



Engineering Design Services



Ael-y-Bryn, Ystradgynlais

Pre-Application Consultation Report (PAC)

March 2023

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|-------------|----------------|
| Report No. | PAC 3032 |
| Prepared By | Simon Kendrick |

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Introduction

This Pre-Application Consultation (PAC) Report has been prepared by Engineering Design Services on behalf of Powys County Council in support of a planning application for the demolition of four buildings, each containing six flats, and the construction of 16 walk up style flats along Ael Y Bryn, Ystradgynlais. This report sets out the statutory pre-application consultation process undertaken by the applicant prior to the submission of the planning application.

The statutory requirement to consult is imposed by section 61Z of the Town and Country Planning Act 1990. Further provision is contained in Part 1A of the Town and Country Planning (Development Management Procedures) (Wales) Order 2016. Together these documents require all major developments to be subject to pre application consultation and that the resulting planning application must be accompanied by a PAC report. The report must demonstrate that the consultation has been carried out in accordance with the requirements, set out what issues were raised by respondents during the consultation period and how the comments made have been considered when finalising the application.

Consultation Process

This section seeks to demonstrate compliance with Article 1 by setting out the consultation process undertaken.

Consultation Period

Consultation of the application ran from the 30th January 2023 to the 28th February 2023 fulfilling the requirement for a 28 day consultation period.

Site Notice

A copy and photographs of the site notices has been attached at Appendix 1. The notices were displayed on the estate noticeboard and railings near the existing properties from the 30th January 2023. The notice was provided in both English and Welsh.

As can be seen from the notices appended, the site notices included all information required by Schedule 1B of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

Making Information Available

All supporting draft reports (excluding this statement) and plans required for validation were provided electronically at <https://www.hughesarchitects.co.uk/application-ael-y-bryn-pen-y-bryn-ystradgynlais-powys-county-council/> and were made available for the entire consultation period starting on the 30th January 2023. A screen shot of the webpage is provided in Appendix 2.

In addition, a hard copy of the documents was provided at Ystradgynlais Library for those without access to computer facilities.

Notification

As part of the statutory pre-application requirements, developers are required to consult with three groups:

- Adjoining owners and occupiers to the application site;
- Community consultees; and
- Specialist consultees.

Occupants and Adjoining Landowners

The applicant is the freehold owner of the existing properties to be demolished where the new social housing is to be constructed. The majority of the adjacent properties are owned by the applicant and subject to tenancies. However, three adjacent properties are privately owned and all have been notified of the development.

A copy of letters sent to adjacent owners is provided at Appendix 3. As can be seen, the letter contained all information required by Schedule 1B of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

Community Consultees

A consultation letter was sent to Ystradgynlais Town Council along with Powys Council Councillors Huw Williams and Sarah Williams who represent the Abercraf and Ystradgynlais electoral ward in which the development is situated. An example copy of this letter is appended at Appendix 4.

Specialist Consultees

The following specialist consultees have been notified of the application:

- Local Highway Authority
- Lead Local Flood Authority
- Contaminated Land Officer
- Coal Authority
- Natural Resources Wales

- Mid and West Wales Fire and Rescue Authority
- Welsh Water
- Wales and West Utilities

An example of the letter sent to specialist consultees is included at Appendix 5. In accordance with guidance, all of the notification letters set out that the developer was required to consult on the proposals for a minimum of 28 days.

Response Summary

The consultation process resulted in 8 responses to the agent. 2 of which were from community consultees and 6 were from specialist consultees. No responses were received from members of the public.

The community consultee responses are provided in Appendix 6 and specialist consultees at Appendix 7.

Consideration of Community Responses

One issue was raised by Councillor Huw Williams regarding the contractor's 'compound' being thoughtfully located so to be sympathetic to long term usage and possible disruption for residents.

In response, the project team will work with the appointed contractor/s and the local community to ensure minimum disruption to residents.

Consideration of Specialist Responses

Responses have been received from the Local Highway Authority, Coal Authority, Mid and West Wales Fire and Rescue Authority, Welsh Water, Wales and West Utilities and Natural Resources Wales, all of which offer no objection to the proposals. The comments are noted and no further response or alteration to the scheme is required.

