

Delegated Decision Report

Application No:	26/0288	Statutory Period Expires:	3rd July 2026
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Site:	185 Liswerry Road Newport NP19 9RW		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED USE OF THE PROPERTY AS A BASE TO ARRANGE TRANSPORT FOR SCHOOL CHILDREN		
Applicant:	H Chaudhry		
Type:	Lawful Development Proposed	Ward:	Alway
Decision:	Granted		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is a residential semi-detached property located within the Alway ward.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks to confirm by way of lawful development certificate that the use of a residential property to arrange private school transportation is lawful.

4. RELEVANT SITE HISTORY

4.1 None.

5. PLANNING POLICY

5.1 None.

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

7.1 None.

8. ASSESSMENT

8.1 The application is supported by information that confirms that the use will be administrative only. It will not involve the picking up of members of the public from the office premises and will be used to make and receive calls and maintain files. The service will involve collecting passengers from their home address and transporting them to their educational establishments. Drivers will travel from their own home addresses and not from the application site. The main issue is whether there would be a material change of use from the lawful use as a single dwellinghouse falling within Class C3a to a mixed use.

8.2 As outlined above, the operations which would take place relates to the administration processes of the taxi business only. These processes are considered to fall under the function typical to an occupation that requires working from home with associated telephone and computer required akin to a home office. There would be no change to the existing layout of the property. In addition, these functions are able to be carried out without detriment to the amenity of the surrounding area. The applicant has advised that they have 1no. vehicle that is parked on the road outside the dwelling. On this basis, it is considered that this use is lawful.

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 Given the above, the proposed use of part of the property as a taxi office for administrative purposes only would not alter the primary use of the premises as a dwellinghouse. Accordingly, the residential use would remain the dominant use of the property and the proposed use is considered to be lawful.

11. DECISION

GRANTED

Reason

The proposed use of the property as a taxi office for administrative purposes only would not alter the primary use of the premises as a dwellinghouse. Accordingly, the residential use would remain the dominant use of the property and the proposal is lawful.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Email received with Additional Information, Revised Site Location Plan,

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.

04 The Town and Country Planning Use Classes Order 1987 was relevant to the determination of this application.