

Delegated Decision Report

Application No:	25/1032	Statutory Period Expires:	2nd October 2026
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Site:	138 St Julians Road Newport NP19 7RY		
Proposal:	CERTIFICATE OF LAWFULNESS FOR PROPOSED FRONT PORCH		
Applicant:	M Swain		
Type:	Lawful Development Proposed	Ward:	Beechwood
Decision:	GRANTED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 138 St Julians Road is a two-storey semi-detached dwelling located in the Beechwood ward. The GFL of the property is slightly elevated above ground level of the front driveway, meaning the existing front door entrance is 600mm above ground level and is accessed via steps which lead to a 600mm raised platform to the front of the dwelling.

3. DESCRIPTION OF DEVELOPMENT

3.1 A front porch is proposed, measuring 1347mm in depth, 2226mm in width, 2000mm in height to the eaves and 3000mm to the ridge of the dual pitch roof. Materials would match the host dwelling and fenestration would consist of 1no double pane window on the front elevation, 1no single pane window on the western side elevation and 1no door on the eastern side elevation.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
17/0696	CERTIFICATE OF LAWFUL DEVELOPMENT FOR PROPOSED SINGLE STOREY SIDE AND REAR EXTENSION	GRANTED	17.09.2017

5. PLANNING POLICY

5.1 N/A

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

N/A

8. ASSESSMENT

8.1 Schedule 2, Part 1, Class D of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) allows for the erection or construction of a porch outside any external door of a dwellinghouse without the need to gain formal planning permission, subject to limitations. In relation to a front porch, the legislation allows for the development to take place providing that

D. The erection or construction of a porch outside any external door of a dwellinghouse. Development not permitted D.1 Development is not permitted by Class D if—

(a) the ground area (measured externally) of the structure would exceed 3 square metres;

(b) any part of the structure would be more than 3 metres above ground level; or

(c) any part of the structure would be within 2 metres of any boundary between the curtilage of the dwellinghouse and a highway.

- 8.2 The porch would not be within 2m of any boundary between the curtilage of the property and the highway and the external ground area would not exceed 3 square metres.
- 8.3 As forementioned, the existing front door is elevated 600mm above ground level and is accessed via steps which lead to a 600mm raised platform to the front of the dwelling. This 600mm forms the ground level, above which the porch is proposed. Therefore, while the height of the porch would reach up to 3.6m in height above the ground level of the driveway, the height of the porch above the ground level directly below is 3m. In accordance with Welsh Government guidance and Article 1(3) of the Town and Country Planning Act General Permitted Development Order 1995, building height is measured from the level of the surface of the ground immediately adjacent to the building, or, where the ground is uneven, from the highest part of the ground surface adjacent to it. Having regard to the guidance above, it is considered that the highest point of the front porch would not exceed 3m above ground level.
- 8.4 The development is in accordance with Schedule 2, Part 1, Class D of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

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 Class D of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

11. DECISION

GRANTED

01 The proposed development is permitted development as set out within Schedule 2, Part 1, Class D 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, 01 SITE LOCATION PLAN EXISTING AND PROPOSED LAYOUTS AND ELEVATIONS REV A.

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.