Appendix 1 – Site notice



PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION Town and County Planning (Development Management Procedure) (Wales) Order 2012 Schedule 1 Article 4.(4) Schedule 1B Articles 2C & 2D

Engineering Design Services has been commissioned by Powys County Council to undertake pre-application consultation in respect of the proposed development at Pen-Y-Bryn/Ael Y Bryn, Ystradgynlais.

Purpose of this notice:

This notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the Local Planning Authority (LPA). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

We give notice that Powys County Council is intending to apply for **full consent for the demolition of four blocks of 24 flats and the erection of four blocks of 16 flats** at 29-36 Pen-Y-Bryn and 34, 36, 38, 40-49, 51, 53, 55 Ael Y Bryn, Ystradgynlais, Powys, SA9 1JA / SA9 1HY (279167, 210917).

You may inspect copies of:

- the proposed application
- the plans; and
- other supporting documents

Online at <https://www.hughesarchitects.co.uk/consultations/>. Hard copies of the documentation are also available to review at Ystradgynlais Library during the consultation period (30.01.2023 – 27.02.2023). If you are unable to access the documents electronically you may request copies of this information by emailing Simon.Kendrick@powys.gov.uk or by telephoning the agent on 01597 826469.

Anyone who wishes to make representations about this proposed development must write to the agent, Simon Kendrick, at Simon.Kendrick@powys.gov.uk or Simon Kendrick, Engineering Design Services, County Hall, Spa Road East, Llandrindod Wells, Powys, LD1 5LG, by the 27.02.2023.

Date: 30.01.2023



CSCC•CWIC

Hysbysiad Safle

CYHOEDDUSRWYDD AC YMGYNGHORIAD CYN GWNEUD CAIS AM GANIATÂD CYNLLUNIO

Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) (Diwygio) 2012

Atodlen 1 Erthygl 4.(4) Atodlen 1B Erthyglau 2C a 2D

Mae Gwasanaethau Dylunio Peirianeg wedi cael eu comisiynu gan Gyngor Sir Powys i drefnu ymgynghoriad cyn gwneud cais cynllunio ynglŷn â'r datblygiad arfaethedig yn Pen-Y-Bryn/Ael Y Bryn, Ystradgynlais.

Diben yr hysbysiad:

Mae'r hysbysiad yma yn darparu'r cyfle i gyflwyno sylwadau yn uniongyrchol i'r datblygwr am ddatblygiad arfaethedig cyn i gais am ganiatâd cynllunio cael ei gyflwyno i'r Awdurdod Cynllunio Lleol (ACLI). Bydd unrhyw gais cynllunio dilynol yn cael ei hysbysebu gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir mewn ymateb i'r hysbysiad hwn yn eich rhagfarnu rhag gallu cyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Dylech nodi y gellir gosod unrhyw sylwadau a gyflwynir ar y ffeil gyhoeddus.

Rhydym yn hysbysu bod Cyngor Sir Powys yn bwriadu gwneud cais am **ganiatâd cynllunio ar gyfer dymchwelfa o bedwar bloc o 24 fflat ac adeiladu pedwar bloc o 16 fflat** ar 29-36 Pen-Y-Bryn and 34, 36, 38, 40-49, 51, 53, 55 Ael Y Bryn, Ystradgynlais, Powys, SA9 1JA / SA9 1HY (279167, 210917).

Mae modd i chi archwilio copiau o'r canlynol:

