Penybont and District Community Council

You are summoned to attend a Council meeting of the Penybont and District Community Council to hold an Extra Ordinary Meeting to be held ONLINE at 7.30pm, 10th June 2025. Access on the following link

Geraint Evans Clerk to Community Council 7th May 2025

1. Apologies for Absence

2. Declaration of interest:

Reminder to members. A personal Interest is also a Prejudicial Interest because under the objective, public perception test (Para 12(1) of the Members' Code of Conduct) where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest. Forms available from the Clerk

3. Minutes.

To authorise the Chairman to sign minutes of the previous meeting of the Council held on the: -

13th May Annual Meeting !3th May Meeting

4. Community Issues Raised or Ongoing

- Erection of 27 dwellings and 2 live work units and creation of new vehicular access. RAD/2004/0557.
- •

5. Public Discussion ¹

6. Date of Next Meeting and format 8th July 2025 at 7.30pm Hybrid available.

Public Attendance and Involvement at Community Council Meetings

- 1. Members of the public are entitled to attend Community Council Meetings except when the Council has something of a confidential nature to discuss.
- 2. Members of the public have no automatic right to speak at Community Council Meetings

¹ Standing Orders 2.15C

Penybont and District Community Council

- 3. Penybont and District CC have allocated a space at the end of meetings when members of the Public are invited to raise matters for the Community Council to consider as items to be put on the agenda for their next meeting.
- 4. Members of the public who bring other matters to the attention of the Community Council may be listened to at the discretion of the Chair.
- 5. Members of the public who are told that an item is not relevant to the work of the Council may be told to desist. Failure to desist could mean that the person is asked to leave. Failure to leave the Meeting could result in the Chair adjourning the Meeting and/or calling the Police.
- 6. The Chair may call upon members of the public who have specialist knowledge on an item being discussed to speak at any time during the Meeting.

Community Councils Clerks Summarisation.

This document contains information related to various planning applications and associated correspondence for developments in Penybont, Llandrindod Wells, Powys. Key details include:

1. Planning Applications:

- 22/0191/FUL: Engineering works for a foul drainage system linked to Planning Application 20/1742/RES. The application was refused on April 29, 2022, due to concerns about drainage fields being located in a high-risk flood zone, which could prevent proper operation and cause long-term issues.
- RAD/2004/0557: Approved on September 27, 2007, for the erection of 27 dwellings, 2 live-work units, and vehicular access.
- of up to 15 dwellings south of the former cattle market.
- FP/2007/1210/27: Approved for a new dwelling at Plot 27 (13 Old Market Meadows) on November 20, 2007.
- 25/0175/NMA: Approved on February 18, 2025, for nonmaterial amendments to house types for plots 14-29, including design changes, solar panel installations, and reduced footprints for some dwellings.

2. Correspondence:

- Penybont Community Council: Raised objections to tree removal, inadequate replanting schemes, and safety concerns regarding access roads for 20/1742/RES. Later supported engineering works for 22/0191/FUL but expressed concerns about maintenance responsibilities.
- Penybont Community Council: Raised supported objections relating to sewage.
- Powys Land Drainage Engineer: Had no comments on 22/0191/FUL.
- Environmental Protection: Recommended refusal for 22/0191/FUL due to drainage fields in a flood zone and suggested connection to public sewers.

 Welsh Water: Advised consultation with Natural Resources Wales and Building Regulations Authority for alternative drainage methods and requested re-consultation if public sewer connections are considered.

3. Delegated Decision:

 Amendments to house types under 25/0175/NMA were deemed non-material and approved, as they did not conflict with planning policies or cause significant impacts.

4. Planning Policies:

 Includes national and local policies such as Planning Policy Wales, TANs, and Powys Local Development Plan (2011-2026).

5. Environmental Considerations:

 Screening for phosphorus impacts on the River Wye SAC determined no likely significant effects.

Here are the key dates for the planning applications mentioned in the document:

1. **22/0191/FUL**:

- Application Received: February 7, 2022
- Application Validated: February 7, 2022
- Decision Issued: April 29, 2022

2. RAD/2004/0557:

- o Application Received: November 17, 2004
- Application Validated: November 17, 2004
- o Decision Issued: September 27, 2007

3. BNP/2015/0181:

- Application Received: December 23, 2015
- Application Deposited: February 15, 2016
- Decision Issued: February 15, 2016

4. FP/2007/1210/27:

- o Valid Date: November 20, 2007
- o Decision Date: November 20, 2007

5. **25/0175/NMA**:

- Valid Date: February 5, 2025
- Decision Issued: February 18, 2025

These dates outline the timeline for submission, validation, and decisions for the respective planning applications.

