

Delegated Decision Report

Application No:	25/0279	Statutory Period Expires:	9th May 2025
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Site:	<i>Brynglas House Brynglas Road Newport South Wales NP20 5QU</i>		
Proposal:	<i>PRIOR NOTIFICATION FOR DEMOLITION OF SINGLE STOREY TEMPORARY TIMBER FRAMED BUILDING</i>		
Applicant:	<i>D Cooke</i>		
Type:	Demolition	Ward:	Shaftesbury
Decision:	PRIOR APPROVAL IS REQUIRED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 This application relates to the teaching annex building at Brynglas House, Brynglas Road. The site is located in the Shaftesbury ward. The subject building is located to the north of the site and is surrounded by mature trees and vegetation, with the main training/education centre building located directly to the south. The site is accessed off Brynglas Road. The wider site context comprises residential development to the north, south and west and an area of woodland to the east. The River Usk is also located within 300m to the east, with the M4 300m to the south. The closest residential property is located approximately 43m to the north of the annex building.

2.1 The site itself forms part of a CADW Historic Park and Garden, Brynglas Gardens (a Grade II listed building) is located to the north of the site with Brynglas House (also a Grade II listed building) located to the south. The Gaer Park Environmental Space is also situated to the east.

2.3 Millbrook Primary School has been located in the teaching annex on the Brynglas House site since being decanted from Parret Road Bettws School which was identified for demolition in September 2022. The annex building has since been condemned following a structural survey. This has resulted in the school occupying an additional building adjacent to Brynglas house.

3. DESCRIPTION OF DEVELOPMENT

3.1 The proposed development comprises the demolition of the annex building which is a timber frame, single storey 1960s structure finished in brick and cladding with a flat felted roof. The building is severely dilapidated with supports currently holding up the roof.

4. RELEVANT SITE HISTORY

None.

5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policies GP2 (General Amenity), GP5 (Natural Environment), GP7 (Environmental Protection and Public Health), CE4 (Historic Landscapes, Parks, Gardens and Battlefields) and CE5 (Listed Buildings) are relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 HERITAGE OFFICER: No objections.

6.2 ECOLOGY OFFICER: the Bat Scoping Survey dated March 2025 advises in sections 8.7 to 8.9 that two bat emergence surveys need to be carried out, and the email from the Ecological Consultant to Norse dated 5th March confirms that these surveys need to be carried out from May onwards, over a period of three weeks. I support this advice and would be happy to comment on a report into the bat emergence survey in due course. The only other ecological concern is that there may be nesting birds using the building, so the Applicant should be made aware of the need to avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

6.3 ENVIRONMENTAL HEALTH OFFICER: Further information required in relation to dust mitigation & management during the demolition phase.

Dust mitigation:

Dust monitoring, mitigation measures, site action level, water suppression & supply further information required.

Monitoring measures for dust should include, but not limited to;

- Undertake daily on-site and off-site inspection, where receptors (including roads) are nearby, to monitor dust, record inspection results, and make the log available to the local authority when asked. This should include regular dust soiling checks of surfaces such as street furniture, cars and window sills within 100 m of site boundary

- Increase the frequency of site inspections by the person accountable for air quality and dust issues on site when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions.

6.4 HIGHWAYS OFFICER: The method statement makes reference to cutting access using plant and machinery. In addition, there is reference to numbers of vehicles waiting and loading, without information on their management, location or number. Further detail is needed to ensure that the public are protected and any closures or other procedures put in place. We would therefore recommend that prior approval is required to address these issues

6.5 SCIENTIFIC OFFICER: No response.

6.6 TREE OFFICER: a Tree Protection Plan, Arboricultural Method Statement including an Arboricultural Watching brief requirement is required and in accordance with BS 5837:2012 to safeguard the tree/trees. This must be submitted by a bona fide Tree Consultant Prior approval of this information is required.

6.7 LANDSCAPE OFFICER: The proposal is for demolition of Millbrook Primary School annexe building/ top Block and removal of adjacent footpath. A heritage assessment has been submitted and the heritage officer has no objection to the proposal. The proposal includes restoration of the cleared site with grass. I have no comments or objection.