- y cais arfaethedig
- y cynlluniau; a
- dogfennau ategol eraill

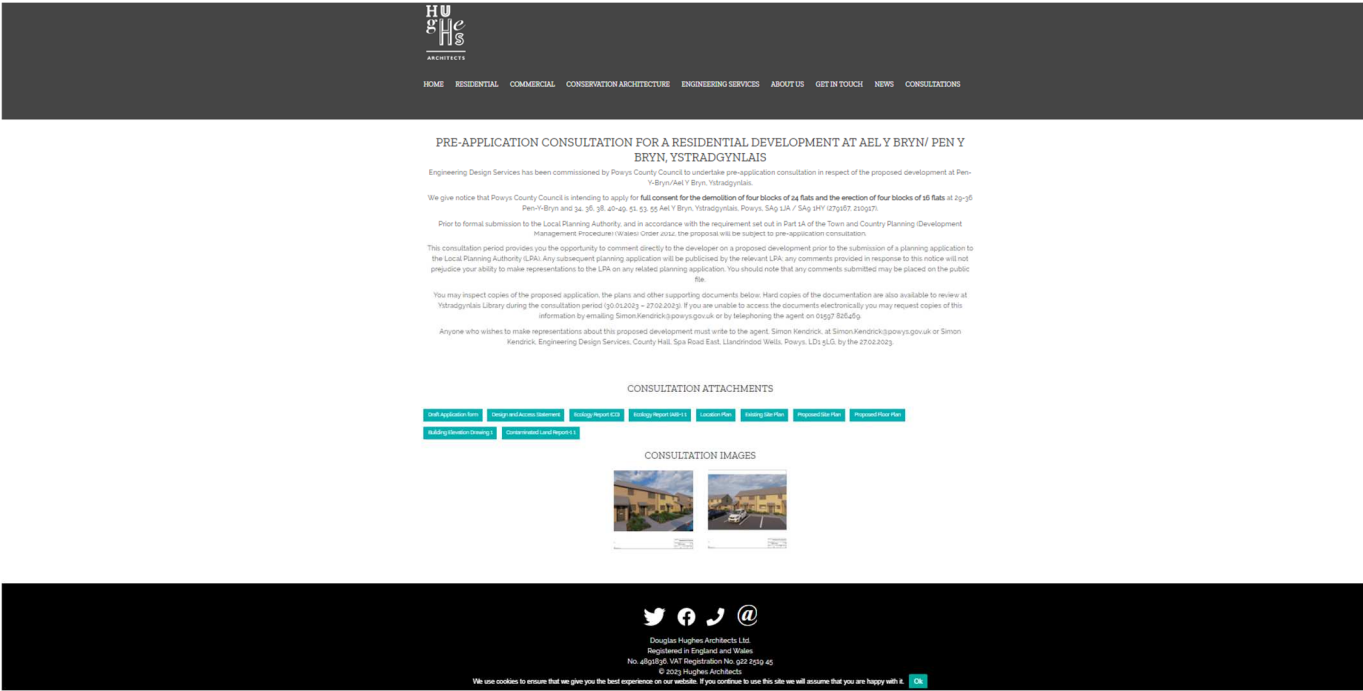
ar lein yn <https://www.hughesarchitects.co.uk/consultations/>. Mae copiau papur o'r dogfennau hefyd ar gael yng Nghanolfan Gymunedol Abermiwl yn ystod y cyfnod ymgynghori (28.09.2020 – 26.10.2020). Os nad ydych yn gallu cael mynediad at y dogfennau yn electronig gallwch ofyn am gopïau o'r wybodaeth hon drwy anfon e-bost at Simon.Kendrick@powys.gov.uk neu drwy ffonio'r asiant ar 01597 826469.

Dylai unrhyw un sy'n dymuno gwneud sylwadau ynglŷn â'r datblygiad arfaethedig ysgrifennu at yr asiant, Simon Kendrick, drwy ebostio Simon.Kendrick@powys.gov.uk neu Simon Kendrick, Y Gwasanaeth Dylunio Peirianegol, Neuadd Y Sir, Spa Road East, Llandrindod, Powys, LD1 5LG, erbyn 27.02.2023.

Dyddiad: 30.01.2023



Appendix 2 – Webpage Consultation



Appendix 3 – Occupier of Adjoining Land Letter



Engineering Design Services
Powys County Council
County Hall
Spa Road East
Llandrindod Wells
LD1 5LG

Date 30.01.2023
Our Ref: PAC 2647

Dear Sir/Madam

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION

Town and County Planning (Development Management Procedure) (Wales) Order 2012 Schedule 1B Articles 2C & 2D (Community Consultee)

Engineering Design Services has been commissioned by Powys County Council to undertake pre-application consultation in respect of the proposed development at Pen-Y-Bryn/Ael Y Bryn, Ystradgynlais.

Purpose of this notice: This notice provides you the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the Local Planning Authority (LPA). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

We give notice that Powys County Council is intending to apply for **full consent for the demolition of four blocks of 24 flats and the erection of four blocks of 16 flats** at 29-36 Pen-Y-Bryn and 34, 36, 38, 40-49, 51, 53, 55 Ael Y Bryn, Ystradgynlais, Powys, SA9 1JA / SA9 1HY (279167, 210917).

