

**Planning, Taxi
Committee Report**



Licensing and Rights of Way

Application Number: 22/1288/DEM

Grid Ref: E: 310849
N: 291273

Community Council: Newtown and Llanllwchaern

Valid Date: 28.07.2022

Applicant: Mr Harry Bowen

Location: Croesawdy, New Road, Newtown, SY16 1AS

Proposal: Demolition notification to include all properties, outbuildings, perimeter walls/fencing and any vegetations (including all gardens, shrubbery and trees)

Application Type: Demolition Notification

The reason for Committee determination

This notification has been called-in to Committee by the Local Member.

Consultee Responses

Consultee

Received

Town Council

No comments received at the time of writing this report.

Ward Councillor

4th Aug 2022

I would like to call this application in for the planning committee to make the decision please

This building is a huge part of Newtown history. Newtown has lost many of its historic buildings over the years and with the recent collapse and demolition of the chapel people's feelings are running high and want to see the history of the town persevered

The building is full character and is an important part of Newtown for the last 140 years

The town is in an uproar over the removal of this building and as such it needs to be called in as it would be a big loss to the history town and the area and how the town will look.

There are serious concerns regarding bats and residents in the near by location are worried about the site being redeveloped and looking like square boxes with no character.

PCC-Building Control

3rd Aug 2022

Please be aware that a Demolition Notice will need to be submitted to Building Control prior to commencement.

PCC-Ecologist

No comments received at the time of writing this report.

Environmental Protection

10th Aug 2022

Re: Demolition notification to include all properties, outbuildings, perimeter walls/fencing and any vegetations (including all gardens, shrubbery and trees). Location: Croesawdy , New Road, Newtown SY16 1AS.

I have no objection to the application, subject to the following conditions, detailed below.

Demolition-phase noise control

Due to the residential nature of the setting, Environmental Protection would recommend that measures are in place to control the level of noise disturbance to neighbouring properties during the demolition phase of the development.

This department would recommend that the demolition-period working hours and delivery times be restricted as follows:

“All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:

0800-1800 hrs Monday to Friday

0800-1300 hrs Saturday

At no time on Sundays and Bank Holidays

Deliveries to and removal of plant, equipment, machinery and waste from the site must also

only take place within the permitted hours detailed above.”

Dust control

Environmental Protection would recommend that measures are in place to control the emission of dust from the site during the demolition phase of the development. This department would recommend the following condition:

“Prior to the commencement of demolition work, a dust management plan shall be submitted to, and approved by, the local planning authority. All demolition work shall proceed in accordance with the measures specified in the approved plan.”

Without these controls on noise and dust emissions from the site, I would need to object to the application.

PCC-Rights Of Way Senior Manager

3rd Aug 2022

Countryside services do not wish to comment on this application at this time.

Natural Resources Wales (Mid Wales) DPAS

8th Aug 2022

BWRIAD / PROPOSAL: Demolition notification to include all properties, outbuildings, perimeter walls/fencing and any vegetations (including all gardens, shrubbery and trees).

LLEOLIAD / LOCATION: Croesawdy, New Road, Newtown SY16 1AS

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales (NRW) about the above, which we received on 02/08/2022.

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

Protected Species

We note the Ecological Appraisal (Reference: EA 22-06 158.3, By Greenscape Environmental, dated 26/07/2022) confirmed that there were no bats using the building to roost and the tree provided negligible roosting potential for bats. No protected species were observed to be using the site therefore we consider that in respect of Protected Species, the report is satisfactory to inform the planning determination and, therefore, we have no further comment to provide.

Pollution Prevention

All works at the site must be carried out in accordance with GPP5 and PPG6: 'Works and maintenance in or near water' and 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

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 <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/our-role-in-planning-and-development/?lang=en> 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 <https://naturalresources.wales/permits-and-permissions/?lang=en> for further details.

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

PCC- Built Heritage Officer

5th Aug 2022

Designation

The property is to be inspected by Cadw to consider for listing on the 17th August.