7. PUBLIC REPRESENTATIONS

7.1 None.

8. ASSESSMENT

- 8.1 This application seeks prior approval for the demolition of the teaching annex building at Brynglas House, Brynglas Road. The building is in poor condition and currently lies redundant. A structural survey in 2024 was undertaken to provide a comprehensive assessment of the annex building following the discovery of a dropped/decayed beam and post connection in one of the classrooms. Subsequent investigations of the rest of the building revealed an inherent design defect with the structure of the building. This had been compounded by later ill-conceived window replacements and prolonged ponding of water on the roof, which have collectively undermined its structural strength.
- 8.2 Demolition of a building is permitted development under Schedule 2 Part 31 of the Town & Country Planning General Permitted Development Order 1995 (GPDO) such to applying to the Local Planning Authority to confirm its prior approval is not required to the method of demolition and any proposed restoration of the site.
- 8.3 A method statement has been provided which relates to the demolition of the annex building and the application form accompanying the application states that the demolition period is anticipated to be 5 weeks (which would take place during the school summer holidays). The applicant has also submitted proof of the erection of a site notice as per the requirements of Part 31 of the Town and Country Planning (General Permitted Development) Order 1995.
- 8.4 The applicant confirms that the sequence of demolition/works would be as follows:
- Site setup within site boundary and the establishment of demolition exclusion zones using heras fencing panels;
 - Removal of asbestos floor tiles;
 - Internal soft strip;
 - External demolition; and
 - Making good of the area and closing the site.
- 8.6 Following removal of sub structure the area is to be returned to a levelled grassed play area for the adjoining Millbrook school.
- 8.6 A bat scoping survey was submitted with the application. The Council's Ecology Officer agrees with the methodology and conclusions of this report, however it states that two bat emergence surveys need to be carried from May onwards for a period of three weeks, and prior to the demolition of the building. On this basis, prior approval is required in order to obtain this information from the applicant. The only other ecological concern is that there may be nesting birds using the building, so the Applicant should be made aware of the need to avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. This will be added as an advisory to the applicant.
- 8.7 Details of the removal of 1no. ash tree prior to the commencement of any demolition works have been provided as part of the application. The Tree Officer has reviewed this information however has advised that a tree survey undertaken in accordance with BS 5837:2012 is required to assess the condition of other specimens on site prior to demolition and provide details of protection if required. On this basis, prior approval is required in order to obtain this information from the applicant.
- 8.8 The Environmental Health Officer has reviewed the Demolition Management Plan accompanying the submission and advised that further information is required in respect of dust mitigation and management during the demolition phase including dust monitoring, mitigation measures, site action level and water suppression. On this basis, prior approval

is required in order to obtain this information from the applicant.

- 8.9 A Heritage Impact Assessment has also been provided with the application which confirms that the current aesthetic value of the subject building is low and its proposed demolition and restoration of the site to playing fields would have a positive impact in relation to the setting of the surrounding listed buildings and historic park and garden. On this basis the Heritage Officer has no objections to the demolition of the annex building.
- 8.10 Finally, in response to the application the Highways Officer requested the following information:

The method statement makes reference to cutting access using plant and machinery. In addition, there is reference to numbers of vehicles waiting and loading, without information on their management, location or number. Further detail is needed to ensure that the public are protected and any closures or other procedures put in place.

On this basis, prior approval is required in order to obtain this information from the applicant.

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 Further information regarding highways details including haul routes and HGV site access arrangements, additional ecological information including three additional bat emergence surveys, a tree survey and details of dust mitigation measures are required. Prior approval is therefore required.

11. DECISION

PRIOR APPROVAL IS REQUIRED

The demolition as notified may not be carried out until such details have been submitted to and approved in writing by the Local Planning Authority for the following reasons:

- 1) The submitted method statement does not provide information on the management, location or number of demolition traffic, plant and equipment required to undertake the works. Further detail is needed to ensure that the public are protected and any road closures or other procedures are put in place.
- 2) The Bat Scoping Survey dated March 2025 advises in sections 8.7 to 8.9 that two bat emergence surveys need to be carried out from May onwards and over a period of three weeks. This survey information is required in the interests of European Protected Species mitigation and has not been provided to date.
- 3) Additional arboricultural information is required in the form of a Tree Protection Plan and Arboricultural Method Statement including an Arboricultural Watching brief in accordance with BS 5837:2012 to safeguard the tree/trees on the site.
- 4) Further information is required in relation to dust mitigation & management during the demolition phase. This must include dust monitoring, mitigation measures, site action level, and water suppression details.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan (received 10/04/2025), Bat Scoping Survey (received 10/04/2025), Email from Richard Baron Tree Officer (received 10/04/2025), Heritage Impact Statement (received 10/04/2025), Demolition Method Statement (received 10/04/2025), Annex Photographs (received 10/04/2025), Annex Elevations (received 10/04/2025) and Site Notice (received 11/04/2025).

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP2 and GP2 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 require EIA development.