

Delegated Decision Report

Application No:	26/0579	Statutory Period Expires:	7th October 2026
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Site:	30 Wavell Drive Newport NP20 6QN		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) FOR THE CONVERSION OF DETACHED GARAGE TO HOME OFFICE WITH TOILET		
Applicant:	D Ward		
Type:	Lawful Development Proposed	Ward:	Malpas
Decision:	GRANTED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 30 Wavell Drive is a two-storey residential dwelling in the Malpas ward.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks to confirm the lawfulness of a proposed conversion of the existing garage into a home office and bathroom. The existing garage measures 2.4m in height, 2.8m in width and 5.7m in depth, with the garage door to the front. Following the conversion there would be no change in footprint, and the garage door would be bricked up. Additional fenestration would include 1 no. triple pane window to the side elevation and bi-fold doors to the rear. There would be no change to the existing residential use of the garage, the home office would be incidental to the dwelling.

4. RELEVANT SITE HISTORY

None.

5. PLANNING POLICY

5.1 N/A

6. CONSULTATION RESPONSES

6.1 N/A

8. ASSESSMENT

8.1 This application seeks to confirm, by means of a Lawful Development Certificate, that a garage conversion with changes to fenestration at 30 Wavell Drive is permitted development in accordance with the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

8.2 The works proposed are development. In order to be permitted development, the proposal would need to accord with Schedule 2. Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Class A provides development rights for the enlargement, improvement or other alteration of a dwellinghouse. Under Class A, development is permitted if:

A.3. Development is permitted by Class A subject to the following conditions—

- (a) the appearance of the materials used in the walls, roof or other element of any exterior work must so far as practicable match the appearance of the materials used in the majority of the equivalent element of the existing dwellinghouse;*
- (b) if any element of an upper-floor window located in a wall, roof slope or other element of a side elevation of the dwellinghouse would, if projected downwards in a vertical line to ground level, be within 10.5 metres of any boundary of the curtilage of the dwellinghouse opposite the relevant wall or roof slope, then the window must be—*
 - (i) obscure-glazed;*
 - (ii) non-opening unless any part of the window which can be opened is, when measured at any point along the lowest edge of that part, at least 1.7 metres above the internal floor or stair of the dwellinghouse directly below that point; and*
 - (iii) permanently maintained in compliance with paragraphs A.3(b)(i) and (ii); and*
- (c) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part must, so far as practicable, match the roof pitch of the existing dwellinghouse.*

- 8.5 There has been no removal of permitted development rights at the property. The proposed garage conversion would not result in any change in footprint or scale of the existing garage, and there would only be changes to fenestration. Given that all elements of the exterior work will match the existing building so far as practicable, and that no change is proposed to the lawful residential use of the property, the proposed garage conversion and changes to fenestration are in accordance with the relevant criteria within 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 in Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and is permitted development.

11. **DECISION
GRANTED**

01 The proposal accords with the criteria set out under Classes A, Part 1, Schedule 2 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:

26006-CSL-XX-XX-DR-S-0003 - Existing/Proposed Floor Plans/Elevations and Site 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.