

Delegated Decision Report

Application No:	25/0770	Statutory Period Expires:	12th November 2025
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Site:	Museum And Central Library 4 John Frost Square Newport South Wales NP20 1PA		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED REPLACEMENT OF WINDOWS, REPAIR OF CONCRETE FACADES AND APPLICATION OF EXTERNAL FINISHES TO BUILDING		
Applicant:	F Putzu		
Type:	Lawful Development Proposed	Ward:	Stow Hill
Decision:	Granted		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site comprises of the Museum and Central Library, located on John Frost Square within the Stow Hill ward. The building is a five storey property, that has facades visible from John Frost Square and Kear Court. The site is located outside of the Town Centre Conservation Area but within a designated Archaeologically Sensitive Area.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks to confirm that planning permission is not required for the replacement of all windows, concrete repairs to the southwest and southeast facades of the building, and alterations to the external finishes of the building.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
93/0685	PROPOSED RE-CLADDNG OF CENTRAL LIBRARY	Deemed to be Granted	16.11.1993
09/0463	PROVISION OF NEW FIRE EXIT STEPS AND LANDING	Granted	04.06.2009
20/1171	CHANGE OF USE FROM D1 TO MIXED USE (A2, B1 AND D1) FOR THE RELOCATION OF THE INFORMATION STATION AND ADDITIONAL SERVICES	Granted with Conditions	04.02.2021

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 Schedule 2, Part 12 Class A of The Town and Country Planning (General Permitted Development) Order 1995

6. CONSULTATION RESPONSES

- 6.1 None.

7. PUBLIC REPRESENTATIONS

- 7.1 None.

8. ASSESSMENT

- 8.1 The application seeks to confirm by way of Lawful Development Certificate that the replacement of windows, repair of concrete facades and application of external finishes to building does not need planning permission.

- 8.2 The covering letter states that the proposed works would not constitute development. Development, as defined by Section 55 of the Town and Country Planning Act is: the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. While the replacement of the windows on a like-for-like basis would not be considered development, the proposed changes to the colour and use of concrete would constitute a material change. Therefore, the assertion that the works do not amount to development is not supported.

- 8.3 Notwithstanding this, Schedule 2, Part 12, Class A permits the erection or construction and the maintenance, improvement or other alteration by a local authority or by an urban development corporation of—
(a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers.

- 8.4 As the works are intended to maintain and improve a Council-owned building, they meet the necessary requirements and are therefore 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 works meet the requirements set out in Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development) Order 1995 and are considered lawful.

11. **DECISION**

Granted

Reason: The works meet the requirements set out in Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development) Order 1995 and are considered lawful.

NOTE TO APPLICANT

01 This decision relates to plan nos: Material Details, D001 - Structural Concrete Report, Covering Letter, Site Location 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.