

TOWN AND COUNTRY PLANNING ACT 1990

Decision Notice

Full Planning Permission Granted

Applicant

Motor Fuel Limited and Draycott Investments
c/o Agent

Application No: **PL/00978** registered on 22/12/2020 for:

Proposal:	An application for full planning permission for the provision of a new access road from Tenby Road; erection of a new petrol filling station with sales building; forecourt including fuelling provision for domestic and HGVs and underground fuel tanks; three jet washes and car care facilities; electric vehicle charging hub and supporting infrastructure; car parking and cycle parking; landscaping including small outside seating area and other associated works
Location:	Land at St Clears Roundabout, St Clears, Carmarthen, SA33 4JW
Application Type:	Full planning permission

Carmarthenshire County Council HEREBY GRANT FULL PLANNING PERMISSION for the development proposed by you as shown on the application form, plan(s) and supporting document(s) subject to the following condition(s):

Please read the conditions listed below carefully, some conditions may require to be discharged prior to or during development.

Condition 1

The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

Condition 2

The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-

- Vehicle tracking for 16.5m articulated vehicle (2869-42)

received on 16 September 2021;

- EV Canopy and associated equipment (PL11)
- Noise Impact Assessment Technical Report (35744-R7)

received on 19 February 2021;

- Air quality assessment – Initial Report (January 2021)
- Tree survey (619/03B)

received on 17 February 2021;

- Biodiversity survey and report tree assessment Sept 2017 background document
- Block plan (PL09)
- Drainage strategy report (CC2200 S2)
- Extended phase 1 habitat survey (July 2017)
- Land contamination assessment
- Landscape details arboricultural assessment (Dec 2020)
- 1:1250 scale location plan
- Phase one environmental assessment (V October 2020)
- Planning design and access statement (December 2020)
- Preliminary Ecological Appraisal (WWE/021120)
- Proposed building elevations (PL03)
- Proposed building layout (PL08)
- Transport Assessment Parts 1 and 2 (ADL/RG/2869/10A December 2020)

received on 14 December 2020;

- Proposed site elevations (PL02A)
- Existing and proposed sections through hedgebanks (PL12A)
- Proposed site sections through perimeter road sheet 1 (PL06B and PL07A)
- Proposed site sections (PL05A)
- Tree survey (619/03C)
- Proposed site elevations indicating EV Equipment (PL10A)
- Proposed site layout (PL01F)
- Landscape general arrangement with planting plan (619/01H)
- Plant schedules and specification (619/02F)

received on 6 October 2021.

Reason: In the interest of clarity as to the extent of the permission.

Condition 3

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:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during demolition and construction; and
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To prevent the pollution of the environment and safeguard the living conditions of the occupiers of surrounding properties.

Condition 4

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 use of the development and retained in perpetuity.

Reason: To ensure the development is drained in an acceptable manner.

Condition 5

No development shall commence until a lighting plan providing details of the design and layout of the proposed external lighting scheme, including measures to reduce light spillage onto foraging habitats on the vegetated boundaries of the site, has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and retained in perpetuity.

Reason: To ensure there is no detriment to the maintenance of the favourable conservation status of Bat species.

Condition 6

The landscaping works hereby approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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.

Reason: In the interests of visual amenity.

Condition 7

The access, visibility splays and service areas, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or service areas, is to be obstructed by non-motorised vehicles.

Reason: In the interests of highway safety.

Condition 8

The vehicular accesses into the site shall at all times be left open, unimpeded by gates or any other barrier.

Reason: In the interests of highway safety.

Condition 9

The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or service area is to be obstructed by non-motorised vehicles.

Reason: In the interests of highway safety.

Condition 10

There shall at no time be any growth or obstruction to visibility over 0.6 metres above the adjacent carriageway crown, over the site's whole internal access road frontage within 2.4 metres of the near edge of the carriageway.

Reason: In the interests of highway safety.

Condition 11

No development shall take place until a detailed Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety.

Condition 12

The jet wash facilities hereby approved, as shown on the proposed site layout plan (PL01F) received on 6 October 2021, shall not be used outside the hours of 08:00 to 21:00 on any one day.

Reason: To safeguard the living conditions of adjacent occupiers.

Condition 13

The existing trees to be retained as part of the development, as shown on Landscape general arrangement with planting plan (619/01H) and tree survey plan (619/03C) received on 6 October 2021 shall be protected in accordance with the details shown for the duration of the development.

Reason: To safeguard existing landscape features.

Condition 14

The Rating level, (dB LAr, Tr) from the proposed development shall not exceed the levels stipulated in Table 12 of the Noise Impact Assessment Technical Report (35744-R7) received on 19 February 2021. The noise levels shall be measured 1m from the façade of the nearest noise sensitive property or at another location that is deemed suitable by the authority. The levels are as follows

Daytime 07:00 – 19:00 - 38 dB LAr, Tr
Evening 19:00 – 23:00 - 36 dB LAr, Tr
Night time 23:00 – 07:00 - 34 dB LAr, Tr

Reason: To safeguard the living conditions of adjacent occupiers.

Condition 15

At the written request of the local planning authority, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment to determine whether noise arising from the development exceeds the level specified in condition 14 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Condition 14 is exceeded, the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in the condition. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the living conditions of adjacent occupiers.

Condition 16

The proposed development shall be operated strictly in accordance with the recommendations and mitigation measures contained in the Noise Impact Assessment Technical Report (35744-R7) received on 19 February 2021.

Reason: To safeguard the living conditions of adjacent occupiers.

Note 1

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).


The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Note 2

Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

DATED: 14/10/2021


Director of Environment

PLEASE NOTE: Your attention is drawn to the attached notes which explain, amongst other things, your right of appeal against this decision.



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 14/01/20

gan Alwyn B Nixon BSc MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 18.02.2020

Appeal Decision

Site visit made on 14/01/20

by Alwyn B Nixon BSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 18.02.2020

Appeal Ref: APP/M6825/A/19/3240281

Site address: Land at St Clears Roundabout, Old Tenby Road, St Clears, Carmarthenshire

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 Draycott Investments and Developments against the decision of Carmarthenshire County Council.
 - The application Ref W/37120, dated 14 November 2017, was refused by notice dated 27 September 2019.
 - The development proposed is development of site with the erection of both a freestanding restaurant and a freestanding coffee shop, both with associated drive through facility; installation of access road, associated car park, patio areas, extraction equipment and wider associated works to the site.
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Decision

1. The appeal is allowed and planning permission is granted for development of site with the erection of both a freestanding restaurant and a freestanding coffee shop, both with associated drive through facility; installation of access road, associated car park, patio areas, extraction equipment and wider associated works at land adjacent to St Clears Roundabout, Old Tenby Road, St Clears, Carmarthenshire in accordance with the terms of the application, Ref W/37120, dated 14 November 2017, and the plans submitted with it, subject to the conditions set out in the schedule at the end of this decision.

