

Delegated Decision Report

Application No:	25/0485	Statutory Period Expires:	27 th August 2025
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Site:	20 Ridgeway Newport NP20 5AF		
Proposal:	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		
Applicant:	B Uddin		
Type:	Non-Material Amendment	Ward:	Allt-yr-Yn
Decision:	APPROVED WITH CONDITIONS		

1. BACKGROUND

1.1 Existing before development:



1.2 23/0843 approved:



1.3 25/0485 proposed and partially constructed:



2. SITE LOCATION AND CONTEXT

2.1 The application site contains a detached two storey dwelling within the Allt-yr-yn ward. The area is characterised by residential detached houses. The land level decreases to the West down Ridgeway Road.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks a non-material amendment to the approved scheme 23/0843 proposed rear kitchen extension. The changes include a new roof pitch and the removal of the L-shaped element off the rear extension.

3.2 23/0843

The extension measures:

Maximum depth of 6.9m

Maximum width of 5.1m

Maximum height of 3.7m

Current application **25/0485**:

The extension measures:

Maximum depth of 6m

Maximum width of 3.4m

Maximum height of 3.7m

3.3 It is noted the proposed rear extension would not be set away from the boundary of 22 Ridgeway for both applications. There is no change in this regard.

3.4 It is acknowledged that there appears to be other changes on the plans including a change in the patio depth, changes to land levels, and changes to privacy screening. However, it is considered these changes are not proposed to be considered under this NMA application given the description of development. This will require separate investigation.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
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.

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

5 neighbours were consulted on 04/07/2025. 2no. neighbour comments were received.

Neighbours:

7 Enville Road:

The retrospectively proposed roof shape change application, is not reflecting the real height of what has been built, in the drawings you can see the proposed roof apex sitting below the second storey bay window, in reality the roof has already been built and it exceed the second floor bay window, causing privacy concerns for our household.

With regards to the patio on the ground floor I can see this has also been exceeded by building a patio which is only a metre away from our boundary, given number 20 Ridgeway is situated on a higher elevation than our house we have serious privacy concerns because the patio is standing now so much closer and higher that we are very overlooked. In an ideal situation the patio would stay back at least 3 meters from our boundary, to ensure our privacy alternatively at the very least a new fence should be erected on their side to ensure our privacy although it would feel very oppressive to have such a high fence so I'd rather the patio backing off from the boundary leaving the grass area as it was.

18 Ridgeway:

My concern is with the issue of the newly constructed patio and the fact that it does not conform to the dimensions on the supporting plan. It seems that it has been extended out by approximately 1 metre.

Also the officers notes in the original permission state that the patio should be constructed 1.3 metres from the boundary of no. 18 Ridgeway, in fact it is more like .95 metre.

This extra build out in both directions has the very real effect of impinging on the privacy of the habitable rooms and rear garden spaces of no. 18 Ridgeway to which I object. There is at present a clear line of sight into the lounge and kitchen of no. 18.

Some mitigation of this overlooking has been provided by way of Condition 3 in the Decision Notice.

This states that an opaque 1.8 metre high screen be constructed on the sides of the patio 1.3 metres from the boundary of no.18.

I fully agree with this assessment.

The notes from the officers report to which I refer are:-

Note 5.2 (the final sentence)

5.5

5.8

5.13

7.1

The NMA drawing clearly shows that the patio has been built out further than originally consented to which supports the details included in my comment.

The overall measurement of the extension and patio is shown as 9 metres whereas on the superseded drawing it is shown as 6.9 metres this is clearly 2.1 metres further than previously proposed.

Even compared to the original planning application in which the overall measurement of extension and patio is 7.88 metres it is still 1.12 metres further.

8. **ASSESSMENT**

8.1 This application seeks a non-material amendment to vary the approved plans condition 01 of planning permission 23/0843. Amendments include a change to the design of the roof from a mono pitched roof to a hipped roof, and reduction in the overall footprint. No other changes are being assessed under the application.

