

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.

Representations

No public representations have been received at the time of writing this report.

Planning History

M/2007/0108 – Construction of a timber pergola, Construction Consent

Principal Planning Constraints

None

Principal Planning Policies

National Planning Policy

Planning Policy Wales (Edition 9, November 2016)

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

Local Planning Policies

Powys Unitary Development Plan (2010)

GP1 – Development Control

GP3 – Design and Energy Conservation

ENV2 – Safeguarding the Landscape

DC1 - Access by Disabled Persons RL6 - Rights of Way and Access to the Countryside

HP4 - Settlement Development Boundaries and Capacities

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

Officer Appraisal

Introduction

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.

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.

Following concerns raised regarding the lack of information the Local Planning Authority received a Demolition Method Statement that includes a method of demolition which takes into account the measures to control the emission of noise and vibration during demolition works and measures to control the emission of dust and dirt during demolition works. The demolition statement also takes into account Health and Safety issues and controls.

Following demolition the future intention is to develop the land for affordable housing to meet the housing need for the area. The method statement plan also includes a section on site restoration. The Demolition Method Statement states the building will be demolished to its foundations and the site will be finished with crushed rubble and fenced off for safety reasons pending an application for affordable housing.

Having carefully considered the statement, Development Management considers the proposed method of demolition and restoration to be acceptable.

Recommendation

Officers consider that sufficient detail has been submitted to assess the proposal in respect of the method of demolition. It is not considered that the prior approval of the Local Planning Authority is required.

No prior approval required.