

Delegated Decision Report

Application No:	25/0755	Statutory Period Expires:	10th October 2025
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Site:	Orchard House 11A Norman Street Caerleon Newport South Wales		
Proposal:	NON MATERIAL AMENDMENT APPLICATION TO VARY CONDITION 01 (APPROVED PLANS) AND CONDITION 04 (ROOF TILE MATERIAL) OF 25/0372 REMOVAL OF EXISTING DORMER WINDOWS AND THE INSTALLATION OF AOV (AUTOMATIC OPENING VENT) ROOFLIGHT ABOVE STAIRCASE, PV PANELS AND REPLACEMENT OF ROOF TILES (PART RETROSPECTIVE). AMENDMENTS INCLUDE CHANGE OF ROOF TILE.		
Applicant:	J Page		
Type:	Non-Material Amendment	Ward:	Caerleon
Decision:	APPROVED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 Orchard House is currently occupied by the National Autistic Society (NAS) who provide accommodation and associated services for adults with autism. The existing building is a large red brick Victorian house of an 'L' shape and provides 10 bedrooms, some with en-suite bathrooms, a number of communal lounges, kitchens and dining areas and, in some cases, more independent 'apartment' style living for residents.

2.2 The site is located centrally within Caerleon in a predominantly residential area and is approximately 1.46ha in size. It is largely screened from the surrounding area by mature trees and hedgerows. The site is bound by residential properties at Mill Street to the north, the residential Norman Street to the east, residential properties at Holmlea and Golcroft Court to the south and the Caerleon House nursing home to the west.

3. DESCRIPTION OF DEVELOPMENT

3.1 The proposal is for a Non Material Amendment to Condition 01 (Approved Plans) and Condition 04 (Roof Tile Material) of planning permission 25/0372 for "Removal of existing dormer windows and the installation of AOV (automatic opening vent) rooflight above staircase, PV panels and replacement of roof tiles (part retrospective).

3.2 Following approval of 25/0372, it has become apparent to all parties upon receipt of a sample that the approved roof tile "Marley Acme Heritage Weathered" would not be a suitable replacement for the existing, as it would be much darker in colour. As such, this has been discussed with the Principal Heritage Officer and another tile within the same range, namely "Marley Acme Heritage Ashurst" is a more suitable material and more in keeping with the existing character of the building.

3.3 As such, this NMA proposed to replace the approved roof tile to formalise this arrangement. Consequently, Condition 01 and Condition 04 need to be amended.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0372	REMOVAL OF EXISTING DORMER WINDOWS AND THE INSTALLATION OF AOV (AUTOMATIC OPENING VENT) ROOFLIGHT ABOVE STAIRCASE, PV PANELS AND REPLACEMENT OF ROOF TILES (PART RETROSPECTIVE).	GRANTED WITH CONDITIONS	28/08/2025

5. PLANNING POLICY

5.1 NONE.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

NONE.

6. CONSULTATION RESPONSES

6.1 PRINCIPAL HERITAGE OFFICER: I am satisfied with the evidence produced and would agree that the proposed 'Ashurst' tile would be a better match for the existing. This will result in an enhanced finish for the roof and therefore an enhancement to the character and appearance of the CA over the existing approval.

7. PUBLIC REPRESENTATIONS

N/A

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. 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 The proposed replacement tile is from the same range as that approved, however would be of a colour that is more comparable with the existing roof tile that it is proposed to replace than that previously approved. The Principal Heritage Officer has confirmed this in their response. This amendment is not considered to result in an impact different to that caused by the originally approved development, would not result in a detrimental impact either visually or in terms of amenity (in fact it is seen as an improvement), no third party or body would be disadvantaged in planning terms and there would be no policy conflict.

8.3 The proposed change in roof tile is therefore a Non Material Amendment to the 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 in roof tile is considered to be a non material amendment to planning permission 25/0372.

10.2 The application is approved with conditions.

11. DECISION

APPROVED WITH CONDITIONS

Approved Plans & Documents

01 The development shall be implemented in accordance with the following plans and documents: NMA Proposed Roof Tile Sample - Marley Acme Heritage Ashurst; Covering Letter POBL/3258/3.1.

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

Proposed Roof Tile Condition

04 The proposed replacement roof tiles are to be 'Marley Acme Heritage Ashhurst' roof tiles, as via the submitted sample approved and shall be retained thereafter.

Reason: To ensure the development preserves the character and appearance of the Caerleon Conservation Area, in accordance with Policy CE7 of the NLDP 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: N/A

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 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.