

Delegated Decision Report

Application No:	26/0163	Statutory Period Expires:	15th May 2026
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Site:	<i>Property Known As Office 1 Third Floor Clarence House Clarence Place Newport South Wales</i>		
Proposal:	CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OF OFFICE AT THIRD FLOOR AS ADMINISTRATIVE BASE TO ARRANGE TRANSPORT FOR SCHOOL CHILDREN		
Applicant:	J Malik		
Type:	Lawful Development Proposed	Ward:	St Julians
Decision:	Granted		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site comprises the third floor of Clarence House, a 1960s office building located on the eastern bank of the River Usk adjacent to Town Bridge, within Clarence Place. The floor is currently in use as office space and consists of a largely open-plan layout arranged around a central area containing stairwells and lift shafts, with smaller office rooms positioned off this central area. The proposed office space would be situated in the south-western corner of the floor.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks to confirm by way of lawful development certificate that the use as an administrative office to arrange private school transportation is lawful.

4. RELEVANT SITE HISTORY

4.1 None.

5. PLANNING POLICY

5.1 None.

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

7.1 None.

8. ASSESSMENT

5.1 The application is supported by a statement, that confirms that the office will be administrative only. It will not involve the picking up of members of the public from the office premises and will be used to make and receive calls and maintain files. The service will involve collecting passengers from their home address and transporting them to their educational establishments. Drivers will travel from their own home addresses and not from the application site. The lawful use of the premises is considered to be Use Class B1.

5.2 The Town and Country Planning Use Classes Order 1987 (As Amended) defines B1 use for all or any of the following purposes—

- (a) as an office other than a use within class A2 (financial and professional services),
- (b) for research and development of products or processes, or
- (c) for any industrial process,

being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or

grit.

- 5.3 As outlined above, the operations which would take place at the office relates to the administration processes of the taxi business only. These processes are considered to fall under the function of a 'normal' office which would be a B1 use. The premises would not operate as a taxi office or call centre and would not be a sui generis or A2 use. There would be no change to the existing layout which exhibits that of an office. In addition, these functions are able to be carried out without detriment to the amenity of the surrounding area. On this basis, it is considered that this use is 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 Given the above information the proposed use as a taxi office for administrative purposes only falls within Class B1 and would therefore is lawful.

11. DECISION

GRANTED

Reason

The proposed use of Office 1 on the Third Floor of Clarence House as an administrative base/office for arranging school transportation falls under Class B1 of The Town and Country Planning Use Classes Order 1987 (As Amended) and is lawful.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Revised Application Form, Revised Site Location Plan, Operational Statement, Existing Third Floor Plan

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.

04 The Town and Country Planning Use Classes Order 1987 was relevant to the determination of this application.