

Delegated Decision Report

Application No:	26/0614	Statutory Period Expires:	2nd October 2026
------------------------	----------------	----------------------------------	-------------------------

Site:	427 Caerleon Road Newport NP19 7LU		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) FOR A LOFT CONVERSION, CHANGES TO REAR ELEVATION FENESTRATION AND INTERNAL CHANGES TO LAYOUT		
Applicant:	J Bower		
Type:	Lawful Development Proposed	Ward:	St Julians
Decision:	GRANTED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 427 Caerleon Road is a two-storey terraced dwelling located in the St Julians ward.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks to confirm the lawfulness of a proposed loft conversion with 1 no. rear rooflight, replacement of 1 no. ground floor rear window with frosted glass window, and replacement of 1 no. ground floor rear window with 1 no. French doors. This appears to include the removal of a rear bay.

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 loft conversion, changes to fenestration to the rear and changes to the internal layout at 427 Caerleon Road is permitted development in accordance with the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

8.2 The works affecting the exterior of the building are development. In order to be permitted development, the proposal would need to accord with Schedule 2. Part 1, Classes A and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Class C provides development rights any other alteration to the roof of a dwellinghouse. Under Class C, development is not permitted if:

C.1. Development is not permitted by Class C if—

(a) the alteration would protrude more than 15 centimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

(b) it would result in the highest part of the alteration being higher than the highest part of the original roof;

(c) it would consist of or include—

(i) the installation, alteration or replacement of a chimney;

(ii) the installation, alteration or replacement of a microwave antenna;

(iii) the installation, alteration or replacement of an air source heat pump, solar PV, solar thermal equipment or a flue forming part of a biomass heating system or combined heat and power system;

(iv) the construction or provision of a veranda or raised platform;

- (v) the construction or provision of a balcony which—
 - (aa) contains a platform of any description;
 - (bb) projects from the part of the exterior of the dwellinghouse to which it is affixed by more than 30 centimetres; or
 - (cc) if projected downwards in a vertical line to ground level, is within 10.5 metres of any boundary of the curtilage of the dwellinghouse opposite the relevant side elevation;
- (vi) the construction or provision of a roof terrace, whether or not it would incorporate associated railings, fencing or other means of enclosure;
- (vii) the removal of a chimney from a dwellinghouse on article 1(5) land or within a World Heritage Site; or
- (d) the alteration would consist of or include the insertion of a roof light into a roof slope and the dwellinghouse is on article 1(5) land or within a World Heritage Site.

C.2. Development is permitted by Class C subject to the following conditions—

- (a) the appearance of the materials used in each element of any exterior work must so far as practicable match the appearance of the materials used in the equivalent element of the existing dwellinghouse; and
- (b) if any element of a window inserted on a 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 side elevation, 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 C.2(b)(i) and (ii)

- 8.4 The proposal would also need to comply with the conditions set out in section A.3 in relation to Class A development, which states;

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 The loft conversion would not result in any external changes to the roof form, and the proposed rear rooflight would not protrude more than 0.15 metres beyond the plane of the slope of the original roof. As such, the proposed loft conversion and rooflight are in accordance with the relevant criteria within Class C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and as such is considered permitted development.

- 8.6 The proposed changes to the fenestration on the ground floor of the rear elevation will, so far as is practicable, match the appearance of the materials used in the majority of the equivalent element of the existing dwellinghouse. As such, the proposed alterations 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 Classes A and C, 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 and C, 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:
Site Location Plan (R992-00 A4)

Proposed Plans and Elevations (R992-03B A1)
Proposed Site Plan and Section (R992-05 A1)

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.