

Delegated Decision Report

Application No:	25/0732	Statutory Period Expires:	3rd October 2025
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Site:	<i>The Old Cowshed Bowdens Lane Penhow Newport NP26 3AA</i>		
Proposal:	NON-MATERIAL AMENDMENT TO VARY CONDITION 2 (APPROVED PLANS) OF 24/0180 ALTERATIONS TO EXISTING WINDOWS AND INTRODUCTION OF BI FOLD DOORS TO THE REAR. SOFTEN LANDSCAPING OF EXISTING COURTYARD AND INTRODUCE OUTDOOR SEATING AREA. AMENDMENTS INCLUDE CHANGE OF ORIENTATION OF TIMBER CLADDING FROM HORIZONTAL TO VERTICAL		
Applicant:	K Ross		
Type:	Non-Material Amendment	Ward:	Bishton And Langstone
Decision:	APPROVED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site contains a part single storey and part two storey dwelling, constructed from brick with a slate roof. It lies in a rural location within the countryside, and was formerly used as a collection of agricultural livestock barns which were approved for conversion to a residential dwelling in 2018.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application has been submitted to confirm that a change in the orientation of the cladding from horizontal to vertical would not be a material change to the originally approved scheme.

4. RELEVANT SITE HISTORY

24/0180	ALTERATIONS TO EXISTING WINDOWS AND INTRODUCTION OF BIFOLD DOORS TO THE REAR. SOFTEN LANDSCAPING OF EXISTING COURTYARD AND INTRODUCE OUTDOOR SEATING AREA	REFUSED – ALLOWED AT APPEAL
20/0999	PRIOR NOTIFICATION FOR ERECTION OF AGRICULTURAL BUILDING	PRIOR APPROVAL NOT REQUIRED
20/0160	NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 19/0436 FOR VARIATION OF CONDITION 01 (PLANS) AND 06 (CONTAMINATION) OF PLANNING PERMISSION 18/0688 FOR CONVERSION OF AGRICULTURAL BUILDING TO RESIDENTIAL DWELLING WITH ASSOCIATED ALTERATIONS (RESUBMISSION OF 17/0834). NON-MATERIAL AMENDMENT SOUGHT IN RELATION TO ADJUSTMENT OF ROOF PITCH OF LOWER BARN, REAR GABLE WINDOW HEIGHT REDUCED; RELOCATION OF VELUX WINDOW TO REAR ELEVATION, ALTERATIONS TO WINDOW HEIGHTS.	APPROVED WITH CONDITIONS
19/0436	VARIATION OF CONDITION 01 (PLANS) AND 06 (CONTAMINATION) OF PLANNING PERMISSION	GRANTED WITH

	18/0688 FOR CONVERSION OF AGRICULTURAL BUILDING TO RESIDENTIAL DWELLING WITH ASSOCIATED ALTERATIONS (RESUBMISSION OF 17/0834) COMPRISING CHANGES TO LAYOUT, INSTALLATION OF LOG-BURNING FLUE, ROOM DESIGNATIONS, CONSTRUCTION OF SOLAR GAIN CORRIDOR, INSTALLATION OF WINDOWS AND REPLACEMENT OF GARAGE DOOR WITH WINDOW	CONDITIONS
18/0688	CONVERSION OF AGRICULTURAL BUILDING TO RESIDENTIAL DWELLING WITH ASSOCIATED ALTERATIONS (RESUBMISSION OF 17/0834)	GRANTED WITH CONDITIONS
17/0834	CONVERSION OF AGRICULTURAL BUILDING TO RESIDENTIAL DWELLING AND OTHER ASSOCIATED ALTERATIONS	REFUSED

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)

- SP5 (Countryside)
- SP9 (Conservation of the Natural, Historic and Built Environment)
- GP2 (General Amenity)
- GP5 (Natural Environment)
- GP6 (Quality of Design)

6. CONSULTATION RESPONSES

None

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change. As stipulated in *Planning Guidance: Approving Non-material Amendments to an Existing Planning Permission*, when assessing and determining whether or not a proposed change would qualify as a non-material amendment, the following tests are applied as a starting point:

- Is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme?

- Would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- Would the interests of any third party or body be disadvantaged in planning terms?
- Would the proposed change conflict with national or development plan policies?

8.2 There are two areas of the dwelling where the orientation of the timber cladding is proposed to be changed from horizontal to vertical. The first is in the front elevation, surrounding a single window. The second is in the side elevation, surrounding a single window. Whilst there are three sections of timber cladding present in the side elevation, only one is proposed to be changed to vertical with the other two remaining horizontal. It is considered that the scale of the proposed changes are not great enough to cause an impact different to that caused by the original approved scheme, would not result in a detrimental impact visually and would not disadvantage any third party. Based on this, it is considered that the change in orientation of the cladding would be a non-material amendment to the originally approved scheme.

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 change of the orientation of the timber cladding is considered to be a non-material change to the originally approved scheme.

11. DECISION

APPROVED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Proposed Elevations Drawing No.R824-21C.

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 This decision relates to plan Nos: Location Plan Drawing No.R824-00 and Proposed Elevations Drawing No.R824-21C.

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.