

Delegated Decision Report

Application No:	24/1037	Statutory Period Expires:	26th March 2025
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Site:	<i>Tanglewood Tregarn Road Langstone Newport NP18 2JS</i>		
Proposal:	<i>INCREASED HEIGHT OF DORMER BUNGALOW TO CREATE ADDITIONAL FIRST FLOOR ACCOMMODATION. CONVERSION OF GARAGE AND A SINGLE STOREY EXTENSION TO LINK GARAGE TO HOUSE</i>		
Applicant:	<i>T Tilley</i>		
Type:	Full	Ward:	Bishton And Langstone
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is a detached three-bedroom bungalow with rear dormer roof extension located in a raised position, set back from the highway at Tregarn Road behind a stone dwarf wall and railings.

2.2 The curtilage comprises of a large hard paved front parking area and enclosed private rear garden with detached garage to the side/rear.

2.3 The property is located within the urban boundary in a residential street having a wide variety of house styles and a pleasant visual amenity. Neighbouring dwellings vary in scale with a mixture of two storey and single storey properties in close proximity to the site.

3. DESCRIPTION OF DEVELOPMENT

3.1 The proposals include an increase in height of the dwelling to create additional first floor accommodation. The existing ridge height is approximately 6m and this would be increased to approximately 8.8m. The front elevation would be stepped with two front gables having ridge heights level with the main roof. First floor windows are proposed in the front, rear and north-east side elevation. No first floor windows are proposed in the south-west elevation. A Juliet style balcony is also proposed in the rear elevation with glazed doors opening inwards.

3.2 The proposals include the conversion of the garage to ancillary accommodation and the erection of a single storey rear extension to link the garage to the house which would measure approximately 6.8m in width x 4.5m in length and 3.9m in height with a pitched roof. A window is proposed in the front elevation. An additional window and a door are proposed in the north-east side elevation orientated towards the rear garden serving the property. Roof lights are also proposed.

4. RELEVANT SITE HISTORY

None.

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

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)

Policy GP2 General Development Principles – General Amenity states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.

Policy GP5 General Development Principles – Natural Environment states that proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.

Policy GP6 General Development Principles – Quality of Design states that good quality design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability.

Policy M1 Safeguarding of Mineral Resource states the Proposals Maps identifies areas safeguarded for minerals. The areas will be safeguarded unless the developer can demonstrate that working the resource is impractical; the minerals will be extracted prior to development; the development is temporary; there is an overriding need for the developments; or the development is limited householder development or would constitute limited infilling.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

House Extensions and Domestic Outbuildings

Mineral Safeguarding

Wildlife and Development

Trees, Woodland, Hedgerows and Development Sites

Parking Standards SPG

6. CONSULTATION RESPONSES

6.1 Local Highways Authority:

Highway recommendation:

No objection subject to conditions.

Highway Comments:

The proposals include conversion of the garage, which represents a potential loss of parking and cycle parking. Adequate space is retained for parking and manoeuvring, as well as access to the rear. The impact therefore appears to be just a loss of cycle storage. It is not known if alternative storage exists, but we would request condition to provide it, in the event that it doesn't already exist.

For the avoidance of doubt the most appropriate provision here would be a 6x4ft shed.

In summary, there are no highway related objections subject to the following conditions.

Suggested Conditions:

Except for site clearance and remediation no development shall take place until a scheme for the provision of cycle parking in accordance with the Council's current standards has

been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council. Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

- 6.2 Ecology officer: I have considered the Bat and Bird Scoping Survey report of this property dated January 2025, and in general I support the methodology and conclusions of that report.

The buildings were assessed as having negligible bat roost potential, and so no further surveys are advised. However, we can never totally rule out the presence of bats so we should attach out Bat Advisory Note as below, to advise the Applicant as what to do in the unlikely event that bats are found during works.

Sections 4.16 to 4.21 inclusive make a series of suggestions for biodiversity enhancement measures in the form of bat and bird boxes to be attached to the buildings. I support these proposals and advise that their implementation is secured by a biodiversity enhancement planning condition.

- 6.3 Landscape officer: The proposal is a significant change to the front elevation and the dwelling is already elevated above Tregarn Road, but the property is set back from the street view and although 1.5 storeys are shown either side, there are 2 storey properties north of Tregarn Road. There are opportunities for new planting to meet LDP policy GP5, this includes along the railing frontage and potentially to the rear onto open field which would also help meet green infrastructure requirements for mitigation and enhancement. A proportionate planting plan could be conditioned.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 2/1/2025, Site Notice was put up on 10/01/2025.

- 7.1 NEIGHBOURS: No responses have been received.

- 7.2 LANGSTONE COMMUNITY COUNCIL: No response.

8. ASSESSMENT

8.1 Principle of Development:

The application site is located within the urban boundary wherein the principle of development is deemed to be acceptable subject to compliance with the relevant policies contained within the Development Plan.

8.2 Visual Amenity/ Character and Appearance;

As noted above, the property is located within the urban boundary in a residential street having a wide variety of house styles and a very pleasant visual amenity. Neighbouring dwellings vary considerably in scale and design with a mixture of two storey and single storey properties in close proximity to the site. The neighbouring property to the south-west is of two storey height whilst 'Avoca' to the other side of the host dwelling is a bungalow. All three properties vary considerably in their design with varying roof forms and pitches. Therefore, there is no objection in principle to the proposed increase in ridge height and additional first floor accommodation. The plans indicate that the ridge height would be in line with the neighbouring property to the south-west, no.7 Tregarn Road. The proposed double gable design is also considered to be acceptable given the wide variety of architectural styles in the area.

- 8.3 The side/rear link extension would not be highly visible from the public realm, but in any

case is considered to be of an acceptable scale and design.

