

# Delegated Decision Report

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|------------------------|----------------|----------------------------------|---------------------------|
| <b>Application No:</b> | <b>25/1094</b> | <b>Statutory Period Expires:</b> | <b>13th February 2026</b> |
|------------------------|----------------|----------------------------------|---------------------------|

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|-------------------|-----------------------------------------------------------------------------------|--------------|-------------------|
| <b>Site:</b>      | <b>2 Ridgeway Hill Newport NP20 5DG</b>                                           |              |                   |
| <b>Proposal:</b>  | <b>LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED REAR SINGLE STOREY EXTENSION</b> |              |                   |
| <b>Applicant:</b> | <b>J George</b>                                                                   |              |                   |
| <b>Type:</b>      | <b>Lawful Development Proposed</b>                                                | <b>Ward:</b> | <b>Allt-yr-Yn</b> |
| <b>Decision:</b>  | <b>REFUSED</b>                                                                    |              |                   |

## 1. BACKGROUND

1.1 None.

## 2. SITE LOCATION AND CONTEXT

2.1 2 Ridgeway Hill is a two storey, semi-detached dwelling located in the Allt-yr-Yn ward. The property is located within the defined settlement boundary and is within a residential area. The property benefits from an existing single storey rear extension and a private rear amenity space.

## 3. DESCRIPTION OF DEVELOPMENT

3.1 This application relates to the erection of a single storey rear extension. The proposed extension includes one wall set at an angle in response to the shape of the boundary. The extension would measure 6.05m in maximum width, 4.56m in depth at its deepest and 2.6m in maximum height to its flat roof. The external finish is proposed as smooth render.

## 4. RELEVANT SITE HISTORY

None.

## 5. PLANNING POLICY

5.1 This application is for a certificate of lawfulness for proposed development and therefore falls to be determined in accordance with Section 192 of the Town and Country Planning Act 1990 (as amended) and The Town and Country Planning (General Permitted Development) Order 1995 (Wales).

## 6. PUBLIC REPRESENTATIONS

No public consultation was undertaken however 2 Neighbour objections have been received. As this application seeks confirmation that the development is lawful not requiring planning consent the merits of the scheme are not for consideration instead the proposal is assessed only against the criteria contained within the General Permitted Development Order 1995 (Wales).

## 7. ASSESSMENT

7.1 This application seeks to confirm, via a lawful development certificate, that planning permission is not required for a proposed rear single storey extension.

7.2 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), which allows for the enlargement, improvement or other alteration of a dwellinghouse. Development must comply with the following criteria to be considered lawful:

- Not too exceed 50% of the total area of the curtilage
- Eaves height of extension not to be higher than the eaves height of that part of the house from which the extension projects

- Not to be within 2 metres of a boundary of the dwellinghouse where height of the eaves of the enlarged part exceeds 3 metres
- Not to exceed a height of 4 metres within 2 metres of the boundary
- Not to project beyond rear wall of the original dwellinghouse by more than 4 metres
- Not to exceed 4 metres in height
- No verandas, raised platforms, roof terraces or balconies, other than a balcony that complies with condition
- Appearance of materials in wall & roof to match existing

7.3 In this case the proposed development meets the aforementioned requirements with the exception of “*Not to project beyond rear wall of the original dwellinghouse by more than 4 metres*”. In this case the existing/original rear elevation does not have a flush/uniform rear elevation and in parts the extension would exceed 4M in depth when measured from certain points, this scenario is demonstrated within the Welsh Government Technical Guidance “Permitted development for householders version 2 April 2014” figures 21 and 22. Accordingly, the proposed development does not comply with the requirements of The Order and is not lawful, in this case planning consent is required.

## 8. OTHER CONSIDERATIONS

### 8.1 ***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.

### 8.2 ***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.

8.3 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.

8.4 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.

### 8.5 ***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.

### 8.6 ***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.

## **9. CONCLUSION**

- 9.1 The part of the building enlarged, improved or altered exceeds 4 meters in depth, therefore the proposed development fails to meet the criteria set out in The Town and Country Planning (General Permitted Development) Order 1995 (as amended) and is therefore not considered permitted development.

## **10. DECISION**

### **REFUSED**

01 The proposed development fails to meet the criteria set out in The Town and Country Planning (General Permitted Development) Order 1995 (as amended) and is therefore not considered permitted development.

### *NOTE TO APPLICANT*

01 This decision relates to plan Nos: Site Location Plan, 2025-001- Existing/ Proposed Site/ Floor Plans and Elevations.

02 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.