

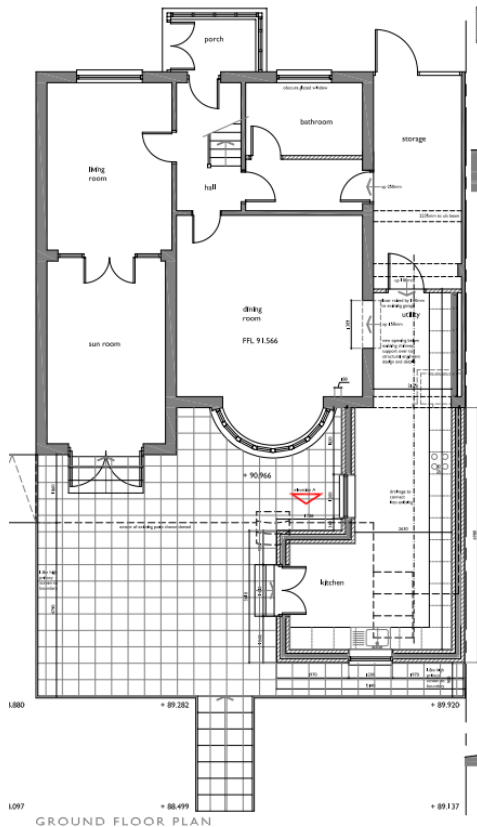
Delegated Decision Report

Application No:	25/1024	Statutory Period Expires:	22nd January 2026
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Site:	20 Ridgeway Newport NP20 5AF		
Proposal:	S73 APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 23/0843 PROPOSED REAR KITCHEN EXTENSION		
Applicant:	R Akhter		
Type:	Renewals and Variation of Conditions	Ward:	Allt-yr-Yn
Decision:	REFUSED		

1. BACKGROUND

- 1.1 Application 23/0843 was granted with conditions at the property for a PROPOSED REAR KITCHEN EXTENSION.



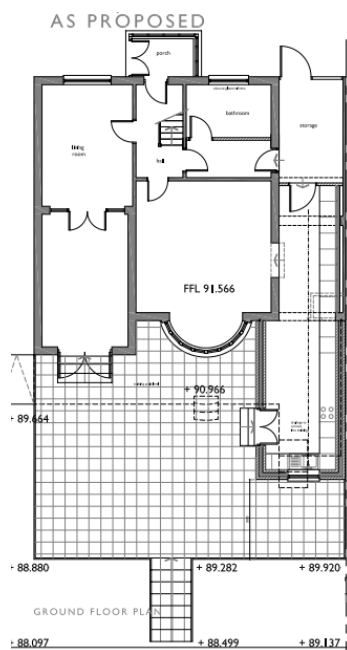
The patio would protrude 7.9m at its deepest depth with a width of 11m. The height of the patio was shown at 0.9m high from ground level. The set away from the boundary at number 18 Ridgeway was 1.3m, and there was no set away from no.22.

2. SITE LOCATION AND CONTEXT

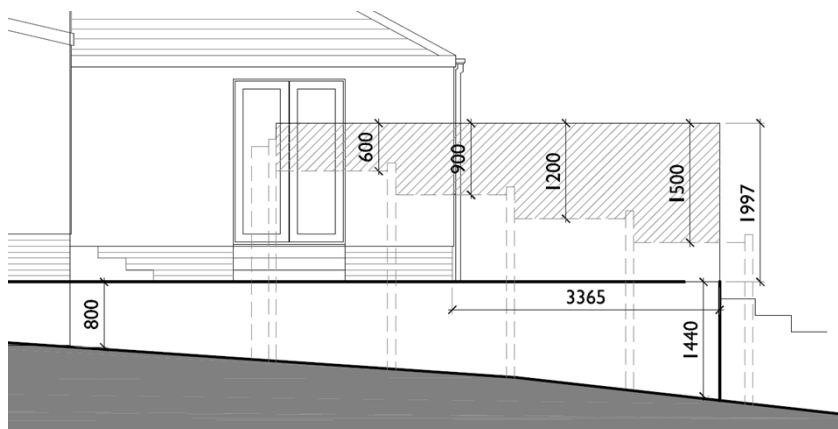
- 2.1 The application site comprises of a 2 storey detached dwelling located on the southern side of Ridgeway, a residential street within the defined settlement boundary. The property benefits from off street parking to the front and a private rear amenity space to the rear.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The applicant is seeking changes to the proposed patio size as previously approved under 23/0843 and the addition of an increased height fence along the boundary of no.20 and no.18 Ridgeway.
- 3.2 Under 23/0843 the patio size was 6.6m from the existing sun room on site to the edge of the patio with a width of 11m. The proposed patio height measured 1.2m in height at its furthest point from the dwellinghouse taken from ground level. The set away from the boundary at number 18 Ridgeway was 1.3m, and there was no set away from no.22.
- 3.3 Under the current submission, the patio depth would be 8.1m from the existing sun room on site to the edge of the patio, and 11m in width. The proposed patio height measures 1.4m at its highest point closest to number 18 Ridgeway and 1m in height closest to 22 Ridgeway from ground level.



- 3.4 In terms of the height of the boundary fence between no.18 and no.20, the highest part of the amended boundary fence is proposed at 3.5m. It appears from the plans that the 1.8m fence is to be retained on the edge of the patio also.