Application for costs

2. An application for costs was made by Draycott Investments and Developments against the Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the acceptability of the proposed development, having regard to its location substantively beyond the development limits for St Clears and to other material considerations.
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Reasons

4. The application was recommended for approval by the Council's professional officers but was refused planning permission for the sole reason that the proposal is contrary to policy GP2 *Development Limits* of the adopted Carmarthenshire Local Development Plan (LDP) in that it is located outside the development limit of St Clears as defined in the Plan.
5. LDP policy GP2 defines development limits for a range of settlement types within Carmarthenshire's identified settlement framework. It states that proposals within defined development limits will be permitted, subject to other policies and proposals of the Plan, national policies and other material considerations. The accompanying text within the written statement explains the purposes of defining development limits as including to prevent inappropriate development in the countryside; to prevent coalescence of settlements, ribbon development or a fragmented development pattern; and to promote effective and appropriate use of land concentrating growth within defined settlements.
6. From the above it is clear that policy GP2 seeks to direct new development primarily to locations within the development limits of the settlements identified by the Plan. Whilst the logical corollary to this is that it is not generally permissive of proposals outside the development limits of settlements, policy GP2 does not explicitly prohibit all development in such locations.
7. The appellant points to LDP policy EMP2 *New Employment Proposals*, which permits (subject to certain provisos) employment developments which are within, adjacent or directly related to the development limit of a defined settlement. However, I consider that this section of the LDP is primarily aimed at proposals for B1-B8 employment development rather than Class A3 uses as proposed here. Consequently, although the proposed restaurant and coffee shop facilities plainly would bring significant employment opportunity to the locality, they do not fall neatly within the ambit of LDP policy EMP2, as contended by the appellant.
8. I fully recognise the Council's concern to ensure that new development is sustainably located, relates well to the existing pattern of development and that the character of the countryside is protected from unnecessary development. However, in this case there is strong justification for the proposal, notwithstanding its location outside the defined development limit. The principal purpose of the development is to provide combined drive-through and eat-in refreshment facilities for travellers on the primary strategic A40 and A477 routes through south-west Wales. Both routes carry large numbers of holiday, tourism, commercial and other traffic and are of major importance to the regional economy. The appeal site location, where the A477 joins the A40, is an obvious potential location for such a facility; this is not disputed by the Council and it does not suggest that a preferable location exists elsewhere. I consider that the Council's opposition to the proposal based on its location outside the defined development limit is negated by the proposal's clear locational requirements linked to the strategic road network.
9. Moreover, notwithstanding that the main body of the site lies outside the settlement development limits, it adjoins the built-up area of St Clears and is within walking distance of the core of the service centre where other local facilities exist. The site is also located directly across the A4066 into St Clears from the existing Travelodge. Overall, I consider that the site performs well as regards accessibility considerations and that the proposal would contribute to the sustainability of St Clears through the provision of additional employment opportunities and an increase in the range and

number of local facilities. Although some objectors express concern about a possible adverse effect upon existing businesses in St Clears, competition between individual businesses is not a relevant planning consideration. There is no evidence to suggest that the proposal would harm the viability or vitality of the retail centre, and the Council does not seek to argue that this would be the case. On the evidence before me I am satisfied that no sequentially preferable site relative to the town centre exists which is suitable to accommodate the proposed drive-through/eat-in facilities.

10. Although located outside the development limits identified in the LDP, the prevailing character of the site's environs is edge-of-settlement rather than open countryside, with visible development close by in most directions. The locality does not possess any designation indicating any special landscape sensitivity or value. Moreover, the developed character of the site's environs is likely to be reinforced as the housing site on its north-east side is delivered. Given the presence of this housing allocation the appeal proposal would not result in a materially harmful erosion of the gap separating the development limits of St Clears and Pwll Trap. In summary the proposal would relate well to the existing built form of the locality and would not harm the area's character and appearance.
11. Overall, therefore, I conclude that whilst the site of the proposal lies largely outside the defined development limit of St Clears, the specific locational requirement of the development due to its primary function as a service facility on the strategic road network constitutes a cogent and overriding justification for the development's location beyond the development limit. On this basis I find that the location of the proposed development is justified. Since the proposed development would also be located on the edge of the built-up area and relate well to the existing settlement form, I conclude that the proposal is nonetheless broadly consistent with LDP policy GP2 and that it is in accordance with the Plan as a whole.
12. In reaching my decision I have considered all other matters. The access arrangements to the site are supported by Transport Assessment evidence. I am satisfied with the adequacy of this evidence and that the vehicular and pedestrian access arrangements proposed are satisfactory and consistent with national highway safety standards, based on surveyed conditions at this location. The development design pays due regard to relevant ecological considerations, including potential effects on the nearby SAC, in respect of which an appropriate assessment has been carried out. The proposed parking arrangements are acceptable, and whilst some additional details are needed concerning matters such as landscaping and drainage, these are matters which can be resolved by the imposition of conditions.
13. The appellant has executed a section 106 unilateral undertaking concerning a financial contribution to fund the incorporation of a pedestrian phase into the signalised junction a few hundred metres east of the site. However, notwithstanding the undertaking the appellant contends that a requirement for such a contribution would not meet the tests for planning obligations. Whilst I recognise that the contribution was sought by the Council following the comments of the Highways Authority, I find insufficient evidence before me to conclude that the provision of a pedestrian phase at the signalised junction is necessary to make the proposal acceptable in planning terms. The signalised junction is a considerable distance away from the site and there is no evidence indicating that the development would alter conditions at the junction to an extent that would threaten its continued safe operation in its existing form. My decision to grant planning permission is therefore not dependent upon the unilateral undertaking.

14. 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. I consider that, subject to the conditions that I have decided should be imposed, my decision to allow the appeal and grant planning permission is consistent with objectives identified by the Welsh Ministers of supporting businesses to drive prosperity, tackling regional inequality, building resilient communities and delivering modern and connected infrastructure.
15. I have had regard to all other matters raised by other interested parties who have commented, either at application or appeal stage. However, I find nothing in those submissions which alters the balance of my conclusions on the main issue, as set out above.
16. I have considered what conditions are necessary in addition to the standard conditions identifying the time limit for commencement and the approved drawings and details, as a result of my decision to allow the appeal. I agree that conditions are needed relating to the site access (including visibility splays) and internal circulation, parking and turning areas, to ensure that these elements of the development are properly provided (conditions 3-5). Conditions relating to a Construction Traffic Management Plan, Delivery Management Plan and footway improvements on the A4066 are also needed in the interests of highway safety (6-8). Conditions relating to foul and surface water drainage (9-10), existing landscape features protection and new landscaping (11-12), noise regulation (13-16), archaeological investigation (17) and pollution prevention (18) are also necessary, to secure the development's acceptability in respect of these matters.
17. For the reasons given and having taken into account all matters raised, I allow the appeal.


Inspector

Planning permission granted by Appeal decision APP/M6825/A/19/3240281:

Schedule of conditions

- 1) The development shall begin not later than five years from the date of this decision.
- 2) The development shall be carried out in accordance with the following approved plans and documents:
 - Block plan (2002N) received on 7 May 2019;
 - Existing site plan (2003H) received on 7 May 2019;
 - Location plan (2001J) received on 7 May 2019;
 - Proposed site plan (2004P) received on 7 May 2019;
 - Site masterplan (2067L) received on 7 May 2019;

