

Delegated Decision Report

Application No:	25/0930	Statutory Period Expires:	16th January 2025
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Site:	11 North Africa Close Newport NP19 4DW		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) FOR THE ERECTION OF A SINGLE STOREY DETACHED GARDEN ROOM		
Applicant:	K Nana		
Type:	Lawful Development Proposed	Ward:	Llanwern
Decision:	GRANTED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 11 North Africa Close is a three-storey semi-detached dwelling located in Glan Llyn, in the Llanwern ward. The property shares its western boundary with a sub-station and southern boundary with a tarmacked parcel of land in the ownership of Glan Llyn West Primary School.

3. DESCRIPTION OF DEVELOPMENT

3.1 2no garden rooms with a link canopy are proposed. Each garden room would measure 7.5m in width and the canopy would measure 2.8m. Collectively, the garden rooms and link canopy would span 17.8m in width. The garden room(s) would measure 3.8m in depth, and a maximum of 2.5m in height. Externally, the garden rooms would be finished in composite cladding panels. Fenestration would include 2no sets of bifold doors (one on each garden room) and 1no set of patio doors on the garden room occupying the southwestern corner of the garden.

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 & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT ORDER) 1995 (AS AMENDED).

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 It is sought to confirm by a lawful development certificate, that planning permission for the erection of 2no single storey outbuildings with a link canopy is granted by the Town & Country Planning (General Permitted Development Order) 1995 (as amended) in the rear/side garden of 11 North Africa Close.

In order to be permitted development the proposal would need to accord with Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) 1995 (as amended). The regulations permit the provision within the curtilage of the dwellinghouse of (a) any building or enclosure, raised platform, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse. Development is not permitted by Class E if

- (a) *the total area of ground covered by buildings, enclosures, raised platforms, pools and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);*

The total area of the ground covered by buildings within the curtilage would not exceed 50% of the total curtilage.

- (b) *any part of the building, enclosure, raised platform, pool or container would extend beyond a wall comprised in the principal elevation of the original dwellinghouse;*

No part of the building would extend beyond a wall comprised in the principal elevation of the original dwellinghouse.

- (c) *any part of the building, enclosure, raised platform, pool or container would extend beyond a wall comprised in a side elevation of the existing dwellinghouse, and would be nearer to the highway than—*

(i) *the wall comprised in that side elevation which is nearest to the highway; or*

(ii) *any point 5 metres from the highway;*

Due to the irregularity of the plot, a large section of the garden extends to the south of the dwelling. As such, the outbuilding(s) would extend beyond the side elevation of the existing dwelling, however the outbuilding(s) would be in excess of 5m from the highway.

- (d) *the building would have more than one storey;*

The building(s) would not have more than one storey.

- (f) *any part of the building, enclosure or container would be—*

(i) *within 2 metres of the boundary of the curtilage of the dwellinghouse; and*

(ii) *exceed 2.5 metres in height above the surface of the ground immediately adjacent to it;*

The proposed outbuilding would be within 2 meters of the boundary of the curtilage but would not exceed 2.5m in height

- (g) *the building, enclosure, pool or container would be situated within the curtilage of a listed building;*

The proposed outbuilding would not be situated within the curtilage of a listed building.

- (j) *it would include the construction or provision of a veranda, balcony or raised platform of which any part is more than 30 centimetres above the surface of the ground directly below it;*

The proposed outbuilding would not include a veranda, balcony or raised platform.

- (k) *it would include the enlargement, improvement or other alteration of any part of a dwellinghouse;*

The proposed outbuilding would not include an enlargement, improvement, or other alteration of any part of a dwellinghouse.

- (l) *it would include the installation, alteration or replacement of a microwave antenna*

The proposed outbuilding would not include the installation, alteration or replacement of a microwave antenna.

- (m) *the capacity of the container would exceed 3,500 litres.*

Not relevant in this instance.

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 development is permitted in accordance with Schedule 2, Part 1, Class E 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 Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

NOTE TO APPLICANT

01 This decision relates to plan Nos: 25-1610-TGR-00-DR-A-130000-P2 - Site Location Plan and Existing Site Plan, 25-1610-TGR-00-DR-A-131000-P2 - Site Plan, 25-1610-TGR-XX-DR-A-131101-P2 - Ground Floor Plan, 25-1610-TGR-XX-DR-A-131102-P2 – Elevations.

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.