

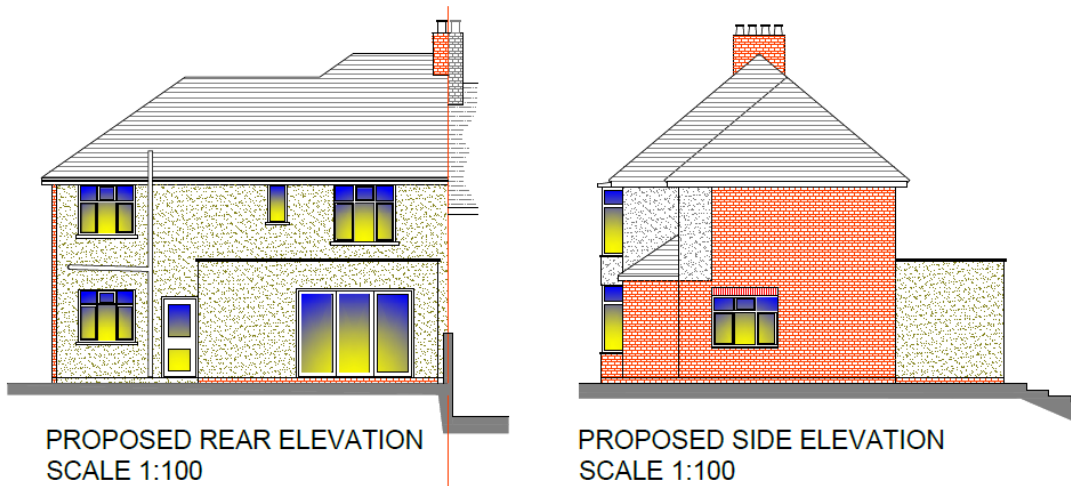
Delegated Decision Report

Application No:	25/0720	Statutory Period Expires:	1st October 2025
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Site:	13 Ridgeway Avenue Newport South Wales NP20 5AH		
Proposal:	NON MATERIAL AMENDMENT APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) AND REMOVE CONDITION 3 OF 24/1011 PROPOSED SINGLE STOREY EXTENSION TO THE REAR. AMENDMENTS INCLUDE CHANGES TO SCALE OF EXTENSION AND CHANGES TO MATERIALS		
Applicant:	G Fitzgerald		
Type:	Non-Material Amendment	Ward:	Allt-yr-Yn
Decision:	APPROVED WITH CONDITIONS		

1. BACKGROUND

- 1.1 24/1011 PROPOSED SINGLE STOREY EXTENSION TO THE REAR was granted with the following plans:



- 1.2 The proposed development is a single storey flat roof rear extension with bi-fold doors. The dimensions are 3.3m in height, 6.5m in width and 2.9m in depth. Materials were conditioned to match the existing dwellinghouse.

2. SITE LOCATION AND CONTEXT

- 2.1 The host site is within a residential area and is a corner property on a cross roads situated on Ridgeway Avenue. The land level increases up Ridgeway Avenue, resulting in the topography of land being different on the surrounding houses. The house is a semidetached house and is two storey property containing a hipped roof. The surrounding dwellings typically hold a mix of render and brickwork.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks a non-material amendment to approved plans under 24/1011, to reduce the scale of the single storey rear extension and remove condition 03 for materials to match that of the existing dwellinghouse.
- 3.2 The dimensions of the revised scheme is approximately 6.5m in width, 1.5m in depth and 2.9m in height. The materials are proposed to be Cedral Click Cladding Grey (Wood Grain) Finish with bifold doors.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/1011	PROPOSED SINGLE STOREY EXTENSION TO THE REAR	GC	23.01.2025

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 approved plans condition 01 of planning permission 24/1011. Amendments include the reduction in height and depth of the single storey rear extension. The application also seeks to remove condition 03 for

materials to match the main dwellinghouse. The proposed scheme proposes a change to the external materials to grey cladding. No other changes are being assessed under the application.

- 8.2 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;
- 8.3 *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.*
- 8.4 In terms of scale, it is concluded that the changes would not be great enough to cause an impact different to that caused by the original approved development, as the overall size in terms of height and depth are decreasing and the width would remain the same. Therefore, it would have a lesser impact to neighbouring properties in terms of any overbearing nature, and no third party or body would be disadvantaged over the original development in planning terms from these changes.
- 8.5 In terms of the removal of condition 03 and the change in materials to grey cladding, whilst this would slightly change the visual appearance of the rear extension, given its siting to the rear and overall small scale, it is considered that the proposed 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 removal of condition 03 and the change in materials to cladding is deemed non-material in this instance.
- 8.6 Furthermore, there are no Policy changes that would materially affect the development.
- 8.7 Overall, given the changes in scale and materials of the extension, 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 smaller scale rear extension and change in materials only. 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: 24-2063-DWG-10A - Proposed Floor Plans, Elevations and Sections

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

NOTE TO APPLICANT

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

02 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.