

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 19/0815/CLP
Grid Ref: E: 323223
N: 308147
Community Council: Welshpool Community
Valid Date: 07.05.2019

Applicant: Powys County Council

Location: Welshpool High School, Gallowstree Bank, Welshpool, Powys, SY21 7RE

Proposal: Section 192 application for a lawful development certificate for a proposed development: external window replacement

Application Type: Certificate of Lawfulness - Proposed

The reason for Committee determination

The application has been submitted on behalf of Powys County Council.

Planning History

19/0493/CLP - Section 192 application for a lawful development certificate for a proposed development for Welshpool High School sports facility improvement works. Approved

Principal Planning Policies

Schedule 2, Part 32, Class A of The Town and Country Planning (General Permitted Development) Order (Amendment) (Wales) 2014

Welsh Office Circular 24/97 - Enforcing Planning Control: Legislative Provisions and Procedural Requirements.

Officer Appraisal

Site Location and Description

Welshpool High School is located in the east of Welshpool and accessed off Salop Road. The school is self-contained site with the boundaries of a mixture of palisade fencing, hedges and chain linked fencing over a combined area of 11.1 acres. The site facilitates the main school building with multiple classrooms, sports hall and kitchen facilities.

The application seeks confirmation that the following proposed works would be lawful for planning purposes and would not require planning permission:

- Replacement of single pane glazed metal windows with white powder coated aluminium windows with double glazed units in order to improve thermal efficiency of the school building.

Consideration of proposed works

Under Schedule 2, Part 32, Class A of The Town and Country Planning (General Permitted Development) Order (Amendment) (Wales) 2014 schools are permitted to undertake alterations to school premises without applying for planning permission subject to a number of criteria which are detailed as an annex to this report.

Officers have assessed the development against the relevant parts of the Order and consider that the development constitutes permitted development.

RECOMMENDATION

The proposal constitutes permitted development under Schedule 2, Part 32, Class A of The Town and Country Planning (General Permitted Development) Order (Amendment) (Wales) 2014. Therefore, it is recommended that a Certificate of Lawfulness is granted under Section 192 of The Town and Country Planning Act 1990 for the proposed works as specified in the application.

Annex

PART 32 SCHOOLS, COLLEGES, UNIVERSITIES AND HOSPITALS Class A

Permitted development

A. The 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.

Conditions

A.2. Development is permitted by Class A subject to the following conditions—

- (a)the development must be within the curtilage of an existing school, college, university or hospital;
- (b)the development may only be used as part of, or for a purpose incidental to, the use of that school, college, university or hospital;
- (c)any new building erected must, in the case of article 1(5) land or land within a World Heritage Site, be constructed using materials which have a similar external appearance to those used for the original school, college, university or hospital buildings; and
- (d)any extension or alteration must, in the case of article 1(5) land or land within a World Heritage Site be constructed using materials which have a similar external appearance to those used for the building being extended or altered.

Interpretation

A.3. For the purposes of Class A—

- (a)where two or more original buildings are within the same curtilage and are used for the same institution, they are to be treated as a single original building in making any measurement; and
- (b)“original school, college, university or hospital building” means any original building which is a school, college, university or hospital building, as the case may be, other than any building erected at any time under Class A.