

Delegated Decision Report

Application No:	25/0857	Statutory Period Expires:	20th November 2025
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Site:	Somerton Park Garage, Hand Car Wash Cromwell Road Newport NP19 0HT		
Proposal:	PRIOR NOTIFICATION OF DEMOLITION OF SINGLE STOREY STORE BUILDING		
Applicant:	D Ahmed		
Type:	Demolition	Ward:	Liswerry
Decision:	PRIOR APPROVAL IS REQUIRED		

1. BACKGROUND

- 1.1 Demolition of a building is permitted development under Schedule 2 Part 31 of the Town & Country Planning General Permitted Development Order 1995 (GPDO). This means that the demolition works can go ahead without express planning permission from the Local Planning Authority being needed subject to compliance with conditions in the Order. The Authority is able to control the 'method of demolition and any proposed restoration of the site', should it be considered necessary through the prior approval process.

2. SITE LOCATION AND CONTEXT

- 2.1 Somerton Park Garage is a hand car wash located on Cromwell Road in the Liswerry ward. The area is typically urban and located in a densely populated residential area with some commercial operations also present. The building appears redundant and forms part of a hand car wash, formerly a petrol filling station. It is adjacent to an operational car repair garage and convenience store with a residential property to the west on Cromwell Road.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 It is proposed to demolish a single storey store building. The building is located to northwest of the forecourt, setback 15.5m from the highway. The building measures 7.25m in width, 9.75m in depth and 4.5m in height to the top of the flat roof. Externally, the building is finished in facing brick, with a roller shutter door on the front elevation and steel sheeting along the side and rear elevations.
- 3.2 All demolition materials would be reused or disposed of via a registered/licenced disposal contractor. The existing concrete forecourt would be repaired and retained as existing.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
18/1145	RETENTION OF HAND CAR WASH	GRANTED WITH CONDITIONS	31.01.2019
10/0734	RETENTION OF HAND CAR WASH (FOR A TEMPORARY PERIOD OF 5 YEARS)	GRANTED WITH CONDITIONS	02.09.2010
96/1001	CHANGE OF USE FROM PETROL FILLING STATION TO SALE AND DISPLAY OF USED CARS	GRANTED WITH CONDITIONS	11.05.1998
93/0041	ERECTION OF 2 NO. INTERNALLY ILLUMINATED REPLACEMENT POLE SIGNS AND 2 NO. CANOPY FASCIA LOGOS	GRANTED	05.03.1993

5. PLANNING POLICY

5.1 N/A

6. CONSULTATION RESPONSES

6.1 ECOLOGY OFFICER

I have considered this application in relation to section 7.0, Figure 4 - 'Checklist for protected/priority Species Surveys' set out in the Wildlife and Development SPG, which sets out the criteria we use for deciding when a bat survey is needed. The nature and location of these buildings and the works proposed to them do not suggest that there is a reasonable likelihood of an impact upon roosting bats, so I would not ask for a bat survey. We can never totally rule out the presence of bats, so I would ask that we attach an advisory note alerting the applicant to the fact that there is a low risk that bats may be present and advising them of what to do if bats are found during works.

6.2 HIGHWAYS OFFICER

No objection

There appears to be sufficient space to demolish the building without impacting highway. There are no objections on highway related grounds.

6.3 ENVIRONMENTAL HEALTH

No response received to date.

7. PUBLIC REPRESENTATIONS

7.1 In accordance with the requirements of Part 31 of The Town and Country Planning (General Permitted Development) Order 1995 the proposal was advertised by the applicant via a site notice.

7.2 No representations have been received by the Local Planning Authority.

8. ASSESSMENT

8.1 This application seeks prior approval for the demolition of a single storey store building at Somerton Park Garage/Hand Car Wash on Cromwell Road. The proposal for demolition of an existing building is permitted development as established by the Order; accordingly the principle of development is established and is therefore not for consideration.

8.2 As set out by the Circular (31/95), only in cases where demolition is likely to have a significant impact upon its surroundings should it be necessary to require formal submission for prior approval.

8.3 The application is accompanied by a site location plan, an existing/proposed site plan and existing/proposed elevation plans and evidence of a public site notice. No other supporting information is provided.

8.4 The Council's Ecology Officer has considered this application in relation to section 7.0, Figure 4 - 'Checklist for protected/priority Species Surveys' set out in the Wildlife and Development SPG, which sets out the criteria used for deciding when a bat survey is needed. The nature and location of these buildings and the works proposed to them do not suggest that there is a reasonable likelihood of an impact upon roosting bats, so a bat survey is not required. There is no established landscaping closeby and the immediate area is densely developed. Although, the presence of bats can never be categorically ruled out, an advisory note alerting the applicant to the fact that there is a low risk that bats may be present and advising them of what to do if bats are found during works is attached.

8.5 The Council's Highways Officer has noted that there appears to be sufficient space to demolish the building without impacting highway. Therefore, there are no objections on highway related grounds. However, no CEMP or dust and noise management plan is provided and it is unclear how the demolition process will be managed having regard to dust, noise, demolition contractor areas etc so as not to disturb or unreasonably impact neighbouring uses, some of which are sensitive, i.e. residential.

- 8.6 In regard to restoration of the site, the disposal of all waste or other materials removed from the site will be undertaken by a registered disposal contractor. After demolition, the site will be restored to a safe and secure condition and will include: The restoration and retention of the existing concrete forecourt. There is no objection to this approach but insufficient information has been provided with this notification.

9. OTHER CONSIDERATIONS

9.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 *Equality Act 2010*

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 *Planning (Wales) Act 2015 (Welsh language)*

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 *Newport's Well-Being Plan 2018-23*

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. CONCLUSION

- 10.1 In accordance with W/O Circular 31/95 Planning Controls Over Demolition, the Local Planning Authority considers that Prior Approval is required.

11. DECISION

PRIOR APPROVAL IS REQUIRED

Reasons:

The notification is related to demolition of a building close to sensitive residential receptors and operational commercial activities and is not accompanied by a Construction Environmental Management Plan and associated Method Statement. Further information regarding the following matters is required to ensure the measures set out to manage and mitigate impact are proportionate and appropriate:

- HGV/trip generation information
- frequency and duration of works
- details of demolition worker parking and associated welfare facilities if required
- details of demolition compound including provision for delivery/demolition vehicles to turn and therefore access and egress the highway in a forward gear
- demolition vehicle management plan
- dust and noise mitigation/management.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Somerton Park Garage 1, Somerton Park Garage 2, Somerton Park Garage 3, Somerton Park Garage 4, Public Notice.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies were relevant to the determination of this application.

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

04 Bats often roost in buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK legislation. If works are planned on a building in which bats are known to be roosting, Natural Resources Wales (NRW) must be contacted for advice. If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately. Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works and undertake bat surveys if necessary. Where bats or their roosts are found to be present, no works should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result. NRW can be contacted at:- Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000. Bat Conservation Trust can be contacted at:- 5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228