

Delegated Decision Report

Application No:	25/0768	Statutory Period Expires:	12th November 2025
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Site:	<i>Cefn Eglwys Michaelstone Road Michaelston-Y-Fedw Cardiff CF3 6XS</i>		
Proposal:	<i>S73 APPLICATION TO VARY THE STANDARD TIME CONDITION IN RESPECT OF 20/1001 FOR THE ERECTION OF A SINGLE STOREY EXTENSION</i>		
Applicant:	<i>S Richards</i>		
Type:	Renewals and Variation of Conditions	Ward:	Tredegar Park And Marshfield
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is situated within designated Countryside and the Parish Church of St Michael is situated to the North of the site which is a grade II* listed building. To the West are open fields and to the East are residential properties and Cefn Mably Arm pub. The site is accessed of Began Road.

3. DESCRIPTION OF DEVELOPMENT

This application is a Section 73 application to vary the standard time period for the commencement of development relating to planning permission 20/1001 for the erection of a single storey extension at detached property in the Marshfield Ward by an additional 5 years. The boundary to the north is shared with St. Michaels Church.

4. RELEVANT SITE HISTORY

01/0924	Erection of single storey extension	Allowed at Appeal
06/1428	Erection of single storey extension as previously approved as part of planning consent on Appeal Ref. G6935/A/01/1080082 relating to planning application 01/0924	Granted with Conditions
11/0421	Variation of standard time condition to extend time period for commencement of development relating to planning permission 06/1428 for the erection of single storey extension	Granted with Conditions
15/1474	Variation of standard time condition to extend time period for commencement of development relating to planning permission 06/1428 for the erection of single storey extension	Granted with Conditions

20/1011	Variation of standard time period for the commencement of development relating to planning permission 15/1474 for the erection of a single storey extension	Granted with Conditions
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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 Circular: WGC 016/2014

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP2 (General Amenity)

Policy GP4 (Highways and Accessibility)

Policy GP5 (Natural Environment)

Policy GP6 (Quality of Design)

Policy SP5 (Countryside)

Policy H13 (Extensions to Dwellings in the Countryside)

5.5 SUPPLEMENTARY PLANNING GUIDANCE

House Extensions and Domestic Outbuildings

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 26/09/2025.

7.1 4no. neighbours were consulted. No comments received.

7.2 Michaelston-y-Fedw Community Council: No objection to the application.

8. **ASSESSMENT**

8.8.1 This application is a Section 73 application to vary the standard time period for the commencement of development relating to planning permission 20/1001 for the erection of a single storey extension at detached property in the Marshfield Ward

8.8.2 Circular WGC 016/2014 states within paragraph 5.20-5.21, after the expiry of the time-limit for commencement of development it is not possible for development to be begun under that permission; a fresh application for planning permission must be made. Planning permission can be renewed before the time-limit for the commencement of development has expired, under section 73 of the 1990 Act. As a general rule, such applications should only be refused where:

- there has been some material change in planning circumstances since the original permission was granted (e.g. a change in some relevant planning policy for the area, or in relevant highway considerations, or the publication by the Government of new planning policy guidance, material to the renewal application);
- continued failure to begin the development will contribute unacceptably to uncertainty about the future pattern of development in the area; or
- the application is premature because the permission still has a reasonable time to run

An assessment is carried out below.

8.8.3 The 2020 permission was also an application to vary the time limit on the permission for an application for an extension. Planning consent was granted at appeal in 2002 for the erection of two single storey extensions at Cefn Eglwys; one to the north elevation and one to the south elevation. An extension was built to the south of the property that did not accord with the consent. Subsequently, the consent lapsed and in 2006 the applicant submitted an application for the erection of a single storey extension to the north of the property, which was granted. Prior to the expiry date of the consent in November 2011 and then January 2016, and then December 2020 the applicant applied for planning permission to extend the time period for the commencement of the development. This 2020 consent is due to expire in December 2025 and therefore the applicant seeks planning permission to extend the time period for the commencement of the development for a fourth time.

8.8.4 The variation agreed in 2020 was considered under the same local policy context and although there have been variations to Planning Policy Wales since that time, the changes would not detrimentally impact upon a minor scheme such as this, and therefore, can be secured via condition. The property is located in within the countryside, as classified by the Newport Local Development Plan 2011-2026 (adopted January 2015). As such, policy

H13 (Extensions to Dwellings in the Countryside) along with GP2 (General Amenity) and GP6 (Quality of Design) are relevant for the determination of this application.

8.8.5 The change to legislation is as follows:

8.8.6 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect, and enhance ecological networks and features of importance for biodiversity. No ecological enhancements are proposed as part of the development. As such the proposal is currently not compliant with the aims of Policy GP5 of the NLDP 2011-2026 (adopted January 2015). However, given the scale of development, this can reasonably be secured via condition.

8.8.7 Moreover, PPW12 states in paragraph 6.2.12, *A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.* Given the scale of development, a GI statement is not applicable in this instance, and the enhancement scheme will provide an overall net-benefit for biodiversity.

8.8.8 There are no additional constraints or designations and no physical changes have occurred on or adjoining the site that result in a different assessment having to be made. As such, the assessment made in 2020 is still relevant and the details of the officer's report is set out below: -

8.8.9 The proposed single storey extension would be erected to the north elevation of the property and in order to accommodate the development would involve the demolition of an existing outbuilding (former pigsty) which is currently used for storage. It would project a maximum of 6.4 metres from the north elevation and would measure 6.4 metres in width. The single storey extension would measure 6.5 metres in height (3.7 metres to the eaves). A chimney would be located centrally on the northern elevation. The proposed extension would be set back from the existing boundary wall.

8.8.10 The walls and roof of the proposed extension would be constructed using the same materials as the existing. The chimney would be constructed using red brick clay. Fenestration would comprise of double width patio doors on the rear elevation.

8.8.11 The inspector involved in the 2002 appeal considered the volume of the proposed single storey extension to add a significant amount of volume to the north of the property. However, the Inspector noted that this part of the proposed development was currently

occupied by an existing outbuilding (former pigsty) and that no significant public views across this part of the property to the countryside beyond would be affected.

8.8.12 Due to the relatively small scale of the proposed development, its appearance and location, it would not erode the character of the original dwelling. Furthermore, the proposed extension (including the demolition of the former pigsty) would not result in a detrimental impact in terms of loss of privacy or visual amenity to neighbouring properties or the rural character of the countryside and accords with the criteria set out within Circular WGC 016/2014.

8.8.13 It is therefore recommended that the variation of the standard time period for the commencement of development be granted subject to conditions.

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 proposal is considered to be acceptable complying with policies GP2 (General Amenity), GP6 (Quality of Design) and H13 (Extensions to Dwellings in the Countryside). The Policy change in regard to a biodiversity enhancement scheme will be secured via condition given the scale of works proposed. The variation of standard time period for the commencement of development relating to planning permission 20/1001 for the erection of a single storey extension is therefore granted subject to conditions.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Site Location Plan and CFB2 Rev AB – Floor Plans and Elevations.
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 The external surfaces of the development hereby permitted shall only be of materials to match those of the original dwelling.
Reason: To ensure the development is completed in a manner compatible with its surroundings.

03 Prior to the commencement of development, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved and retained as such for the lifetime of the development.
Reason: In the interest of protected species, in accordance with Policy 9 of Future Wales and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan and CFB2 Rev AB – Floor Plans and Elevations.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies H13 (Extensions to Dwellings in the Countryside), GP2 (General Amenity) and GP6 (Quality of Design) 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.