- Arboricultural development report dated April 2019 received on 7 May 2019;
- General arrangement and planting plan (210) received on 7 May 2019;
- Landscape concept scheme dated March 2019 received on 7 May 2019;
- Transport Assessment Summary Report dated 9 May received on 10 May 2019;
- Sections A, B and C plan (8180424/4200) received on 15 November 2018;
- Site survey plan (sheet 1 of 2) (8180424/4101) received on 15 November 2018;
- Site survey plan (sheet 2 of 2) (8180424/4102) received on 15 November 2018;
- Drainage report dated September 2018 received on 31 October 2018;
- Drainage strategy (sheet 1 of 2) (SK05 P4) received on 31 October 2018;
- Drainage strategy (sheet 2 of 2) (SK06 P4) received on 31 October 2018;
- Litter management plan received on 1 June 2019;
- Noise impact assessment dated May 2018 received on 22 May 2018;
- Archaeology Report dated July 2017 received on 24 April 2018;
- Fencing details with photo received on 6 March 2018;
- McDonalds proposed elevations (2005A) received on 6 March 2018;
- McDonalds proposed internal layout (2006A) received on 6 March 2018;
- Proposed lighting layout and schedule (DWG01) received on 6 March 2018;
- Typical barrier and lamp post details received on 6 March 2018;
- Outdoor play equipment received on 6 March 2018;
- Design and access statement (Final V5) received on 6 March 2018;
- Planning and sequential statement (Final V5) received on 6 March 2018;
- Transport assessment (February 2018 Part 1 of 2) received on 6 March 2018;
- Transport assessment (February 2018 Part 2 of 2) received on 6 March 2018;
- Costa Balustrade (Balustrade-01) received on 14 November 2017;
- Costa COD DT Canopy received on 14 November 2017;
- Costa elevations (1800(side)-01C) received on 14 November 2017;
- Costa general arrangement plan (1800(side)-02C) received on 14 November 2017;
- Costa roof plan (1800(side)-03B) received on 14 November 2017;
- McDonalds Kitchen Extract schematic (1001) received on 14 November 2017;

- Brochure – December 2016 – Alpine – square edges received on 14 November 2017;
 - EQ003 Play frame received on 14 November 2017;
 - McDonalds euroline patio furniture received on 14 November 2017;
 - Mitsubishi Cassette unit – typical details received on 14 November 2017;
 - The Poseidon tensile umbrella received on 14 November 2017;
 - The Poseidon tensile umbrella speech sheet received on 14 November 2017;
 - UHS mill bench, stool and table received on 14 November 2017;
 - Ecological assessment dated July 2017 received on 14 November 2017;
 - McDonalds Kitchen Extract Odour Control received on 14 November 2017;
 - McDonalds HVAC Roof layout with attenuation drawing (02) received on 10 July 2019.
- 3) Prior to the occupation of the development herewith approved, the required access roads, footways and footpaths from the existing public highway shall be laid out and constructed in accordance with the plans herewith approved to at least basecourse level, and with the visibility splays provided.
 - 4) Prior to any use of the access by vehicular traffic, visibility splays of 2.4 metres x 43 metres to the west side and 2.4 metres x 57 metres to east side of the centre line of the access in relation to the nearer edge of carriageway, shall be formed and thereafter retained at all times. There shall at no time be any obstruction above 0.9 metres within the splay area.
 - 5) The parking spaces, turning areas and circulation layout shown on the approved plans shall be provided prior to commencement of use of the development herewith approved. Thereafter they shall be retained, unobstructed, for these purposes.
 - 6) Prior to any part of the development being brought into use, a detailed Delivery Management Plan for the development shall be submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with the approved details.
 - 7) No development shall take place until a detailed Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the CTMP.
 - 8) Development shall not begin until details of the proposed pedestrian improvements along the A4066 Old Tenby Road, as set out in the ADL Transport Assessment Summary dated 9 May 2019, have been submitted to and approved in writing by the local planning authority. The development shall not be brought into use until the improvements have been constructed in accordance with the approved details.
 - 9) Development shall not begin until a scheme for the upgrading of the St Clears Waste Water Treatment Works to allow it to accommodate the foul discharges from the development without increasing the risk of breaches to the discharge consent for the treatment works has been submitted to and approved in writing by the local planning authority. The development shall not be brought into use

until the Waste Water Treatment Works has been upgraded in accordance with the approved details.

- 10) Development shall not begin 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 use of the development and retained thereafter.
- 11) All site operations shall be undertaken in compliance with the approved landscape constraint and protection information, as defined in the Arboricultural development report dated April 2019 and landscape concept scheme dated March 2019 received on 7 May 2019.
Any construction operations and/or access within the defined construction exclusion zone(s) (CEZ) shall be limited to those undertaken in compliance with the recommendations of BS5837.
CEZ(s) shall be fully implemented prior to the commencement of any works associated with the development; and thereafter maintained in entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site. Any existing landscape elements, or part thereof, identified for protection which, within a period of 5 years after development works are removed, die, become diseased, damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the landscape element in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed in writing with the local planning authority, and thereafter likewise conditioned for a further period of five years.
- 12) No development or site clearance shall take place until a comprehensive detailed Landscape Design Scheme (LDS), has been submitted to and approved in writing by the local planning authority. The LDS shall deliver proposals which effectively integrate appropriate site-specific landscape, ecological and biodiversity objectives and functions. The LDS shall be in compliance with relevant guidance as provided by the local planning authority and the principles of the landscape and ecological information submitted within the Arboricultural development report dated April 2019 and landscape concept scheme dated March 2019 received on 7 May 2019, and Section 6.2 of the Ecological Assessment dated July 2017 received on 14 November 2017.
The approved LDS shall be fully implemented prior to the occupation of the development. Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved LDS which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the local planning authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.
- 13) The cumulative rating level of the noise emitted from all plant/machinery associated with the proposed development shall not exceed the existing background noise level, which shall be determined at the nearest noise sensitive property or at another location that is deemed suitable by the authority. The background noise levels are defined as follows:
 - 49dB between the hours of 07:00 and 19:00
 - 40dB between the hours of 19:00 and 23:00

- 34dB between the hours of 23:00 and 07:00

Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound; background noise levels shall be expressed as LA90 1hr and the ambient noise levels shall be expressed at Laeq 1hr.

- 14) The plant shall be suitably designed in order to ensure it exhibits no features that require a character correction as defined in BS 4142: 2014 Methods for rating and assessing industrial and commercial sound, as a result of any tonality, impulsivity, other specific characteristics and/or intermittency internally or externally to any noise sensitive property.
- 15) At the written request of the local planning authority, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to BS 4142: 2014 Methods for rating and assessing industrial and commercial sound to determine whether noise arising from development complies with conditions 13 and 14 above. The assessment shall be undertaken under the supervision of the Local Authority. In the event that Conditions 13 and 14 are not complied with then the submitted assessment shall also include mitigation measures to ensure compliance with these conditions. The development shall thereafter operate in accordance with the approved details.
- 16) The plant associated with the proposed development shall be as set out in the Noise Impact Assessment dated May 2018 received on 22 May 2018 and the McDonalds HVAC Roof layout with attenuation drawing (02) received on 9 July 2019 and shall provide the following levels of noise attenuation:

Plant Item	Required sound reduction	
	Daytime (0700-1900)	Night time (1900-0700)
• AC01C1 MUZ-SF25VE	5 dB	5 dB
• AC02C1 MUZ-SF25VE	5 dB	5 dB
• S1 IDF2BDX150	25 dB	30 dB
• S2 IDF2BDX150	25 dB	30dB
• E1 BW10-500	15 dB	15dB
• EF1 BW10-500	N/A	8 dB

- 17) No development shall take place until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local planning authority. This WSI will describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. On behalf of the local planning authority, their archaeological advisors (DAT DM) will monitor all aspects of this work through to the final discharging of the condition. This work will not be deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved.
- 18) No development approved by this permission shall be commenced until a Pollution Prevention Method Statement (PPMS) detailing all necessary pollution prevention measures for the construction and operational phase of the development is submitted to and approved in writing by the local planning authority. The details of the PPMS shall be implemented as approved. As a minimum the PPMS must include the following:

- Storage facilities for all fuels, oils and chemicals.
- Any water features on the site and how they will be protected.
- How any watercourses will be crossed or confirmation that this is not applicable.
- Any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site.
- Details of the nature, type and quantity of materials to be imported on to the site.
- Measures for dealing with any contaminated material (demolition waste or excavated waste).
- Details of waste types that will be produced and how they will be managed.
- Details of any invasive species on site and how they will be managed.
- Identification of any buried services, such as foul sewers, so that they are protected.
- Details of emergency contacts, for example Natural Resources Wales' Pollution hotline 0300 065 3000.