You may inspect copies of the proposed application, the plans and other supporting documents at [Pre-application consultation for a residential development at Ael Y Bryn/ Pen Y Bryn, Ystradgynlais : Hughes Architects](#). Hard copies of the documentation are also available to review at Ystradgynlais Library during the consultation period (30.01.2023 – 27.02.2023). If you are unable to access the documents electronically you may request copies of this information by emailing Simon.Kendrick@powys.gov.uk or by telephoning the agent on 01597 826469.

Anyone who wishes to make representations about this proposed development must write to the agent, Simon Kendrick, at Simon.Kendrick@powys.gov.uk or Simon Kendrick, Engineering Design Services, County Hall, Spa Road East, Llandrindod Wells, Powys, LD1 5LG, by the 27.02.2023.

Yours faithfully,

Simon Kendrick
Principal Engineer
Engineering Design Services
Powys County Council



Y Gwasanaeth Dylunio Peirianegol
Cyngor Sir Powys
Neuadd y Sir
Llandrindod
Powys
LD1 5LG

Dyddiad: 30.01.2023

Ein Cyf: PAC 2647

Annwyl Syr/Madam

CYHOEDDUSRWYDD AC YMGYNGHORIAD CYN GWNEUD CAIS AM GANIATÂD CYNLLUNIO

Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 Atodlen 1B Erthyglau 2C a 2D (Ymgynghorwyr Cymunedol)

Mae Gwasanaeth Dylunio Peirianegol wedi cael ei gomisiynu gan Cyngor Sir Powys i drefnu ymgynghoriad cyn gwneud cais cynllunio ynglŷn â'r datblygiad arfaethedig yn Pen-Y-Bryn/Ael Y Bryn, Ystradgynlais.

Diben yr hysbysiad hwn: Mae'r hysbysiad hwn yn darparu'r cyfle i gyflwyno sylwadau yn uniongyrchol i'r datblygwr am ddatblygiad arfaethedig cyn i gais am ganiatâd cynllunio cael ei gyflwyno i'r Awdurdod Cynllunio Lleol (ACLI). Bydd unrhyw gais cynllunio dilynol yn cael ei hysbysebu gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir mewn ymateb i'r hysbysiad hwn yn eich rhagfarnu rhag gallu cyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Dylech nodi y gellir gosod unrhyw sylwadau a gyflwynir ar y ffeil gyhoeddus.

Rhydym yn hysbysu bod Cyngor Sir Powys yn bwriadu gwneud cais am **ganiatâd cynllunio ar gyfer dymchwelfa o bedwar bloc o 24 fflat ac adeiladu pedwar bloc o 16 fflat** ar 29-36 Pen-Y-Bryn and 34, 36, 38, 40-49, 51, 53, 55 Ael Y Bryn, Ystradgynlais, Powys, SA9 1JA / SA9 1HY (279167, 210917).

Mae modd i chi archwilio copiau o'r canlynol y cais arfaethedig, y cynlluniau a dogfennau ategol eraill isod [Pre-application consultation for a residential development at Ael Y Bryn/ Pen Y Bryn, Ystradgynlais : Hughes Architects](#) . Mae copiau caled o'r dogfennau hefyd ar gael ar Llyfrgell Ystradgynlais yn ystod y cyfnod ymgynghori (30.01.2023 – 27.02.2023). Os nad ydych yn gallu cael mynediad at y dogfennau yn electronig gallwch ofyn am gopïau o'r wybodaeth hon drwy anfon e-bost at Simon.Kendrick@powys.gov.uk neu drwy ffonio'r asiant ar 01597 826469.

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Y Gwasanaeth Dylunio Peirianegol, Neuadd Y Sir, Spa Road East, Llandrindod, Powys, LD1 5LG, erbyn 27.02.2023.

Yn gywir,

Simon Kendrick
Gwasanaethau Dylunio Peirianeg
Cyngor Sir Powys

Appendix 4 - Community Consultee Letter



Engineering Design Services
Powys County Council
County Hall
Spa Road East
Llandrindod Wells
LD1 5LG

deputyclerk.ystradtowncouncil@gmail.com

Date 30.01.2023
Our Ref: PAC 2647

Dear Sir/Madam

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION

Town and County Planning (Development Management Procedure) (Wales) Order 2012 Schedule 1B Articles 2C & 2D (Community Consultee)

Engineering Design Services has been commissioned by Powys County Council to undertake pre-application consultation in respect of the proposed development at Pen-Y-Bryn/Ael Y Bryn, Ystradgynlais.

