

Delegated Decision Report

Application No:	25/0683	Statutory Period Expires:	17th October 2025
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Site:	38 Wavell Drive Newport NP20 6QN		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED SINGLE STOREY SIDE EXTENSION		
Applicant:	I Powell		
Type:	Lawful Development Proposed	Ward:	Malpas
Decision:	GRANTED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is a detached, two storey dwelling located on Wavell Drive, in the Malpas ward. The property benefits from a large front garden which provides multiple off road parking spaces. Externally, the property is finished in red brick with white UPVC windows and red tile cladding between the ground and first floor bay windows.

2.2 The site is within the defined settlement boundary as identified by Policy SP5 of the Newport Local Development Plan 2011 – 2026. To the south of the property is Malpas Park Primary School. Surrounding the property is predominantly residential dwellings. Due to the topography of Wavell Drive, the land slopes from the south to the north

3. DESCRIPTION OF DEVELOPMENT

3.1 A single storey side extension is proposed, 2m in width 6m in depth, 3m in height to the ridge and 2.2m in height to the eaves. The extension would not be set off the shared boundary with no.40. The fenestration would consist of 1no window and 1no door on the front elevation and 1no window and 1no door on the rear elevation. Materials would consist of roof tiles to match the existing, windows and doors to match existing and brickwork to match the existing house.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
01/0086	CONVERSION OF GARAGE TO LIVING ACCOMMODATION	GRANTED WITH CONDITIONS	02.03.2001

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)
NONE.

5.4 SUPPLEMENTARY PLANNING GUIDANCE
NONE.

6. CONSULTATION RESPONSES

6.1 N/A

7. PUBLIC REPRESENTATIONS

N/A

8. ASSESSMENT

8.1 In order to be 'permitted development', the proposal would need to accord with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), which allows for the erection of a single storey side extension within the curtilage of a dwellinghouse providing that;

(a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

(b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(d) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse and—

(i) the height of the eaves of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 3 metres; or

(ii) the height of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 4 metres;

(e) the enlarged part of the dwellinghouse would extend beyond a wall comprised in the principal elevation of the original dwellinghouse;

(f) the enlarged part of the dwellinghouse would extend beyond a wall comprised in a side elevation of the existing dwellinghouse, and would be nearer to the highway than—

(i) the wall comprised in that side elevation which is nearest to the highway; or

(ii) any point 5 metres from the highway;

whichever is the nearer to the highway;

(g) the enlarged part of the dwellinghouse would extend beyond a wall comprised in a side elevation of the original dwellinghouse, would have a single storey and—

(i) the enlarged part of the dwellinghouse would exceed 4 metres in height; or

(ii) the width of the widest part of the resulting dwellinghouse would exceed the width of the widest part of the original dwellinghouse by more than 50%;

8.2 The proposal would also 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;

(b) if any element of an upper-floor window located in a wall, roof slope or other element of a side elevation of the dwellinghouse would, if projected downwards in a vertical line to ground level, be within 10.5 metres of any boundary of the curtilage of the dwellinghouse opposite the relevant wall or roof slope, then the window must be—

(i) *obscure-glazed;*
(ii) *non-opening unless any part of the window which can be opened is, when measured at any point along the lowest edge of that part, at least 1.7 metres above the internal floor or stair of the dwellinghouse directly below that point; and*
(iii) *permanently maintained in compliance with paragraphs A.3(b)(i) and (ii); and*
(c) *where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part must, so far as practicable, match the roof pitch of the existing dwellinghouse.*

8.3 The proposed extension would project to the side of the existing dwelling by 2m, which would equate to 24.3% of the 8.2m width of the widest part of the original dwelling house. The height of 3m to the highest part of the roof ridge and 2.2m in height to the eaves would be below all relevant height restrictions listed above and would not be higher than the existing roof or eaves. Given the layout of the application site, it would not project closer to a highway than the existing property. It would not cover more than 50% of the total area of the curtilage. The proposal would be constructed of materials which match the existing dwelling.

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 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

11. DECISION

GRANTED

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

NOTE TO APPLICANT

01 This decision relates to plan Nos: 329 - 200 - Proposed Plans and Elevations, 329 - 100 - Existing Plans and Elevations, 329 - 001 - Location and Site Plans.

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.