Reasons for conditions:

- 1) Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2) To define the extent of the permission.
- 3)-8) In the interests of highway safety (LDP policies GP1 and TR3).
- 9)-10) To ensure the installation of an appropriate drainage scheme and to prevent the pollution of the environment (LDP policies GP1, EP2 and EP3).
- 11)-12) To protect existing landscape and ecological features and ensure the provision, establishment and maintenance of an appropriate landscaping scheme (LDP policy GP1).
- 13)-16) In the interests of safeguarding residential amenity (LDP policy GP1).
- 17) To protect historic environment interests whilst enabling development (LDP policies EQ1 and SP13).
- 18) To prevent pollution of the environment (LDP policies GP1 and EP3).



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 14/01/20

gan Alwyn B Nixon BSc MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 18.02.2020

Appeal Decision

Site visit made on 14/01/20

by Alwyn B Nixon BSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 18.02.2020

Cyf yr apêl: APP/M6825/A/19/3240281

Cyfeiriad y safle: Tir wrth Gylchfan Sanclêr, Old Tenby Road, Sanclêr, Sir Gaerfyrddin

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

- Cyflwynir yr apêl o dan adran 78 Deddf Cynllunio Gwlad a Thref 1990 yn erbyn gwrthod rhoi caniatâd cynllunio.
- Cyflwynir yr apêl gan Draycott Investments and Developments yn erbyn penderfyniad Cyngor Sir Gaerfyrddin.
- Gwrthodwyd y cais, Cyf W/37120, dyddiedig 14 Tachwedd 2017, trwy hysbysiad dyddiedig 27 Medi 2019.
- Y datblygiad a gynigir yw datblygu'r safle trwy godi bwyty annibynnol a siop goffi annibynnol, y mae cyfleuster gyrru trwodd yn gysylltiedig â'r ddau; gosod ffordd fynediad, maes parcio cysylltiedig, ardaloedd patio, offer echdynnu a gwaith cysylltiedig ehangach ar y safle.

Penderfyniad

1. Caniateir yr apêl a rhoddir caniatâd cynllunio i ddatblygu'r safle trwy godi bwyty annibynnol a siop goffi annibynnol, y mae cyfleuster gyrru trwodd yn gysylltiedig â'r ddau; gosod ffordd fynediad, maes parcio cysylltiedig, ardaloedd patio, offer echdynnu a gwaith cysylltiedig ehangach ar dir gerllaw Cylchfan Sanclêr, Old Tenby Road, Sanclêr, Sir Gaerfyrddin yn unol â thelerau'r cais, Cyf W/37120, dyddiedig 14 Tachwedd 2017, a'r cynlluniau a gyflwynwyd gydag ef, yn ddarostyngedig i'r amodau a amlinellir yn yr atodlen ar ddiwedd y penderfyniad hwn.

Cais am gostau

2. Cyflwynodd Draycott Investments and Developments gais am gostau yn erbyn y Cyngor. Mae'r cais hwn yn destun Penderfyniad ar wahân.

Y Prif Fater

3. Y prif fater yw derbynioldeb y datblygiad arfaethedig, o ystyried ei leoliad ymhell y tu hwnt i'r terfynau datblygu ar gyfer Sanclêr ac ystyriaethau eraill perthnasol.

Rhesymau

4. Argymhellodd swyddogion proffesiynol y Cyngor y dylid cymeradwyo'r cais, ond gwrthodwyd rhoi caniatâd cynllunio iddo dim ond oherwydd bod y cynnig yn groes i bolisi GP2 *Terfynau Datblygu* Cynllun Datblygu Lleol (CDLI) mabwysiedig Sir

Gaerfyrddin gan ei fod wedi'i leoli y tu allan i derfyn datblygu Sanclêr, fel y'i diffinnir yn y Cynllun.

5. Mae polisi GP2 y CDLI yn diffinio'r terfynau datblygu ar gyfer amryw fathau o aneddiadau o fewn fframwaith aneddiadau dynodedig Sir Gaerfyrddin. Mae'n datgan y bydd cynigion o fewn terfynau datblygu diffiniedig yn cael eu caniatáu, yn amodol ar bolisiau a chynigion eraill y Cynllun, polisiau cenedlaethol ac ystyriaethau eraill perthnasol. Yn ôl y testun sy'n cyd-fynd â'r datganiad ysgrifenedig, mae dibenion diffinio terfynau datblygu yn cynnwys atal datblygiad amhriodol yng nghefn gwlad; atal aneddiadau rhag cyfuno, datblygiad hirgul neu batrwm datblygu tameidiog; a hybu defnydd effeithiol a phriodol o dir sy'n canolbwyntio twf o fewn aneddiadau diffiniedig.
6. O'r uchod, mae'n amlwg bod polisi GP2 yn ceisio cyfeirio datblygiad newydd yn bennaf at leoliadau o fewn terfynau datblygu'r aneddiadau a amlygwyd gan y Cynllun. Er bod hynny'n golygu ei bod yn rhesymegol dod i'r casgliad na chaniateir cynigion y tu allan i derfynau datblygu aneddiadau yn gyffredinol, nid yw polisi GP2 yn gwahardd pob datblygiad yn y cyfryw leoliadau yn llwyr.
7. Mae'r apelydd yn cyfeirio at bolisi EMP2 *Cynigion Cyflogaeth Newydd* y CDLI, sy'n caniatáu (yn ddarostyngedig i amodau penodol) datblygiadau cyflogaeth sydd o fewn, gerllaw neu'n uniongyrchol gysylltiedig â therfyn datblygu anheddiad diffiniedig. Fodd bynnag, credaf fod y rhan hon o'r CDLI wedi'i hanelu'n bennaf at ddatblygiadau cyflogaeth B1-B8 yn hytrach na defnyddiau Dosbarth A3, fel y cynigir yma. O ganlyniad, er y byddai'r cyfleusterau bwyty a siop goffi arfaethedig yn sicr yn dod â chyfleoedd cyflogaeth arwyddocaol i'r ardal, nid ydynt yn syrthio'n daclus o fewn cwmpas polisi EMP2 y CDLI, fel y dadleuir gan yr apelydd.
8. Rwyf yn llwyr gydnabod awydd y Cyngor i sicrhau bod datblygiad newydd yn cael ei leoli'n gynaliadwy, ei fod yn cydweddu'n dda â'r patrwm datblygu presennol a bod cymeriad cefn gwlad yn cael ei warchod rhag datblygiad diangen. Fodd bynnag, mae cyfiawnhad cryf i'r cynnig yn yr achos hwn, er gwaethaf ei leoliad y tu allan i'r terfyn datblygu diffiniedig. Prif ddiben y datblygiad yw darparu cyfleusterau lluniaeth gyrru trwodd a bwyta dan do cyfunol i bobl sy'n teithio ar brif lwybrau strategol yr A40 a'r A477 trwy dde-orllewin Cymru. Mae'r ddau lwybr yn cludo llawer iawn o draffig gwyliau, traffig twristiaeth, traffig masnachol a thraffig arall, ac maen nhw'n bwysig iawn i'r economi ranbarthol. Mae lleoliad safle'r apêl, lle mae'r A477 yn ymuno â'r A40, yn lleoliad posibl amlwg ar gyfer cyfleuster o'r fath; nid yw'r Cyngor yn anghytuno ac nid yw'n awgrymu bod lleoliad amgen yn bodoli yn rhywle arall. Ystyriaf fod gwrthwynebiad y Cyngor i'r cynnig, yn seiliedig ar ei leoliad y tu allan i'r terfyn datblygu diffiniedig, wedi'i negyddu gan ofynion lleoliadol clir y cynnig yn gysylltiedig â'r rhwydwaith ffyrdd strategol.
9. At hynny, er bod prif ran y safle y tu allan i derfynau datblygu'r anheddiad, mae'n cyffinio ag ardal adeiledig Sanclêr ac o fewn pellter cerdded o graidd y ganolfan wasanaeth lle mae cyfleusterau lleol eraill yn bodoli. Mae'r safle hefyd wedi'i leoli'n union ar draws yr A4066 i Sanclêr o'r Travelodge presennol. At ei gilydd, ystyriaf fod y safle'n addas o ran ystyriaethau hygrychedd ac y byddai'r cynnig yn cyfrannu at gynaliadwyedd Sanclêr trwy ddarparu cyfleoedd cyflogaeth ychwanegol a chynyddu ystod a nifer y cyfleusterau lleol. Er bod rhai gwrthwynebwyr yn mynegi pryder ynghylch effaith niweidiol bosibl ar fusnesau presennol yn Sanclêr, nid yw cystadleuaeth rhwng busnesau unigol yn ystyriaeth gynllunio berthnasol. Nid oes tystiolaeth i awgrymu y byddai'r cynnig yn niweidio hyfywedd neu fywiogrwydd y ganolfan fanwerthu, ac nid yw'r Cyngor yn ceisio dadlau hynny. Ar sail y dystiolaeth sydd ger fy mron, rwyf yn fodlon nad oes safle dilyniannol amgen yn bodoli yn