Purpose of this notice: This notice provides you the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the Local Planning Authority (LPA). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

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Yours faithfully,

Simon Kendrick
Principal Engineer
Engineering Design Services
Powys County Council



Y Gwasanaeth Dylunio Peirianegol
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deputyclerk.ystradtowncouncil@gmail.com

Dyddiad: 30.01.2023
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Rhydym yn hysbysu bod Cyngor Sir Powys yn bwriadu gwneud cais am **ganiatâd cynllunio ar gyfer dymchwelfa o bedwar bloc o 24 fflat ac adeiladu pedwar bloc o 16 fflat** ar 29-36 Pen-Y-Bryn and 34, 36, 38, 40-49, 51, 53, 55 Ael Y Bryn, Ystradgynlais, Powys, SA9 1JA / SA9 1HY (279167, 210917).

Mae modd i chi archwilio copiau o'r canlynol y cais arfaethedig, y cynlluniau a dogfennau ategol eraill isod [Pre-application consultation for a residential development at Ael Y Bryn/ Pen Y Bryn, Ystradgynlais : Hughes Architects](#) . Mae copiau caled o'r dogfennau hefyd ar gael ar Llyfrgell Ystradgynlais yn ystod y cyfnod ymgynghori (30.01.2023 – 27.02.2023). Os nad ydych yn gallu cael mynediad at y dogfennau yn electronig gallwch ofyn am gopiau o'r wybodaeth hon drwy anfon e-bost at Simon.Kendrick@powys.gov.uk neu drwy ffonio'r asiant ar 01597 826469.

Dylai unrhyw un sy'n dymuno gwneud sylwadau ynglŷn â'r datblygiad arfaethedig ysgrifennu at yr asiant, Simon Kendrick, drwy ebostio Simon.Kendrick@powys.gov.uk neu Simon Kendrick, Y Gwasanaeth Dylunio Peirianegol, Neuadd Y Sir, Spa Road East, Llandrindod, Powys, LD1 5LG, erbyn 27.02.2023.

Yn gywir,

Simon Kendrick
Gwasanaethau Dylunio Peirianeg
Cyngor Sir Powys

Appendix 5 – Specialist Consultee Letter



Dwr Cymru Welsh Water
developer.services@dwrcymru.com

Engineering Design Services
Powys County Council
County Hall
Spa Road East
Llandrindod Wells
LD1 5LG

Date 30.01.2023
Our Ref: PAC 2647

Dear Sir/Madam

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION

Town and County Planning (Development Management Procedure) (Wales) Order 2012 Schedule 1C Article 2D (Specialist Consultee)

Engineering Design Services has been commissioned by Powys County Council to undertake pre-application consultation in respect of the proposed development at Pen-Y-Bryn/Ael Y Bryn, Ystradgynlais.

Purpose of this notice: This notice comprises a formal request for a pre-application consultation response under article 2D of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

We give notice that Powys County Council is intending to apply for **full consent for the demolition of four blocks of 24 flats and the erection of four blocks of 16 flats** at 29-36 Pen-Y-Bryn and 34, 36, 38, 40-49, 51, 53, 55 Ael Y Bryn, Ystradgynlais, Powys, SA9 1JA / SA9 1HY (279167, 210917).

A copy of the proposed application, plans and other supporting documents can be viewed online at [Pre-application consultation for a residential development at Ael Y Bryn/ Pen Y Bryn, Ystradgynlais : Hughes Architects.](#)

In accordance with the requirements of article 2E of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a consultation response must be sent to the agent, Simon Kendrick, at Simon.Kendrick@powys.gov.uk or Simon Kendrick, Engineering Design Services, County Hall, Spa Road East, Llandrindod Wells, Powys, LD1 5LG, by the 27.02.2023 giving a period of 28 days, beginning with the date of service and publication of this notice.