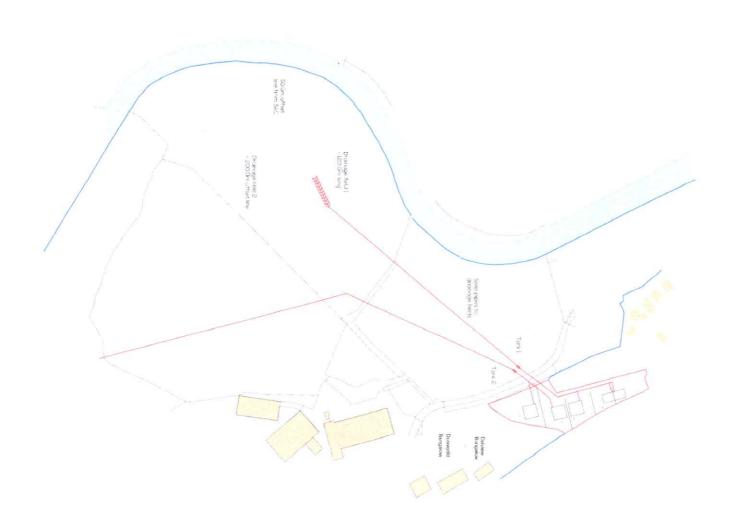
Geraint Evans Council Clerk

- 1/. Map of location
- 2/. Planning note dated 7/2/2022
- 3/. Planning note dated 17/11/2024
- 4/. Planning note dated 20/11/2007
- 5/. Planning note dated 23/12/2015
- 6/. Letter from Penybont Community Council dated 17/12/2020
- 7/. Letter from Powys land drainage engineer dated 10/02/2022
- 8/. Letter from Penybont Community Council dated 17/03/2022
- 9/. Delegated Decision dated 18/02/2025

Additional Documents

- 10/. Environmental Protection dated 5/4/2022
- 11/. Welsh Water dated 01/03/2022





Dranage field I - 2000m offset the

Ensting drainage - 2000m offset line



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22/0191/FUL

Engineering Works associated with foul drainage system in connection with Planning Application 20/1742/RES

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Land Off Old Market Meadows Penybont Llandrindod Wells Powys LD1 5US

Reference

22/0191/FUL

Alternative Reference

PP-11009102

Application Received

Application Validated

Mon 07 Feb 2022 Mon 07 Feb 2022

Address

Land Off Old Market Meadows Penybont Llandrindod Wells Powys LD1 5US

Proposal

Engineering Works associated with foul drainage system in connection with Planning Application 20/1742/RES

Status

Refused

Decision

Refused

Decision Issued Date

Fri 29 Apr 2022

Appeal Status

Appeal Decision

Not Available Not Available

There are 15 documents associated with this application.

There are 2 cases associated with this application.

There are 2 properties associated with this application

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RAD/2004/0567

Full: Erection of 27 dwellings and 2 live work units and creation of new vehicular access (Section 106) SO 16 SW

Cattle Market Penybont Llandrindod Wells Powys LD1 5UA

Reference

RAD/2004/0557

Afternative Reference

PR630000

Application Received

Wed 17 Nov 2004

Application Validated

Wed 17 Nov 2004

Address

Cattle Market Penybont Llandrindod Wells Powys LD1 5UA

Proposal

Full: Erection of 27 dwellings and 2 live work units and creation of new vehicular access (Section 106)

Register

SO 16 SW

Status Decision Unknown Approve

Decision Issued Date

Thu 27 Sep 2007

Appeal Status

Not Available

Appeal Decision

Not Available

There are 0 documents associated with this application.

There are 0 cases associated with this application.

There are 4 properties associated with this application.

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FP/2007/1210/27

New Dwelling

Plot 27 (Named 13 Old Market Meadows) Market And Premises Penybont Llandrindod Wells Powys LD1 5US

Description Of Works

New Dwelling

Site Address

Plot 27 (Named 13 Old Market Meadows) Market And Premises Penybont Llandrindod Wells Powys LD1 5US

Application Reference Number

FP/2007/1210/27 Tue 20 Nov 2007

Valid Date
Decision Date

Status

Tue 20 Nov 2007

Building Work Started

There are 0 cases associated with this application.

