

Planning, Taxi Licensing & Rights of Way Committee

Meeting Venue
By Teams

Meeting Date
Thursday, 29 April 2021

Meeting Time
10.00 am

For further information please contact
Carol Johnson
01597826206
carol.johnson@powys.gov.uk



County Hall
Llandrindod Wells
Powys
LD1 5LG

22/04/2021

Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod, a bydd gwasanaeth cyfieithu ar y pryd ar gael.
You are welcome to speak Welsh or English in the meeting, and a simultaneous translation service will be provided.

AGENDA

1.	APOLOGIES
-----------	------------------

To receive apologies for absence.

2.	MINUTES OF THE PREVIOUS MEETING
-----------	--

To authorise the Chair to sign the minutes of the previous meeting of the Committee held on 8 April 2021 as a correct record.
(Pages 3 - 8)

Planning	
-----------------	--

3.	DECLARATIONS OF INTEREST
-----------	---------------------------------

- a) To receive any declarations of interest from Members relating to items to be considered on the agenda.
- b) To receive Members' requests that a record be made of their membership of town or community councils where discussion has taken place of matters for the consideration of this Committee.
- c) To receive declarations from Members of the Committee that they will be acting as 'Local Representative' in respect of an individual application being considered by the Committee.

d) To note the details of Members of the County Council (who are not Members of the Committee) who will be acting as 'Local Representative' in respect of an individual application being considered by the Committee.

4.	PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE
-----------	---

To consider the reports of the Head of Property, Planning and Public Protection and to make any necessary decisions thereon.

(Pages 9 - 10)

4.1. Updates

Any Updates will be added to the Agenda, as a Supplementary Pack, wherever possible, prior to the meeting.

4.2. 20/1582/HH Cwm Gwalley, Old Radnor, Presteigne, Powys, LD8 2RP

(Pages 11 - 30)

5.	DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS
-----------	--

To receive for information a list of decisions made by the Head of Property, Planning and Public Protection under delegated powers.

(Pages 31 - 46)

6.	APPEAL DECISION
-----------	------------------------

To receive the Planning Inspector's decision regarding an appeal.

Taxi and other licensing

7.	ANIMAL LICENSING FEES
-----------	------------------------------

To consider the report regarding objections raised to the increase in animal licensing fees introduced in 2020/21.

(Pages 47 - 64)

MINUTES OF A MEETING OF THE PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE HELD BY TEAMS ON THURSDAY, 8 APRIL 2021

PRESENT

County Councillor K Lewis (Chair)

County Councillors G Jones, E M Jones, L V Corfield, E Durrant, L George, D R Jones, M J Jones, F H Jump, H Lewis, D R Price, P C Pritchard, G Pugh, D Selby, K S Silk, G I S Williams, D H Williams, J Williams and R Williams

1. APOLOGIES

Apologies for absence were received from County Councillors E Vaughan and J Wilkinson.

It was noted that Councillor D Jones was on other Council business and hoped to join the meeting later.

2. MINUTES OF THE PREVIOUS MEETING

The Chair was authorised to sign as a correct record the minutes of the meeting held on 18 March 2021.

Planning

3. DECLARATIONS OF INTEREST

- (a) There were no declarations of interest.
- (b) The Committee noted that no Member requested that a record be made of their membership of a Community Council where discussion had taken place of matters for the consideration of this Committee.
- (c) The Committee noted that no Member (who is a member of the Committee) would be acting as 'local representative' in respect of any application on the agenda.
- (d) The Committee noted that no Member (who is not a member of the Committee) would be speaking as the 'local representative' in respect of any application on the agenda.

4. PLANNING APPLICATIONS FOR CONSIDERATION BY THE COMMITTEE
--

The Committee considered the report of the Head of Property, Planning and Public Protection (copies filed with the signed minutes).

4.1 Updates

The Members confirmed that they had received and had time to read the update circulated the previous day and prior to the meeting.

4.2 19/0817/OUT Land At Gornal Farm, Four Crosses, Powys , SY22
6RJ

Grid Ref:	E: 327182 N: 318339
Valid Date:	15/02/19
Community Council:	Llandysilio Community Council
Applicant:	Mr P Davies
Location:	Land At Gornal Farm, Four Crosses, Powys SY22 6RJ
Proposal:	Residential development of up to 35 affordable dwellings, formation of vehicular access (some matters reserved)
Application Type:	Outline Planning

In response to questions, the Principal Planning Officer advised that, to the best of her knowledge, a site, with planning permission to the north of Four Crosses, had planning permission for approximately 20 affordable houses. She advised that any exception sites outside of the Local Development Plan [LDP] required all houses to be affordable. She advised that the Council Housing Register and Mid Wales Housing Association confirmed that there was a need in this area for such housing. She also advised that the Future Wales, the National Development Plan, has stated that more affordable housing is required in Wales.

The Committee noted that where a development is just for affordable housing on an exception site, where a need has been identified, apart from any site constraints, there is no limit to the number of houses which can be built. She advised that both national and local policies support this. The Professional Lead - Planning reminded the Committee that not all planning permissions are built and the LDP applied a 40% discount in defining its dwelling requirement.

In respect of the compatibility of the commercial area adjacent to the site of the proposed housing development, the Principal Planning Officer advised that subject to the proposed mitigation the current use of commercial area had no unacceptable adverse impact on the housing development. The potential future development of the commercial area could not be considered. She confirmed that in July 2020 an updated noise assessment had been received and was acceptable to the Environmental Health service.

The Principal Planning officer advised in response to a question about sewerage and foul water drainage that no response had been received from the Water Company. She advised that if the Committee was minded to approve the application a condition could be added requesting details of foul water and surface water drainage be provided at detailed planning stage, which would ensure that the Water Company, Natural Resources Wales [NRW] and the Council's Ecologist would be asked to review this.

Comment was made about the acoustic barrier next to the Offa's Dyke path. The Principal Planning Officer advised that the previous application had been refused due to the impact of the proposed acoustic barrier in that application on the Offa's Dyke scheduled monument and not on the path. CADW had confirmed that the proposed acoustic barrier and bund, in this application, were acceptable.

In response to comments the Principal Planning Officer advised that the Education Service had advised that there is capacity in local schools. She also advised that the Housing Department had identified a need for affordable housing in the Welshpool triangle, which was the relevant housing market area defined in the Local Housing Market Assessment. She advised that Development Management would consider such information and evidence provided by these consultees.

It was moved and duly seconded to approve the application as recommended by the officer and subject to a S106 agreement (open / play space provision) and a condition requiring the need to submit a detailed foul water and sewerage plan at the reserved matters stage.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes and a Section 106 agreement for open/play space provision and subject to a condition requiring the need to submit a detailed foul water and sewerage plan.	As officer's recommendation as set out in the report which is filed with the signed minutes. Inclusion of an additional condition to ensure foul water is adequately addressed.

County Councillors E Durrant and E M Jones did not vote as they were not present for the presentation and debate.

County Councillors L George and J Williams left the meeting.

4.3 20/0042/AGR Land Adj To Llowes Court, Llowes, Hereford, Powys, HR3 5JA

Grid Ref: E: 319550 N: 241820

Valid Date: 29/01/21

Community Council: Glasbury Community Council

Applicant: Mr Edward Morris

Location: Land Adj To Llowes Court, Llowes, Hereford, Powys, HR3 5JA

Proposal: Erection of a steel portal framed storage and machinery building

Application Type: Full Application

Mrs J Gardiner and Mr C Councill spoke against the application.

In response to questions the Planning Officer advised that NRW had no objections to the application because the proposed building would be a machinery and crop store and would not be used for livestock. It was noted that this was subject to a recommended condition. The development of such a building in a C2 flood zone was considered acceptable as the proposed building was not considered to be highly vulnerable. In respect of surface water, approval of a sustainable drainage system was required and would need to be applied for separately. The Planning Officer advised that the material proposed for the building was acceptable and in keeping with buildings of a similar nature.

It was moved and duly seconded to approve the application as recommended by the officer.

RESOLVED:	Reason for decision:
that the application be granted consent, subject to the conditions set out in the report which is filed with the signed minutes.	As officer's recommendation as set out in the report which is filed with the signed minutes.

5.	DECISIONS OF THE HEAD OF PROPERTY, PLANNING AND PUBLIC PROTECTION ON DELEGATED APPLICATIONS
-----------	--

The Committee received for information a list of decisions made by the Head of Property, Planning and Public Protection during the period between 10 March 2021 and 29 March 2021.

Rights of Way

6.	TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257 - PUBLIC PATH ORDER PROPOSAL
-----------	---

The Committee considered the report in respect of the proposal to stop up part of public footpath B59 on land to the rear of Ysgol Gymraeg y Trallwng (former Ysgol Maesydre Site), Howell Road, Welshpool (Community of Welshpool.) The Committee noted that Councillor E Durrant did not take part in the discussion or the vote in respect of this item, as she had not received the required training for this area of work.

It was moved and duly seconded to approve the application as recommended by the officer.

RESOLVED	Reason for decision
that an Order be made to stop up part of public footpath B59, on the	As officer's recommendation as set out in the report which is filed

<p>land to the rear of Ysgol Gymraeg y Trallwng (former Maesydre Site), Howell Road, Welshpool as shown on the plan at appendix C.</p>	<p>with the signed minutes.</p>
---	--

Taxi and other licensing

7. TAXI LICENSING FEES 2021-2022

The Committee considered the report in respect of the Taxi fees for the period April 2021 - March 2022.

The Senior Licensing Officer advised that no increase in fees was recommended due to the impact of the pandemic on the trade and also the changes in the working practices of officers, which may impact on the future costs of the service.

County Councillor D Jones joined the meeting but as he had not heard all the debate he did not vote on this item.

It was moved and duly seconded that the taxi licence fees for 2021/22 remain unchanged.

