

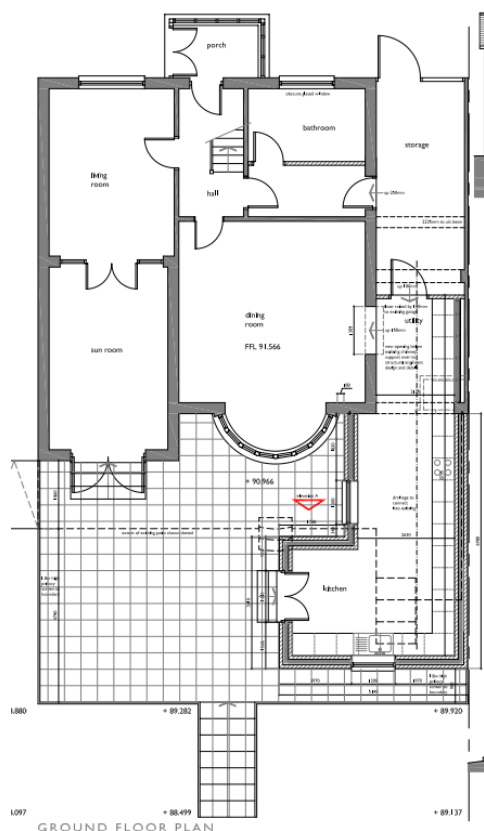
Delegated Decision Report

Application No:	25/1025	Statutory Period Expires:	22nd January 2026
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Site:	20 Ridgeway Newport NP20 5AF		
Proposal:	S73 APPLICATION TO VARY CONDITION 3 (PRIVACY SCREEN) OF 23/0843 PROPOSED REAR KITCHEN EXTENSION		
Applicant:	R Akhter		
Type:	Renewals and Variation of Conditions	Ward:	Allt-yr-Yn
Decision:	REFUSED		

1. BACKGROUND

- 1.1 Application 23/0843 was granted with conditions at the property for a PROPOSED REAR KITCHEN EXTENSION.



The patio would protrude 7.9m at its deepest depth with a width of 11m. The height of the patio was shown at 0.9m high from ground level. The set away from the boundary at number 18 Ridgeway was 1.3m, and there was no set away from no.22.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site comprises of a 2 storey detached dwelling located on the southern side of Ridgeway, a residential street within the defined settlement boundary. The property benefits from off street parking to the front and a private rear amenity space to the rear.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks to vary condition 03 of 23/0843 which currently states:

03 Prior to the beneficial use of the patio hereby approved, screens with a height of 1.8 metres above the height of the patio shall be erected to both sides of the patio in accordance with details which shall have previously been submitted to and agreed in writing

with the Local Planning Authority. The screens shall be retained as such for the lifetime of development.

Reason: In the interests of the privacy and amenity of the occupants of the property and neighbouring occupants and in accordance with Policy GP2 of the NLDP.

- 3.2 The applicant proposes to place the screen on the shared boundary line between no.18 Ridgeway and no.20 Ridgeway, rather than on the edge of the patio approved under 23/0843.
- 3.3 There is currently a joint application in under 25/1024 which proposes to vary the approved plans of 23/0843 to regularise an extended patio and proposed privacy screening.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/1024	S73 APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 23/0843 PROPOSED REAR KITCHEN EXTENSION	PCO	PCO
25/0631	DISCHARGE OF CONDITION 4 (BIO DIVERSITY ENHANCEMENT) OF PLANNING CONSENT 23/0843	A	24/09/2025
25/0485	NMA APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 23/0843 PROPOSED REAR KITCHEN EXTENSION. AMENDMENTS INCLUDE CHANGE TO THE DESIGN OF THE ROOF FROM A MONO PITCHED ROOF TO A HIPPED ROOF, AND REDUCTION IN FOOTPRINT	AC	21/08/2025
23/0843	PROPOSED REAR KITCHEN EXTENSION	GC	11/01/2024

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)

GP2 - General amenity. There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality

GP4 - General Development Principles. Highways and Accessibility states that development shall only be permitted if it is not detrimental to highway or pedestrian safety or result in traffic generation exceeding the capacity of the highway network

GP5- Natural Environment. The proposals are designed and managed to protect and

encourage biodiversity and ecological connectivity, including through the incorporation of new features on or off site to further the UK.

GP6 - Quality of design. Good quality design will be sought in all forms of development. the aim is to create a safe, accessible, attractive and convenient environment.

