

Delegated Decision Report

Application No:	25/0275	Statutory Period Expires:	16th May 2025
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Site:	Darew Lodge Road Caerleon Newport NP18 3QX		
Proposal:	NMA APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 21/0300 ERECTION OF SINGLE STOREY REAR EXTENSION. AMENDMENTS INCLUDE REVISED SITING OF EXTENSION		
Applicant:	Coleman		
Type:	Non-Material Amendment	Ward:	Caerleon
Decision:	APPROVED WITH CONDITIONS		

1. BACKGROUND

- 1.1 The applicant previously applied for the erection of a single storey rear extension. The application was granted with conditions.

2. SITE LOCATION AND CONTEXT

- 2.1 Darew is a 2no storey semi-detached dwelling, with a detached garage, situated in the Caerleon ward.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks a non-material amendment to planning permission 21/0300 for an erection of a single storey rear extension. Amendments include the proposed rear extension being moved 0.3m from the boundary wall shared by the neighbouring property. The size of the extension is unchanged although an opening on the proposed rear elevation appears to be smaller than approved. The condition to be amended by way of substitution of plans is included below for reference:

The development shall be implemented in accordance with the following plans and documents: Site Location Plan, Existing and Proposed Rear Overview, Existing and Proposed Floor Plans, Existing and Proposed Garage Views, Location of Drains, Existing Side View, Proposed Side Elevation (East), Proposed Side Elevation (West), Existing and Proposed Rear View, Existing Overview, Proposed Overview and Details of Proposed Extension.

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
21/0300	ERECTION OF SINGLE STOREY REAR EXTENSION	GC	10.06.2021

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)
- GP6 (Quality of Design)

5.4 SUPPLEMENTARY PLANNING GUIDANCE NONE

6. CONSULTATION RESPONSES

6.1 None

7. PUBLIC REPRESENTATIONS

7.1 None

8. ASSESSMENT

8.1 Section 96A of the TCPA 1990 allows a non-material amendment to be made to an existing planning permission. In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission. When assessing and determining whether or not a proposed change would qualify as a non material amendment, local planning authorities may wish to consider the following tests:

(a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,
(a)(ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?

(b) would the interests of any third party or body be disadvantaged in planning terms; or,
(c) would the proposed change conflict with national or development plan policies?

The tests are considered a 'starting point' for local planning authorities in their consideration of non-material amendments. There may be other considerations that will identify if a proposed amendment is non-material depending on the circumstances of each case.

8.2 The proposed changes do not introduce any new construction, change of measurements or change in materials. The changes would not be detrimental to amenity and are of very minor impact. Visually, they do not adversely affect the property and look typical of a domestic setting. Therefore, they have no material impact. As such, it is considered that there would not be an adverse visual impact that causes detriment to the visual amenity of the neighbouring occupier nor detracts from the character of the area. The changes are non material.

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 amendment to Condition 01 of the previous consent 21/0300 is a non-material amendment to the previously approved scheme.

11. DECISION

APPROVED WITH CONDITIONS

01 PLANS CONDITION

The development shall be implemented in accordance with the following plans and documents:

- KD1995 1A - Existing and Proposed Plans and Elevations
- Location Plan received 08.04.2025

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

01 This decision relates to plan Nos:

- KD1995 1A - Existing and Proposed Plans and Elevations

- Location Plan received 08.04.2025

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2 and GP6 were relevant to the determination of this application.

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.