4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/1025	S73 APPLICATION TO VARY CONDITION 3 (PRIVACY SCREEN) OF 23/0843 PROPOSED REAR KITCHEN EXTENSION	PCO	PCO
25/0631	DISCHARGE OF CONDITION 4 (BIO DIVERSITY ENHANCEMENT) OF PLANNING CONSENT 23/0843	A	24/09/2025
25/0485	NMA APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 23/0843 PROPOSED REAR KITCHEN EXTENSION. AMENDMENTS INCLUDE CHANGE TO THE DESIGN OF THE ROOF FROM A MONO PITCHED ROOF TO A HIPPED ROOF, AND REDUCTION IN FOOTPRINT	AC	21/08/2025
23/0843	PROPOSED REAR KITCHEN EXTENSION	GC	11/01/2024

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

GP5- Natural Environment. The proposals are designed and managed to protect and encourage biodiversity and ecological connectivity, including through the incorporation of new features on or off site to further the UK.

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 HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS SPG

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 02/12/2025.

7.1 6no. neighbours were consulted. 1no. comment received.
The extent of this overbuild has resulted in an unacceptable situation that we in no.18 will be seriously overlooked.

At present there is a direct line of sight into our habitable rooms.

An opaque screen on the patio of no 20 will provide some mitigation of being overlooked but the problem increases the further out the patio goes.

I have already made my concerns public in my comments to NMA Application 25/0485 , but now I feel that the situation requires that the patio be taken down, squared off across the width and rebuilt at the very least to the permitted position 1565mm nearer to the extension or preferably 2465mm which would be 900mm from the end of the extension.

This is not an onerous task as most of the materials could be re-used and the infill could be lost on the bottom garden.

This action would revert back to the 900mm maintenance path that the applicant must have been originally happy with(as per the plan accompanying Application no.23/ 0843 Full) and still gives a very generous usable patio area of approximately 49 square metres.

At the same time this would help reduce the problem of no 18 being unacceptably overlooked.

8. ASSESSMENT

8.1 Principle of Development

8.1.1 The application site comprises of an existing residential dwelling within the defined settlement boundary where there is a presumption in favour of development and the efficient use of land is encouraged. As the property is existing there is a presumption in favour of development incidental to the enjoyment of the dwellinghouse, accordingly, no objection is raised to the principle of the development.

8.1.2 The patio has been constructed and is existing on site, the proposed alterations to the boundary fence are proposed.

8.2 Visual Amenity/ Character and Appearance

8.2.1 The Council's Supplementary Guidance on House Extensions and Domestic Outbuildings states that *"a raised amenity space that substantially reduces natural light, perceived space or privacy in neighbouring habitable rooms or back gardens will not be acceptable."* The depth of the patio has increased by approximately 1.5m compared with the approved scheme under 23/0843, and this enlarged patio has already been constructed. During the site visit, it was evident that clear views could be obtained into No.18's garden and ground-floor living windows. Due to the falling land levels toward the rear of No.20, the patio now forms a larger and elevated structure than originally permitted, and without mitigation its impact is considered unacceptable.

8.2.2 The original application (23/0843) required a 1.8m privacy screen to be installed along the patio edge, set 1.3m back from the shared boundary with No.18, to reduce overlooking. This new application proposes relocating the privacy screening directly onto the boundary between Nos.18 and 20. The proposed boundary fence would be erected at one level on the sloping garden, with a maximum height of 3.5m from ground level. As the land levels fall toward No.18, which is already set lower, the height and close proximity of the proposed fence would create an unacceptable and overbearing impact on No.18's private amenity space. While it would prevent overlooking, the scale and appearance of the fence would be visually stark and out of keeping in this location and therefore cannot be supported. Without appropriate screening, the enlarged patio is therefore, unacceptable.

8.2.3 There are no changes to Policy over and above what has previously been noted/discharged in previous applications. There is a sister application currently submitted, 25/1025 to vary condition 3 of 25/0843 to reword the condition to change the privacy screen from the edge of the patio, and to relocate it to the shared boundary fence. With a similar assessment as above, this is deemed unacceptable.

8.3 Neighbour comments

- 8.3.1 The neighbouring property at no.18 has submitted comments with concerns that the patio would allow for people to overlook the property at no.18, with a direct line of sight into habitable rooms. This has been noted within the report above.
- 8.3.2 The neighbour has suggested that screening on the patio will provide mitigation but holds concerns that the patio has increased in depth and the problem would be exacerbated. The neighbour states that the patio should be taken back 1.5m to what was originally permitted and squared off. Whilst it is noted that the patio has increased in depth which forms a more prominent form of development, screening that is set away from the boundary would be more appropriate and could likely mitigate the impacts. However, the current form of screening is unacceptable.

Views from no.18 over to no.20 Ridgeway:



- 8.4 Therefore, the increase in the patio depth does create a larger surface, however, this could be deemed acceptable with appropriate screening. Whilst any form of screening will be prominent to no.18 given the increase of depth to the patio, the change of the privacy screening on the shared boundary creates a large, stark, overbearing structure to no.18 Ridgeway. This is unacceptable and the application is refused.

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 Overall, it is concluded that the whilst the patio depth has increased which does create a prominent form of development, it is considered that this is set away from the boundary of no.18 Ridgeway and with potential appropriate screening could be acceptable, however, the screening on the shared boundary would be inappropriate, creating a prominent, overbearing and unneighbourly form of development, and without appropriate screening, the patio is unacceptable due to overlooking to no.18. Therefore, the application is refused.

11. **DECISION**

REFUSED

01 The proposed privacy screening along the shared boundary of number 18 Ridgeway and number 20 Ridgeway, by reason of its size and design, would be a prominent, overbearing and unneighbourly form of development adversely impacting the neighbouring amenity at number 18 Ridgeway. Without appropriate privacy screening in place, the enlarged patio area is unacceptable. The scheme would therefore be contrary to Policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and Supplementary Planning Guidance 'Householder Extensions and Domestic Outbuildings' (adopted August 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: 2023.380_PL30_A Plans Elevs Exist Proposed

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5, 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.