

Delegated Decision Report

Application No:	25/1005	Statutory Period Expires:	16th January 2026
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Site:	<i>Welsh Golfing Union Catsash Road Newport NP18 1JQ</i>		
Proposal:	<i>CERTIFICATE OF LAWFULNESS FOR PROPOSED INSTALLATION OF SOLAR PANELS ON ROOF</i>		
Applicant:	<i>S Veale</i>		
Type:	Lawful Development Proposed	Ward:	Caerleon
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The proposed solar panels would be sited on the roof of a building within the Celtic Manor Grounds.

3. DESCRIPTION OF DEVELOPMENT

3.1 Confirmation is sought through a lawful development certificate that the proposed solar panels comply with Part 43, Class A of the Town and Country Planning (General Permitted Development Order 1995 (as amended)). The works amount to development.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
93/0781	ERECTION OF SINGLE STOREY GOLF CLUBHOUSE AND TOURNAMENT ADMINISTRATION BUILDING INCLUDING CAR PARKING AND LANDSCAPING	APPROVED WITH CONDITIONS	13/08/1993

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.

6. CONSULTATION RESPONSES

None.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 Part 43, Class A of the Town and Country Planning (General Permitted Development Order 1995 allows for the installation of non-domestic microgeneration equipment and states;

Permitted development

A. The installation, alteration or replacement of solar PV or solar thermal equipment on a building other than a dwellinghouse or a block of flats.

Development not permitted

A.1 Development is not permitted by Class A if—

- (a) the solar PV or solar thermal equipment would be installed on a wall or pitched roof and would protrude more than 20 centimetres beyond the plane of the wall or the roof slope when measured from the perpendicular with the external surface of the wall or roof slope;*
- (b) the solar PV or solar thermal equipment would be installed on a flat roof and would protrude more than 1 metre above the plane of the roof;*
- (c) the solar PV or solar thermal equipment would be installed on a roof and within 1 metre of the external edge of the roof;*
- (d) the solar PV or solar thermal equipment would be installed on a wall and within 1 metre of a junction of that wall with another wall or with the roof of the building;*
- (e) in the case of a building on article 1(5) land or on land within a World Heritage Site, the solar PV or solar thermal equipment would be installed on a wall or roof slope which fronts a highway;*
- (f) the solar PV or solar thermal equipment would be installed on a building within the curtilage of a listed building; or*
- (g) the solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument.*

Conditions

A.2 Development is permitted by Class A subject to the following conditions—

- (a) solar PV or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building;*
- (b) solar PV or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the amenity of the area; and*
- (c) solar PV or solar thermal equipment no longer needed for or capable of microgeneration must be removed as soon as reasonably practicable.*

- 8.2 Limited information including a completed application form, site location plan and sales proposal, have been submitted in support of the application. No scaled plans have been provided. The application form confirms that the 'panels will be set into the tiles rather than above the roof structure' and therefore would not protrude more than 20cm beyond the plane of the roof slope. A low-quality screenshot has been provided however as it is not to scale, it is unclear whether the solar panels would comply with permitted development criteria. For example, it is not shown or confirmed if the panels would be within 1m of the external edge of the roof and therefore the application fails to comply with part (c). The site isn't on article 1(5) land or within a World Heritage Site and the building is not listed/in the curtilage of a listed building or a scheduled monument. The application form states that the solar panels would be set into the tiles and therefore it is considered that as far as practicable the panels have been sited so as to minimise its effect on the external appearance of the building.

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 application fails to demonstrate that the proposed solar panels would comply with Part 43, Class A of the Town and Country Planning (General Permitted Development Order 1995 (as amended)).

11. **DECISION**

REFUSED

01 Insufficient details are provided to confirm that the development complies with Part 43, 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: Site Location Plan, In Roof Solar Photo and Solar Energy System Proposal.

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.