

Delegated Decision Report

Application No:	26/0102	Statutory Period Expires:	25th May 2026
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Site:	Mendalgief Retail Park, Unit 1A Docks Way Newport NP20 2NY		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE FOR THE PROPOSED INSTALLATION OF A ROOF-MOUNTED SOLAR PV SYSTEM (TOTAL OF 144 NO. PANELS)		
Applicant:	T John		
Type:	Lawful Development Proposed	Ward:	Pillgwenlly
Decision:	GRANTED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site forms units 1A and 1B of an existing commercial unit accessed from Docks Way. To the east, south and west of the site lies further commercial units and to the north lies a primary school. The site benefits from a large car park to the southern elevation and service yard to the northern elevation.

3. DESCRIPTION OF DEVELOPMENT

3.1 The proposal seeks to install a 144no. solar panel array to the roof to generate 60,510kWh/year.

4. RELEVANT SITE HISTORY

None relevant.

5. PLANNING POLICY

5.1 The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2019 – Part 43 Installation of non-domestic energy generation equipment, Class A

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

Not advertised.

8. ASSESSMENT

8.1 The proposed solar array has been considered against Part 43, Class A, A.1 (as amended) and accords with the criteria. The section detail shows the siting of the solar array being behind a parapet wall thereby minimising the effect upon the external appearance of the building and amenity of the area. The equipment will not be sited within 3km of an airport or aerodrome. The presence of the parapet wall is considered to mitigate any potential glint or glare. As such, the proposal accords with the conditions as set out in A.2 (as amended). The proposal development is 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 proposal accords with The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2019 – Part 43 Installation of non-domestic energy generation equipment, Class A.

11. DECISION GRANTED

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- 131569-101-HLS-00-Z0-M2-G-10100-S0-P00 - Revised Existing Location Plan
- 131569-101-HLS-00-Z0-M2-G-10100-S0-P00 - Revised Proposed Location Plan
- 131569-101-HLS-00-ZZ-M2-B-10501-S0-P00 - Revised Proposed Sections
- 131569-101-HLS-00-ZZ-M2-B-10501-S0-P00 - Revised Existing Sections
- 131569-101-HLS-00-ZZ-M2-B-10400-S0-P00 - Revised Existing Elevations
- 131569-101-HLS-00-RF-M2-B-10200-S0-P00 - Revised Proposed Roof Plan
- 131569-101-HLS-00-RF-M2-B-10200-S0-P00 - Revised Existing Roof Plan
- 131569-101-HLS-00-Z0-M2-G-10100-S0-P00 - Site Location Plan

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.