

Delegated Decision Report

Application No:	26/0413	Statutory Period Expires:	5th August 2026
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Site:	9 Pentre Tai Road Rhiwderin Newport NP10 8RL		
Proposal:	S73 APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 24/0062 DEMOLITION OF EXISTING PRE FAB BUILDING AND CONSTRUCTION OF NEW 4 BED DWELLING AND ASSOCIATED WORKS. AMENDMENTS INCLUDE CHANGES TO ROOF DESIGN		
Applicant:	McCole		
Type:	Renewals and Variation of Conditions	Ward:	Graig
Decision:	Granted with Conditions.		

1. BACKGROUND

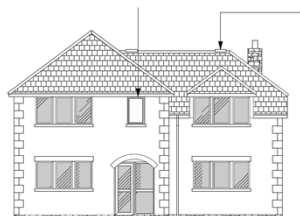
- 1.1 Application 24/0062 granted consent for the construction of a 4no. bed dwelling and associated works.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site was formerly occupied by a pre-fab building, which once accommodated a church, however this appears to have been out of use for a period of time. The land has been largely cleared of vegetation and trees prior to the submission of the application. The surrounding area is characterised by large two storey dwellings set in good sized plots, where the dwelling is generally set back from the road. The prevailing pattern of materials is red brick and white render, with brown window and door frames and brown concrete roof tiles.
- 2.2 The site is situated at the end of a row of properties. To the south of the proposed dwelling is Rhiwderin Town Hall. Residential Properties are situated to the North, East and West of the application site. Pentre Tai Road comprises of a varied street scene, which lacks uniformity. There are variety of properties including bungalows, detached and semi-detached properties.
- 2.3 Application 25/0861 granted consent for the alteration of the adjacent bungalow to form a tow-storey dwelling. A site visit has confirmed that works have commenced on this development, and weight will be afforded to this during the assessment of this application.

3. DESCRIPTION OF DEVELOPMENT

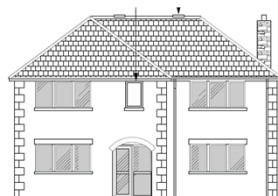
- 3.1 The application seeks consent to vary condition 01 of planning permission 24/0062, which relates to plans. The amendment relates to the roof design only. The original permission approved a stepped roof with a gable feature on the principal and rear elevations. The proposal seeks to raise the ridge of the side roof element so this it is flush with the principal ridge of the dwelling and remove the gable feature, as per the below plans.



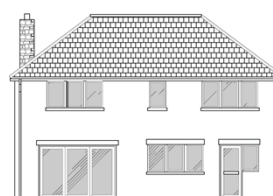
Approved Principal Elevation



Approved Rear Elevation



Proposed Principal Elevation



Proposed Rear Elevation

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0062	DEMOLITION OF EXISTING PRE FAB BUILDING AND CONSTRUCTION OF NEW 4 BED DWELLING AND ASSOCIATED WORKS	Granted with Conditions	31.10.2024
26/0032	PARTIAL DISCHARGE OF CONDITION 2 (CEMP), CONDITION 4 (BOUNDARY TREATMENTS) AND CONDITION 5 (FOUL AND SURFACE DRAINAGE) OF 24/0062 DEMOLITION OF EXISTING PRE FAB BUILDING AND CONSTRUCTION OF NEW 4 BED DWELLING AND ASSOCIATED WORKS	Approved	05.03.2026
26/0311	NON MATERIAL AMENDMENT APPLICATION TO VARY CONDITION 01 (APPROVED PLANS) OF 24/0062 DEMOLITION OF EXISTING PRE FAB BUILDING AND CONSTRUCTION OF NEW 4 BED DWELLING AND ASSOCIATED WORKS	Refused	14.05.2026

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)

5.3.1 Policies SP1(Sustainability),SP13 (Planning Obligations), GP2 (General Amenity), GP4 (Highways and Accessibility), GP5 (Natural Environment), GP6(Quality of Design), GP7(Environmental Protection and Public Health), H2(Housing Standards), H4 (Affordable Housing), H6 (Sub-Division of Curtilages, Infill and Backland Development), and T4 (Parking) of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) are relevant to the determination of this application.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

5.4.1 The Council's Supplementary Planning Guidance on New Dwellings (Adopted 2020) and Parking Standards (Adopted August 2015) are relevant to the determination of this application.