5.4 SUPPLEMENTARY PLANNING GUIDANCE
HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS SPG

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

7.1 6no. neighbours were consulted. 1no. comment received.

18 Ridgeway:

I fully concur with the planning officers findings. The sighting of the screen on the patio wall is the most effective and sensible solution. I believe that the application promotes an unsophisticated and visually unattractive solution. A planning 'statement' has been submitted to support this application, its contents are exaggerated, misleading, repetitive and in parts inaccurate.

Item 1.

This claims modest increases in fence height along four existing fence panels. I would argue that 600mm, 900mm, 1200mm and 1500mm are definitely not modest, especially when they are above an existing substantial fence.

Item 3.

This claims that the condition is counter productive, but fails to mention that a lower fence is to be constructed on the patio anyway- for safety purposes. I would argue that constructing the screening fence on the patio wall is the logical solution as it serves both purposes in one and is the natural position. It also claims a graduated height increase - no, it's a straight line.

Item 4.

Claims (again) only minor increases in height and stepped. This is not true the one panel will be approximately 3500mm high (that's not a minor increase) and is in a straight line. It will create some overshadowing. I absolutely disagree with the claim of it not creating an overbearing effect, appearing visually obtrusive or affecting my outlook. A 3500 mm high panel is definitely overbearing, definitely obtrusive and will affect my outlook.

I hope that my comments submitted will be enough to convince the planning officer that this application should be refused and that the original condition requiring provision of a 1800mm opaque screen on the inside of the patio (a much neater solution) be upheld.

8. ASSESSMENT

8.1 Principle of Development

8.1.1 The application site comprises of an existing residential dwelling within the defined settlement boundary where there is a presumption in favour of development and the efficient use of land is encouraged. As the property is existing there is a presumption in favour of development incidental to the enjoyment of the dwellinghouse, accordingly, no objection is raised to the principle of the development.

8.1.2 The patio and extension have been constructed on site, the changes to the privacy screening is proposed.

8.1.3 The application seeks the vary condition 03, to move the privacy screening to the shared boundary between no.18 and no.20 Ridgeway, rather than situated on the edge of the patio approved under 23/0843. The applicant claims the movement of the privacy screen to the

boundary fence would be more effective and a more natural position. The applicant claims this is a stepped design and is only a minor increase in height which would not create an overshadowing or overbearing nature.

- 8.1.4 A full assessment has been carried out under the joint application 25/1024. The original application (23/0843) required a 1.8m privacy screen to be installed along the patio edge, set 1.3m back from the shared boundary with No.18, to reduce overlooking. This new application proposes relocating the privacy screening directly onto the boundary between Nos.18 and 20. The proposed boundary fence would be erected at one level, rather than the applicants claimed stepped design, on the sloping garden, reaching a maximum height of 3.5m from ground level. As the land levels fall toward No.18, which is already set lower, the height and close proximity of the proposed fence would create an unacceptable and overbearing impact on No.18's private amenity space. The applicant claims of a minor height increase, however, it should be considered that the fence increases in height at one point by 1.5m. While it would prevent overlooking, the scale and appearance of the fence would be visually stark and out of keeping in this location and therefore cannot be supported.
- 8.1.5 18 Ridgeway have submitted comments and states that the fence would be at one level, rather than the claimed stepped height. The fence would create an overbearing and overshadowing feature to no.18 at the detriment to residential amenity. Overall, it is considered that the fence in this location would be unacceptable for the reasons set out above.
- 8.1.6 Therefore, the relocation of the privacy screening is not acceptable, and the proposal to vary condition 03, refused.

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 Overall, it is considered the privacy screen in this location would hold an unacceptable impact to the neighbouring property at number 18 Ridgeway, creating an overbearing, stark and unneighbourly form of development. Therefore, the proposal to vary condition 03 is refused.

11. DECISION

REFUSED

- 01 The proposed privacy screening along the shared boundary of number 18 Ridgeway and number 20 Ridgeway, by reason of its size and design, would be a prominent, overbearing and unneighbourly form of development adversely impacting the neighbouring amenity at number 18 Ridgeway. Therefore, condition 03 of 23/0843 cannot be varied as the scheme would therefore be contrary to Policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and Supplementary Planning Guidance 'Householder Extensions and Domestic Outbuildings' (adopted August 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: 2023.380_PL30_A Plans Elevs Exist Proposed; 2023.380 - Planning Statement.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5, GP6 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.