<p>RESOLVED</p>	<p>Reason for decision</p>
<p>that taxi licence fees for 2021/22 remain unchanged.</p>	<p>As officer’s recommendation as set out in the report which is filed with the signed minutes.</p>

County Councillor K Lewis (Chair)

This page is intentionally left blank

**Planning, Taxi Licensing and Rights of Way Committee
29th April 2021**

For the purpose of the Government (Access to Information) Act 1985, the background papers relating to each individual planning application constitute all the correspondence on the file as numbered in the left hand column.

Applications for consideration by Committee:

Application No:	Nature of Development:
Community:	Location of Development:
O.S. Grid Reference:	Applicant:
Date Received:	Recommendation of Head of Planning:

<p>20/1582/HH</p> <p>Old Radnor Community</p> <p>320766 257883</p> <p>09/10/2020</p>	<p>Householder: Erection of an extension and porch</p> <p>Cwm Gwalley, Old Radnor, Presteigne Powys LD8 2RP</p> <p>Mr E M Jones</p> <p>Recommendation:</p> <p>Conditional Consent</p>
---	--

This page is intentionally left blank

4.2

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 20/1582/HH

Grid Ref: E: 320766
N: 257883

Community Council: Old Radnor Community

Valid Date: 09.10.2020

Applicant: Mr E M Jones

Location: Cwm Gwalley, Old Radnor, Presteigne, Powys, LD8 2RP.

Proposal: Erection of an extension and porch

Application Type: Householder

The reason for Committee determination

The applicant is a County Councillor for Powys County Council.

Consultee Responses

Consultee	Received
-----------	----------

<u>PCC-Ecologist</u>	17th Feb 2021
----------------------	---------------

Thank you for the opportunity to comment on planning application 20/1582/FUL which concerns an application for erection of an extension and porch at Cwm Gwalley, Old Radnor, Presteigne, Powys, LD8 2RP.

I have reviewed the proposed plans, aerial images as well as records of protected and priority species and designated sites within 500m of the proposed development.

The data search identified 1 record of protected and priority species (unidentified bat) within 500m of the proposed development with no records found for the site itself. No statutory or non-statutory designated sites were identified within 500m of the proposed development. Four Ancient Woodland (AW) sites were identified within 500m of the proposed development. Having taken into account the location of the AW in relation to the proposed development and the nature of the works proposed, it is considered that there would be no likely negative impacts directly or indirectly to the AW and/or their associated features.

I have reviewed the Preliminary Bat Roost Assessment produced by Star Ecology dated 7th December and consider that the survey methods and effort employed were in accordance with current National Guidelines.

The PRA consisted of an internal and external inspection of the building on 30th November 2020 to identify potential bat access points, roost features and evidence of the presence of bats. It was found that significant interior renovation works were underway at the time of the inspection. The rear porch had been removed and inside the unoccupied property the ground and first floor ceilings had been partially removed. It was considered that a loft space had probably existed above the first-floor ceiling and would most likely have extended the length of the building, measured approximately 1.5m high (at the ridge) and 3.5m wide (across the base). No evidence of occupancy by bats or nesting birds was identified (although the renovation works and outside weather conditions would have removed evidence of bat droppings). The interior roof space of the front porch was not accessible for internal inspection, but the structure appears to be in a state of good repair and not accessible to bats. The site photographs indicate presence of an open fireplace and chimney, which may afford potential hibernation conditions in an unoccupied property. Given that the property had been well-sealed until the recent renovations commenced, which would have likely resulted in considerable noise and vibration, it is considered unlikely that any bats would have entered the property pre-hibernation.

The exterior inspection of the roof identified that no access points or roosting spaces were present. Similarly, no potential roosting features were identified on the exterior walls. The doors and windows were intact indicating no access into the property had been possible for either bats or nesting birds. It was considered that prior to the interior renovations access to the probable loft space was not possible by either bats or nesting birds.

It was concluded that the dwelling had negligible potential for roosting bats and that no further bat surveys were required. It is noted from the site photographs that the rear door of the property had been recently removed, probably to facilitate removal of waste materials. Given the current internal condition of the dwelling, levels of human disturbance and the light levels reaching the roof area it is considered unsuitable for any opportunistic bats.

It was recommended that any external lighting scheme should be designed to reduce impact on bats (commuting or foraging in the area, for example).

Mitigation measures to avoid potential impact on nesting birds in relation to timing of exterior works and pre-commencement checks were recommended and are considered appropriate.

It is therefore recommended that the reasonable avoidance measures identified for nesting birds are secured through an appropriately worded planning condition.

It is also recommended that installation of external lighting designed to avoid impact on nocturnal wildlife is secured through an appropriately worded planning condition.

Biodiversity enhancements were identified through provision of additional nesting and roosting opportunities for birds and bats, respectively. It is considered that the enhancements are appropriate to the proposed development and are in accordance with the requirements of Part 1 Section 6 of the Environment (Wales) Act 2016.

It is, therefore, recommended that the identified biodiversity enhancement measures are secured through an appropriately worded planning condition.

Welsh River SACs and phosphate contributions

The proposed development is located within the catchment of River Wye SAC. In accordance with NRW advice issued on 17th December 2020 following an assessment of phosphate levels within the River Wye SAC, it is necessary to demonstrate that foul drainage from the proposed development will not result in an adverse effect on the integrity of the River Wye SAC through further addition of phosphate.

The application was submitted and validated prior to the publication of NRW's evidence report and accompanying planning advice. Given the nature and location of the proposed development, it is considered that there is potential for the proposed development to impact the River Wye SAC through addition of phosphate to the River Wye SAC catchment that could result in a Significant Effect. Therefore, to demonstrate that the proposed development would not result in a Likely Significant Effect on the River Wye SAC and/or its associated features, further information regarding drainage of surface and foul waters is required to be submitted. This information is required to be submitted prior to determination of the application to enable a Habitats Regulations Screening to be undertaken.

Firstly, it must be demonstrated that the choice of foul drainage follows the hierarchy outlined in Planning Circular 008/2018. Compliance with Building Regulations 2010 Approved Document H also requires use of this hierarchy.

Where there is an existing connection to the main sewer network, or a mains sewer connection is proposed, the following information will be required:

- i) 'Confirmation of how any foul or surface water will be managed'
- ii) A copy of the formal response from the sewerage undertaker confirming either:

'(a) that there is treatment capacity to treat the additional wastewater and any additional phosphate* from the proposed development (in combination with other planned development) within the existing discharge permit limits, or

(b) that the necessary treatment capacity to remain within existing discharge permit limits will be implemented within the current Asset Management Plan (AMP) period.'

* the sewerage undertaker's response should state whether the current discharge permit has phosphate conditions in place or not.

Where foul drainage disposal will be to a private sewage treatment system (package sewage treatment plant (PSTP) or septic tank) NRW's advice states 'We do not consider that schemes involving new or changes to existing private sewage treatment systems which:

o discharge to ground into a drainage field constructed to the relevant British Standards; and

o are located more than 50m from the SAC boundary; and

o have a daily discharge rate of less than 2 cubic metres (m³)

are likely to have a significant effect on the SAC.

We advise that all other forms of development involving private sewage treatment systems within SAC catchments should be subject to HRA.'

Where a private sewage treatment system is proposed, the applicant is strongly advised to consult with NRW's Environmental Permitting Pre-application Advice Service to discuss any constraints which may apply <https://naturalresources.wales/permits-and-permissions/environmental-permits/pre-application-advice-for-environmental-permits/?lang=en>

If a private sewage treatment system discharging to ground is proposed, the following information will be required:

For existing systems -

i) Confirmation of the capacity of the installed private sewage treatment system. Determination of capacity should follow the British Water Code of Practice 4 - Flows and Loads,

ii) The daily discharge rate (m³) of the system following development (including all existing and proposed connections),

iii) A plan clearly identifying the location of the existing private sewage treatment system

and the drainage field location and extent (if known),

iv) Confirmation that construction of the existing drainage field is compliant with BS 6297:2007+A1:2008 Code of Practice for the design and installation of drainage fields for use in wastewater treatment. If the drainage field was installed prior to 2007, the applicant should confirm that its installation complies with BS 6297:1983 Code of practice for design and installation of small sewage treatment works and cesspools,

v) A copy of the relevant Natural Resources Wales environmental permit or registered exemption to discharge to ground, if available.

vi) Details confirming disposal method of surface waters arising from the proposed development.

For new systems -

i) Confirmation of the capacity of the proposed private sewage treatment system. Determination of capacity should follow the British Water Code of Practice 4 - Flows and Loads,

ii) The daily discharge rate (m³) of the system following development (including all existing and proposed connections),

iii) Soil percolation test results and drainage field area calculations,

iv) A plan clearly identifying the location of the proposed private sewage treatment system and the drainage field location and extent,

v) Confirmation that the design and construction of the proposed drainage field will be compliant with BS 6297:2007+A1:2008 Code of Practice for the design and installation of drainage fields for use in wastewater treatment (preferably stated on the submitted plans). NB. Drainage field design and construction should also comply with Building Regulations 2010 Approved Document H, which is available at <https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h>.

vi) A copy of the relevant Natural Resources Wales environmental permit or registered exemption to discharge to ground, if available.

vii) Details confirming disposal method of surface waters arising from the proposed development.

Soil percolation test results and drainage field area calculations can be submitted on the

attached form.

If a private sewage treatment system discharging to a watercourse (including ponds and lakes) is proposed further information will be required to enable a full Habitat Regulations Appropriate Assessment to be undertaken. It will be necessary to demonstrate that the phosphate contribution from the proposed development will not result in discharge of additional phosphate to the River Wye SAC when compared to the current scenario, i.e. the proposed development must demonstrate 'nutrient neutrality'.