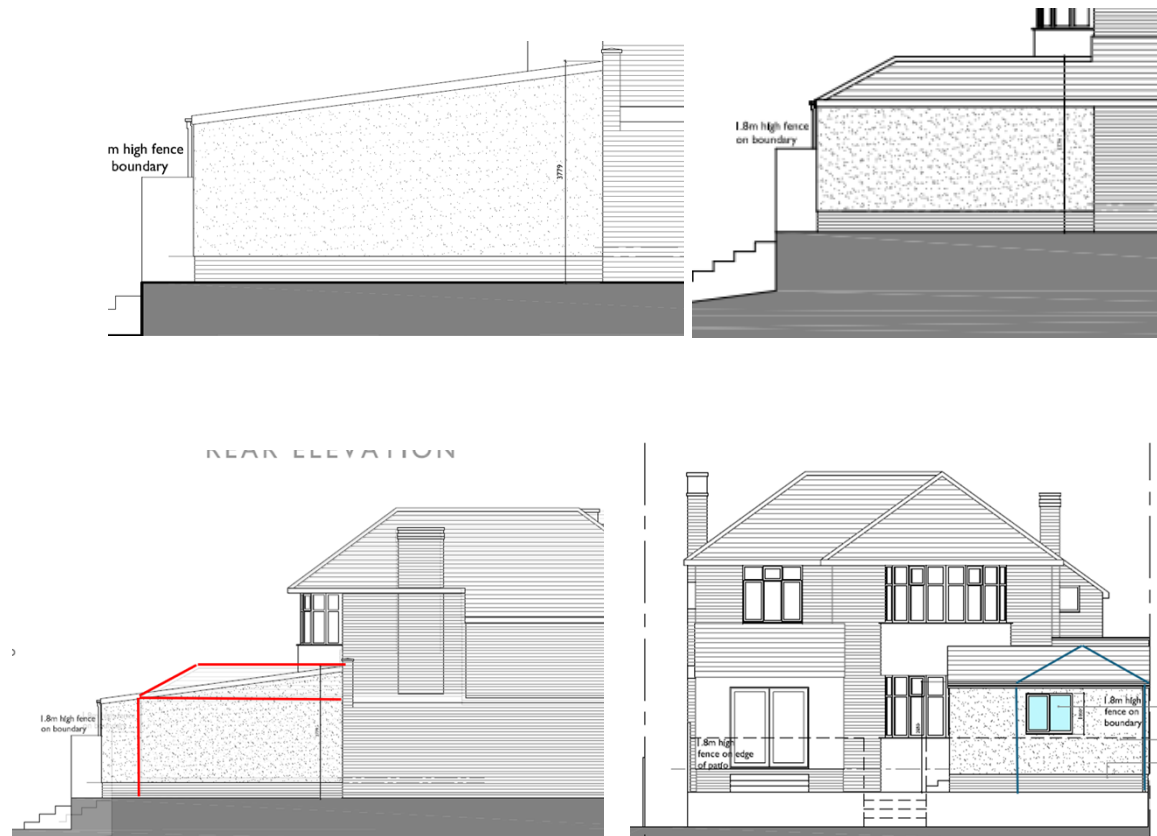
8.2 Section 96A of the Town and Country Planning Act 1990 allows a non-material amendment to be made to an existing planning permission. Whilst there is no statutory definition of a 'non-material amendment', the Authority must consider;

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 On consideration, in terms of design, the previously approved scheme under 23/0843 proposed a lean to roof which at its tallest height measured 3.7m and decreased to 2.8m along the boundary of no.22. The new roof has been constructed as a hipped roof at a continuous height of 3.7m along the boundary as shown below. Overlays of the original plans and the revised plans have been provided below.

23/0843:

Current:



- 8.5 An assessment of the proposed changes should be undertaken on the impact to the neighbouring property at No. 22, compared to the original approved development. It is noted that part of the boundary hedge has been removed as show below opening up views to no.22. When assessing the extensions scale to the neighbouring property, whilst the depth of the proposed extension has been reduced by 0.9m, it now maintains a continuous height of 3.7m. However, the development does not result in a significant loss of light to No. 22's ground floor window. Additionally, the hipped roof design slopes away from No. 22, further mitigating any impact compared to the original design.
- 8.6 In terms of design, although the roof form has changed, the revised hipped design is sympathetic, and the overall footprint has been reduced. As such, the changes do not result in a greater impact than the approved scheme and are not considered detrimental visually or in terms of local amenity. The change in roof form and reduction in footprint is therefore deemed acceptable.

23/0843:



Current:



8.7 Furthermore, there are no Policy changes that would materially affect the development.

8.8 Other issues

8.8.1 Neighbour comments

8.8.2 Neighbours to the rear of the development at 7 Enville Road have raised concerns over the proposed roof shape under 25/0485 not being built in accordance with what has been built on site. The proposed roof apex is sitting below the second storey bay window, in reality the roof has already been built, and it exceeds the second-floor bay window, causing privacy concerns for our household. In response to this, an enforcement officer has been to site and measured the height of the extension constructed. The height was approximately 3.6m on site, and the drawings demonstrate a 3.7m high extension. Given this information, this is deemed acceptable. Moreover, the extension has been reduced in depth compared to what was approved under 23/0843, and given the set away from the shared rear boundary of no.7 Enville Road of approximately 17m, the changes do not result in a greater impact than the previously approved scheme.

8.8.3 No.7 Enville Road also raised concern over the patio not being built in accordance with the plans and is now only a 1 metre away from the boundary. This raised concerns over privacy. It is considered that alterations to the patio are not being assessed under this application, and this should be assessed under a separate case.

8.8.4 18 Ridgeway also raised concerns the patio area not being built in accordance with the dimensions submitted. As suggested above, this element is not being assessed under this application and can be investigated separately by the enforcement team. Moreover, concerns were raised over the implementation of the privacy screen along the edge of the patio facing no.18. The requirements of this original condition for privacy screening should still be implemented. Compliance with this condition can be investigated separately by the enforcement team.

- 8.8.5 Overall, given the changes in roof form and footprint of the extension 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 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 change in roof form and change in the overall footprint to the extension 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. As forementioned, this approval relates only to the extension details.

11. DECISION

APPROVED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plan, insofar as it relates to the development included in the application description (extension details): _PL01_D Plans Elevs Exist Proposed

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). No policies were relevant to the determination of this application.

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.

03 This approval only relates to the development contained within the application description, limited to the change in roof form and the footprint of the rear extension. The change in patio size, levels, and privacy screens can be investigated separately via the enforcement team.