

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

<b>Application No:</b>	P/2018/0592	<b>Grid Ref:</b>	306290.08 261902.33
<b>Community Council:</b>	Llandrindod Wells	<b>Valid Date:</b>	<b>Officer:</b> 31/05/2018 Sara Robinson
<b>Applicant:</b>	Powys County Council		
<b>Location:</b>	Trefonnen Church In Wales School, Trefonnen Lane, Llandrindod Wells, Powys, LD1 5EB		
<b>Proposal:</b>	Section 192 application for a certificate of lawful development for a proposed use for a single storey rear extension to school		
<b>Application Type:</b>	App. Proposed Certificate Lawful Development Proposed use or development		

### The reason for Committee determination

The applicant is Powys County Council.

### Site Location and Description

The application site is Trefonnen Church in Wales School located adjoining the settlement development boundary for Llandrindod Wells. The application site is located directly to the south of the existing school. To the north and east of the school is the existing playground, to the west is the car park and to the south beyond the application site is the unclassified highway U1660.

Consent is sought under Section 192 for a certificate of lawful development for a proposed use for a single storey rear extension to the school. The proposed extension will measure approximately 13 metres in length by approximately 3.5 metres in width reaching a height of approximately 3 metres. The extension will cover an overall floor space of approximately 45.5m<sup>2</sup>.

### Planning History

P/2009/1034 – Construction of replacement primary school, new access, associated parking and other external works and demolition of existing school – Conditional Consent

### Principal Planning Policies

#### National Planning Policy

Town and Country Planning (General Permitted Development) Order (As Amended) 2014

Welsh Government Guidance Note (April 2014) -Permitted development rights, Industrial and Warehouse Development Schools, Colleges, Universities and Hospitals, Office Buildings, Shops, Financial and Professional Services

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note  
LDP=Powys Local 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**

#### Principle of Development

Under the Town and Country Planning (General Permitted Development) Order, Part 32 and guidance sought from the Welsh Government Guidance Note the Permitted development rights, Industrial and Warehouse Development Schools, Colleges, Universities and Hospitals, Office Buildings, Shops, Financial and Professional Services (April 2014). Permitted development under Part 32, Class A is for the:

*A) Erection, extension or alteration of a school, college, university or hospital building.*

*Development not permitted*

*A.1 Development is not permitted by Class A—*

*(a) if the cumulative gross floor space of any buildings erected, extended or altered would exceed—*

*(i) 25% of the gross floor space of the original school, college, university or hospital buildings; or*

*(ii) 100 square metres,*

*whichever is the lesser;*

*(b) if any part of the development, would be within 5 metres of a boundary of the curtilage of the premises;*

*(c) if, as a result of the development, any land used as a playing field at any time in the 5 years before the development commenced and remaining in this use could no longer be so used;*

*(d) if the height of any new building erected would exceed 5 metres;*

*(e) if the height of the building as extended or altered would exceed—*

*(i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; or*

- (ii) *in all other cases, the height of the building being extended or altered;*
- (f) *if the development would be within the curtilage of a listed building;*
- (g) *the development would lead to a reduction in the space available for the parking or turning of vehicles; or*
- (h) *unless—*
- (i) *in the case of school, college or university buildings, the predominant use of the existing buildings on the premises is for the provision of education; or*
  - (ii) *in the case of hospital buildings, the predominant use of the existing buildings on the premises is for the provision of any medical or health services.*

Having reviewed the information submitted in support of the application it is considered as follows:

- The proposed floor space for the extension is approximately 45.5 metres, permitted development for schools allows for a cumulative gross floor space of 25% of the original school or 100m<sup>2</sup>. The existing school has a floor space of approximately 1,750m<sup>2</sup> and therefore it is considered that the floor space would comply with the above criteria.
- The proposed extension is located in excess of 5 metres of the curtilage of the building
- The area for the siting of the proposed extension is currently an area of hard standing
- The proposed extension reaches a height of approximately 3.1 metres and therefore does not exceed 5 metres in height
- The building is not within the curtilage of a listed building
- The proposed extension will not encroach on the existing car park and will not lead to reduction in parking spaces available

In light of the above it is considered that the proposed development falls under the Permitted development under Town and Country Planning (General Permitted Development) Order, Part 32, Class A.

## **RECOMMENDATION**

In accordance with the information submitted it is considered that the proposed development would fall under permitted development rights and therefore under Part 192 is considered to be lawful.