5.5 TECHNICAL ADVICE NOTES

- 5.5.1 Technical advice note (TAN) 2: planning and affordable housing, Technical advice note (TAN) 5: nature conservation and planning, Technical advice note (TAN) 11: noise, Technical advice note (TAN) 12: design and Technical advice note (TAN) 18: transport are relevant to the determination of this application

6. CONSULTATION RESPONSES

- 6.1 **Natural Resources Wales:** No comments to make
- 6.2 **Welsh Water Dwr Cymru:** We have no comments to make on the application for variation of condition 1 on planning permission 24/0062, to enable amendments to approved plans. However, we respectfully request that any conditions 3 and 5, as “partially discharged” under 26/0032, are maintained on any new consent granted for the development.
- 6.3 **Police – Architectural Liaison Officer:** No response received.
- 6.4 **Ecology Officer:** No comments received
- 6.5 **Landscape Officer:** No objection
- 6.6 **Tree Officer:** No objection
- 6.7 **Drainage Manager:** No response received
- 6.8 **Planning Contributions Manager:** No further s106 obligations are requested. The obligations have already been received for the principal approval (24/0062)
- 6.9 **Environmental Health Officer:** No response received.
- 6.10 **Senior Scientific Officer:** No response received.
- 6.11 **SAB:** We have received a pre-application for this site but are still awaiting for the full application to be submitted.
- 6.12 **Waste Manager:** No response received
- 6.13 **Highways:** The changes do not impact access, parking or any other highway considerations, there are therefore no objections offered.

7. PUBLIC REPRESENTATIONS

- 7.1 NEIGHBOURS: Neighbour notification letters were sent on 12.06.2026. 10no. neighbours were consulted. 1no. representations was received in support off the application:

it has no detrimental effect on our property and would actually seem more suitable as all three properties would have the same stance on the street

- 7.2 GRAIG COMMUNITY COUNCIL: No objection.

8. ASSESSMENT

8.1 Principle of Development

- 8.1.1 The application site is located within a settlement boundary as designated by the maps contained within the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Planning permission was granted for a dwelling under 24/0062, therefore the principle of development is accepted.

8.2 Character and Appearance

- 8.2.1 The layout of the dwelling would remain unchanged, with the only proposed amendment relating to the roof design. The roof would retain its hipped form however, the stepped-down element would be omitted. While Supplementary Planning Guidance indicates that a set-down is generally preferable, the dwelling would continue to benefit from a set-back from the principal elevation. Furthermore, the property is positioned well within its plot, set

away from the highway, and would be adequately screened. Pentre Tai Road does not exhibit a uniform or consistent street pattern, and there is no distinctive roofscape character. In addition, planning permission has previously been granted for the neighbouring property (25/0861), which incorporates a fully hipped roof without a set-down. Overall, the amendments would not conflict with the aims of policy GP6.

8.3 Residential Amenity

- 8.3.1 Consideration has been given to the impact of the proposed amendments on neighbouring occupiers. The approved development at No. 11 Pentre Tai Road has commenced and therefore represents a material planning consideration. The only notable change relates to the increased roof height adjacent to the shared boundary compared to the previously approved scheme. As with the original assessment, the 45-degree tests have been applied to the side elevation windows at No. 11, serving a dining room and utility room, and the proposal fails both tests. Whilst this indicates some loss of daylight to the kitchen and associated borrowed light to the dining room, the utility room is not a habitable room and the kitchen/dining area benefits from an additional window. Furthermore, planning permission has already been granted for a dwelling on this site that similarly fails the 45-degree tests. As such, it would be unreasonable to refuse the current proposal on this basis when the approved fallback scheme could still be implemented. The impact on the future occupiers of No. 11 was also considered and found acceptable during the determination of application 25/0861. Taking these factors into account, the amended roof design is not considered to result in unacceptable harm to neighbouring amenity.

8.4 Highways

- 8.4.1 The amended plans will not alter the layout or impact on Highway Safety or parking. The Highways Officer has offered no objection.

8.5 Other Matters

- 8.5.1 The proposed amendments would not impact on any other matters assessed within the original application, including Biodiversity, Landscaping and Trees and water and drainage. No further Planning Contributions are sought as the obligations have been received via the Principal Consent.