8.4 **Residential Amenity:**

There is a good degree of separation between the property and its neighbours, with properties in the vicinity generally occupying larger than average plots. There is a first-floor window serving no.7 Tregarn Road in the north-east side elevation. The proposals would result in the creation of additional first floor accommodation in close proximity to this window. However, this window serves a bathroom and is obscurely glazed and as such the light and amenity tests referred to in the Council's adopted Supplementary Planning Guidance on House Extensions are not relevant to this window. There are no other windows in the front or side elevation of this property that would be affected by the proposals. Rooflights are proposed in the roof slope adjacent to the neighbouring boundary, however these would be 2.8m above floor level and so unlikely to result in any overlooking of the neighbouring property.

8.5 A ground floor front elevation window in the neighbouring property to the north-east (Avoca) has potential to be affected by the proposals and the light tests in the Council's House Extension SPG are applicable. The 45° test is relevant (plan view and elevational view). This plan view test is performed by drawing two notional lines at 45° angles from the centre of a protected window. The proposed development should not project beyond the nearest 45° line. In this instance the test is already marginally failed by the existing property. For the elevational view test, a notional line is drawn from the centre of a protected window at 45° to the horizontal. The proposed development should not project beyond the 45° line. This test is failed by the proposed development. However, having regard to the south-easterly window orientation, resulting in a good degree of light to the window, on balance, the proposals are not considered to result in a demonstrably harmful impact in terms of light.

8.6 There is a small ground floor window in the side elevation of this neighbouring property. It is obscurely glazed and appears to serve a w/c /bathroom. Given this the light tests in the SPG are not applicable.

8.7 A first floor window serving a bedroom is proposed in the north-east side elevation of the proposed first floor accommodation. This window would be orientated toward the neighbouring property; Avoca. However, it is located very similarly to an existing upper floor unobscured glazed window serving the host property and the impact of this is not considered to be any worse in terms of neighbouring privacy or amenity.

8.8 **Movement:**

There is ample off street parking provision to the front of the property and the proposals will not affect this. The Highways officer has referred to the loss of potential cycle storage as a result of the garage being converted and has requested a condition to require the submission of details to be submitted for approval. However, there is a large shed in the rear garden of the property which could be used to store cycles if required and such a condition is not considered warranted in this instance.

8.9 **Biodiversity/Ecology:**

The application includes a Bat and Bird Scoping survey. The Council's Ecology officer has been consulted and advises that in general the methodology and conclusions of that report are supported, but a Bat Advisory Note should be included to advise the Applicant as what to do in the unlikely event that bats are found during works.

8.10 Sections 4.16 to 4.21 of the report make a series of suggestions for biodiversity enhancement measures in the form of bat and bird boxes to be attached to the buildings. These proposals are supported and should be secured by a biodiversity enhancement planning condition.

8.11 **Landscaping:**

The Council's Landscape officer has responded to the proposals noting the potential for new planting to meet LDP policy GP5. The property does have a particularly hard frontage with a large hard standing. However, the proposals include only a limited increase in the footprint of the property and where an increase is proposed, i.e. to the side/rear of the dwelling in order to extend the garage and link it to the house, this is in an area that is already hard surfaced, and the proposals will not result in the loss of existing green infrastructure. As such, it is not considered that additional landscaping is justified.

8.12 Other Matters

The site is located in a mineral safeguarding zone, however due to the householder nature of the application, the proposal is not considered to prejudice the extraction of this resource and therefore is considered acceptable in accordance with policy M1.

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 development is considered acceptable in terms of design and will not result in an adverse visual impact, in accordance with the relevant policies of the Newport Local Development Plan 2011-2026. Suitable biodiversity enhancement can be secured by condition.
- 10.2 The application is granted subject to the following conditions.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Proposed first floor plan Option C (2)14A, Proposed Rear and Side Elevations - Option C (2)016A, Proposed Ground Floor Plan - Option D (2)013 Revision A, Proposed Front and Side Elevations - Option C (2)015 Revision A. Bat and Bird Scoping Report survey 17/01/2025.

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

Pre-commencement conditions

02 Prior to the commencement of development full details of all external surfaces of the development as hereby approved shall be submitted to the Local Planning Authority and written approval received. The development shall be carried out fully in accordance with the approved details and thereafter retained in perpetuity.

Reason: To ensure the development is completed in a manner compatible with its surroundings and in accordance with Policy GP6 of the NLDP.

General conditions

03 No additional first floor windows shall be installed in either side elevation of the extension as hereby approved and the first floor window shown in the north-east elevation shall be obscure glazed and fixed shut at the time of installation and shall remain thus.

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

04 Prior to the first occupation of the development as hereby approved, biodiversity enhancement shall be implemented in accordance with the details as set out in the Bat and Bird Scoping report dated 17/01/2025. Thereafter the biodiversity enhancements shall be permanently retained.

Reason: In the interest of protected species, in accordance with Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Existing Front and Side Elevations (2)003, Blind Side Elevation Existing, Existing Front and Side Elevations (2)003, site location plan. Ground floor plan existing, First floor plan existing, Rear elevation existing Site location plan, Proposed first floor plan Option C (2)14A, Proposed Rear and Side Elevations - Option C (2)016A, Proposed Ground Floor Plan - Option D (2)013 Revision A, Proposed Front and Side Elevations - Option C (2)015 Revision A. Bat and Bird Scoping Report survey 17/01/2025.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP5, GP6 and M1 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.

04 Bat Advisory Note

Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales (NRW) must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and undertake bat surveys if necessary.

Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result in a fine and/or imprisonment.

NRW can be contacted at:-

Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-

5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228