

Delegated Decision Report

Application No:	25/0835	Statutory Period Expires:	28th November 2025
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Site:	<i>St Woolos Hospital 131 Stow Hill Newport NP20 4SZ</i>		
Proposal:	<i>LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED ERECTION OF ROOF MOUNTED SOLAR ARRAYS</i>		
Applicant:			
Type:	Lawful Development Proposed	Ward:	Stow Hill
Decision:	GRANTED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is within the Stow Hill Ward and is the main St Woolos Hospital building. It is noted that the West side of the flat roof plane of the proposal site already contains solar panels on the flat roof. To the West of the site is the Stow Hill Article 4 Direction. The site is also designated within an archaeologically sensitive area. The surrounding area is predominantly residential and to the South West is Belle Vue Park.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks an application for a lawful development certificate for the proposed erection of roof mounted solar arrays. 139no. Solar panels are proposed on the flat roof, predominantly on the East side of the building.

4. RELEVANT SITE HISTORY

None.

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 The Town and Country Planning (General Permitted Development) Order 1995, Schedule 2, Part 43, Class A.

6. CONSULTATION RESPONSES

- 6.1 None.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 In order to be permitted development the proposal would need to accord with Schedule 2, Part 43, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Class A provides permitted development rights for the installation, alteration or replacement of solar PV or solar thermal equipment on a building other than a dwellinghouse or a block of flats. Under Class A, development is not permitted if:

- 8.2 *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;*
- (g)the solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument; or*
- (h) the solar PV or solar thermal equipment would be installed on a building within three kilometres of the perimeter of an airport or aerodrome.”*

The proposal would also need to comply with the conditions set out in section A.2 in relation to Class A development, which states;

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;

(ba)solar PV or solar thermal equipment must, so far as practicable, be sited so as to minimise any impacts from glint or glare; and

(c)solar PV or solar thermal equipment no longer needed for or capable of generation must be removed as soon as reasonably practicable.

- 8.3 The solar panels would not protrude further than 1m from the surface of the flat roof and the modules are spaced a minimum of 1m from the edge of the roof. The roof of the building is flat, and it is a three storey building, therefore the panels would not be readily seen from the streetscene, and therefore, limit glint and glare opportunity. As such, the solar PV system is in accordance with the relevant criteria within Schedule 2, Part 43, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and as such is considered permitted development.

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 Schedule 2, Part 43, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

11. **DECISION**

GRANTED

01 The development is in accordance with Schedule 2, Part 43, Class A 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: PA2 St Woolos Hospital Site Location Plan; PA1 St.Woolos Hospital Typical Flat Roof Elevation; PA1 Proposed St Woolos Hospital Block Plan; PA1 Existing St Woolos Hospital Existing Block Plan; Certificate of Lawful Development
_Redacted

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

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.