

Delegated Decision Report

Application No:	26/0152	Statutory Period Expires:	25th March 2026
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Site:	18 Melbourne Way Newport NP20 3RE		
Proposal:	NON MATERIAL AMENDMENT TO VARY CONDITION 1 (APPROVED PLANS) OF PLANNING PERMISSION 25/1023 DEMOLISH EXISTING GARAGE AND BUILD TWO STOREY SIDE EXTENSION		
Applicant:	R Miller		
Type:	Non-Material Amendment	Ward:	Allt-yr-Yn
Decision:	REFUSED		

1. BACKGROUND

- 1.1 Application 25/1023 was approved for Two Storey Side Extension.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site comprises of a two storey detached dwelling located in the Allt-yr-Yn ward, on Melbourne Way a residential street within the defined settlement boundary. The property benefits from off street parking and a private rear amenity space.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks a non-material amendment relating to a previous planning permission for a two storey side/ Rear extension to enable the ground floor extension to extend further forward in the principal elevation. As a result, the proposed ground floor side/ Rear extension will measure a maximum depth of 9.2m and now be offset by the existing dwelling by 300mm. Externally, a lean to roof is proposed to extend from the ground floor level to first floor level of the side extension and materials will match the existing dwelling.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/1023	DEMOLISH EXISTING GARAGE AND BUILD TWO STOREY SIDE EXTENSION	GC	15.01.2026

5. PLANNING POLICY

- 5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

- 5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

GP2 - General amenity. There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality

GP4 - General Development Principles. Highways and Accessibility states that development shall only be permitted if it is not detrimental to highway or pedestrian safety or result in traffic generation exceeding the capacity of the highway network

GP6 - Quality of design. Good quality design will be sought in all forms of development. the aim is to create a safe, accessible, attractive and convenient environment.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

The 'House Extensions and Domestic Outbuildings' Supplementary Planning Guidance (SPG) (Adopted January 2020) is relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

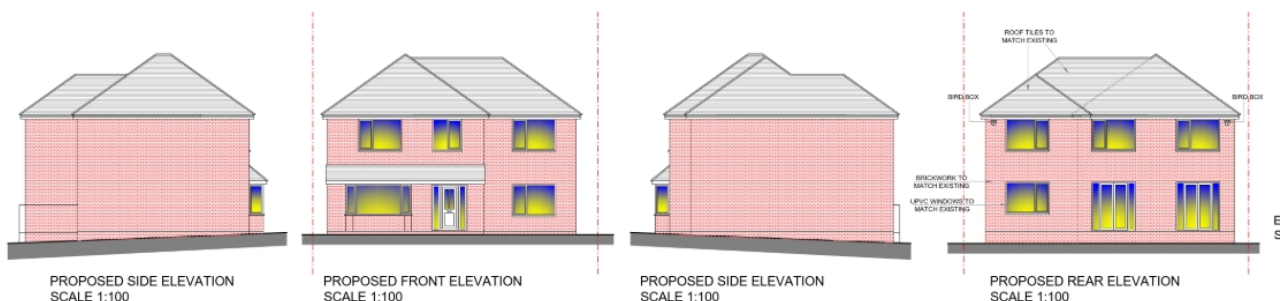
7.1 None.

8. ASSESSMENT

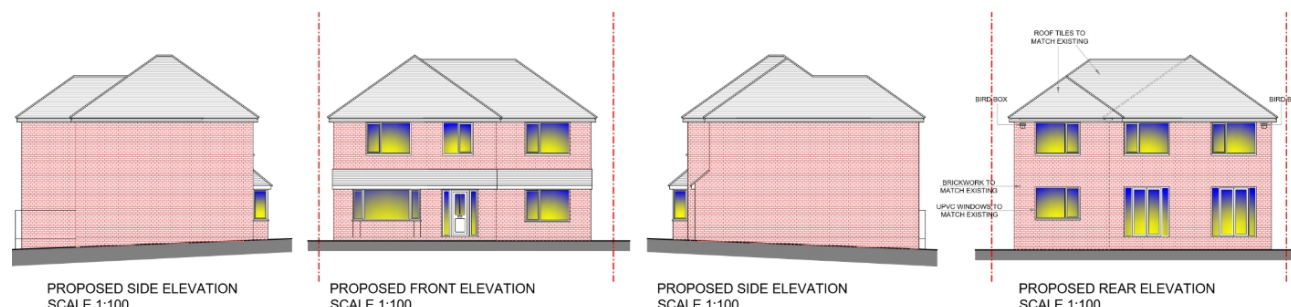
8.1 This application seeks approval of a non-material amendment to Planning Permission 25/1023 which permits the 'Two Storey Side Extension' at 18 Melbourne Way.

8.2 The non-material amendment sought relates to a single storey rear extension. The following drawings show the approved plans and those proposed in more detail:

As Approved:



As Proposed:



8.3 In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change. As stipulated in Planning Guidance: Approving Non-material Amendments to an Existing Planning Permission, when assessing and determining

whether or not a proposed change would qualify as a non-material amendment, the following tests are applied as a starting point:

- Is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme?
- Would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- Would the interests of any third party or body be disadvantaged in planning terms?
- Would the proposed change conflict with national or development plan policies?

8.4 The proposed amended scheme would result in a development that differs from the previously approved scheme, in respect to the proposal including an additional single storey area that has been brought forward closer to the principal elevation of the original dwelling. As a result, the proposed changes have resulted in a visual different development that is closer to the neighbouring property. Consequently, the revised relationship between the extension and the neighbouring property may give rise to impacts on their living conditions that were not assessed as part of the original application, and on which the neighbour has not had the opportunity to comment, thereby prejudicing them. While non-material amendments are appropriate for changes that do not materially affect the approved development or its impacts, in this instance the increased scale and altered siting would amount to a material change. For this reason, the non-material amendment cannot be supported.

8.5 It is noted that the development as approved is compliant with the adopted Householder Design SPG whereas the proposed change does not comply with the adopted guidance.

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 proposed amendments are not considered to comply with the tests as set out within this report and are therefore considered to represent a materially different form of development to the previously approved scheme.

11. DECISION REFUSED

1. The proposed amendments to the scheme have the potential to result a different Impact to that caused by the original approved development scheme. As such, they are considered material changes.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan 25-2286-DWG-01, Existing/ Proposed Floor/Site/Roof Plans and Elevations 25-2286-DWG-02B

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4 and GP6 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.