There are 2 properties associated with this application

:dox

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Summary

Description Of Works Proposed development of up to 15 dwellings

Site Address Development South Of Former Cattle Market

Llandegley Llandrindod Wells Powys LD1 5US

Application Reference Number BNP/2015/0181/

Valid Date Mon 15 Feb 2016

Decision Date Mon 15 Feb 2016

Status Section 32 Notice

Further Information

Application Reference Number BNP/2015/0181/

Description Of Works Proposed development of up to 15 dwellings

Agent Name Barrie Davies (Asbri Planning Ltd)

Name Of Insurer Not Available

Scheme Name Of Competent

Person

Not Available

Ward Not Available

Parish Penybont Community

Decision Accepted

Status Section 32 Notice

Plots

Plot Commencement Date Not Available

Plot Completion Date Not Available

Plot Address Proposed development of up to 15 dwellin

Plot Status Not Available

Important Dates

Application Received Wed 23 Dec 2015

Application Deposited Mon 15 Feb 2016

Decision Date Mon 15 Feb 2016

Application Commencement

Date

Not Available

Application Completion Date Not Available

Five Week Date Mon 21 Mar 2016

Two Month Date Not Available

Related Information

There are 0 cases associated with this application.

There are 2 properties associated with this application.

(6)

Luke Woosnam

From:

Penybont District <penybont.district@hotmail.co.uk>

Sent:

17 December 2020 14:46

To:

Planning Consultations

Subject:

Re: New Planning Application Notification 20/1742/RES

Dear Sir

Thank you for the above notification.

Penybont & District considered this application at thier public meeting held 9th December. They proposed the following objection to the details of the application.

- 1/. The block diagram does not show the existence of a large oak tree (T1 on outline plan) in Plot 4. In the Tree survey and Tree constraints survey, this tree is classified Category A, bordering on veteran status and was probably part of the historic boundary of the Penybont Hall estate and retention of this tree strongly desirable.

 In the last 3yrs. on this site, 1 tree fell, 1 tree was felled and 1(200yr approx. ash tree has ash dieback and will be felled (see report). All these trees were large old trees, not maintained. There is a concern for the future of the remaining oak tree, which can be seen from the lane. The loss of a tree of such ecological value would not be in keeping with current concerns about the continued loss of trees in the environment.
- 2/. The suggested scheme for the replanting of trees appears to be a token gesture and is therefore inadequate. It is suggested to plant a wind break of trees along the boundary with the remainder of the field (southern boundary).
- 3/. Layout includes the perimeter road. The access from the highway to the site was approved by Highways after the 6th attempt, subject to many alterations. The proposed perimeter track appears to be a single track after the initial widened splay. Since the application was granted a planning application has been granted for housing opposite the proposed access to the site in question. We are concerned about a situation where a vehicle attempting to enter the site coincides with one coming out, backing on to the highway is unacceptable in terms of safety. A reappraisal of this access area is called for to address these concerns, with the addition of the proposed dwellings the vehicle movements plus the increased agricultural and HGV traffic, which exacerbates an already unsafe situation. This situation also impacts and causes concern to the resident in the property adjacent to the proposed access.

Regards

Geraint Evans Council Clerk

Chantelle Chalk



From: Land Drainage

Sent: 10 February 2022 12:04
To: Planning Consultations

Subject: 22/0191/FUL

Good afternoon,

Thank you for the opportunity to comment on this application (Reference: 22/0191/FUL).

PCC Land Drainage have no comments to make on this application at this time.

Kind regards,

Johanne Williams

Flood Risk and Sustainable Drainage Engineer



Cyngor Sir Powys / Powys County Council

E-bost / Email: land.drainage@powys.gov.uk

Ffôn / Tel: (01686) 614032

Croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh

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Chantelle Chalk



From: Penybont District <penybont.district@hotmail.co.uk>

Sent: 17 March 2022 12:52
To: Planning Consultations

Cc: info@thomas-shop.com (CSP - EXTRN)

Subject: Application Reference: 22/0191/FUL

Dear Planning,

The Penybont & Llandegley Community Council discussed the above application on 8th March 2022. The council were pleased to see that the consistent concerns of the council were being followed up by PCC in respect of the inability of the sewage systems being unable to cope. The council supports the additional engineering works being undertaken, however, there is concern for ongoing annual maintenance and who will have the legal responsibility and whether that is part of the powers in planning to cover.