8.7 Conditions

- 8.7.1 Consideration has been given to the conditions previously imposed on permission 24/0062. There have been no significant changes to the Local Development Plan policy objectives that would affect the acceptability of the scheme or the relevance of those conditions. A number of conditions were compliance conditions, and the conditions that require discharge have been.
- 8.7.2 Application 26/0032 approved the partial discharge of Conditions 02 (Construction Environmental Management Plan), 04 (Boundary Treatments), and 05 (Foul and Surface Water Drainage). These conditions will be updated to reflect the details already approved under the discharge of conditions application and re-imposed as compliance conditions. As the development has not yet been completed, all remaining compliance conditions will also be re-imposed. No further conditions require discharge.

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 It is considered that the proposed development is acceptable and is in accordance with policies SP13, GP2, GP4, GP6, GP7, H4, H6 and W3 of the Newport Local Development Plan. It is considered that with the imposition of the conditions discussed in the above assessment the proposed development would not result in a harmful impact on residential amenity and visual amenity. It is also considered that the proposed development would not result in a harmful impact on highway safety and it would deliver sustainable development through financial contributions towards affordable housing. Planning permission is granted subject to conditions and the signing of a legal agreement.

11. DECISION GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: SD597-00 Block and location plan, SD597-02C GF plan, SD597-03C FF plan, SD1161-12B Proposed elevations, SD597-05E Proposed site layout, SD597-07 Section BB, SD597-08B Landscape strategy, Bat Survey (2), Green Infrastructure Statement, Proposed Street Scene, Proposed Site Layout and Soft Landscaping
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based

02 The Construction Environmental Management Plan (CEMP) as shown in SD1161 - CEMP approved under application 26/0032 shall be implemented during the construction phase of the development hereby approved.
Reason: To protect the amenities of nearby residents and in the interests of highway safety,

in accordance with policies GP2, GP4 and GP7.

03 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

04 Prior to the first beneficial use of the dwelling hereby approved, the boundary treatments as shown in plan SD116101B- Proposed site layout approved under application 26/0032 shall be implemented and retained for the duration of the development.

Reason: In the interests of residential and visual amenity, in accordance with policies GP2 and GP6.

05 Prior to the occupation of the dwelling hereby approved, the foul and surface drainage systems shall be implemented in accordance with plan SD1161-02 - Foul Drainage Plan.

Reason: To ensure adequate drainage is provided.

06 Prior to the first beneficial use of the dwelling hereby approved, the areas indicated on the submitted plans to be set aside for parking and servicing shall have been provided in accordance with the details hereby approved. The parking and servicing areas shall be retained for the duration of the development and the garages hereby permitted shall only be used for the parking of private motor vehicles and for no other purpose, including any other purpose incidental to the enjoyment of the dwellinghouse. The visibility splays shown on the approved plans shall be provided and retained for the duration of the development.

Reason: To ensure that adequate space for turning of vehicles and on-site parking in the interest of highway safety and residential amenity.

07 No gates or other means of obstruction shall be placed across the vehicular access formed as part of this development.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety.

08 No window or door openings (other than those shown on the approved plan) shall be formed in both side elevations of the dwelling hereby approved.

Reason: To protect the privacy and perceived overlooking of adjoining residents.

09 Prior to first beneficial occupation of the dwellings hereby approved, the scheme of ecological mitigation and enhancement as approved in *SD597-04D Proposed Elevations* shall be implemented Authority. The approved ecological mitigation and enhancement shall be implemented prior to the occupation of the development and retained thereafter.

Reason: In the interests of sustainable development and ecology, in accordance with policies SP1 and GP5.

10 The approved Landscaping scheme as approved in *SD597-08B Landscape strategy* and *SD597-05E Proposed site layout* shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of that development. Thereafter, the trees and shrubs shall be maintained for a period of 5 years from the date of planting in accordance with an agreed management schedule. Any trees or shrubs which die or are damaged shall be replaced and maintained until satisfactorily established. For the purposes of this condition, a full planting season shall mean the period from October to April.

Reason: To safeguard the rights of control of the Local Planning Authority in these respects and to ensure that the site is landscaped in a satisfactory manner.

NOTE TO APPLICANT

01 This decision relates to plan Nos: SD597 DAS

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP13, GP2, GP4, GP6, H4, H6 and T4 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 developer should avoid carrying out noisy development; (including land raising and demolition if required) except between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays. Noisy development should be avoided altogether on Sundays or Bank Holidays.

05 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

06 The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

07 In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.