

Delegated Decision Report

Application No:	26/0104	Statutory Period Expires:	7th April 2026
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Site:	173 Ruskin Avenue Rogerstone Newport NP10 0AB		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED GARAGE CONVERSION		
Applicant:	J Thomas		
Type:	Lawful Development Proposed	Ward:	Rogerstone North
Decision:	GRANTED		

1. BACKGROUND

- 1.1 The Local Planning Authority holds no records of planning consents restricting the conversion of the garage via condition.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site comprises of a 2 storey detached dwelling located on Ruskin Avenue, a residential street within the Rogerstone North ward. The property benefits from off street parking and a private rear amenity space.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 A garage conversion is proposed. The development will consist of the existing garage to be converted to an office area. Externally, there will be no extension to the built form, and the proposed materials are set to match the existing dwelling.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
95/0378	CERTIFICATE OF LAWFULNESS FOR PROPOSED EXTENSION TO LOUNGE	APP	22.05.1995

5. PLANNING POLICY

- 5.1 This application is for a certificate of lawfulness for proposed development and therefore falls to be determined in accordance with Section 192 of the Town and Country Planning Act 1990 (as amended) and The Town and Country Planning (General Permitted Development) Order 1995 (Wales).
- 5.2 The application seeks to determine whether the proposed changes would constitute permitted development under the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Alterations to dwellings are considered under Class A of Part 1 and are subject to limitations and conditions.
- 5.3 The proposal would need to comply with the conditions set out in section A.3 in relation to Class A development, which states;

*A.3 Development is permitted by Class A subject to the following conditions—
(a) the appearance of the materials used in the walls, roof or other element of any exterior work must so far as practicable match the appearance of the materials used in the majority of the equivalent element of the existing dwellinghouse;*

The proposed window and making good of the garage door opening will match existing.

- 5.4 As such, the proposed garage conversion is lawful in accordance with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

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 development would represent permitted development as set out within Classes A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

11. DECISION

GRANTED

01 The proposal accords with the criteria set out under Classes A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and is permitted development.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan, Proposed Front Elevation 005, Proposed Ground Floor Plan 004 , Proposed Side Elevation 006

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.