Yours faithfully,

Simon Kendrick
Principal Engineer
Engineering Design Services
Powys County Council



Dwr Cymru Welsh Water

developer.services@dwrcymru.com

Y Gwasanaeth Dylunio Peirianegol
Cyngor Sir Powys
Neuadd y Sir
Llandrindod
Powys
LD1 5LG

Dyddiad: 30.01.2023
Ein Cyf: PAC 2647

Annwyl Syr/Madam

CYHOEDDUSRWYDD AC YMGYNGHORIAD CYN GWNEUD CAIS AM GANIATÂD CYNLLUNIO

Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) (Diwygio) 2012 Atodlen 1C Erthygl 2D (Ymgynghorydd Arbenigol)

Mae Gwasanaeth Dylunio Peirianegol wedi cael ei gomisiynu gan Cyngor Sir Powys i drefnu ymgynghoriad cyn gwneud cais cynllunio ynglŷn â'r datblygiad arfaethedig yn Pen-Y-Bryn/Ael Y Bryn, Ystradgynlais.

Bwriad yr hysbysiad: Mae'r hysbysiad yma yn gais ffurfol am ymateb i'r ymgynghoriad cyn gwneud cais o dan erthygl 2D o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012.

Rhydym yn hysbysu bod Cyngor Sir Powys yn bwriadu gwneud cais am **ganiatâd cynllunio ar gyfer** dymchwelfa o bedwar bloc o 24 fflat ac adeiladu pedwar bloc o 16 fflat ar 29-36 Pen-Y-Bryn and 34, 36, 38, 40-49, 51, 53, 55 Ael Y Bryn, Ystradgynlais, Powys, SA9 1JA / SA9 1HY (279167, 210917).

Gellir gweld copi o'r cais arfaethedig, y cynlluniau a dogfennau atodol eraill ar-lein yn [Pre-application consultation for a residential development at Ael Y Bryn/ Pen Y Bryn, Ystradgynlais : Hughes Architects](#).

Yn unol â gofynion erthygl 2E Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) (Diwygio) 2012 rhaid danfon sylwadau ynglŷn â'r ymgynghoriad at yr asiant, Simon Kendrick, drwy ebostio Simon.Kendrick@powys.gov.uk neu Simon Kendrick, Y Gwasanaeth Dylunio Peirianegol, Neuadd Y Sir, Spa Road East, Llandrindod, Powys, LD1 5LG, erbyn 27.02.2023.

Yn gywir

Simon Kendrick
Gwasanaethau Dylunio Peirianeg
Cyngor Sir Powys

Appendix 6 – Community responses

Town Council Response

I have received confirmation that the Town Council has **no observations** to make regarding the pre-planning consultation for the proposed flats at Pen Y Bryn / Ael Y Bryn.

County Councillor Huw Williams Response

I have been involved for several years in the consultation to re-design the 'flats' in Penybryn and fully endorse the proposed development. The provision of individual 'front door' access is an important element. I would only ask that the contractor's 'compound' is thoughtfully located so to be sympathetic to long term usage and possible disruption for residents. I will continue to attend the site meetings and monitor progress with input from local residents.

Public Responses

No public responses were received.

Appendix 7 – Specialist Consultee Responses

Local Highway Authority

The County Council as Highway Authority for the County Unclassified Highway, U0389

Wish the following recommendations/Observations be applied

Thank you for consulting with the Highway Authority regarding the demolition of four blocks of 24 flats and the erection of four blocks of 16 flats at 29-36 Pen-Y-Bryn and 34, 36, 38, 40-49, 51, 53, 55 Ael Y Bryn, Ystradgynlais, Powys, SA9 1JA / SA9 1HY (279167, 210917).

(Please note that this response is based on a desktop study of the site using: submitted information; satellite mapping imagery; historic mapping; planning records and local knowledge. No site visit has been undertaken).

This proposal would have no detrimental effect on the existing highway network and as such, the Highway Authority would not wish to offer any adverse comments or conditions should a formal planning application of this nature be submitted, furthermore, the Highway Authority welcomes the increase in parking allocation at the location.

Reference Material

Manual for Streets 1 & 2

TAN 18

The Powys Local Development Plan (2011-2026) Policy T1

CSS Wales Parking Standards

All Wales Common Standards for Residential, Industrial & Commercial Estate Roads

Coal Authority

Thank you for your notification of 30 January 2023 seeking the pre-application views of the Coal Authority on the above.