For a development to be considered nutrient neutral, phosphate from all foul and surface water drainage generated by the proposal must be less than, or equal to, the phosphate generated by the existing land use. Therefore, implementation of suitable mitigation measures will be required to demonstrate that phosphate contribution to the catchment following development will be avoided or reduced to a neutral level. In accordance with NRW's advice, the following information is required:

Details of the proposed mitigation measure(s) to include:

- i) How the measure(s) would avoid or reduce adverse effects on the SAC (considering the predicted duration of the effects),
- ii) How the measure(s) will be implemented, and by whom,
- iii) How the measure(s) will be maintained, the duration of any maintenance, and details of who will be responsible for its maintenance.

In the light of NRW's recent advice, the applicant should be advised that the absence of sufficient information regarding disposal of foul drainage means that an adverse impact on the integrity of the SAC cannot be ruled out and, therefore, the LPA would not be able to lawfully grant planning permission. Applicants are required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) to provide information reasonably required by the LPA for such an assessment.

It is considered that further information is required to enable the Local Planning Authority to assess the potential impacts of the proposed development on the River Wye SAC, part of the national site network, in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This information is required to be submitted prior to determination of the application.

A copy of NRW's interim planning advice is attached for the applicant's information. The advice is based on NRW published evidence (<https://naturalresources.wales/evidence-and-data/research-and-reports/water-reports/river-wye-compliance-report/?lang=en>). Further information regarding the evidence report and development is available at <https://naturalresources.wales/about-us/news-and-events/news/nrw-issues-new-advice->

[to-safeguard-the-river-wye-special-area-of-conservation/?lang=en](#) .

Further comment will be provided once the required information regarding foul drainage (River Wye SAC) has been received.

Natural Resources Wales (Mid Wales)
DPAS

29th Jan 2021

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 10th January 2021.

We have no objection to the proposed development as submitted and provide the following advice.

European Protected Species

We note that the bat report submitted in support of the above application (Star Ecology (07/12/2020) (Ref OJ/2465/20.1) Bat and nesting Bird Assessment: House at Cwm Gwally, Old Radnor, Presteigne)) has identified that no bats are present at the application site. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document 'Natural Resources Wales Approach to Bats and Planning (2015)'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

Other Matters

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.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Waste produced during construction

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 provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

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

If you have any queries on the above, please do not hesitate to contact us.

Welsh Water

16th Oct 2020

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

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

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 we request the applicant contacts us on 0800 917 2652 to establish the location and status of the sewer. 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.

PCC-(M) Highways

2nd Nov 2020

Based on the information provided, the Highway Authority does not wish to comment on this application.

Community Council

18th Nov 2020

The Community Council has no objections to this application.

PCC-Building Control

16th Oct 2020

20/1582/HH - Building Regulations approval will be required for this proposal.

Representations

Following the display of a site notice, no public representations have been received at the time of writing this report.

Planning History

App Ref	Description	Decision	Date
RAD/1993/020 8	FULL: ERECTION OF AGRICULTURAL STOCK BUILDING	Approved with conditions	2nd Jul 1993

Principal Planning Constraints

River Wye (SAC) Catchment

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 11, February 2021)	2021	National Policy

NATPLA	Future Wales - The National Plan 2040	2021	National Development Plan
TAN5	Nature Conservation and Planning	2009	National Policy
TAN12	Design	2016	National Policy
TAN18	Transport	2007	National Policy
DM2	The Natural Environment		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
H7	Householder Development		Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure		Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets		Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)		Local Development Plan 2011-2026
SPGRES	Residential Design Guide SPG (2020)		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 of Development

The application site is in the open countryside as defined by the Powys Local Development Plan (adopted 2018) and located within the Community Council area of Old Radnor. The application site known as 'Cwm Gwalley' is a detached dwelling accessed off the U1485 and subsequent track roads. There are neighbouring agricultural buildings to the west of the application site and the dwelling is surrounded by agricultural land.

Consent is sought for the erection of a two-storey rear extension which measures approximately 9.3m in length and 4.0m in width. The dual pitched extension has an eaves height of 5.0m and an upper ridge height of 7.7m. The proposed extension will be finished with red facing brickwork to the ground floor to match the existing dwelling, with vertical dark grey timber cladding to the first floor. The extension will be finished under a slate roof to match the existing.

Consent is also sought for the erection of a lean-to front porch, which measures approximately 3.6m in length and 1.5m in width with an eaves height of 2.5m and an upper ridge height of 3.5m. The front porch will be finished with red facing brickwork and a slate roof to match the original dwelling.

Principle of Development

Policy H7 of the Powys Local Development Plan (LDP) (2018) encourages additional residential development to be provided as extensions to existing dwellings and where this is not possible, it requires new buildings to be grouped with and subordinate to the main dwelling. Planning Policy Wales emphasises that extensions to dwellings should be well designed. Policy DM13 supports this further stating that developments must demonstrate a good quality design and shall have regards to the qualities and amenity of the surrounding area.

This application seeks consent for the erection of a two-storey rear extension to provide additional living space to the existing dwelling and a front porch.

Therefore, it is considered that the principle fundamentally complies with relevant planning policy subject to the following considerations:

Design and External Appearance

Siting, appearance, integration, scale, height, massing and design detailing are all key matters in determining such applications and must be given careful consideration in

accordance with policy DM13 of the LDP.

It is considered that the proposed new extension and front porch is appropriate in design, remaining subservient to the existing dwelling and utilising materials and fenestration detailing which either match or complement that of the existing dwelling. The proposed design and appearance of the proposed development are therefore considered to improve and complement the existing dwelling and surrounding area in terms of its visual appearance.

It is noted that the proposed rear extension will introduce vertical grey timber cladding to the first floor and large glazed windows to the rear elevation (east). Officers consider these new 'modern' features to enhance the appearance of the dwelling whilst still sympathetically retaining its existing character.

In light of the above, it is considered that the proposal complies with the relevant planning policy (LDP policies H7 and DM13).

Highway Safety

Policy DM13 part 10 states that development proposals should meet all highway access requirements (for transport users) and parking standards which include a safe access, visibility splays and adequate parking which is also supported by policy T1 of the LDP.

The proposed development does not seek to alter the existing means of access or area of parking. Powys County Council's Highway Authority has been consulted on the proposed development and has raised no objection to the proposed development.

In light of the above, it is considered that the proposed development fundamentally complies with policies DM13 and T1 of the LDP, Technical Advice Note 18 and Planning Policy Wales.

Neighbouring Amenity

Consideration has also been given to the impact the proposed development might have upon neighbouring properties. Powys County Council's Residential Design Guide SPG (2020) states that extensions should not impinge upon the privacy and daylight of neighbouring dwellings.

It is considered the proposed development would not have a significant impact on access to light or impinge on the privacy of neighbouring dwellings given the considerable separation distance.

It is therefore considered that the proposed therefore complies with relevant planning policy.

Natural Environment

Policy DM2 states that proposals shall demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests. Proposals which would impact on natural environment assets will only be permitted where they do not unacceptably adversely affect those assets. This is further emphasised within Technical Advice Note (TAN) 5.

As part of the application process officers requested further information in the form of a preliminary ecological survey to determine the potential impact on bats a European Protected Species. In response to this an Ecological Assessment Report by Star Ecology dated 7th December 2020 was submitted.

Within this report it was acknowledged the building has been confirmed as having negligible potential for roosting bats. Moreover, no evidence of nesting birds was found within the property and no suitable access were identified. It was recommended that any external lighting scheme should be designed to reduce impact on bats (commuting or foraging in the area, for example). Mitigation measures to avoid potential impact on nesting birds in relation to timing of exterior works and pre-commencement checks were recommended and are considered appropriate.

Following consultation with PCC's Ecologist, it was recommended that the reasonable avoidance measures identified for nesting birds and installation of external lighting are secured through an appropriately worded planning condition.

In accordance with Part 1, Section 6 of the Environment (Wales) Act 2016 Local Authorities are required to maintain and enhance biodiversity through all of their functions – this includes the planning process. As part of the application and report produced by Star Ecology biodiversity enhancements were identified through the provision of additional roosting opportunities for bats including bat roost boxes and raised ridge tiles. It is considered that the enhancements listed in Appendix 2 of the Star Ecology report are appropriate to the proposed development.

Therefore, subject to a condition securing adherence to the mitigation measures, appropriate levels of biodiversity enhancements and given the nature of the development it is considered that the proposed development complies with policy DM2 of the Powys LDP.

River Wye Catchment (Phosphates)

The proposed development is located within the catchment of River Wye Special Area for Conservation (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 SACs in Wales. 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' interim planning guidance for river Special Areas of Conservation (SACs) catchments (issued on 20th January 2021). It is considered that this development is unlikely to increase phosphate inputs as it falls within the following criterion in the interim advice:

Private sewage treatment systems discharging domestic wastewater to ground which are located more than 50m from the SAC boundary, and are more than 50m from a watercourse connected to the SAC, and which have a daily discharge rate of less than 2 cubic metres (m³) and which discharge to ground via a drainage field constructed to *BS 6297:2007+A1:2008 Code of Practice for the design and installation of drainage fields for use in wastewater treatment* **or** *BS 6297:1983 Code of practice for design and installation of small sewage treatment works and cesspools* for systems installed prior to December 2007.

The proposal includes the erection of an extension with the potential to increase occupancy. However, it is noted that the proposed development is located within the River Wye SAC catchment but more than 50.0m from a watercourse connected to the SAC (approx. 220.0m north). Moreover, it has been confirmed the drainage field is constructed to British Standards and the daily discharge rate has been confirmed to be less than 2 cubic metres (m³) (confirmed at 1.05 m³).

A Habitats Regulation Assessment Screening Report has therefore been completed and concluded that the proposal would not have a significant impact on the River Wye SAC.

