a. Cynllun priodol ar raddfa sy'n dangos y Parthau Diogelu lle bydd gweithgareddau adeiladu wedi'u cyfyngu a lle caiff mesurau amddiffynnol eu gosod neu eu rhoi ar waith;

- b. Manylion am fesurau amddiffynnol (mesurau ffisegol ac arferion gwaith sensitif) i osgoi effeithiau yn ystod y cyfnod adeiladu, gan gynnwys diogelu coed;
- c. Amserlen sy'n dangos camau'r gweithgarwch adeiladu er mwyn osgoi adegau o'r flwyddyn pan ellir niweidio bywyd gwyllt a rhywogaethau sensitif;
- d. Manylion am fesurau lliniaru rhywogaeth-benodol ar gyfer ystlumod (gan gynnwys cwmpo coed), ymlusgiaid ac adar;
- e. Manylion am fesurau rheoli llygredd dŵr;
- f. Goleuadau sy'n sensitif i fywyd gwyllt;
- g. Rheolaeth ragofalus o blanhigion ymledol;
- h. Cynllun cytûn ar gyfer adrodd i'r Cyngor yn fisol yn ystod y rhaglen adeiladu;
- i. Manylion yr unigolyn sy'n gyfrifol am y canlynol:
 - I. Cydymffurfio â chaniatâd cyfreithiol yn ymwneud â chadwraeth natur;
 - II. Cydymffurfio ag amodau cynllunio sy'n ymwneud â chadwraeth natur (Clerc Gwaith Ecolegol);
 - III. Gosod mesurau amddiffyn ffisegol a rheolaeth yn ystod y cyfnod adeiladu;
 - IV. Rhoi arferion gwaith sensitif ar waith yn ystod y cyfnod adeiladu;
 - V. Arolygu a chynnal a chadw mesurau amddiffyn ffisegol yn rheolaidd a monitro arferion gwaith yn ystod y cyfnod adeiladu;
 - VI. Mesurau lliniaru ar gyfer rhywogaethau penodol a mesurau lliniaru Cynefinoedd; a
 - VII. Darparu hyfforddiant a gwybodaeth am bwysigrwydd y 'Parthau Diogelu' i'r holl bersonél adeiladu ar y safle.

Caiff yr holl weithgarwch adeiladu ei roi ar waith yn unol â manylion ac amseriad cymeradwy'n cynllun, oni bai y bydd yr Awdurdod Cynllunio Lleol yn cymeradwyo fel arall yn ysgrifenedig.

Rheswm: *Er mwyn cynnal bioamrywiaeth, yn unol â Pholisi AW8 Cynllun Datblygu Lleol Rhondda Cynon Taf.*

- 18) Caiff y datblygiad arfaethedig ei gyflawni'n unol â'r ystyriaethau peirianegol ac argymhellion adroddiad archwilio'r safle a baratowyd gan Integral Geotechnique, a gyflwynwyd i ategu'r cais cyhyd â'i fod yn ymwneud â sadrwydd y tir.

Rheswm: *Er mwyn lliniaru unrhyw ansadrwydd posibl, yn unol â pholisi AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.*