I have checked the site location plan against our coal mining information and can confirm that, whilst the proposed development site falls within the coalfield, it is located outside the Development High Risk Area as defined by the Coal Authority. Therefore, there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability at this site.

Accordingly, there is no requirement for the applicant to submit a Coal Mining Risk Assessment in support of any formal planning application for the redevelopment of this site and / or for the Local Planning Authority (LPA) to consult the Coal Authority on any planning application for this site. The LPA should add our Standing Advice on any planning permission granted.

I trust that the above is helpful, however please do not hesitate to contact me if you would like to discuss this matter further.

Natural Resources Wales

STATUTORY PRE-APPLICATION CONSULTATION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012 AS AMENDED.

BWRIAD / PROPOSAL: full consent for the demolition of four blocks of 24 flats and the erection of four blocks of 16 flats.

LLEOLIAD / LOCATION: 29-36 Pen-Y-Bryn and 34, 36, 38, 40-49, 51, 53, 55 Ael Y Bryn, Ystradgynlais.

Thank you for providing a requisite notice to us under Article 2D of the above Order. We received a copy of your proposed application on 30/01/2023.

Based on the information provided, we would have concerns if the planning authority do not include the following document in the approved plans and documents condition on the decision notice:

- Just Mammals limited, JM8322, December 2022, A Preliminary Ecological Appraisal and Bat Survey Report.

Please note, we would be likely to object if this document is not included in this condition. Further details are provided below.

Protected Species

Two bat reports have submitted in support of this pre application consultation:

- Just Mammals limited, JM8322, December 2022, A Preliminary Ecological Appraisal and Bat Survey Report.
- Hawkeswood Ecology, Ref: HE/07/2021 Issue 2, March 2022 Preliminary Roost Assessment and Observation Surveys, Flats at Ael-y-Bryn, Ystradgynlais

The Hawkeswood Ecology report focusses on the two northern building blocks containing flats 29,30,31,32 (Pen y Bryn),34,36,38,40,46,48 (Ael y Bryn) and no signs of bat use were identified within these two buildings. We therefore have no objection to the proposed demolition of these two structures. We welcome the recommendations in section 8 of the report and we advise these are followed.

The Just Mammals report focusses on the two southern building blocks containing flats 33,34,35,36 (Pen y Bryn), 41,43,45,47, 53, 55 (Ael y Bryn). The bat report has found old evidence of bat roosting activity within the attic above flats 45 and 47 Ael y Bryn and concludes that the proposal is likely to harm or disturb the bats or their breeding sites and resting places at this site and will, therefore, require a licence.

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Any development that would contravene the protection afforded to bats under the Regulations would require a derogation licence from Natural Resources Wales. A licence may only be authorised if:

| | |
|------|---|
| i. | There is no satisfactory alternative and |
| ii. | The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. In addition, |
| iii. | the development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment. |

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that the Local Planning Authority (LPA) should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

Provided all the recommendations made in section 10 of the bat report are implemented, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. We would recommend the LPA to include the bat report within the condition identifying approved plans and documents on the decision notice.

We would also refer the Local Authority to the Chief Planning Officer's letter dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

Groundwater

We refer you to the Environment Agency (2017) '[Approach to groundwater protection](#)' position statements which have been adopted by us. You should be aware of the advice under Position Statement G13 (Sustainable drainage systems) which applies to this development. More information is available on our [website](#). Advice on environmental considerations and the assessments needed to support your planning application can be found on our external website.

For advice on how to deal with possible land contamination on your development visit: [Natural Resources Wales / Land contamination](#)

For advice on how to protect groundwater at your development visit: [Natural Resources Wales / How we can all help protect groundwater in Wales](#)

Waste

Waste produced during the construction phase of your development must be dealt with appropriately, and be in line with all relevant waste legislation including Duty of Care

Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provided information on how to classify waste and register as a waste carrier or hazardous waste producer:

<http://naturalresources.wales/waste/how-to-classify-and-assess-waste/?lang=en>

<http://naturalresources.wales/apply-for-a-permit/waste/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

Environmental Management

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

Other Matters

Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to our [website](#) for further details.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