It is adjacent to Grade II listed St Davids Church (Cadw id; 8143)

Architectural overview

Croesawdy is proposed for demolition. It is a large Victorian house, built between 1880 and 1881 as Bod Forgan by the owner of the Severn Valley Mills, Mr Samuel Morgan. The property was built by Edward William, designed by Architects, Jones and Parke. Jones and Parke also designed the prominent Italianate mansion, Plas y Bryn.

The property is large and imposing, a villa with tower to one side. It is built in the vernacular half-timber style with strong influences of the *Aesthetic Movement*.

On closer inspection, the high quality of the work is apparent. The building sports carved fascia boards, moulded corbels, moulded rafters, and real timber framework rather than false.

The ground floor is of soft red brick in Flemish bond with a square projecting bay in

sandstone. Sandstone details include Gothic lancet tracery to the door and bay window, also a string course between the brick and timber framed elements, this is corbelled in under a drip-lipped torus moulding.

The upper floor presents several decorative timber-framed gables, more than are strictly necessary, in a way that is to impress. The roof is of hand made red clay tiles, in alternating courses of three rows, square and then rounded.

The house is fenestrated with original casements, the vast majority containing very good examples of aesthetic movement glass.

There is a plinth course of dressed blue stone.

Interior, not inspected but photographs show carved wooden panelling in the aesthetic style, archways with inset Milton tiles picturing classical figures. documentary evidence suggests mosaic floor to hallway

The house is the last connection to Severn Valley Mills, which dominated the area to the South West of the building and had a major impact on the development of Newtown and its textile history.

Comment

The property is a prominent feature of the street entering into Newtown via New Road. It is an example of high-end Victorian design, of the Aesthetic movement. It is integral to the history and development of Newtown in the late 19th century.

Cadw have had a formal request to list the property, and will make a visit to inspect the building on the 17th August. It is therefore suggested that the committee defer their decision to allow for this to take place.

Recommendation

Defer decision to after the date of the Cadw inspection.

Representations

A site notice was displayed on 28th July 2022. At the time of writing this report 15 public representations have been received by the Local Planning Authority. These objections relate to the following:

- Heritage value of the property / historical importance
- Future re-development of the site

- “Local Council’s” processing
- Applicant’s decision to propose demolition under the GPDO, rather than as part of a redevelopment planning application.
- Potential for conversion to alternative uses
- Good condition of the building
- Climate change
- Parking issues
- Location of the site notice

Planning History

App Ref	Description	Decision	Date
P/2016/0084	Erection of garage	Consent	18th Mar 2016

Principal Planning Constraints

Surface Water and Small Watercourses Flood Zone 2
 LDP Development Boundaries
 LDP Retail Core Area

Principal Planning Policies

Town and Country Planning General Permitted Development Order Schedule 2, Part 31
 Class 1995 – Demolition of Buildings

Other Legislative Considerations

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

Officer Appraisal

Site Location and Description

The application site is located within the Town Council and development boundary area of Newtown. Newtown is identified as a town by the Powys Local Development Plan (2018). The site is located on a corner plot between the A4811, known as New Road, and the U4217, known as Ffordd Croesawdy.

This demolition notification has been submitted by the applicant in line with the

requirements of the Town and Country Planning General Permitted Development Order Schedule 2, Part 31 Class 1995 – Demolition of Buildings. The notification is solely in relation to the demolition of the property known as Croesawdy and associated features such as all outbuildings and perimeter walls/fencing.

It is understood that the site will be redeveloped under a separate planning application which will be made at a later date.

Principle of Development

Part 31, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 permits the demolition of a building providing that the developer applies to the Local Planning Authority for a determination as to whether the prior approval of the Authority will be required with respect to the method of demolition and any proposed restoration of the site.

In instances where the Local Planning Authority consider that additional information is required in respect of the above, they are required to confirm to the applicant that prior approval will be required. Where the information submitted is acceptable, the Local Planning Authority will confirm that prior approval is not required and therefore permits the developer to exercise permitted development rights under Class A as above. In every instance, consideration must be limited to the method of demolition and proposed site restoration. It is not for the Local Planning Authority to consider the general acceptability of the proposal or the loss of a specific structure/building.

