

Delegated Decision Report

Application No:	26/0404	Statutory Period Expires:	10th July 2026
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Site:	17 Hathaway Street Newport South Wales NP19 0FQ		
Proposal:	NMA APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 25/0869 SINGLE STOREY SIDE EXTENSION. AMENDMENTS INCLUDE CHANGES TO ROOF DESIGN		
Applicant:	M Jones		
Type:	Non-Material Amendment	Ward:	Liswerry
Decision:	REFUSED		

1. BACKGROUND

- 1.1 Planning permission for a single storey side extension was granted with conditions in November 2025 under application ref.25/0869.

2. SITE LOCATION AND CONTEXT

- 2.1 17 Hathaway Street is a two-storey semi-detached dwelling located in the Liswerry ward.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 It is proposed to change the roof design from a faux mono pitch on the front elevation to a flat roof.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0869	PROPOSED SINGLE STOREY SIDE EXTENSION	GRANTED WITH CONDITIONS	28.11.2025

5. PLANNING POLICY

- 5.1 NONE.

6. CONSULTATION RESPONSES

- 6.1 NONE.

7. PUBLIC REPRESENTATIONS

N/A

8. ASSESSMENT

- 8.1 Section 96A of the Town and Country Planning Act 1990 (as amended) allows a non-material amendment to be made to an existing planning permission, subject to the change conforming with the Welsh Government's planning guidance on 'Approving Non-material Amendments to an Existing Planning Permission' (July 2014). This guidance states that in making such a decision on whether a change is considered material, a local planning authority may wish to consider the following tests:

1. the scale of the proposed changes and whether they are great enough to cause an impact different to that caused by the original approved development, and whether that change would have a detrimental impact either visually or in terms of local amenity;
2. whether any third party or body would be disadvantaged in planning terms; and
3. if the proposed change conflicts with national or development plans policies.

However, there may be other considerations that will identify if a proposed amendment is

non-material depending on the circumstances of each case

8.2 Visual Amenity/Character and Appearance:

In terms of visual amenity, it is considered that the change in the roof form would cause a visual impact materially different to that of the originally approved development given that the change would alter the form of the development on the principal elevation and would be visible from the highway. The acceptability of the change in planning terms would need to be further scrutinised via the submission of a Section 73 or a full planning application.

8.3 Residential Amenity:

The amendments are unlikely to cause an impact different to that of the originally approved, given that the extension would not protrude any closer to the boundary, no aspect is to be enlarged, and no additional windows are proposed.

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 removal of the false pitch from the side extension roof would not be a non-material amendment to planning permission ref.25/0869 and must be further scrutinised via a Section 73 or a full planning application.

11. DECISION

REFUSED

01 The amendment to roof design will cause an impact different to that of the approved scheme on the principal facade. The amendment is material having regard to Section 96A of the Town and Country Planning Act 1990.

NOTE TO APPLICANT

01 This decision relates to plan Nos: KD2034 2A - Revised Proposed Floor Plan and Elevations.

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.