RECOMMENDATION

In light of the above, it is therefore considered that the proposed development fundamentally complies with relevant planning policy and the recommendation is one of conditional consent.

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; 1403-siteplan01, 1403-04revA, 1403-05revA, 1403-06revA, 1403-07 and Star Ecological Assessment Report dated 7th December 2020.
3. Prior to the first occupancy of the extensions hereby approved the development shall be undertaken in strict accordance with Section 7 Conclusion and Appendix 2 in the Ecological Assessment Report, by Star Ecology, dated 7th December 2020 in relation to reasonable avoidance measures identified for nesting birds and installation of external lighting. The measures identified shall be adhered to and implemented in full and maintained thereafter.
4. Biodiversity enhancement measures in the way of the implementation of bat roosts detailed within Appendix 2 of the Star Ecological Assessment Report dated 7th December 2020 shall be implemented as approved prior to the first beneficial use of the development hereby approved and maintained thereafter.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the approved plans in the interests of clarity and a satisfactory development.
3. To comply with Powys County Council's LDP Policies DM2 in relation to The Natural Environment and DM7 in relation to Dark Skies and External Lighting, and to meet the requirements of Planning Policy Wales (2021), TAN 5: Nature Conservation and Planning and Part 1, Section 6 of the Environment (Wales) Act 2016.
4. To comply with Powys County Council's LDP Policies DM2, DM4, DM13 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

Informative Notes

Welsh Water

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 we request the applicant contacts us on 0800 917 2652 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Natural Resources Wales

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Waste produced during construction

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 provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

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

If you have any queries on the above, please do not hesitate to contact us.

Case Officer: Charlotte Ford, Planner
Tel: 01597826787 E-mail: charlotte.ford@powys.gov.uk

This page is intentionally left blank

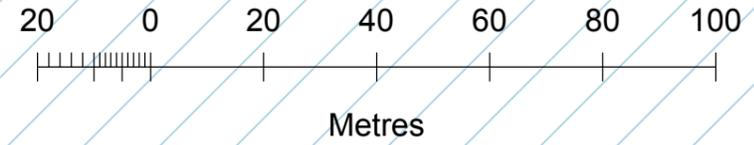
Ordnance Survey Location Plan

© Crown Copyright Ordnance Survey

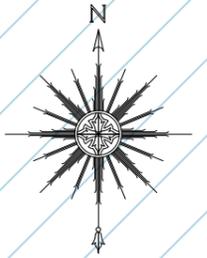
Scale 1:1250

Crown copyright 2020.
Supplied by copla ltd trading as UKPlanningMaps.com,
a licensed Ordnance Survey partner (100054135).

Blue hatched area
shows additional land
in ownership of applicant



All dimensions in millimeters unless otherwise stated
Angular dimensions to be used as reference only.
Linear dimensions to take precedence.



Cynon Brook

Cwm Gwalley

track

spring

spring

track

track

Page 29

Location Plan (Scale 1:1250)

PSUK
PENGUIN SERVICES UK LTD
07867 966558
buildingplans@sky.com
www.plan2build.co.uk

Client
-
Drawn By
EB

Project
CWMGWALLEY
OLD RADNOR
PRESTEIGNE, LD8 2RP
Date
SEP 2020

Title
LOCATION PLAN
Drawing No.
1403-Locplan01
Scale
A3 @ 1:1250

This page is intentionally left blank



Delegated List

75 Applications

[Excel Version](#)

[← Go Back](#)

Parish Name	Decision	Date Application Valid	Application No.	Application Type	Date Decision Issued	Proposal	Location
Abermule And Llandyssil Community	Approve	07/04/2021	21/0626/DIS	Discharge of Condition	16/04/2021	Application to discharge conditions 4 and 6 of planning approval 21/0043/FUL	Lletty Maengwyn Abermule Montgomery SY15 6JJ
	Refused	30/09/2020	20/1608/VAR	Discharge/Modification of S106	06/04/2021	Modification of S106 attached to permission M/2003/1029 to remove sections 2(a), 2(b) and 2(c)	Nant Y Waen Llanmerewig Powys SY15 6NR
Beguildy Community	Approve	16/03/2021	21/0417/DIS	Discharge of Condition	13/04/2021	Application to discharge conditions 3, 15 16 and 17 attached to permission 19/0049/RES	Land Adj To The Town House Beguildy Knighton Powys LD7 1YG
Berriew Community	Approve	02/02/2021	21/0132/HH	Householder	30/03/2021	Conversion of outbuilding to form annexe for existing dwelling	Church House Fron Montgomery Powys SY15 6RZ
	Approve	10/02/2021	21/0163/HH	Householder	09/04/2021	Erection of extension	Hirrhud Barns Berriew Welshpool SY21 8BG

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

Bettws Community	Approve	21/08/2020	20/1260/FUL	Full Application	31/03/2021	Erection of agricultural building, silo and associated works	Middle Garth Aberhafesp Newtown Powys SY16 3LN
Bronllys Community	Refused	13/05/2020	20/0616/FUL	Full Application	08/04/2021	The re-design of Unit 5 and a swapping of owners/managers accommodation from unit 3 to unit 5.	Beacons Edge Bronllys Brecon Powys LD3 0RY
Builth Wells Community	Consent	12/02/2021	21/0207/CLE	Certificate of Lawfulness - Existing	13/04/2021	Application for Certificate of Lawfulness for an existing development - domestic single storey extension to rear dwelling	46 Pendre Builth Wells Powys LD2 3DA
Carreghofa Community	Refused	25/03/2020	20/0511/HH	Householder	08/04/2021	Demolition of porch and conservatory, and erection of single and double storey rear extension	2 Walls Bridge Carreghofa Llanymynech Powys SY22 6LA
Castle Caereinion Community	Consent	11/12/2020	20/1991/FUL	Full Application	30/03/2021	Siting of 2 holiday pod units, improvements to vehicular access, installation of sewage treatment plant and all associated works	Land Near Ash Grove Castle Caereinion Welshpool Powys SY21 9AU

Page 32

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

Churchstoke Community	Approve	09/12/2020	20/1966/FUL	Full Application	31/03/2021	Conversion of barn A to create annexe accommodation to existing dwelling and conversion of barn B to create holiday accommodation, installation of sewage treatment plant and all associated works	Corndon Malt House Old Churchstoke Montgomery Powys SY15 6EL
	Consent	16/12/2020	20/2071/RES	Reserved Matters	30/03/2021	Reserved matters application in respect of outline consent P/2016/0891 for erection of a dwelling and associated works	Ael-y-bryn Hyssington Montgomery Powys SY15 6AT
Disserth And Trescoed Community	Refused	03/03/2020	20/0412/HH	Householder	15/04/2021	Creation of an access	2 Kimberley Villas Disserth Builth Wells Powys LD1 5PN
Dwyrw Community	Consent	27/02/2021	21/0129/RES	Reserved Matters	01/04/2021	Reserved matters application for the erection of 1x dwelling following outline planning permission P/2017/1253	Plas Coch Cefn Coch Welshpool SY21 0AE
Felin-Fach Community	Approve	12/01/2021	21/0045/DIS	Discharge of Condition	20/04/2021	Discharge of condition 7 of planning permission 19/1573/FUL (Ecological Working Method Statement)	Upper Tylecrwn Llanfilo Brecon LD3 0UA

Page 3 of 15

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

Forden With Leighton & Trelystan Com	Approve	04/02/2021	21/0188/FUL	Full Application	01/04/2021	Proposed Hay Barn and all associated works	Bryn Offa Forden Welshpool SY21 8NB
Glantwymyn Community	Approve	11/01/2021	21/0068/RES	Reserved Matters	31/03/2021	Application for a reserved matters application for the erection of an agricultural workers dwelling following outline approval 19/1826/OUT	Rhydaderyn Cemmaes Machynlleth SY20 8QP
	Consent	06/01/2021	20/2029/FUL	Full Application	31/03/2021	Siting of three holiday cabins, installation of septic tank and associated parking and roadways	Glandulas Mawr Pantperthog Machynlleth SY20 9AX
Glascwm Community	Consent	06/07/2020	20/1001/FUL	Full Application	06/04/2021	Proposed Rural Workers Dwelling and associated works	Penllanerch Glascwm Llandrindod Wells LD1 5SE
Guilsfield Community	Approve	03/02/2021	21/0178/DIS	Discharge of Condition	31/03/2021	Discharge of conditions 4, 7, 8, 9, 11 and 15 of P/2015/1129 (Photographic Survey, Species List, CEMP, RAMS, Biodiversity mitigation plan. Foul Drainage system)	Burgedin Hall Welshpool Powys SY21 9LN

Page 34

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

Gwernyfed Community	Approve	02/03/2021	21/0377/CLE	Certificate of Lawfulness - Existing	16/04/2021	Section 191 application in relation to Use and Occupation of Great Keppel House as an unrestricted residential dwelling (use Class C3).	Great Keppel House Tregoyd Mill Three Cocks Brecon Powys LD3 0SW
	Approve	22/03/2021	21/0490/DIS	Discharge of Condition	07/04/2021	Discharge of condition 3 from planning permission 20/1673/HH in relation to biodiversity enhancement layout	6 Gwernyfed Avenue Three Cocks Brecon LD3 0RT
Kerry Community	Approve	17/12/2020	20/2090/FUL	Full Application	08/04/2021	Construction of a treehouse-style wooden unit for holiday accommodation, installation of septic tank and all associated works	Land At Highlands Kerry Newtown Powys SY16 4LS
	Approve	23/03/2021	21/0547/NMA	Non-Material Amendment	20/04/2021	Application for non- material amendments to permission 20/1494/HH to allow for amended plans	Lexington Court Kerry Newtown Powys SY16 4LU
	Approve	31/03/2021	21/0565/DIS	Discharge of Condition	14/04/2021	Discharge of condition 3 of planning permission 20/1982/HH in relation to type, colour and size of cladding	The Old Pumphouse Kerry Newtown Powys SY16 4DN

