

Notice of Decision



S Isaac
4 St Georges Court
Linnet Close
Cardiff
CF23 7HG

**TOWN AND COUNTRY PLANNING ACT 1990 [as amended]
PLANNING AND COMPENSATION ACT 1991 [as amended]
TOWN AND COUNTRY PLANNING [GENERAL PERMITTED DEVELOPMENT] ORDER 1995 (as amended)**

Application No: **26/0184**
Application Type: **Lawful Development Existing**
Proposal: **CERTIFICATE OF LAWFULNESS FOR EXISTING USE OF PROPERTY AS 2NO. APARTMENTS**
Site/Location: **34 Albert Avenue, Newport, NP19 8FS**
Decision Date: **27th August 2026**

In pursuance of its powers under Section 191 and 192 of the above Act [as amended by Section 10 of the Planning and Compensation Act 1991] and Article 4 of the above Regulations, the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 7th April 2026. The application has been:-

Refused

Reasons for the decision:

1. There is insufficient evidence, that the building has been in use as 2no. apartments for the required immunity period history on the balance of probability. The Certificate is therefore refused under section 191(2) of the Town and Country Planning Act 1990.

NOTE TO APPLICANT

In refusing this certificate of lawfulness the Local Planning Authority has determined that planning consent is required for the development as described above.

Please note that the statement in this Certificate of what is lawful relates only to the state of affairs at the date of the application and on the evidence submitted in the application.

Please also note that this determination relates to whether or not planning consent is required and does not constitute a determination under the Building Regulations for which separate consent may be required. For advice on the requirements of the Building Regulations and allied legislation, and/or whether there is a need for a Building Regulations submission, please contact the Council's Building Control Section on 01633 414529 or email building.control@newport.gov.uk.

If you do not agree with this decision, you may appeal to the National Assembly for Wales [please read the notes on the reverse of this Certificate].

The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.

1. This decision relates to plan Nos: Location Plan Drawing No.A640-100, Existing Plans Drawing No.A640-101B, Existing Elevations Drawing No.A640-102, Email from Architect including 2013 drawings, Council Tax bill for Garden Flat, 34a Albert Avenue dated 28.04.26, Email from Applicant enclosing Council Tax Property Information for Garden Flat, 34a Albert Avenue, Email between Applicant & Council Tax Dept, Council Tax Property Information for Garden Flat 34a Albert Avenue, Statutory Declaration from the Applicant 09.05.26 and Statutory Declarations from Previous Tenants dated 18.05.26.
2. 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.
3. 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.

Signed on behalf of the Council



Newport City Council
Regeneration and Economic Development
Civic Centre
Newport
South Wales
NP20 4UR

Tracey Brooks Bsc Hons Dip TP MRTPI ILM
Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development
Cyngor Dinas Casnewydd / Newport City Council

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IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM

Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
 - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
 - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
 - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework (gov.wales) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email PEDW.Casework@gov.wales

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).