berthynol i ganol y dref sy'n addas i gynnal y cyfleusterau gyrru trwodd/bwyta dan do arfaethedig.

10. Er bod y safle wedi'i leoli y tu allan i'r terfynau datblygu a amlygwyd yn y CDLI, mae cymeriad yr ardal o'i amgylch yn debyg i gyrion anheddiad yn gyffredinol yn hytrach na chefn gwlad agored, ac mae datblygiad i'w weld yn agos i'r rhan fwyaf o gyfeiriadau. Nid yw'r ardal yn meddu ar unrhyw ddynodiad sy'n dangos bod gan y dirwedd unrhyw sensitifrwydd neu werth arbennig. At hynny, mae cymeriad datblygedig yr ardal o amgylch y safle yn debygol o gael ei atgyfnerthu wrth i'r safle tai ar ei ochr ogledd-ddwyreiniol gael ei gyflawni. O ystyried presenoldeb y dyraniad tai hwn, ni fyddai cynnig yr apêl yn arwain at erydu'r bwlch sy'n gwahanu terfynau datblygu Sanclêr a Phwll Trap mewn ffordd berthnasol niweidiol. I grynhoi, byddai'r cynnig yn cydweddu'n dda â ffurf adeiledig bresennol yr ardal ac ni fyddai'n niweidio ei chymeriad a'i golwg.
11. At ei gilydd, felly, er bod safle'r cynnig y tu allan i derfyn datblygu diffiniedig Sanclêr i raddau helaeth, deuf i'r casgliad bod gofyniad lleoliadol penodol y datblygiad, o ganlyniad i'w brif swyddogaeth fel cyfleuster gwasanaeth ar y rhwydwaith ffyrdd strategol, yn gyfiawnhad cymhellol a thra phwysig dros leoli'r datblygu y tu hwnt i'r terfyn datblygu. Ar y sail hon, deuf i'r casgliad bod cyfiawnhad dros leoliad y datblygiad arfaethedig. Gan y byddai'r datblygiad arfaethedig hefyd wedi'i leoli ar gyrion yr ardal adeiledig ac yn cyd-weddu'n dda â ffurf bresennol yr anheddiad, deuf i'r casgliad bod y cynnig yn cyd-fynd yn fras â pholisi GP2 y CDLI a'i fod yn cydymffurfio â'r Cynllun yn ei gyfanrwydd.
12. Rwyf wedi ystyried yr holl faterion eraill wrth ddod i'm penderfyniad. Ategir y trefniadau mynediad i'r safle gan dystiolaeth Asesiad Trafnidiaeth. Rwyf yn fodlon ar ddigonoldeb y dystiolaeth hon a bod y trefniadau mynediad arfaethedig ar gyfer cerbydau a cherddwyr yn foddhaol ac yn gyson â safonau cenedlaethol diogelwch ar y priffyrdd, yn seiliedig ar yr amodau a arolygwyd yn y lleoliad hwn. Mae'r datblygiad yn rhoi sylw i ystyriaethau ecolegol perthnasol, gan gynnwys effeithiau posibl ar yr Ardal Cadwraeth Arbennig gyfagos, y cynhaliwyd asesiad priodol yn ei chylch. Mae'r trefniadau parcio arfaethedig yn dderbyniol, ac er bod angen rhai manylion ychwanegol ynglŷn â materion fel tirweddu a draenio, gellir datrys y materion hyn trwy osod amodau.
13. Mae'r apelydd wedi cyflawni ymgymeriad unochrog adran 106 ynglŷn â chyfraniad ariannol i gyllido golau i gerddwyr wrth y gyffordd â goleuadau ychydig gannoedd o fetrau i'r dwyrain o'r safle. Fodd bynnag, er gwaethaf yr ymgymeriad, mae'r apelydd yn dadlau na fyddai gofyniad ar gyfer cyfraniad o'r fath yn bodloni'r profion ar gyfer rhwymedigaethau cynllunio. Er y cydnabyddaf fod y Cyngor wedi ceisio'r cyfraniad yn dilyn sylwadau'r Awdurdod Priffyrdd, nid oes digon o dystiolaeth ger fy mron i ddod i'r casgliad bod angen darparu golau i gerddwyr wrth y gyffordd â goleuadau i wneud y cynnig yn dderbyniol o safbwynt cynllunio. Mae'r gyffordd â goleuadau cryn bellter oddi wrth y safle ac nid oes dystiolaeth i ddangos y byddai'r datblygiad yn newid yr amodau wrth y gyffordd i'r fath raddau a fyddai'n bygwth ei gweithrediad diogel parhaus ar ei ffurf bresennol. Felly, nid yw fy mhenderfyniad i roi caniatâd cynllunio yn dibynnu ar yr ymgymeriad unochrog.
14. Rwyf wedi ystyried y ddyletswydd i wella llesiant economaidd, cymdeithasol, amgylcheddol a diwylliannol Cymru, yn unol â'r egwyddor datblygu cynaliadwy, o dan adran 3 Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 ("Deddf 2015"). Rwyf o'r farn, yn ddarostyngedig i'r amodau yr wyf wedi penderfynu y dylid eu gosod, bod fy mhenderfyniad i ganiatáu'r apêl a rhoi caniatâd cynllunio yn cyd-fynd â'r amcanion a amlygwyd gan Weinidogion Cymru, sef cefnogi busnesau i sbarduno ffyniant, mynd i'r

afael ag anghydraddoldeb rhanbarthol, creu cymunedau cydnerth a darparu seilwaith modern a chysylltiedig.