Page 35

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

Knighton Community	Approve	17/03/2021	21/0570/DIS	Discharge of Condition	16/04/2021	Discharge of conditions 9, 10 and 11 of planning permission P/2015/0697 in relation to contaminated land	Riverside Cottage Station Road Knighton Powys LD7 1DT
	Approve	18/03/2021	21/0514/TRE	Works to trees in Conservation Area	16/04/2021	Application for works to tree/s in a conservation area - removal of the ash tree and three smaller evergreen trees / shrubs that lie directly beneath the ash tree	Oxford House 7 Church Street Knighton Powys LD7 1AG
Llanafan-Fawr Community	Consent	24/08/2020	20/1347/REM	Removal or Variation of Condition	19/04/2021	Removal of condition 2 of approval B3823 relating to occupancy	Cefn-y-Coed Llanafan Fawr Builth Wells Powys LD2 3NE
Llanddew Community	Approve	05/01/2021	20/2121/HH	Householder	19/04/2021	Erection of a double garage, to include demolition of existing garage	Ashfield Llan-Ddew Brecon Powys LD3 9SY
Llandrindod Wells Community	Approve	11/01/2021	21/0066/FUL	Full Application	13/04/2021	Siting of 2 storage containers for hay storage	Land Adjoining Lakeside Avenue Llandrindod Powys
	Approve	21/01/2021	21/0111/HH	Householder	30/03/2021	Erection of a first floor extension and alterations to front elevation	18 Gorse Farm Llandrindod Wells LD1 5SH

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

	Approve	23/02/2021	21/0338/DIS	Discharge of Condition	06/04/2021	Discharge of condition 25 of planning approval 19/0021/FUL in relation to lighting	Land East Of Ithon Road Glan Yr Ithon Llandrindod Powys
	NMA Approved	08/03/2021	21/0425/NMA	Non-Material Amendment	13/04/2021	Application for non-material amendments to permission 20/0547/FUL to allow for amended plans	County Hall Spa Road East Llandrindod Wells Powys LD1 5LG
Llandrinio And Arddleen Community	Approve	09/02/2021	21/0216/HH	Householder	09/04/2021	Installation of ground mounted Solar Panels	Gwernowddy Old Farm House Gwernowddy Hendre Lane Llandrinio Llanymynech Powys SY22 6SF
	Approve	23/02/2021	21/0335/DIS	Discharge of Condition	20/04/2021	Discharge of planning condition no. 17 attached to planning approval P/2017/1089 for a poultry unit (air scrubber evidence)	Lower Trederwen Farm Tredrewen Lane Arddleen Llanymynech SY22 6RZ

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

	Approve	18/03/2021	21/0426/NMA	Non-Material Amendment	14/04/2021	Application for non material amendment to planning approval P/2017/1497 and 18/0523/RES to change roof material to ergo sun integrated solar roof tiles	Land Near The Old Malthouse Four Crosses Llanymynech Powys SY22 6RP
	Approve	08/04/2021	21/0573/NMA	Non-Material Amendment	20/04/2021	Application for non-material amendments to permission 18/0532/RES to alter the location of affordable homes	Land Off B4393 Four Crosses Llanmynech SY22 6RG
	Refused	23/12/2020	20/2106/REM	Removal or Variation of Condition	01/04/2021	Section 73 application to vary condition 7 of planning approval P/2009/1258 to allow a larger house to facilitate home working currently restricted to 130sqm to increase to 150sqm	Gwalia Penrhos Llanymynech SY22 6QE
Llanfair Caereinion Community	Approve	02/02/2021	21/0167/HH	Householder	30/03/2021	Erection of a single storey side extension and conversion of the garage into habitable accommodation to form an annex.	Ger Y Nant Dolanog Welshpool SY21 0HU
	Approve	01/03/2021	21/0431/TPO	Works to Trees subject to a TPO	12/04/2021	Pollard 1 mature elm due to decay and fungus	Tanllan Farm Llanfair Caereinion Welshpool Powys SY21 0HN

Page 38

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

	Consent	05/02/2021	21/0155/FUL	Full Application	20/04/2021	Proposed Holiday let development, together with hobbit playroom, access improvement and associated works	Land At Melin Y Grug Llanfair Caereinion Welshpool SY21 0HB
Llanfechain Community	Approve	18/02/2021	21/0199/HH	Householder	16/04/2021	Erection of a two storey extension	Glanbrogan Cottage Llanfechain SY22 6UY
Llanfyllin Community	Approve	18/02/2021	21/0209/HH	Householder	12/04/2021	Proposed single story rear extension to create an additional bedroom.	Garden Cottage Mill Lane Llanfyllin SY22 5BG
Llangurig Community	Approve	04/02/2021	21/0158/FUL	Full Application	01/04/2021	Extend curtilage and erection of a detached garage and garden store together with an enlarged parking area	Minffordd Llangurig Llanidloes Powys SY18 6SL
	Approve	12/02/2021	21/0299/DIS	Discharge of Condition	01/04/2021	Discharge of conditions 12 and 14 of planning consent 19/1995/FUL (tree protection plan and landscaping scheme)	Minffordd Llangurig Llanidloes Powys SY18 6SL
Llangyniew Community	Approve	10/02/2021	21/0173/RES	Reserved Matters	12/04/2021	Reserved matters application for the erection of 1x dwelling, detached garage and formation of vehicular access following outline permission 20/0071/OUT	Land West Of Mathrafal Park Llangyniew Meifod Powys SY21 0JT

Page 39

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

Llanidloes Community	Approve	21/01/2021	21/0079/LBC	Listed Building Consent	31/03/2021	Installation of a gas supply to first floor	42-43 Long Bridge Street Llanidloes Powys SY18 6EF
	Approve	24/02/2021	21/0302/DIS	Discharge of Condition	12/04/2021	Discharge of conditions 4 and 22 of permission P/2015/1186 - relating to highway arrangements and tree and hedgerow protection	Land Adj Rhos Y Maen Gorn Road Llanidloes Powys SY18 6FA
	Approve	16/03/2021	21/0562/NMA	Non-Material Amendment	12/04/2021	Application for non- material amendments to permission 19/1578/FUL to allow for amended plans (plots 21 & 22)	Former Livestock Market Gorn Road Llanidloes Powys SY18 6DE
Llanidloes Without Community	Approve	12/02/2021	21/0260/RES	Reserved Matters	12/04/2021	Reserved matters application for details of appearance, layout, scale and landscaping in connection with outline approval for rural enterprise dwelling 20/1250/OUT	Plot At Coed Mawr Oakley Park Llandinam Powys
Llanrhaeadr-Ym- Mochant Community	Approve	22/12/2020	20/2097/FUL	Full Application	14/04/2021	Proposed Holiday Accommodation, installation of package treatment plant, new vehicular access and all associated works.	Land Adj To Tyn Y Ffynnon Cefn Coch Llanrhaeadr-ym-mochnant Powys SY10 0BS

Page 40

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

	Approve	17/02/2021	21/0146/FUL	Full Application	14/04/2021	Extension to rear of property to enlarge storage area	Spar Shop Market Square Llanrhaeadr-ym-mochnant Oswestry Powys SY10 0JG
Llansantffraid Community	Approve	25/02/2021	21/0419/VAR	Discharge/Modification of S106	20/04/2021	Discharge of Section 106 agreement attached to planning permission M/2003/0924 in relation to affordable housing	4 Berllan Deg (Plot 16) Llansantffraid-ym-mechain Powys SY22 6FF
Machynlleth Community	Approve	11/02/2021	21/0253/HH	Householder	30/03/2021	Erection of a single storey extension	Bronwylfa Machynlleth Powys SY20 8EY
	Consent	11/03/2019	19/0438/FUL	Full Application	31/03/2021	Demolition of existing buildings and the erection of 4x dwellings, and 16x flats together with bike and bin store, and all associated works	Travis Perkins Trading Co Ltd Heol Y Doll Machynlleth SY20 8BQ
Maescar Community	Approve	11/11/2020	20/1902/FUL	Full Application	01/04/2021	Construction of 20 metre x 40 metre menage for private use	Ffos Y Bar Barn Llandeilo'r Fan Brecon Powys LD3 8UD

Page 41

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

Meifod Community	Approve	17/02/2021	21/0137/FUL	Full Application	12/04/2021	Installation of biomass boiler (retrospective)	Pant Mawr Meifod Powys SY22 6YF
	Consent	07/07/2020	20/0934/FUL	Full Application	31/03/2021	Erection of an anaerobic digestion plant (comprising 2 x 200kw boilers and 250kw engine) and all associated works	Ystym Colwyn Meifod Powys SY22 6XT
Nantmel Community	Refused	24/02/2021	21/0363/FUL	Full Application	19/04/2021	Subdivision of a dwelling to provide 2 separate dwellings, including alterations, erection of an extension and installation of a treatment plant	The Victory Crossgates Llandrindod Wells Powys LD1 6RF
Newtown And Llanllwchaiarn Community	Approve	25/11/2020	20/1831/FUL	Full Application	31/03/2021	Demolition of storage buildings and erection of extension to increase shop and warehouse space.	Mochdre Industrial Estate, Unit G Lon Dulas Newtown SY16 4LE
	Approve	13/01/2021	21/0049/HH	Householder	13/04/2021	Erection of an extension	Bryn Siriol Canal Road Newtown SY16 2HX
	Consent	10/03/2021	21/0344/ADV	Advertisement Consent	12/04/2021	Erection of signage on 3 elevations of the flytower	Theatr Hafren Llanidloes Road Llanllwchaiarn Newtown SY16 4HU