Yn gywir / Yours sincerely

Cinzia Sertorio

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning

Cyfoeth Naturiol Cymru / Natural Resources Wales

Mid and West Wales Fire and Rescue Authority

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012

THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PROCEDURE) (WALES) ORDER 2016

DEVELOPMENT PROCEDURE (CONSULTEES) (WALES) (MISCELLANEOUS AMANDMENTS) ORDER 2021 – FIRE AND RESCUE AUTHORITIES

RE: Proposed Development at Pen-Y-Bryn/Ael Y Bryn, Ystradgynlais

APPLICATION NUMBER: PAC 2647

I acknowledge receipt of the notification to the Mid and West Wales Fire and Rescue Authority in relation to the above application.

The site plan/s of the above proposal has been examined and the Fire and Rescue Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development.

- The following concerns are identified, in relation to the proposed developments, together with suggestions as to how these can be addressed.
1. Please confirm the Proposal meets the requirements of B5 Approved document B (Wales) 2020 in relation to water supplies and vehicle access for firefighting purposes.

The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links:

<https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/>

<https://www.ukfrs.com/index.php/promos/16847>

Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

The plan/s has been retained for record purposes.

Yours faithfully

Watch Manager G Morgan
Authorised Fire Safety Inspecting Officer
On behalf of the Mid and West Wales Fire and Rescue Authority

Welsh Water

Grid Ref: 279176 210891

Site Address: Pen-Y-Bryn & Ael Y Bryn, Ystradgynlais,

Development: 2D - full consent for the demolition of four blocks of 24 flats and the erection of four blocks of 16 flats at 29-36 Pen-Y-Bryn and 34, 36, 38, 40-49, 51, 53, 55 Ael Y Bryn, Ystradgynlais, Powys

I refer to the Schedule 1C - Article 2D notice received and your formal request for a pre-application consultation response before applying for planning permission from Dwr Cymru Welsh Water as a 'Specialist Consultee' as defined by Paragraph (y) of Schedule 4 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. It is acknowledged that the consultation request relates to a major development site and thus seeks a substantive response within 28 days from the date of the notice, 27th February 2023, as per the requirements of Article 2E. This request includes our views on the capacity of our network of assets and infrastructure to accommodate your proposed development.

Having reviewed the details submitted I would advise there is no objection to the proposed development comprising the demolition of an existing four blocks of 24 flats and the construction of four blocks of 16 flats. We can offer the following standing advice which should be taken into account within any future planning application for the development:

SEWERAGE

It would appear that there is already an existing connection to the public sewer, however, it is noted that it is not proposed to utilise the existing connection. We

have no objection to this and are able to accept the domestic foul water only flows from the proposed development site. The proposed development site is crossed by a public sewer. Please see copy of indicative public sewer record attached. No operational development is to take place within 3 metres either side of the centreline of the sewer. We request that prior to commencing any operational development the location of this asset is determined. If operational development is likely to take place within 3 metres either side of this sewer, please stop works and contact us. Under the Water Industry Act 1991 Welsh Water has rights of access to its assets at all times.

SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

SURFACE WATER

It would appear that the intention is to dispose of surface water via a soakaway, however, you are reminded that the development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore will require approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Powys County Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

WATER SUPPLY

The proposed development site is crossed by a 6inch uPVC watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times and accordingly, we enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

We anticipate this development will require the installation of a new single water connection to serve the new premise. The provisions of Section 45 of the Water industry Act 1991 apply. We therefore rely on the Local Planning Authority to control the delivery of any required reinforcement or offsite works by way of planning condition at planning application stage.

A water supply can be made available to service this proposed development. Initial indications are that a connection can be made from the 6" diameter UPVC watermain in 279169, 210893 location. The cost of providing new on-site watermains can be calculated upon the receipt of detailed site layout plans which should be sent to the above address.

Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,

Owain George

Planning Liaison Manager

Developer Services

Please Note that demands upon the water and sewerage systems change continually; consequently the information given above should be regarded as reliable for a maximum period of 12 months from the date of this letter.

Wales and West Utilities

Dear Sir / Madam

Section 80, The Building Act 1984

RE:

We have been informed through a third party of your intention to demolish buildings at the above address.

If you wish to discuss this matter further, please contact on who will be happy to assist you.

Yours sincerely

Wales and West Utilities