As the demolition is not considered to be urgently necessary the development must apply to the local planning authority for a determination as to whether its prior approval is required.

A notice of the proposed demolition works has been displayed in accordance sub paragraph A2 (b)(iii) of Part 31 of Schedule 2 of the GPDO, at the site by the applicant on the 28th July 2022, which will expire on the 18th August 2022.

This demolition notification seeks to demolish a large Victorian property which measures approximately 28 metres x 21 metres at its furthest points, together with outbuildings associated with the property and the boundary walls/fences.

The notification is accompanied by a method statement which details the schedule of works and the method of demolition. Whilst the method statement does make some reference to dust and noise, these are in the context of protecting workers from the harms of such. No details have been provided in terms of how the impacts of noise, dust and vibrations will be mitigated and controlled in terms of protecting neighbouring properties.

Environmental Protection have been consulted on the notification and have confirmed that they require further information in terms of operating hours and a dust management plan, and that without this information being able to be conditioned, they would object to

the development. Under the Demolition Notification process, the Local Planning Authority are not able to attach conditions unless the notification is determined as requiring prior approval.

The Welsh Governments Condition Circular confirms that hours of construction are governed under other legislation (The Control of Pollution Act 1974 and Environmental Protection Act 1990) and as such, conditions are not always necessary unless the aim is to place tighter restrictions on construction than those that already exist. The submission does not confirm what hours of operation are proposed, and therefore it is considered that further information in this regard is required.

Due to this, it is considered that prior approval is therefore required to assess any impact that the proposed demolition would have upon neighbouring properties in terms of the method of demolition, specifically the impacts from noise and dust.

In terms of the restoration of the site, in the long term it is proposed that the site will be redeveloped with a scheme that will be subject to a separate planning application. In the short term, the submitted method statement confirms that the site will be backfilled and rolled, however the material to be used for this has not been confirmed.

It is therefore considered that further information in respect of the restoration of the site following demolition is required.

Biodiversity

The notification was also accompanied by an Ecological Appraisal by Greenscape Environmental dated 26th July 2022. The Powys Ecologist and Natural Resources Wales (NRW) have been consulted on the notification. No comments have been received from the Powys Ecologist at the time of writing this report.

NRW note that the Ecological Appraisal submitted in support of the notification confirmed that there were no bats using the building to roost and that the tree provided negligible roosting potential for bats. No protected species were observed to be using the site therefore NRW consider that, in respect of Protected Species, the report is satisfactory to inform the planning determination. NRW have confirmed that they do not have any objection to the proposal.

Built Heritage

Several public objections relate to the heritage value of the property. As detailed above, consideration must be limited to the method of demolition and proposed site restoration. It is not for the Local Planning Authority (LPA) to consider the general acceptability of the proposal or the loss of a specific structure/building. Therefore, the LPA are therefore not able to consider any heritage value of a property that is proposed to be demolished under the Town and Country Planning General Permitted Development Order Schedule 2, Part 31 Class 1995 – Demolition of Buildings.

It is understood that a request has been made to Cadw to list the building, and that Cadw are due to inspect the property with the view to make a determination regarding whether or not the property is worthy of listing, however, currently the building is not a listed building. The property is also not within the Conservation Area.

Should Cadw decide to list the building, an application for Listed Building Consent would be required to be submitted if the applicant's wanted to continue with the proposed demolition. This application would have separate considerations.

RECOMMENDATION - Prior Approval Required

In light of the above, Officers consider further information is required to assess the proposal in respect of the method of demolition and restoration of the site. In light of the above and in accordance with Class A, it is considered that prior approval of the Local Planning Authority is required.

1. Further information is required to assess any impact that the proposed demolition would have upon neighbouring properties in terms of the method of demolition, specifically the impacts from noise and dust.
2. Further information is required in respect of the restoration of the site

It is recommended that the determination of this notification be delegated to the Chair of this committee, to allow for the expiration of the site notice to occur.