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

Old Radnor Community	Consent	30/11/2020	20/1963/FUL	Full Application	15/04/2021	Erection of a general purpose agricultural building (resubmission of 20/0783/FUL)	Walton Farm Walton Presteigne LD8 2PH
Presteigne Community	Approve	20/03/2021	21/0531/NMA	Non-Material Amendment	16/04/2021	Non material for planning approval P/2014/0508 in relation to altering the internal configuration, front elevations and provision of rooflight	Holiday Chalet At Harp Meadow Warden Road Presteigne LD8 2NL
	Consent	15/02/2021	21/0272/HH	Householder	12/04/2021	Erection of single storey side extension	27 Townend Presteigne Powys LD8 2DW
Tregynon Community	Approve	06/11/2020	20/1797/DIS	Discharge of Condition	31/03/2021	Application to discharge condition 5, 7, 8 & 9 of planning approval P/2017/0580	Land Adjacent To Tyn Y Ddol Tregynon Newtown Powys
	Approve	29/12/2020	20/2126/FUL	Full Application	08/04/2021	Erection of a detached dwelling	Sunny Bank Tregynon Newtown SY16 3EH
Welshpool Community	Approve	19/03/2021	21/0487/DIS	Discharge of Condition	30/03/2021	Discharge of condition 5 attached to permission 20/0596/REM - relating to landscaping	Lansdowne House Chapel Street Welshpool SY21 7LB
Whitton Community	Approve	22/09/2020	20/1457/FUL	Full Application	16/04/2021	Proposed siting of glamping unit and associated works	The Firs Cascoob Presteigne LD8 2NT

Page 13 of 15

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

Yscir Community	Approve	15/01/2021	21/0071/REM	Removal or Variation of Condition	12/04/2021	Variation of condition 2 of planning permission P/2014/0936 to allow a variation to the approved plans, to include a garage to function as bat mitigation	Llwynmerched Aberbran Brecon Powys LD3 9LS
	Approve	23/03/2021	21/0541/DIS	Discharge of Condition	15/04/2021	Discharge of condition 4 attached to permission 20/1638/FUL relating to biodiversity enhancement	Land South Of Battle House Battle Brecon Powys LD3 9RW
Ystradgynlais Community	Approve	04/02/2021	21/0181/HH	Householder	19/04/2021	Demolition of existing utility room and erection of two storey extension to dwelling	99 Heol Twrch Lower Cwmtwrch Swansea SA9 2TE
	Approve	05/02/2021	21/0201/NMA	Non-Material Amendment	20/04/2021	Application for non- material amendments to permission P/2018/0373 to alter the approved plans and design	Land At 89 Gorof Road Lower Cwmtwrch Swansea Powys SA9 1DS
	Approve	15/02/2021	21/0269/HH	Householder	16/04/2021	Single storey, rear and side extension	5 Alder Avenue Ystradgynlais SA9 1AQ

Page 14

CODE: IDOX.PL.REP.05

21/04/2021 14:55:27 POWYSCC\sandraf

[← Go Back](#)



Delegated List

75 Applications

Approve	04/03/2021	21/0359/DIS	Discharge of Condition	20/04/2021	Application to discharge conditions 3, 7, 8, 9, 11, and 12 in relation to site layout, verification plan, site investigation, ecology report and external lighting	24 Palleg Road Lower Cwmtwrch Swansea SA9 2QE
---------	------------	-------------	------------------------	------------	--	--

Application 75

This page is intentionally left blank

CYNGOR SIR POWYS COUNTY COUNCIL

Date: 29 April 2021

PLANNING, RIGHTS OF WAY AND TAXI LICENSING COMMITTEE

REPORT AUTHOR: Senior Enforcement Officer

REPORT TITLE: Animal Licensing Fees

 REPORT FOR: Decision

1. Purpose

- 1.1 To consider the objections raised to the increase in animal licensing fees introduced in 2020/21.

2. Background

- 2.1 On 14th January 2020 the Committee was asked to consider the approval of revised fees for the licensing of animal establishments to commence from April 2020, which it duly did and agreed the proposed increased fees.
- 2.2 The fees increase was subject to a consultation period with licensees during which objections were received from the following categories of licensee.

Category of Licence
Dog Breeder – Category 1
Dog/Cat Home Boarder
Animal Boarding Establishment – Category 1
Animal Boarding Establishment – Category 2
Animal Boarding Establishment – Category 3

- 2.3 Those objections should have been brought back before the committee for their consideration, but that did not happen. Instead, the increased fees were charged from 1st April 2020 and were later the subject of complaint from one of the licensee`s. At this point the error was highlighted and legal advice sought on the matter, the result of which, was that the increased fees relating to the categories of licences objected to as part of the consultation reverted to the previous year`s fee and refunds issued where the increased licence fee had already been charged.
- 2.4 The committee is now requested to consider the objections raised during the aforementioned consultation, redacted copies of which are attached at Appendix 1 and decide if the proposed increased licence fees should take effect.

- 2.5 The setting of the licence fees is in line with the Local Government Association (LGA) guidance on locally set licence fees. Details can be found using the following link:

<https://local.gov.uk/open-business-lga-guidance-locally-set-licence-fees>

- 2.6 For reference and comparison the proposed fees for 2020/21 are provided at appendix 2 and the fees charged in 2019 are provided at appendix 3, including fees charged in other neighbouring Local Authorities.
- 2.9 On the basis of moving towards full cost recovery Members are invited to approve the revised fees despite the objections raised by several licensees to the same. Whilst they do represent an increase which some licensees are clearly uncomfortable with this increase has now already been deferred by a year and it is proposed that no further review of licensing fees would be undertaken until 2022 in recognition of the difficult year it has been for all concerned.
- 2.10 Should members approve the revised fees, the details will be posted on the Authorities website and existing licensees in the categories affected will be notified that the objections raised in the consultation period have now been considered and that the previously proposed licence fee is to be adopted, or otherwise from 1st April 2021.

3. Advice

- 3.1 It is recommended that the originally proposed level of fees for 2020/21, subject to objection are now introduced from 2021/22.
- 3.2 Furthermore, taking account of the challenging year that licensees have endured it is proposed that there is no further licence fee increases until 2022/23.

4. Resource Implications

- 4.1 The fact that fees have not increased in relation to those categories of licences to which an objection was raised will result in a reduction in income of £5538 for 2020/21. However, savings have been made due to the reduction in inspections of licensee`s due to the pandemic restrictions in place during the last 12 months.

5. Legal implications

- 5.1 The authority is required to set licence fees based on cost recovery.

6. Data Protection

6.1 There are no implications for processing of personal data in the consideration or approval of this report.

7. Comment from local member(s)

7.1 Not applicable as Powys wide.

8. Integrated Impact Assessment

8.1 Not applicable as requirement to review licence fees annually.

8. Recommendation

8.1 That the objections raised in the 2020 consultation are duly considered. That the revised Licensing fees be approved for implementation from 1st April 2021 and that no further licence fee increases will be applied in FY2021/22

Contact Officer: Gavin Jones Tel: 01874 612260 Email: gavin.jones@powys.gov.uk Head of Service: Gwilym Davies Portfolio Holder: Graham Charles Breeze

APPENDIX 1

OBJECTIONS RAISED DURING CONSULTATION

Objection 1

Dear Gavin Jones

I am writing in reference to the Revised Animal Licencing Fees. Firstly can we say that we do not object to an increase in these fees. While we appreciate that costs are incurred as you have set out, it is very clear to us that an unreasonable and disproportionate calculation has been made.

We have listed below the old and new pricing calculations showing the actual % increase.

Riding Establishments

1-29 horses - £250 revised increased £374 - £416 (+14% - +50%)

30-99 horses - £289

100> horses - £366

Home Boarder £106 revised increase £268 (+152%)

Animal Boarding Establishments

1-10 dogs/cats - £211 revised increase £303 (+32% - +45%)

11-30 dogs/cats - £221

31> dogs/cats - £230

Pet Shops

Non exotic species - £211 revised increase £303 (+37% - +44%)

Exotic species - £221

Dog Breeding

1-10 dogs - £211 revised increase £315 - £375 (+50% - +63%)

11-30 dogs - £221

31>dogs - £230

Dangerous Wild Animals (2 yearly) £497 revised increase £730 (+47%)

Zoos £541 revised increase £1496 - £1991 (+176% - +268%)

Performing Animals - Admin Fee £148 ??

As you can clearly see with the exception of Home Boarding and Zoos on average

the revised increase is +46%. This level is still far too excessive and I don't believe can be justified.

If an increase at this level of (+46%) had been made to Home Boarding it would make the revised increase £155, taking into consideration the level of work for an officer to inspect a pet shop with different species needing to be regulated and to large kennels and riding establishments etc, this must far exceed a home boarder and their home environment, on average in Powys a home boarder is licenced to have 3 - 4 dogs and I believe the maximum currently is 6.

We therefore find from the information above the revised Animal Licencing Fees to be not only extortionately high, but grossly unfair, meaning this is an unreasonable and disproportionate increase.

We have copied the following from (<https://local.gov.uk/open-business-lga-guidance-locally-set-licence-fees>)

Reasonable and proportionate

The Directive also includes specific requirements that apply to the charging of fees. Charges must be reasonable and proportionate to the cost of the processes associated with a licensing scheme. Councils must not use fees covered by the Directive to make a profit or act as an economic deterrent to deter certain business types from operating within an area.

Keeping fees under review

Fees should be broadly cost neutral in budgetary terms, so that, over the lifespan of the licence, the budget should balance. Those benefitting from the activities permitted by the various licences should not, so far as there is discretion to do so, be subsidised by the general fund. To ensure that fees remain reasonable and proportionate it is necessary to establish a regular and robust review process. This has particular advantages in the early stages of a new licensing regime, as with the Scrap Metal Dealers Act, where fees have been set on best guess estimates of the number of applications that will be received. Annual reviews allow for the fine tuning of fees and allow councils to take steps to avoid either a surplus or deficit in future years. This will not immediately benefit licence holders where the licence has been granted for a number of years and paid for in a lump sum, but will ensure new entrants to the licensing scheme are charged appropriately. Councils that divert fees income from the relevant licensing scheme to fund other licensing work, or to fund other council activities, will be breaking the law.