15. Rwyf wedi ystyried yr holl faterion eraill a godwyd gan bartïon eraill â buddiant sydd wedi gwneud sylwadau, naill ai ar adeg y cais neu'r apêl. Fodd bynnag, ni welaf unrhyw beth yn y cyflwyniadau hynny sy'n newid cydbwysedd fy nghasgliadau ar y prif fater, fel yr amlinellwyd uchod.
16. Rwyf wedi ystyried pa amodau sy'n angenrheidiol yn ychwanegol at yr amodau safonol sy'n amlygu'r terfyn amser ar gyfer cychwyn a'r lluniadau a'r manylion cymeradwy, o ganlyniad i'm penderfyniad i ganiatáu'r apêl. Cytunaf fod angen amodau ynglŷn â'r mynediad i'r safle (gan gynnwys lleiniau gwelededd) a chylchrediad mewnol, ac ardaloedd parcio a throi, i sicrhau bod yr elfennau hyn o'r datblygiad yn cael eu darparu'n briodol (amodau 3-5). Mae angen amodau sy'n ymwneud â Chynllun Rheoli Traffig Adeiladu, Cynllun Rheoli Cyflawni a gwelliannau i'r llwybr troed ar yr A4066 hefyd er mwyn diogelwch ar y priffyrdd (6-8). Mae amodau yn ymwneud â draenio dŵr brwnt a dŵr wyneb (9-10), gwarchod nodweddion presennol y dirwedd a thirwedd newydd (11-12), rheoleiddio sŵn (13-16), archwiliadau archaeolegol (17) ac atal llygredd (18) yn angenrheidiol hefyd, i sicrhau derbynioldeb y datblygiad mewn perthynas â'r materion hyn.
17. Am y rhesymau a roddwyd ac ar ôl ystyried yr holl faterion a godwyd, caniatâf yr apêl.

Arolygydd

Caniatâd cynllunio wedi'i roi gan benderfyniad Apêl APP/M6825/A/19/3240281:

Atodlen amodau

- 1) Bydd y datblygiad yn dechrau o fewn pum mlynedd o ddyddiad y penderfyniad hwn.
- 2) Bydd y datblygiad yn cael ei gynnal yn unol â'r cynlluniau a'r dogfennau cymeradwy canlynol:
 - Cynllun bloc (2002N) a dderbyniwyd ar 7 Mai 2019;
 - Cynllun safle presennol (2003H) a dderbyniwyd ar 7 Mai 2019;
 - Cynllun lleoliad (2001J) a dderbyniwyd ar 7 Mai 2019;
 - Cynllun safle arfaethedig (2004P) a dderbyniwyd ar 7 Mai 2019;
 - Prif gynllun safle (2067L) a dderbyniwyd ar 7 Mai 2019;
 - Adroddiad datblygiad coedyddiaeth dyddiedig mis Ebrill 2019 a dderbyniwyd ar 7 Mai 2019;
 - Cynllun plannu a threfniant cyffredinol (210) a dderbyniwyd ar 7 Mai 2019;
 - Cynllun cysyniad tirwedd dyddiedig mis Mawrth 2019 a dderbyniwyd ar 7 Mai 2019;

- Adroddiad Crynodeb o Asesiad Trafnidiaeth dyddiedig 9 Mai a dderbyniwyd ar 10 Mai 2019;
- Cynllun trychiadau A, B ac C (8180424/4200) a dderbyniwyd ar 15 Tachwedd 2018;
- Cynllun arolwg safle (dalen 1 o 2) (8180424/4101) a dderbyniwyd ar 15 Tachwedd 2018;
- Cynllun arolwg safle (dalen 2 o 2) (8180424/4102) a dderbyniwyd ar 15 Tachwedd 2018;
- Adroddiad draenio dyddiedig mis Medi 2018 a dderbyniwyd ar 31 Hydref 2018;
- Strategaeth ddraenio (dalen 1 o 2) (SK05 P4) a dderbyniwyd ar 31 Hydref 2018;
- Strategaeth ddraenio (dalen 2 o 2) (SK06 P4) a dderbyniwyd ar 31 Hydref 2018;
- Cynllun rheoli sbwriel a dderbyniwyd ar 1 Mehefin 2019;
- Asesiad o effaith sŵn dyddiedig mis Mai 2018 a dderbyniwyd ar 22 Mai 2018;
- Adroddiad archaeoleg dyddiedig mis Gorffennaf 2017 a dderbyniwyd ar 24 Ebrill 2018;
- Manylion ffensys gyda llun a dderbyniwyd ar 6 Mawrth 2018;
- Gweddau arfaethedig McDonalds (2005A) a dderbyniwyd ar 6 Mawrth 2018;
- Gosodiad mewnol arfaethedig McDonalds (2006A) a dderbyniwyd ar 6 Mawrth 2018;
- Gosodiad goleuadau arfaethedig ac atodlen (DWG01) a dderbyniwyd ar 6 Mawrth 2018;
- Manylion rhwystrau a pholion lampau nodweddiadol a dderbyniwyd ar 6 Mawrth 2018;
- Cyfarpar chwarae awyr agored a dderbyniwyd ar 6 Mawrth 2018;
- Datganiad dylunio a mynediad (Terfynol V5) a dderbyniwyd ar 6 Mawrth 2018;
- Datganiad cynllunio a dilyniannol (Terfynol V5) a dderbyniwyd ar 6 Mawrth 2018;
- Asesiad trafndiaeth (Chwefror 2018 Rhan 1 o 2) a dderbyniwyd ar 6 Mawrth 2018;
- Asesiad trafndiaeth (Chwefror 2018 Rhan 2 o 2) a dderbyniwyd ar 6 Mawrth 2018;
- Balwstrad Costa (Balwstrad-01) a dderbyniwyd ar 14 Tachwedd 2017;
- Canopi COD DT Costa a dderbyniwyd ar 14 Tachwedd 2017;
- Gweddau Costa (1800(ochr)-01C) a dderbyniwyd ar 14 Tachwedd 2017;
- Cynllun trefniant cyffredinol Costa (1800(ochr)-02C) a dderbyniwyd ar 14 Tachwedd 2017;

