

Delegated Decision Report

Application No:	25/0190	Statutory Period Expires:	1st August 2025
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Site:	28 Morgan Street Newport NP19 7AX		
Proposal:	CHANGE OF USE TO RESIDENTIAL GARDEN (RETROSPECTIVE)		
Applicant:	J Roberts		
Type:	Full	Ward:	St Julians
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 28 Morgan Street is a 2no storey end-of-terrace property situated in the St Julians ward. The application site is a parcel of land approximately 71 sqm in size located at the side elevation of 28 Morgan Street, which sits at a turning point. The land that forms the application has been purchased by No 28 and has been incorporated as residential curtilage.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks retrospective planning permission for the change of use of land to residential curtilage.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0452	LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED SINGLE STOREY REAR EXTENSION	GRANTED	01.08.2024

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)

- GP2 (General Amenity)
- GP6 (Quality of Design)

- GP4 (Highways and Accessibility)

5.4 SUPPLEMENTARY PLANNING GUIDANCE
NONE

6. CONSULTATION RESPONSES

6.1 HIGHWAYS OFFICER:
No objection

The land serves no highway function, and the extension has no impact on highways. There are therefore no objections.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 30.04.2025 and a Site Notice was erected on 04.07.2025.

7.1 NEIGHBOURS: 3no neighbours were consulted. 3no objections received to date.

Morgan Street

Concerns regarding access to the rear lane behind Morgan Street.

Concerns regarding access to the Sea Cadets

Concerns regarding loss of parking

16 Morgan Street

This space will be better used for parking for the whole of Morgan Street and possibly electric charging points in the future.

20 Morgan Street

Parking in Morgan Street has become increasingly difficult over the years with more cars per household. I would prefer to see the land he proposes to take and the land the other side of the wall used for excess parking for residents; and/or maybe electric points installed for future electric car users.

8. ASSESSMENT

8.1 The site was previously enclosed by a close boarded fence, separating it from the path running adjacent to No 28. It has, in the recent past, been overgrown and therefore not contributing positively to the visual amenity of the street scape. Works on the site have already begun and the dense foliage has since been removed.

8.2 The proposal would extend the residential curtilage of the property along the side elevation. However, there are no neighbouring properties on this side of the applicant's property and therefore, no adverse impact on residential amenity.

8.3 In terms of highway safety, the NCC Highways Officer has been consulted and offers no objection as the extension of the curtilage has no impact on public highways.

8.4 It is noted that concerns have been raised regarding access to the rear lane however a recent site visit has confirmed that the rear lane has been inaccessible for some time, with dense vegetation, curtilage extensions and fly-tipping obstructing pedestrian access. Irrespective of this, the curtilage extension would not reduce or impede access over the existing situation as the extension runs diagonally from the rear elevation of the existing garage, and it is not proposed to extend the curtilage towards the rear. Similar concerns were raised regarding the access to the Sea Cadets although it is noted that the official entrance is from Riverbank Avenue which remains unaffected by the development and the concerns relate to an unadopted pedestrian dirt-track access formed between the boundary of Riverbank Avenue and the adjacent boundary of CAM Auto Services. Nevertheless, this pedestrian remains unaffected by the development.

8.5 Concerns have also been raised regarding the loss of parking on Morgan Street however the land has not previously been recognised as an adopted or viable parking area and in any

case, the land will remain capable of providing off-road parking spaces, albeit access will be limited to the occupier of no.28 Morgan Street. It has also been suggested that the land is used for EV charging points in the future however the proposal must be assessed on the details provided, which in this case is change of use to a residential curtilage so no weight has been given to this as part of this development.

- 8.6 A new timber fence is proposed to border the proposed curtilage extension, measuring 1.8m in height and 5.8m in length. The existing precast concrete panel fence and posts are proposed to be moved to the new boundary position to border the new curtilage. The application proposes a mismatched fence. As this is a retrospective application, the works have already been undertaken. The fence has retained, for the most part, the concrete panel fence and only erected one timber fence board and this is located at the rear of the fencing. Therefore, overall the appearance of the new means of enclosure does not harm visual amenity and the enlarged residential garden is commensurate with the property and appears acceptable in the streetscene.

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 The proposed change of use is acceptable and appropriate.

11. DECISION

GRANTED WITH CONDITIONS

01 PLANS CONDITION

The development shall be implemented in accordance with the following plans and documents:

- Proposed boundary plans and elevations 24-2092-DWG-03

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Location Plan 24-2092-DWG-01A

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4 and GP6 were relevant to the determination of this application.

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.