I would also like the opportunity to point out that Powys County Council would be discouraging rather than encouraging, future small businesses to set up within our community within the legal parameters set out by yourselves. These small businesses add already to our diminishing local businesses and I would hope that Powys CC could be a pro-active, forward thinking Council - especially in the current climate with Coronavirus Covid 19, which we as a small business are expecting to

take a substantial hit, with schools closing and holidays being cancelled.

We would be very happy to come into the office at Llandrindod to discuss this matter further, - but would definitely expect a response from you and your justification on our revised +152% increase.

Yours sincerely

Objection 2

Hi Gavin,

Hoping you are well.

Thank you for inviting all breeding establishments to comment on the rate increase next year.

I have a lot of background knowledge in the breeding world, my mum had a breeding licence from the early sixties and felt I need to comment on why an increase to the licence will be to the detriment of the health and welfare of dogs.

Powys has an extremely small amount of breeders to counties such as Pembrokeshire & Carmarthenshire, lots of breeders in Powys or potential breeders have a very small amount of dogs, many are home breeders. The fee is putting them off now to come forward and do the correct thing of applying for a licence if they are breeding more than 3 litters p.a. an increase in the licence fee again with all the added paperwork will definitely defer new applications from new breeders coming forward.

Wouldn't it be better for a flat rate of £100.00 licence fee and an additional cost of £20.00 per breeding bitch be a much fairer way to go. You would have more breeders on your books which unfortunately would increase your workload but...dogs should come first in all this and the council then can vet all dog breeders fairly.

I see many adverts on facebook for the area selling puppies, some pictures of the puppies and mother are a lot to be desired, something I thought Powys C.C. had implemented extra staff for to monitor social media adverts.

I have been informed no one in Powys can apply for a licence over 30 dogs, on speaking to Pembrokeshire & Carmarthen council last week they are still allowing applications for 80 dogs, surely the smaller breeders should be encouraged to come forward and obtain a licence in Powys, we need to rethink on the amount of breeding bitches that are allowed anywhere in Wales.

I do believe Lucys Law is coming in April in England only, this doesn't stop the trade of puppies in Wales, the south wales councils are still granting a pet shop licence which is allowing dealers to purchase & transport puppies from central pickup points and selling on. (these pickup points are described as 'paved with gold' as the owner of the premises charge the puppy owners £10.00 a pup for just bringing them to their property to be sold on to dealers (I hasten to add I don't know now of any

premises doing this in Powys, it is just the Carmarthenshire/ Ceredigion/ & Pembrokeshire zone its being carried on. (obviously its legal if you have a pet shop licence.

I know how much work marketing just one litter of puppies takes , time & commitment to checking potential new puppy owners, conversing up to 50 calls /texts/e-mails/photo uploads/ welcoming new puppy owners to my home/ worming program/making sure all paperwork is in order, this takes a massive amount of time just for one litter, there is no way large breeding establishments can market their puppies using all the correct checks etc so they are solely reliant on the dealers to take their puppies and transport and sell wherever they want.

I know you have a voice when it comes to meetings to sort this problem out Gavin so I am behind you when you put these thoughts forward at any appropriate meetings you attend.

Going back to the licence fee I am hoping the flat rate of £100.00 can be applied with the additional cost of £20.00 per breeding bitch, it seems I will be paying the lower rate @ £315.00 for 4 girls and one dog and the person who has up to 30 dogs will be paying £60.00 more, that really doesn't make sense. It naturally is going to give your officer more work to check/monitor and fill in all paperwork for the bigger kennels. (It seems the smaller breeder is being prejudiced against which is the last thing we want as we need bring the welfare of mums and puppies to the forefront of the whole issue of dog welfare.

Thank you for your time in this matter and hopefully Powys can have a rethink on the fees.

Objection 3

Dear Mr Gavin Jones,

My name is xxxxxxxxxxxxxx and I run xxxxxxxxxxxx home boarding in xxxxxxxxxx.

On the 3rd of March you sent me a letter telling us that our license fee will increase to £268 on the 1st April 2020. I have payed my licence for this year in January at a cost of £106.

I am writing to complain about the jump the fee has made as it will be increased by 152% I am aware and expect that the license fee will go up as time goes on.

I am a small business and as I can only take very few number of dogs, my income remains quite low. I will struggle to afford the payment oh my license fee next year with the massive increase.

I am aware that other animal establishments license have increased as well, however they have only gone up on average 50%. They have the means and available space to compensate the licence fee increase, where as us smaller home boarding business will struggle as we have a limited number of dogs we can accommodate.

Due to the price increases of the licence I am worried that people won't be able to pay the fee and will start or continue to work unlicensed this is dangerous for the well-being of the animals in their care as the license sets out a structure of necessities in the way the animals need to be cared for.

I as a small business I will continue to have a license as I care about the dogs and their owners who use my services. Due to this I will have no choice but to increase my own prices in the new year so I can afford to pay the license fee. This may result in myself losing clients as they won't be able to afford my prices.

Thank you I would very much like A reply.

Kind regards

Objection 4

Dear Gavin

I thank you for the letter dated 3 March.

I would like to register our objections to you impending increase based on the following points.

Several licenced establishments have decided to come together to raise several concerns with your self as you hold the post of SENIOR ENFORCEMENT OFFICER in our local authority.

1 The requirement on Powys to recover full cost of licence administration. Maybe consideration on actually increasing standards by enforcement, targeting known unlicencing establishments, of which several exist who have been trading without Licence or Planning permission for years and more recently unlicensed home boarders. Instead of trying to collect more revenue from a smaller number of traders you will in turn increase you core numbers and collect more revenue the more licenced holders.

This in turn will force standards up and give major welfare boost to pets being cared for and generate a more sustainable service industry locally.

Interestingly the private sector has trade to survive , somewhat different to the public sector that is why regulation exists,we trade you regulate!!!!!!!!!!!!

2 The cost of licence generation renewal and visits.

I would like to draw you attention to our experience over the last 3 years at renewal. We never fail to pay our fees before our licence runs out to insure continuance of licence coverage.

Every year you bank our cheque (2019 cleared 24/12/2019) we received our licence some weeks later, numerous times, average 3 weeks late .

On several occasions after being diligent as its a licence condition and a standard we feel is IMPORTANT ,we are told " you will receive one when the officer has time, its not a big issue tell your customers to call and we can confirm to them your licence."

2018 we were told we will get one when the office has time as he has much more important things to deal with. Not a response you would get from the Private sector who has to compete for business.

If you don't have a up-to-date licence displayed it looks suspicious.
We are inspected on new contracts always Jan or the year!!!!!!!!!!!!!!!!!!!! TIMING AGAIN.

Visits even though your officer is very pleasant to deal with we don't have a qualified veterinary inspection similar to the breeders licence. Since the huge press attention and local intervention of a licenced kennel and a unlicensed establishment (known to you personally as I understand you visited) it seems more important then even to monitor the licence conditions rather than let RSPCA (Charitable organisation) take the role covered by enforcement. RSPCA inspector dealt with 2 cases within a small local area and this reflects on us all!!!!!!!!!!!!!!!!!!!!

I notice Ceredigion fees are missing from Appendix2 I was informed by you Officer that Powys carry's out their inspections is this accurate or did I miss understand? What are their fees?

I would like to share some info with you that has been brought in the group.

To comply with you regulations kennel construction (My new Kennel facility 2018 £80k), temperature's , insurance , waste disposal and all other associated costs are high and increasing year on year. To simple pass these increases on licencing being the latest, to our customers is not sustainable for our service industry. Kennel licence costs the same for whatever number you are licenced for, Is this a well thought out strategy as a few members are considering closing there business down.

Last year you changed to waste disposal method and increased our personal costs £800 -£1000 only to find out Powys were continuing sending it to land fill as I was informed by you collection team , these changes were sold to us on the basis that it was going to be recycled!!!!!!

Temp control to comply with your standards cost us £2400 to heat and cool also rising in costs even tough we use green tariff and insulate and use latest technology to control.

Insurance costs £1000 + to comply (we now carry Business interruption and loss of licence and local authority dispute resolution insurance) Vet fees and straying loses and much more. Pet Plan will not insure more than 1 dog housed in the same kennel under any circumstance even if they are from same household.

All these costs are fixed and that is why WE all rely on you to close down unlicensed operators who undercut us without the conditions we have to adhere to. The Kennel and Cattery ever increasing licence conditions booklets are huge and very expensive to insure compliance , we don't disagree with your standards even though England has adopted higher standards due to Model Licence Conditions which is the very latest in animal welfare and husbandry . Make this apply to all of us as standards laid down in your control documents are not fairly applied (l.e fire and

evacuation plan & diagram of facilities not been asked for by officer in other local establishments)

Increasing the licence costs is not viable to simply Pass it onto the customer (since your 4.8% recent increase on Council tax) how much more can you burden our customers and your own?

Recently we have had a few enquires from xxxxxxxx customers, the unlicensed kennel we reported over the last 4 years multiple times. These customers have had experiences of dogs with heat stroke (twice) dogs unwell and in poor condition when collected all being admitted to local vets for treatment.

This does not help us in terms of new clients, as he does not insist on vaccinations, so we will not take them, some been going to him for years and years ,they love our facilities but alas not our price.

Last summer a floating customer used an unlicensed Home Boarder in xxxxxxxx and had there little dog bitten badly as did not have facility to segregate dogs in their care ,when they were not present at their home when the incident happened.