Yours sincerely

Geraint Evans Clerk





Powys County Council Constitution Schedule 13 Responsibility for Functions

Application

25/0175/NMA

Grid Ref:

E: 311647

Number:

N: 263955

Community

Penybont Community

Valid Date: 05.02.2025

Council: Case

Rhian Griffiths

Officer:

Applicant: Mr James Ellis

Location: Land Off Old Market Meadows, Penybont, Llandrindod Wells, Powys

Proposal: Application for non-material amendments to planning permission PR630000

in respect of revised house types for plots 14-29

Application Type: Non-Material Amendment

Planning History

App Ref	Description	Decision	Date
RAD/2004/0557	Full: Erection of 27 dwellings and 2 live work units and creation of new vehicular access (Section 106) SO 16 SW	, .	27th Sep 2007
19/1368/ NMA	Application for a non-material amendment to planning approval PR630000 in respect of making minor alterations to the approved elevations	Approve	4th Oct 2019

Principal Planning Constraints

Within 50m of Listed Buildings
LDP Housing Landbank Sites Cattle Market, Penybont. PR630
Mineral Safeguarding Sand_Gravel Cat 2
C2 Floodzone

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 12, December 2024)		National Policy
TAN2	Planning and Affordable Housing		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN18	Transport		National Policy
TAN23	Economic Development		National Policy
TAN24	The Historic Environment		National Policy
SP1	Housing Growth		Local Development Plan 2011-2026
SP3	Affordable Housing Target		Local Development Plan 2011-2026
SP5	Settlement Hierarchy		Local Development Plan 2011-2026
SP6	Distribution of Growth across the Settlement Hierarchy		Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets		Local Development Plan 2011-2026

DM1	Planning Obligations	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM4	Landscape	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
H1	Housing Development Proposals	Local Development Plan 2011-2026
H2	Housing Sites	Local Development Plan 2011-2026
H3	Housing Delivery	Local Development Plan 2011-2026
H4	Housing Density	Local Development Plan 2011-2026
H5	Affordable Housing Contributions	Local Development Plan 2011-2026
H6	Affordable Housing Exception Sites	Local Development Plan 2011-2026
SPGRES	Residential Design Guide	Local Development Plan 2011-2026
SPGAH	Affordable Housing SPG	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG	Local Development Plan 2011-2026
SPGOBS	Planning Obligations SPG	Local Development Plan 2011-2026

Other Legislative Considerations

Crime and Disorder Act 1998
Equality Act 2010
Planning (Wales) Act 2015 (Welsh language)
Wellbeing of Future Generations (Wales) Act 2015
Marine and Coastal Access Act 2009

Officer Appraisal

Site Location and Description

The proposed development is not located within a settlement development boundary, however, does form part of the small village of Penybont as defined by the Powys Local Development Plan.

To the north of the application site is an existing garage and public house, to the east is the A44 county highway, to the south is an existing burial ground and to the west is a caravan site and the River Wye.

This application seeks to amend the previously approved plans under the reference number PR63000 (RAD/2004/0557), and 19/1368/NMA. The amendment seeks to make the following alterations to each of the house types, when compared to the previous NMA:

- P1 & P2 (plots 15, 16, 21, 22, 23 and 24): This house type forms a semidetached pair of two-storey dwellings. The amendments look to make alterations to the fenestration details, and enclose the front porches.
- P3 (plots 17, 20 and 25): Two storey dwelling of a smaller footprint by virtue of the removal of the protruding single-storey front element. Including associated alterations to fenestrations.
- P4 (plot 26): previously this plot was proposed as a two-storey dwelling. This has now been amended to a bungalow, of the same footprint.
- P5 (plots 19 and 27): previously this plot was proposed as a two-storey dwelling.
 This has now been amended to a bungalow, of smaller footprint by virtue of the removal of the protruding single-storey front element.
- P6 (plot 18): previously this plot was proposed as a two-storey dwelling. This has now been amended to a bungalow, of the same footprint.
- P24 (plot 14): Orientation altered, with associated alterations to fenestration locations.

- P32 (plots 28 and 29); Alterations to fenestration locations.

The alterations to all plots include the introduction of solar panels.

Consideration of Amendments

Section 96A of the Town and Country Planning Act 1990 allows an amendment to be made to an existing or extant planning permission via a simplified application procedure providing that the proposed amendment does not materially alter the consented scheme.

Paragraph 2.6 of The Planning Guidance-Approving Non-Material Amendments states that when assessing and determining whether or not a proposed change would qualify as a non-material amendment, Local Planning Authorities may consider the following tests:

Is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme?

There is no change in scale to the overall development, the number of dwellings remains the same and the overall size of a number of dwellings have been reduced. The previously approved developments scale and size is no larger than previously approved and therefore it is considered that the scale of the proposed alterations are not great enough to cause an impact different to that caused by the original approved scheme.

