

Delegated Decision Report

Application No:	25/0242	Statutory Period Expires:	3rd June 2025
------------------------	----------------	----------------------------------	----------------------

Site:	57 Allt-Yr-Yn Road Newport NP20 5EB		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE FOR THE PROPOSED USE OF AN OUTBUILDING AS A REIKI HEALING/YOGA CENTRE		
Applicant:	L Sanders		
Type:	Lawful Development Proposed	Ward:	Allt-yr-Yn
Decision:	Granted		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is a semi-detached property situated within the Allt-yr-Yn ward. The property benefits from an outbuilding within the rear garden, aerial footage confirms that the outbuilding has been in situ since at least 2006 and so is lawful. The property does not have any off-street parking.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks to confirm, via a Lawful Development Certificate, that planning permission is not required for the use of an outbuilding as a Reiki Healing/Yoga Centre.

4. RELEVANT SITE HISTORY

4.1 None.

5. PLANNING POLICY

5.1 Not relevant.

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

7.1 Councillor Fouweather: concerned that this is a proposal to run a business from the house on a residential street.

8. ASSESSMENT

8.1 This application seeks to confirm, via a Lawful Development Certificate, that planning permission is not required for the use of an outbuilding as a Reiki Healing/Yoga Centre.

8.2 It is proposed to use the garage to run a business as a Reiki Healing/Yoga Centre. The applicant has provided the following details regarding the proposed use of the outbuilding:

- *My goal is to only see clients Monday - Thursday daytime, 9.30am - 6pm.*
- *Mostly I will see one client at a time. On one off occasions there may be a maximum of 4 people as the space is not that big. But mostly I plan to have one client at a time, 2 times a day, Monday - Thursday for 1hr 15mins at a time.*

- *My client base live local and will likely walk. But if they do drive they can park on the road outside, or just down the road on the opposite side of the road there are no houses, just green space and I can direct them to park there.*

- 8.3 When determining if the use of the garage as a barbers would be lawful, it needs to be considered if a material change of use would occur as a result of the development. The factors that need to be considered are 1) whether there would be detrimental impact to neighbouring properties because of noise or hours of operation, 2) will it result in a marked rise in traffic or people calling, 3) will it involve activities unusual in a residential area.
- 8.4 The primary use of the outbuilding would be as a reiki healing/yoga centre. The applicant has estimated that there would be 2 clients per day, with only one client at any one time for 1hr 15 minutes. It is acknowledged that there may be up to 4 clients at a time, however the applicant has confirmed this would be on a rare occasion. Therefore, it is not anticipated that there would be a significant increase in the number of people visiting the property and the number of visits is not considered to be higher than what would be classified as normal for a residential property. The hours of operation are considered to be normal working hours, and given the nature of the activity, there would not be a significant increase in noise levels. It is noted that Cllr Fouweather raised concerns in relation to a business being run from the property, however the purpose of the application is to confirm that a use is lawful rather than acceptable.
- 8.5 The application site does not benefit from a driveway and as such clients will park on the street. A site visit confirms that there is ample on-street parking in the area. There is a break in residential properties some 100m away from the application site, which can also accommodate parking. It is not anticipated that the use would result in a significant increase of traffic movements to the property that would differ from a typical residential property.
- 8.6 Based on the above, and that the proposal would not affect the use of the existing residential property, it is not considered that the use of the outbuilding as a reiki healing/yoga centre would not constitute a material change of use. Therefore, the proposed use is considered lawful.

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 use of the outbuilding as a reiki healing/yoga centre would not result in an increased number of people visiting the property situated in a residential area and would not have a resulting increase in traffic movements. The use would be ancillary to the existing residential property. It is therefore considered that the use is lawful, and permitted under the Town and Country Planning (General Permitted Development)(Amendment)(Wales) Order 2013.

11. DECISION

Granted

01 The use of the outbuilding for a reiki healing/ yoga centre on the basis of the nature and scale of the use as described in this application would not result in a material change of use of the property and is therefore lawful.

NOTE TO APPLICANT

01 This decision relates to plan Nos: building plans V2.0, Application Form, Email confirming details received 8th May 2025

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.