Mixing dogs not from the same household unsupervised shows the level of understand some of these new home boarders have.

He is 40% cheaper not difficult to work out why ,he only continues to trade because he claims he has an understanding with Powys !!!!!!!!!!!!!!!!

Building good quality sustainable businesses In Powys is challenging enough without having to spent time lobbying the local authority to fulfil its obligations.

Therefor after much thought and discussion with several interested parties I cannot agree to pay any increase to the already agreed licence fee , set down on the new licence renewal which came into force 1 Jan 2020 till 1 Jan 2021.

I would like to add 1 observation.

After the waste removal licence condition was changed during the licence period our cat fees had to be increased to try an recover some of this additional costs.

I had make this price increase on the 1 Jan as increasing mid term is not possible as I have a set price for the year , if you give a price you should honour it not increase without any consultation even though your enforcement officer was carrying out a primary inspection the week before and failed to mention it. He did pass a comment that he thought" the licence fees were very reasonable" obviously we now understand the relevance of this comment as the letter in question arrived the following week .

You will be aware of the multiple cancellations experienced at present under travel restrictions and peoples reluctance to travel. Up to cancellation numbers today if they are replicated through the spring and summer months it could cost up to £3000.00 alone.

TIMING is lousy.

Hope this makes sense and you can understand our frustration.

Much happier running my business and looking after my dogs and cats than this unnecessary correspondence over the same issues over and over again , we are meant to work together to insure we give the finest service and drive standards up in the county as RSPCA involvement is not good for area confidence of our clients!(Same inspector dealt with xxxxxxxx & xxxxxxxx)

Yours sincerely

Objection 5

Dear Mr Jones

I am writing to you with regard to the increase in the kennel licence from April 2020. An increase of £82. I have a licence for 20 dogs and during the months of November, December and January it can be fairly quiet. Our electric bill was £120 for this last quarter, because I have had the electric heaters and the overhead infra-red lamps on because Andrew said that the new ruling is that the heat can't fall below 10c. I have just spent over £1,000 on insulating boards above each kennel, money that I could do with now as all my March, April and May customers have cancelled so overnight I have no income. To date there is no help for self-employed kennel/cattery businesses. I have built this business over the last 12 years and have worked really hard but sadly I might have to consider closing down as I am losing too much money. I have spoken to other kennels owners and many of them feel the same.

Objection 6

To Mr Gavin Jones & Andrew Jones

I am writing to you on behalf of myself and the 64 other Welsh establishments listed below.

The pet boarding industry has been severely affected by the ongoing pandemic and lockdowns. The criteria for the assistance currently available rules out the majority of our industry.

Many of us have remained open to provide pet care to our key workers and those needing hospitalization, however, taking in the occasional pet has seen us paying out more than we earned, a situation that will only get worse with the onset of winter and the need to run heating and lighting.

The expense of trying to survive this difficult period is proving too much for many of us, this is now being compounded by councils demands for licence fees, with some councils even increasing the fees for 2021.

The pet boarding industry is at risk of losing many great establishments through no fault of their own, costing jobs, livelihoods and homes. Allowing this nationwide collapse of an entire sector has further far reaching affects. The lack of capacity will lead, in the short term, to key workers with pets being unable to commit as many hours to working in essential services and extra strain on local authorities in dealing with the pets of hospital patients. In the long term we will see prices rise significantly as demand dramatically increases upon the return to normal life, coupled with a shortfall in supply due to the high number of establishments forced out of business.

Customers will be left unable to book holidays because they have no-one to care for their pets, this will lead to a loss of trade in the tourism sector, slow the recovery of the economy with people not spending on holidays and could negatively affect the mental health of those needing a much earned break from stressful jobs.

We have so far been overlooked by those making decisions, we in no way blame anyone for this and we fully understand the unique challenges faced in these unprecedented circumstances. Whilst others would have sought to highlight their appeal by seeking media publicity we prefer to give our elected representatives the opportunity to consider and respond with some understanding of the situation.

Obviously it may transpire that the media subsequently become aware of it.

We are calling on all councils to help save jobs and businesses throughout Wales by withdrawing fees for licenses for 2021. Many of us have been passing council inspections with flying colours for many years and the high standards we set are well known by inspectors. Extending existing licenses for 12 months would greatly ease the pressure on both business finances and on the inspection team who face many new challenges in carrying out inspections. Random inspections could be carried out over a much-extended period reducing the load on inspectors.

Thank you for your consideration in this matter

Objection 7

Dear Gavin,

Hope your well, I was until I received the letter about rising fees for the cattery, which obviously i'm not happy about,

Again the cost of fees, as it did last time is well above any percentage, this one is 32% and i cant possible pass that kind of inflation on to my customer, its just not fare.

As far as other councils, if they are higher than these, then they seriously need investigating, but then i dont think we should be compared to others, we are what we are and licenses as issued at this level of cost and it obviously covers costs or it would have been set higher on the last rise, which is where i thought we had been brought into line before.

We get Nothing for our license only a piece of paper allowing us to operate, and as i said before, i am not against that, but lets be reasonable.

The waste people are doubling our waste cost also, as their costs to potters have risen, so they are picking on kennels and catterys because they say, its heavier waste. considering it gets dumped into the same lorry at the end of the lane as my household waste, thats remarkable.

So this couldnt have come at a worse time, If i was a business, (which there is no one around here that is) that was full occupancy all year like some coucil areas are, with thinks to pull more clients because of where they are based, then it wouldnt be such a hit, If i could fill my units in autumn, winter and spring, like i do in summer, I might not complain so much.

look forward to hearing from you

Objection 8

Hi both,

I telephoned xxxxxxxxx this morning in order to take payment of her animal boarding establishment licence fee.

She informed that she had written in to the Council (note – no record of receipt of such a letter) (but couldn't remember specifically who to) to ask whether the licence fee could be reduced due to COVID-19. She explained that although she had some boarders in Jan and Feb, they are her quietest months and naturally since March, she has had no boarders.

I informed that I would pass the message onto yourselves and that someone would telephone her back. Tel. No. xxxxxxxxxxxxxx. No payment has been made with regard the licence fee.

Hello,

We have received our letter about the new dog licence fees and are totally disgusted by this 250% increase. We are a small business just trying to make a living and this extra cost will have an impact on our business.

We are already being affected by the Cornovirus and this will do nothing to help this situation at all.

I want to know exactly what all the extra costs are being spent on, you mention in your letter that local authorities have to recover the full cost of administering the animal licencing function but there is absolutely no break down of how these costs are worked out. And how on earth our licence fee goes from £106 to £268 is beyond belief. There has not been a 250% rise in petrol costs and im sure your salary has not risen by 250% so how on earth that figure was decided upon ive no idea.

There is also a mention of a £101 cost for advisory inspection, does that mean we have to pay this extra cost EVERY time we have an inspection. Again ive no idea why this cost would be needed?? Shall I start charging Trading Standards for entering my premises??

This increase in costs is only going to make more people run their businesses without a licence, we have reported several dog boarding businesses we know run without a licence or insurance. However these businesses are still trading and you seem to do nothing about shutting these down. Therefore why would people pay such a huge increase when they can just get away with not being licenced anyway.

We are trying to do everything we can to run our business legitimately, professionally and within the required laws. However it seems that Trading Standards just seem to be doing everything to shut us down by making it so expensive.

I cannot express how disappointed and upset we are about receiving this letter and will now have to think long and hard about whether we continue to trade.

I look forward to your reply.

Objection 9

Dear Mr. Jones

I'm writing about your recent letter received on 6th March about the increase in the license fees.

To be frank I was shocked to read of a two and a half times price increase for home boarders. I understand that the council has to cover costs and there have been other cuts but it does seem rather steep.

Does it really involve as much work to re-licence an established business as to inspect and grant a new application.

I'm licensed for 4 dogs maximum, usually just one or two staying at a time, yet will have to pay only £35 less than a large commercial kennel.

I will have to have a dog boarding for 33 days just to cover the licence fee and business insurance.

I hope you can reconsider these increases.

yours sincerely

APPENDIX 2

PROPOSED LICENCE FEES – 2021/22

Licence Type	Application £	Grant £	Renewal £	Annual Equivalent £
Home Boarder/Day Care	129.00	139.00	268.00	268.00
Commercial Kennels/Cattery	153.00	150.00	303.00	303.00
Dog Breeder – Cat 1	165.00	150.00	315.00	315.00

APPENDIX 3

ANIMAL LICENCE FEES 2019/20

Licence Type	Fee £
Home Boarder	106.00
Commercial Kennels/Cattery (1-10 dogs/cats)	211.00
Commercial Kennels/Cattery (11-30 dogs/cats)	221.00
Commercial Kennels/Cattery (31> dogs/cats)	230.00
Dog Breeder – Cat 1	211.00

**ANIMAL LICENCE FEES CHARGED BY OTHER WELSH
AUTHORITIES (2019/20)**

Authority	Dog Breeder's	Animal Boarding Establishments	Home Boarders
Caerphilly	226.00	245.00	153.00
Cardiff	308.00	287.00	102.00
Carmarthenshire	440.00 – 748.00	246.00	242.00
Conway	130.00	130.00	-
Bridgend	207.00	207.00	125.00
Denbighshire	150.00	150.00	-
Flintshire		136.00	96.00
Herefordshire	227.00	227.00	157.00
Merthyr Tydfil	279.00	285.00	247.00
Newport	116.00	187.00	-
Pembrokeshire	544.00 – 623.00	533.00 – 619.00	493.00
Powys	(Cat 1) 315.00	303.00	268.00
Rhondda Cynon Taff	107.00	138.00	-
Swansea	138.00	182.00	96.00
Torfaen	150.00 - 350.00	150.00 - 350.00	-
Vale of Glamorgan	-	-	125.00
Wrexham	351.00	351.00	351.00

This page is intentionally left blank