

Delegated Decision Report

Application No:	26/0346	Statutory Period Expires:	2nd June 2026
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Site:	23 Montgomery Road Newport NP20 6QE		
Proposal:	NON MATERIAL AMENDMENT APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF 25/0786 TWO STOREY SIDE EXTENSION (AMENDMENTS INCLUDE CHANGES TO ROOF DESIGN)		
Applicant:	Robert		
Type:	Non-Material Amendment	Ward:	Malpas
Decision:	REFUSED		

1. BACKGROUND

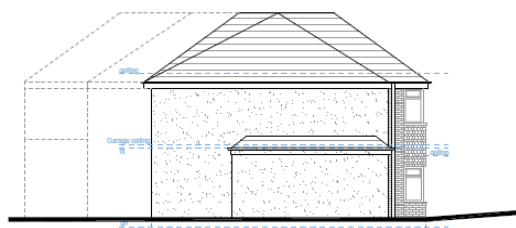
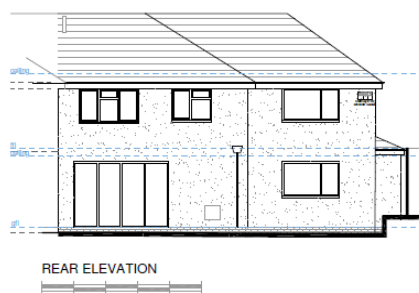
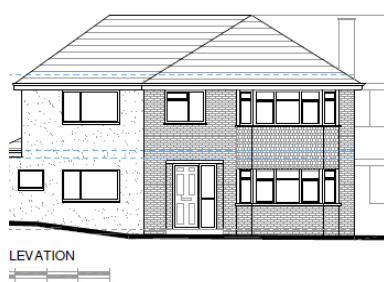
1.1 None.

2. RELEVANT SITE HISTORY

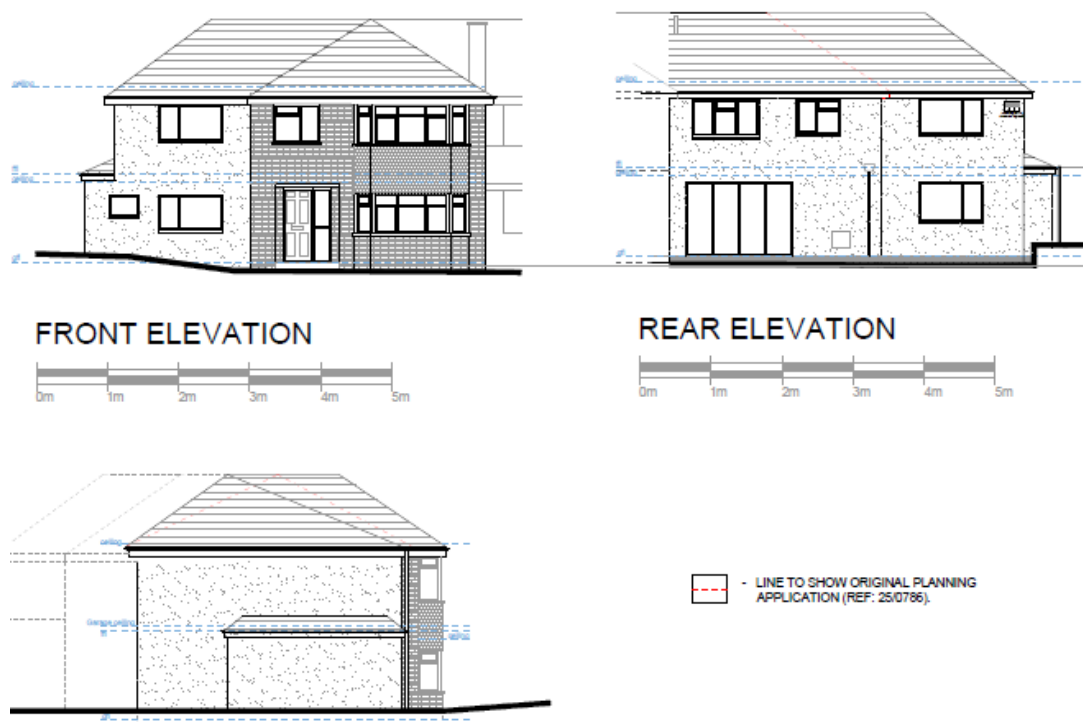
App Number	Proposal	Decision	Decision Date
25/0786	TWO STOREY SIDE EXTENSION	GRANTED WITH CONDITIONS	6.11.2026

3. ASSESSMENT

Planning permission was recently approved for a two storey side extension at the above property. This NMA seeks changes to the approved plans, namely to the design of the roof over the extension. The approved plans can be seen below. The ridge of the extension as approved is shown to be central to the extension when viewed from the side, linking into the main roof ridge and having a symmetrical appearance:



3.1 The revised proposals can be seen below with the extension roof having an 'A' symmetrical appearance to the side and linking into the main roof further rearwards:



3.2 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;

1. 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;
2. whether any third party or body would be disadvantaged in planning terms; and
3. if the proposed change conflicts with national or development plans policies.

3.3 During consideration of the primary application, a slight difference in the roof pitch was noted but considered acceptable and unlikely to be discernible. This point was specifically considered and noted in the officer report. The current design seeks a much shallower front roof slope that will be more easily observed as different to the host property roof. The location of the property and size and position of extension mean that the roof will be readily observed from public vantage points. It is a material change and will impact design and amenity.

3.4 The proposed changes are material.

3. OTHER CONSIDERATIONS

3.1 ***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.

3.2 ***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.

3.3 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.

3.4 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.

3.5 ***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.

3.6 ***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.

4. **CONCLUSION**

4.1 The changes are material.

4.2 The application is refused.

5. **DECISION**

REFUSED

01 The amendment to the roof design is a material change as will cause an impact different to that caused by the original approved development in design terms, and have an impact upon local amenity.

NOTE TO APPLICANT

01 This decision relates to plan Nos: R953-05.

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.