Would the proposed change result in a detrimental impact either visually or in terms of local amenity?

The amendment relates to design alterations to a number of the proposed dwellings. The amendments seek to reduce the scale and size of some dwellings. It is considered that the proposed amendments will not have a detrimental impact visually or in terms of local amenity different to that previously approved under the application PR63000 or 19/1368/NMA.

Would the interests of any third party or body be disadvantaged in planning terms?

The amendments that have been put forward would not disadvantage any third party or body in planning terms. Whilst window locations on the dwellings have changed, it is not considered that there is any unacceptable privacy impact as a result of these changes.

Would the proposed change conflict with national or development plan policies?

The amendment only relates to the design of the previously approved dwellings. No

new dwellings are proposed, and the positioning of the dwellings remains as previously approved. It is considered that the proposed amendments remain in accordance with the previously approved development and do not conflict with any national or local planning policies.

River Wye SAC

Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site (previously designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate standards for the river Special Areas for Conservation (SACs) in Wales (21st January 2021). Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and, therefore, such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

This application has been screened in accordance with Natural Resources Wales' advice for planning applications affecting phosphorus sensitive river Special Areas of Conservation (SACs) (version 4, June 2024). It is considered that No Likely Significant Effects on the SAC are anticipated as a result of these development proposals as there is unlikely to be a source of additional phosphorus or pathway for impacts. The development is therefore screened out as not likely to have a significant effect on a river SAC in relation to phosphorus inputs as it falls within the following criterion in the advice:

 Any development that does not increase the volume and concentration of nutrients in wastewater.

Decision

Approve

On the basis of the above observations, Officers consider that the proposed development remains in accordance with the listed planning policies. Due to the nature of the proposed alterations, it is considered that the amendments do not materially alter the approved scheme.

Signed Rhian Griffiths Senior Planning Officer Date: 10th February 2025

Signed......Lorraine Jenkin Authorising Officer

Date: 18/2/25

Chantelle Chalk

From: Richard Edwards

Sent: 05 April 2022 08:24

To: Planning Consultations

Subject: FW: 22/0191/FUL

Judjecu

Regards

Richard Kier Edwards MSc BSc

Uwch Swyddog Cynllunio / Senior Planning Office Cyngor Sir Powys / Powys County Council

Ffon / Tel: 01597 827218

E-bost / E-mail: <u>richard.edwards2@powys.gov.uk</u> County Hall, Spa Road East, Llandrindod Wells, LD1 5LG

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From: Kevin Bray <kevin.bray@powys.gov.uk>

Sent: 05 April 2022 08:23

To: Richard Edwards < richard.edwards 2@powys.gov.uk>

Subject: 22/0191/FUL

Hi Richard.

Environmental Protection cannot support this application and recommends refusal given that the proposed drainage fields are to be located within a High Risk flood zone, this would prevent the system from operating correctly and may also cause longer term issues following any subsequent flooding.

Guidance states that foul drainage should be connected to a public foul or combined sewer wherever this is reasonably practicable. For small developments connection should be made to a public sewer where this is within 30m.

Kind Regards

Kevin

Kevin Bray BSc (Hons) MCIEH

Swyddog lechyd yr Amgylchedd

Environmental Health Officer

Gwarchod yr Amgylchedd- Cyngor Sir Powys, The Gwalia, Llandrindod Wells, Powys. LD1 6AA

Environmental Protection – Powys County Council, The Gwalia, Llandrindod Wells, Powys. LD1 6AA

01597 827343

Kevin.bray@powys.gov.uk

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http://www.powys.gov.uk/privacy



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E.mail: developer.services@dwrcymru.com

Gwasanaethau Datblygu Blwch Post 3146 Caerdydd CF30 OEH

Ffon: +44 (0)800 917 2652 Ffacs: +44 (0)2920 740472

E.bost: developer.services@dwrcymru.com

Powys County Council The Gwalia Ithon Road Llandrindod Wells LD1 6AA

> Date: 01/03/2022 Our Ref: PLA0063461 Your Ref: 22/0191/FUL

Dear Sir/Madam,

Site: Land Off Old Market Meadows, Llandrindod Wells

Development: Engineering Works associated with foul drainage system in connection with Planning Application 20/1742/RES

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

Since the proposal intends utilising an alternative to mains drainage we would advise that the applicant seek advice from Natural Resources Wales and the Building Regulations Authority as both are responsible to regulate alternative methods of drainage.

However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the <u>Advisory Notes</u> listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Advisory Notes

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.



Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,

Phillip Little
Development Control Officer
Developer Services