- Cynllun to Costa (1800(ochr)-03B a dderbyniwyd ar 14 Tachwedd 2017;
 - Diagram Offer Echdynnu Cegin McDonalds (1001) a dderbyniwyd ar 14 Tachwedd 2017;
 - Llyfryn – Rhagfyr 2016 – Alpaidd – ymylon sgwâr a dderbyniwyd ar 14 Tachwedd 2017;
 - EQ003 Ffrâm chwarae a dderbyniwyd ar 14 Tachwedd 2017;
 - Dodrefn patio Euroline McDonalds a dderbyniwyd ar 14 Tachwedd 2017;
 - Uned gasét Mitsubishi – manylion nodweddiadol a dderbyniwyd ar 14 Tachwedd 2017;
 - Ymbarél dynnol Poseidon a dderbyniwyd ar 14 Tachwedd 2017;
 - Cynfas ymbarél dynnol Poseidon a dderbyniwyd ar 14 Tachwedd 2017;
 - Mainc hir, stôl a bwrdd UHS a dderbyniwyd ar 14 Tachwedd 2017;
 - Aseiad ecolegol dyddiedig mis Gorffennaf 2017 a dderbyniwyd ar 14 Tachwedd 2017;
 - Offer Rheoli Arogleuon Cegin McDonalds a dderbyniwyd ar 14 Tachwedd 2017;
 - Gosodiad to HVAC McDonalds gyda lluniad gwanhau (02) a dderbyniwyd ar 10 Gorffennaf 2019.
- 3) Cyn i'r datblygiad a gymeradwyir drwy hyn gael ei feddiannu, bydd y ffyrdd mynediad, y troedffyrdd a'r llwybrau troed o'r briffordd bresennol sy'n angenrheidiol yn cael eu gosod allan a'u hadeiladu yn unol â'r cynlluniau a gymeradwyir drwy hyn hyd at lefel haen waelod o leiaf, a bydd y lleiniau gwelededd yn cael eu darparu.
- 4) Cyn i draffig cerbydol ddefnyddio'r fynedfa mewn unrhyw ffordd, bydd lleiniau gwelededd o 2.4 metr x 43 metr i'r ochr orllewinol a 2.4 metr x 57 metr i'r ochr ddwyreiniol o'r llinell ganol mewn perthynas ag ymyl agosaf y ffordd gerbydau, yn cael eu ffurfio a'u cadw bob amser wedi hynny. Ni chaniateir unrhyw rwystr uwchlaw 0.9 metr o fewn ardal y llain welededd ar unrhyw adeg.
- 5) Bydd y lleoedd parcio, yr ardaloedd troi a'r gosodiad cylchredeg a ddangosir ar y cynlluniau cymeradwy yn cael eu darparu cyn i'r datblygiad a gymeradwyir drwy hyn ddechrau cael ei ddefnyddio. Byddant yn cael eu cadw, yn ddirwystr, at y dibenion hyn wedi hynny.
- 6) Cyn i unrhyw ran o'r datblygiad ddechrau cael ei defnyddio, bydd Cynllun Rheoli Cyflawni manwl ar gyfer y datblygiad yn cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo'n ysgrifenedig. Bydd y datblygiad yn gweithredu gan gydymffurfio'n llwyr â'r manylion cymeradwy.
- 7) Ni chaniateir i unrhyw ddatblygiad ddechrau hyd nes bod Cynllun Rheoli Traffig Adeiladu (CTMP) manwl wedi cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo'n ysgrifenedig. Bydd y datblygiad yn cael ei gynnal yn unol â'r CTMP.
- 8) Ni chaniateir i'r datblygiad ddechrau hyd nes bod manylion y gwelliannau arfaethedig i gerddwyr ar hyd yr A4066 Old Tenby Road, fel y'u hamlinellir yn y Crynodeb o Aseiad Trafnidiaeth ADL dyddiedig 9 Mai 2019, wedi cael eu cyflwyno i'r awdurdod cynllunio lleol a'u cymeradwyo ganddo'n ysgrifenedig. Ni chaniateir i'r datblygiad gael ei ddefnyddio hyd nes bod y gwelliannau wedi cael eu hadeiladu yn unol â'r manylion cymeradwy.

- 9) Ni chaniateir i'r datblygiad ddechrau hyd nes bod cynllun ar gyfer uwchraddio Gwaith Trin Dŵr Gwastraff Sanclêr, i ganiatáu iddo ymdopi â'r gollyngiadau brwnt o'r datblygiad heb gynyddu'r perygl o dorri'r caniatâd gollwng ar gyfer y gwaith trin, wedi cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo'n ysgrifenedig. Ni chaniateir i'r datblygiad gael ei ddefnyddio hyd nes bod y Gwaith Trin Dŵr Gwastraff wedi cael ei uwchraddio yn unol â'r manylion cymeradwy.
- 10) Ni chaniateir i'r datblygiad ddechrau hyd nes bod manylion cynllun ar gyfer gwaredu dŵr brwnt a dŵr wyneb wedi cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gytuno ganddo'n ysgrifenedig. Bydd y cynllun yn cael ei weithredu yn unol â'r manylion cymeradwy cyn i'r datblygiad gael ei ddefnyddio ac yn cael ei gadw wedi hynny.
- 11) Bydd holl weithrediadau'r safle yn cael eu cynnal yn unol â'r wybodaeth gymeradwy ynghylch cyfyngu a gwarchod y dirwedd, fel y'i diffinnir yn yr adroddiad datblygiad coedyddiaeth, dyddiedig mis Ebrill 2019, a'r cynllun cysyniad tirweddu, dyddiedig mis Mawrth 2019 a dderbyniwyd ar 7 Mai 2019. Bydd unrhyw weithrediadau adeiladu a/neu fynediad o fewn y parth(au) gwahardd adeiladu diffiniedig (CEZ) yn gyfyngedig i'r rhai a gynhelir yn unol ag argymhellion BS5837. Rhoddir y CEZ(s) ar waith yn llawn cyn i unrhyw waith sy'n gysylltiedig â'r datblygiad ddechrau; ac fe'u cynhelir wedi hynny yn eu cyfanrwydd, drwy gydol yr holl waith datblygu a hyd nes bod yr holl offer, peiriannau a deunyddiau sy'n weddill wedi cael eu symud ymaith o'r safle. Os bydd unrhyw elfennau presennol o'r dirwedd, neu ran ohonynt, a amlygwyd i'w gwarchod sydd, o fewn cyfnod o 5 mlynedd ar ôl y gwaith datblygu yn cael eu symud ymaith, yn marw, yn mynd yn afiach, yn cael eu difrodi neu'n ddiffygiol fel arall, i'r fath raddau, ym marn yr awdurdod cynllunio lleol, nad yw swyddogaeth yr elfen dirweddu yn cael ei chyflawni mwyach o ran y gymeradwyaeth gynllunio hon, byddant yn cael eu hamnewid yn ystod y tymor plannu nesaf ag elfennau cyfnewid o fanyleb a maint tebyg ac yn y cyfryw leoliadau ag y cytunir arnynt yn ysgrifenedig â'r awdurdod cynllunio lleol, ac yn cael eu cynnal yn yr un modd wedi hynny am gyfnod arall o bum mlynedd.
- 12) Ni fydd unrhyw waith datblygu na chlririo safle yn digwydd hyd nes bod Cynllun Dylunio Tirwedd (LDS) manwl a chynhwysfawr wedi cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo'n ysgrifenedig. Bydd yr LDS yn cyflwyno cynigion sy'n integreiddio amcanion a swyddogaethau tirwedd, ecolegol a bioamrywiaeth priodol sy'n benodol i'r safle mewn modd effeithiol. Bydd yr LDS yn cydymffurfio â chanllawiau perthnasol a ddarperir gan yr awdurdod cynllunio lleol ac egwyddorion y wybodaeth dirweddol ac ecolegol a gyflwynwyd yn yr adroddiad datblygiad coedyddiaeth, dyddiedig mis Ebrill 2019, a'r cynllun cysyniad tirweddu, dyddiedig mis Mawrth 2019 a dderbyniwyd ar 7 Mai 2019, ac Adran 6.2 yr Asesiad Ecolegol, dyddiedig mis Gorffennaf 2017 a dderbyniwyd ar 14 Tachwedd 2017. Bydd yr LDS cymeradwy yn cael ei weithredu'n llawn cyn i'r datblygiad gael ei feddiannu. Bydd unrhyw elfennau tirwedd newydd sy'n cael eu hadeiladu, eu plannu neu eu hadu; neu elfennau presennol o'r dirwedd a gedwir; yn unol â'r LDS cymeradwy, o fewn cyfnod o 5 mlynedd ar ôl gweithredu sy'n cael eu symud ymaith; yn marw; yn mynd yn afiach; yn cael eu difrodi neu'n ddiffygiol fel arall, i'r fath raddau, ym marn yr awdurdod cynllunio lleol, nad yw swyddogaeth yr elfen dirweddu yn cael ei chyflawni mwyach o ran y gymeradwyaeth gynllunio hon, byddant yn cael eu hamnewid yn ystod y tymor plannu neu hadu nesaf ag elfennau cyfnewid o fanyleb a maint tebyg.

