

Delegated Decision Report

Application No:	26/0233	Statutory Period Expires:	5th June 2026
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Site:	<i>Land And Buildings Encompassing 26 And 28 Park View Bassaleg Newport South Wales</i>		
Proposal:	<i>LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED SINGLE STOREY REAR EXTENSION TO NO. 26 PARK VIEW AND PROPOSED SINGLE STOREY REAR EXTENSION, ADDITION OF 2 NO. PITCHED ROOF SIDE DORMERS AND REPLACEMENT GARAGE/OUTBUILDING AT NO.28 PARK VIEW</i>		
Applicant:	<i>S Williams</i>		
Type:	Lawful Development Proposed	Ward:	Graig
Decision:	GRANTED		

1. BACKGROUND

- 1.1 26/0035 was an application at the application sites for LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED SINGLE STOREY REAR EXTENSION TO NO. 26 PARK VIEW AND PROPOSED SINGLE STOREY REAR EXTENSION, REPLACEMENT OF FRONT FLAT ROOF WITH HIPPED ROOF, ADDITION OF 2 NO. DORMER WINDOWS AND EXTENSION TO GARAGE AT NO.28 PARK VIEW. This application was refused for the following reason:

01 The proposed alterations to 26 and 28 Park View, Bassaleg are not lawful and contrary to The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class A, B, and E. Therefore, The Certificate of Lawfulness under section 192 of The Town and Country Planning Act 1990 (as amended) is not issued and planning permission is required.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is a semi-detached property within the Graig ward fronting onto Park View Road. The site is predominantly residential to the North with Bassaleg Ambulance station situated to the South of the host site and Whiteheads Sports and Social Club to the Southeast. The site is also in Flood Zone 3 (River) as defined within NRW's flood map for planning.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application is a resubmission from 26/0035. The application seeks a lawful development certificate to prove that the construction of a single storey rear extension at 28 Park View and a proposed single storey rear extension, the addition of 2no. dormer windows on the side elevation and an extension to the garage to create a car port, does not require planning permission.

26 Park View

Single storey rear extension
H: 3.6m (2.5m to the eaves)

W: 9.1m
D: 3.98m

28 Park View

Single storey rear extension
H: 3.6m (2.5m to the eaves)
W: 3.1m
D: 3.98m

2no. dormers (individual measurements)
H: 2.95m
W: 2.11m (2.3m to roof overhang)
D: 3.06m

Garage and car port extension

H: 2.4m
W: 5.46m
D: 2.9m

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
26/0035	LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED SINGLE STOREY REAR EXTENSION TO NO. 26 PARK VIEW AND PROPOSED SINGLE STOREY REAR EXTENSION, REPLACEMENT OF FRONT FLAT ROOF WITH HIPPED ROOF, ADDITION OF 2 NO. DORMER WINDOWS AND EXTENSION TO GARAGE AT NO.28 PARK VIEW.	R	12/03/2026
15/0893	ERECTION OF FRONT EXTENSION	GC	01/10/2015

5. PLANNING POLICY

5.1 Section 192 of the Town and Country Planning Act 1990 (As amended).

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 26 Park View

8.1.1 Single storey rear extension

8.1.2 The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class A sets out guidelines for the enlargement, improvement or other alteration of a dwellinghouse.

8.1.3 When assessing the requirements of this class it is noted that the extension complies with the requirements of Class A. The applicant has overcome the previous reason for refusal under 26/0035 and reduced the depth of the extension and stated that materials will match that of the main dwelling. Therefore, the scheme does accord with The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class A.

8.2 **28 Park View**

8.2.1 Single Storey rear extension

8.2.2 The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class A states sets out guidelines for the enlargement, improvement or other alteration of a dwellinghouse.

When assessing this scheme, it is noted that the resubmission has addressed the previous concerns under 26/0035 and the extension does not exceed the 4m depth, and the materials have are set to match the main dwellinghouse. Therefore, the scheme does accord with The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class A.

8.3 2no. pitched roof side dormers

8.3.1 The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class B permits development for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

8.3.2 Each pitched roof dormers volume calculates to 9.52m³ and therefore the combined cubic content of the additional roof dormers would equate to 19.04m³. Therefore, this is below the 50 cubic metres set out in the guidelines. Moreover, the dormers would also be set up over 20cm from the eaves (23.29cm) as set out in the guidelines.

8.3.3 The materials have now been specified to match that of the main dwellinghouse and the two side windows in the dormer are within 10.5m of the boundary and have been specified either to be obscure glazed, non-opening (unless any opening part is at least 1.7m above the existing floor level) and permanently maintained. Therefore, the development does accord with The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class B.

8.5 Garage extension

8.5.1 There is an existing garage on site with a connected greenhouse. This greenhouse is proposed to be removed and replaced with a car port. The existing garage footprint remains; however, the overall height is decreasing. The garage building is located to the rear of the property, but faces onto a lane to the area, this lane is not an adopted highway.

The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class E states:

8.5.2 ***Permitted development***

E. 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 as such, or the maintenance, improvement or other alteration of such a building, enclosure, platform or pool;

- 8.5.3 It is considered that the applicant has reduced the overall height of the development to 2.4m. The proposed amendments now accord with The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class E.

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 Overall, it is considered the development does accord with The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1 and therefore, the lawful development certificate is granted.

11. DECISION

GRANTED

01 The proposed alterations to 26 and 28 Park View, Bassaleg are in accordance with The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class A, B, and E. Therefore, The Certificate of Lawfulness under section 192 of The Town and Country Planning Act 1990 (as amended) is issued.

NOTE TO APPLICANT

01 This decision relates to plan Nos: PL 100 OS PLAN; PL 101 EX SITE LAYOUT; PL 103 EX ELEV; PL 104 PR SITE LAYOUT; PL 107 EX PLANS 26; PL 108 PR PLANS 26; PL 109 EX GARAGE; PL 110 PR GARAGE; PL105 PR PLANS 28; PL106 PR ELEV 28; PL112 PR ELEVS 26; PL-108 - Revised Proposed Floor Plans; PL-107 - Revised Existing Floor Plans

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.