

## Planning, Taxi Licensing and Rights of Way Committee Report

**Application Number:** 19/0302/DEM

**Grid Ref:** E: 295603  
N: 284274

**Community Council:** Llanidloes Community

**Valid Date:** 27.02.2019

**Applicant:** Powys County Council

**Location:** The Old School House, Former Smithfield Depot Building, Gorn Road, Llanidloes, SY18 6BJ

**Proposal:** Application for prior notification of proposed demolition

**Application Type:** Demolition Notification

### The reason for Committee determination

Powys County Council is the applicant.

### Consultee Responses

#### Consultee

#### Received

Llanidloes Community Council

No comments received at the time of writing this report

PCC - Building Control

No comments received at the time of writing this report

PCC - Ecologist

No comments received at the time of writing this report

Natural Resources Wales

No comments received at the time of writing this report

PCC - Environmental Health

I have given consideration to the Method Statement and whilst I note the very close proximity of a residential dwelling (being attached) I am satisfied with the controls that are

being proposed from a nuisance point of view.

Therefore, I have no objection to the application.

### PCC - Rights Of Way

No comments received at the time of writing this report

### **Representations**

In accordance with Part 31 of the Town and Country Planning (General Permitted Development) Order, the applicant is required to display a site notice on the land for a period of not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the Local Planning Authority.

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 27th February 2019. The site notice will remain in situ until the 19<sup>th</sup> March 2019.

No public representations have been received at the time of writing this report. However, it is noted that the site notice does not expire until the 19<sup>th</sup> March and therefore any public representations received during this period will be provided via an update report.

### **Planning History**

<b>App Ref</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
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None

### **Principal Planning Constraints**

None

### **Principal Planning Policies**

<b>Policy</b>	<b>Policy Description</b>	<b>Year</b>	<b>Local Plan</b>
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Planning Policy Wales (Edition 10, December 2018)

Part 31 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 – Demolition of

Buildings.

DM2	The Natural Environment
DM4	Landscape
DM13	Design and Resources
SP5	Settlement Hierarchy
SP7	Safeguarding of Strategic Resources and Assets

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note  
UDP=Powys Unitary Development Plan, MIPPS=Ministerial Interim Planning Policy Statement

### **Other Legislative Considerations**

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

### **Officer Appraisal**

#### Section 38 (6) of the Planning and Compulsory Purchase Act 2004

Members are advised to consider this application in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

#### Site Location and Description

The proposed development is located within the settlement development boundary of Llanidloes as defined by the Powys Local Development Plan. To the north of the application site is Llwyn Eiddew Cemetery and to the east is the A470 trunk road. To the south of the application site is the BT Telephone Exchange building and to the west is Glandwr House which is an attached residential dwelling to the Old School House.

The notification proposes the demolition of the former Old School House building attached to Glandwr House. The proposed demolition will allow for future residential development of social housing at the site. The Old School House is currently used by Powys County Council for storage purposes.

### Officer Appraisal

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 considers that additional information is required in respect of the above, they are required to confirm to the applicant that prior approval is 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 the specific structure/building.

Having reviewed the Demolition Method Statement, it is considered that the proposed demolition of the building would be suitably managed and that any potential impacts would be minimised. The proposed redevelopment of the site for social housing will ensure the restoration of the site is to an acceptable standard and remains a well maintained site.

The Demolition Method Statement confirms measures to reduce the amenity impact to nearby neighbours during demolition, this includes securing the site and notification of works to the occupiers of the nearest dwelling. PCC Environmental Health officer considered the Demolition Method Statement submitted and noted the very close proximity of a residential dwelling. The officer confirmed that Environmental Health are satisfied with the controls that are being proposed from a nuisance point of view and therefore raised no objection to the application. The rear elevation of Glandwr house is to be made good under a separate contract with all disturbed surfaces being refurbished.

In addition to the above issues which have been considered by the Local Planning Authority (LPA), there is also a need to consider whether an application for prior approval of development is likely to have significant effects on a European protected species. Unfortunately, at the time of writing this report no response has been received from PCC Ecologist or Natural Resources Wales and it is therefore considered that the Local Planning Authority are unable to assess whether the development is likely to have significant effects on a European protected species

**RECOMMENDATION:**

Subject to confirmation being received from the Ecologist that the submitted scheme is acceptable, the recommendation is that prior approval is not required.

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