- 13) Ni chaniateir i lefel gronnol y sŵn sy'n dod o'r holl offer/peiriannau sy'n gysylltiedig â'r datblygiad arfaethedig fynd yn fwy na'r lefel sŵn cefndir bresennol, a bennir wrth yr eiddo agosaf sy'n sensitif i sŵn neu wrth leoliad arall y mae'r awdurdod yn ystyried ei fod yn addas. Diffinnir y lefelau sŵn cefndir fel a ganlyn:

- 49dB rhwng 07:00 a 19:00 o'r gloch
- 40dB rhwng 19:00 a 23:00 o'r gloch
- 34dB rhwng 23:00 a 07:00 o'r gloch

Bydd y mesuriadau a'r asesiadau'n cael eu gwneud yn unol â BS 4142: 2014 Dulliau ar gyfer graddio ac asesu sŵn diwydiannol a masnachol; bydd lefelau sŵn cefndir yn cael eu mynegi fel LA90 1hr a bydd lefelau sŵn amgylchynol yn cael eu mynegi fel Laeq 1hr.

- 14) Bydd yr offer yn cael ei ddylunio'n addas er mwyn sicrhau nad yw'n dangos unrhyw nodweddion y mae angen cywiro eu cymeriad fel y diffinnir yn BS 4142: 2014 Dulliau ar gyfer graddio ac asesu sŵn diwydiannol a masnachol, o ganlyniad i unrhyw nodweddion tonyddiaeth, nodweddion ergydiol, nodweddion penodol eraill a/neu ysbeidioldeb yn fewnol neu'n allanol i unrhyw eiddo sy'n sensitif i sŵn.
- 15) Ar gais ysgrifenedig yr awdurdod cynllunio lleol, bydd y gweithredwr, o fewn cyfnod o 1 mis, yn cynnal a chyflwyno i'r awdurdod asesiad sŵn sy'n cydymffurfio â BS 4142: 2014 Dulliau ar gyfer graddio ac asesu sŵn diwydiannol a masnachol, er mwyn pennu a yw'r sŵn sy'n dod o'r datblygiad yn cydymffurfio ag amodau 13 a 14 uchod. Bydd yr asesiad yn cael ei gynnal dan oruchwyliaeth yr Awdurdod Lleol. Os na chydymffurfir ag Amodau 13 a 14, bydd yr asesiad a gyflwynir hefyd yn cynnwys mesurau lliniaru i sicrhau y cydymffurfir â'r amodau hyn. Bydd y datblygiad yn gweithredu wedi hynny yn unol â'r manylion cymeradwy.
- 16) Bydd yr offer sy'n gysylltiedig â'r datblygiad arfaethedig fel yr amlinellir yn yr Asesiad o Effaith Sŵn, dyddiedig mis Mai 2018 a dderbyniwyd ar 22 Mai 2018, a gosodiad to HVAC McDonalds gyda lluniad gwanhau (02), a dderbyniwyd ar 9 Gorffennaf 2019, a bydd yn gwanhau sŵn i'r lefelau canlynol:

Eitem Offer	Lleihad sŵn sy'n ofynnol	
	Dydd (0700-1900)	Nos (1900-0700)
• AC01C1 MUZ-SF25VE	5 dB	5 dB
• AC02C1 MUZ-SF25VE	5 dB	5 dB
• S1 IDF2BDX150	25 dB	30 dB
• S2 IDF2BDX150	25 dB	30dB
• E1 BW10-500	15 dB	15dB
• EF1 BW10-500	Dd/B	8 dB

- 17) Ni chaniateir i unrhyw ddatblygiad ddigwydd hyd nes bod archaeolegydd cymwysedig a chymwys wedi cyflwyno cynllun ymchwilio ysgrifenedig (WSI) i'w gymeradwyo'n ysgrifenedig gan yr awdurdod cynllunio lleol. Bydd yr WSI hwn yn disgrifio gwahanol gamau'r gwaith ac yn dangos y darparwyd adnoddau llawn ac amser digonol iddo. Ar ran yr awdurdod cynllunio lleol, bydd eu cynghorwyr archaeolegol (DAT DM) yn monitro pob agwedd ar y gwaith hwn hyd at ryddhau'r amod yn derfynol. Ni ystyrir bod y gwaith hwn wedi'i gwblhau hyd nes

bod pob agwedd ar yr WSI wedi derbyn sylw a'r adroddiad terfynol wedi'i gyflwyno a'i gymeradwyo.

- 18) Ni chaniateir i unrhyw ddatblygiad a gymeradwyir gan y caniatâd hwn ddechrau hyd nes bod Datganiad o Ddull Atal Llygredd (PPMS), sy'n manylu ar yr holl fesurau atal llygredd sy'n angenrheidiol ar gyfer cam adeiladu a gweithredol y datblygiad, wedi'i gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo'n ysgrifenedig. Bydd manylion y PPMS yn cael eu gweithredu fel y'u cymeradwywyd. Mae'n rhaid i'r PPMS gynnwys y canlynol o leiaf:
- Cyfleusterau storio ar gyfer yr holl danwyddau, olewau a chemegion.
 - Unrhyw nodweddion dŵr ar y safle a sut y byddant yn cael eu gwarchod.
 - Sut y bydd unrhyw gyrsiau dŵr yn cael eu croesi neu gadarnhad nad yw hyn yn berthnasol.
 - Unrhyw ffynonellau llygredd (gan gynnwys silt), llwybrau posibl i'r llygredd hwnnw fynd i mewn i unrhyw gyrsiau dŵr yng nghyffiniau'r safle a mesurau rheoli llygredd priodol i'w gweithredu ar y safle.
 - Manylion ynghylch natur, math a swm y deunyddiau sydd i'w cludo i mewn i'r safle.
 - Mesurau ar gyfer ymdrin ag unrhyw ddeunydd halogedig (gwastraff dymchwel neu wastraff cloddio).
 - Manylion y mathau o wastraff a fydd yn cael eu cynhyrchu a sut y byddant yn cael eu rheoli.
 - Manylion unrhyw rywogaethau goresgynnol ar y safle a sut y byddant yn cael eu rheoli.
 - Amlygu unrhyw wasanaethau claddedig, fel carthffosydd budr, fel y gellir eu gwarchod.
 - Manylion cysylltiadau argyfwng, er enghraifft llinell gymorth Llygredd Cyfoeth Naturiol Cymru 0300 065 3000.

Rhesymau dros yr amodau:

- 1) Mae'n rhaid ei osod yn unol ag Adran 91 Deddf Cynllunio Gwlad a Thref 1990.
- 2) I ddiffinio graddau'r caniatâd.
- 3)-8) Er mwyn diogelwch ar y priffyrdd (polisiau GP1 a TR3 y CDLI).
- 9)-10) I sicrhau bod cynllun draenio priodol yn cael ei osod ac i atal llygru'r amgylchedd (polisiau GP1, EP2 ac EP3 y CDLI).
- 11)-12) I warchod nodweddion tirweddol ac ecolegol presennol a sicrhau bod cynllun tirweddol priodol yn cael ei ddarparu, ei sefydlu a'i gynnal (polisi GP1 y CDLI).
- 13)-16) Er mwyn diogelu amwynder preswyl (polisi GP1 y CDLI).
- 17) I warchod buddiannau'r amgylchedd hanesyddol ar yr un pryd â galluogi'r datblygiad (polisiau EQ1 ac SP13 y CDLI).
- 18) I atal llygru'r amgylchedd (polisiau GP1 ac EP3 y CDLI).