

Delegated Decision Report

Application No:	25/0777	Statutory Period Expires:	24th October 2025
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Site:	14 Richmond Road Newport NP19 7GG		
Proposal:	NON-MATERIAL AMENDMENT APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 25/0252 SINGLE STOREY EXTENSION TO ACCOMMODATE AN OPEN PLAN KITCHEN/LIVING/DINING ROOM. AMENDMENTS INCLUDE REPOSITIONING SIDE WALL OF EXTENSION		
Applicant:	K & G Krick-Pridgeon		
Type:	Non-Material Amendment	Ward:	St Julians
Decision:	REFUSED		

1. BACKGROUND

1.1 Planning permission for a single storey extension to accommodate an open plan kitchen/living/dining room was granted with conditions in May 2025 under application ref.25/0252.

1.2 Condition 1 (Approved Plans) of application ref 25/0252 reads as follows:

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

- Proposed Plans and Elevations R926-05 A1
- R926 0 Green Infrastructure Statement”

2. SITE LOCATION AND CONTEXT

2.1 14 Richmond Road is a 2no storey terrace property, situated in the St Julians ward. Properties on Richmond Road are typically brick facing and nearly all properties display single storey rear extensions with lean to roof forms.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to reposition the southwestern side wall of the previously approved single storey rear extension. The wall would be repositioned 140mm closer to the shared boundary with no12 Richmond Road.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0252	SINGLE STOREY EXTENSION TO ACCOMMODATE AN OPEN PLAN KITCHEN/LIVING/DINING ROOM	GRANTED WITH CONDITIONS	15.05.2025

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;**

The repositioning of the wall would result in the ridge of the roof being recentred as the pitch of the roof would be marginally altered and the development will be larger than approved. The enlargement occurs at the rear of the property and is not widely visible to will not impact streetscene.

8.3 **Residential Amenity;**

Regarding impact to residential amenity, the wall would protrude 140mm closer to the shared boundary with no.12 Richmond Road and would not be set off the boundary at its closest point. Although minor, the siting of the building closer to the boundary is not a de minimis change. It is clear from the original officer report that the impact on no. 12 was a key consideration and notably its side facing windows. Previously, the extension was set off the intervening boundary, now it appears to form it, at least in part. The change is 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 does not comply with the tests as set out under section 96a of the Act and are therefore considered to represent a material amendment to the previously approved scheme.

11. DECISION

REFUSED

01 The proposed repositioning of the side wall forming the southwestern elevation of the single storey extension and subsequent enlargement of the footprint of the extension previously approved would cause an impact different to that of the approved scheme in terms of residential amenity. This does not meet the tests for non-materiality, and the development represents a material change to the planning permission.

NOTE TO APPLICANT

01 This decision relates to plan Nos: R926-00 - Site Location Plan, R926-05 - Proposed Plans and Elevations, R926-05A - Proposed Plans 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.