

Delegated Decision Report

Application No:	25/0745	Statutory Period Expires:	11th November 2025
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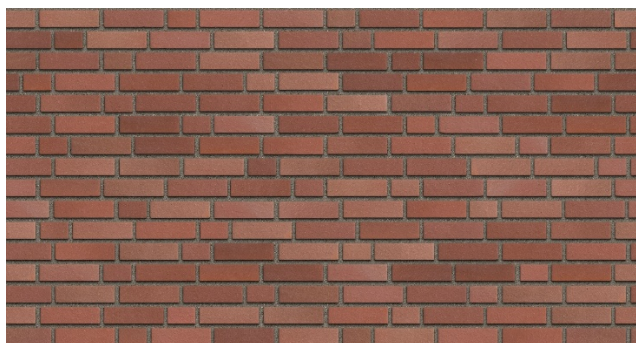
Site:	147 Risca Road Newport South Wales NP20 3PP		
Proposal:	NON MATERIAL AMENDMENT TO VARY EXTERNAL FINISHES (AS APPROVED BY DISCHARGE OF CONDITION APPLICATION 24/0072) IN RESPECT OF 21/0875 ERECTION OF DETACHED 3 BEDROOM DWELLING AND DETACHED GARAGE IN THE REAR GARDEN.		
Applicant:	R O'Donnell		
Type:	Non-Material Amendment	Ward:	Allt-yr-Yn
Decision:	APPROVED WITH CONDITIONS		

1. BACKGROUND

- 1.1 Application 24/0072- PARTIAL DISCHARGE OF CONDITIONS 2 (CEMP), 3 (MATERIALS), 4 (NOISE) AND 5 (LANDSCAPING) OF 21/0875 ERECTION OF DETACHED 3 BEDROOM DWELLING AND DETACHED GARAGE IN THE REAR GARDEN was approved for material of the new unit to be Red Brick, and details are displayed below.

Materials

Red Brick (Janinhoff Clinker STP-DF-8L)



2. SITE LOCATION AND CONTEXT

- 2.1 The application site comprises a detached bungalow on the southern side of Risca Road. The bungalow is set back from the road, with a spacious garden to the front and rear, this is a pattern of development along this section of Risca Road. The site levels drop from the road frontage to the rear of the site, with the gradient becoming less steep within the rear garden.
- 2.2 There are residential properties to the east (no. 145) and west (no. 149) of the application site. The rear of the site adjoins a pocket park known as Coed Melyn and there is a public right of way which runs close to the rear boundary of the application

site. Further south of the park is St Woolos cemetery, which is registered Park and Garden.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks a non-material amendment to vary the external finishes of the proposed detached 3-bedroom dwelling and detached garage in the rear garden as approved by discharge of condition application 24/0072 of 21/0875. The approved finishes are red brickwork on the elevations, and the proposed change is to white render on all elevations on the proposed detached dwelling and detached garage.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0072	PARTIAL DISCHARGE OF CONDITIONS 2 (CEMP), 3 (MATERIALS), 4 (NOISE) AND 5 (LANDSCAPING) OF 21/0875 ERECTION OF DETACHED 3 BEDROOM DWELLING AND DETACHED GARAGE IN THE REAR GARDEN	A	03.06.2024
23/0709	PARTIAL DISCHARGE OF CONDITION 8 (APPOINTMENT OF ARBORICULTURALIST) OF 21/0875 ERECTION OF DETACHED 3 BEDROOM DWELLING AND DETACHED GARAGE IN THE REAR GARDEN	A	01.09.2023
21/0875	ERECTION OF DETACHED 3 BEDROOM DWELLING AND DETACHED GARAGE IN THE REAR GARDEN	GC	22.07.2022
07/0671	ERECTION OF 4 DETACHED DWELLINGS AND DEMOLITION OF 147 RISCA ROAD	Refused – dismissed at appeal	07/0671

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.

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 This application seeks a non-material amendment to vary the external finishes of the proposed detached 3-bedroom dwelling and detached garage in the rear garden as approved by discharge of condition application 24/0072.
- 8.2 The main change in materials is from the approved red brick on all elevations of the detached dwelling, to rendered brickwork in white (RAL 9010) to match that of no.147 Risca Road. The garage is also proposed to contain white rendered blockwork on all elevations in white (RAL 9010).
- 8.3 Section 96A of the Town and Country Planning Act 1990 allows a non-material amendment to be made to an existing planning permission. Whilst there is no statutory definition of a 'non-material amendment', the Authority must consider;
- 8.4 *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; whether any third party or body would be disadvantaged in planning terms; and if the proposed change conflicts with national or development plans policies.*
- 8.5 The scale of development is not proposed to change, and therefore, it is concluded that the changes would not be great enough to cause an impact different to that caused by the original approved development and no third party or body would be disadvantaged over the original development in planning terms from these changes.
- 8.6 In terms of the visual impact, it is considered that the units materials are changing from red brickwork to white render. This change to white render will match that of the existing dwelling appearing sympathetic. Whilst this would slightly change the visual appearance of the unit, the proposed changes are not great enough to cause a detrimental impact different to that caused by the original approved development given the scale of changes. It is also noted that the development is set down within the site and is not readily seen from the streetscene, therefore, the development would not have a detrimental impact either visually or in terms of local amenity.
- 8.7 Furthermore, there are no Policy changes that would materially affect the development.
- 8.8 Overall, given the changes in materials, it is considered that the scheme does comply with Section 96A of the Town and Country Planning Act 1990.

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 development would introduce a change in materials to white render on the proposed units. These changes are not great enough to cause an impact different to that caused by the original approved development and would not have a detrimental impact either visually or in terms of local amenity. Therefore, the proposal complies with Section 96A of the Town and Country Planning Act 1990.

11. **DECISION**

APPROVED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plan: GA-01 (PROPOSED SW & NE ELEVATIONS) REV B; GA-02 (PROPOSED SE & NW ELEVATIONS) REV B

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 Prior to the first beneficial use of the development, the external finish of the rendered blockwork in white (RAL 9010), shall be applied and completed in accordance with the approved plans; GA-02 (PROPOSED SE & NW ELEVATIONS) REV B; and GA-01 (PROPOSED SW & NE ELEVATIONS) REV B

Reason: In the interests of visual amenity to ensure the development is completed in a satisfactory manner.

NOTE TO APPLICANT

01 This decision relates to the change in materials only.

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

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.