

FAO: Catherine Aldous  
Head of Planning  
Newport City Council  
Civic Centre  
Godfrey Road  
Newport  
NP20 4UR



BY EMAIL

Dear Sir/Madam,

**15 RIDGEWAY, NEWPORT  
PLANNING APPLICATION FOR 2 NO. 4 BED DETACHED HOUSES AND NEW ACCESS  
AND ROAD IN THE BACK GARDEN OF 15 RIDGEWAY, NEWPORT, NP20 5AF  
COUNCIL REF: 24/1034**

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We write with concern in relation to the above application which seeks planning permission for two large 4 bed detached houses, new access and road in the back garden of 15 Ridgeway, Newport.

We wish to express our strong objection to the planning application on the following grounds:

1. Impact on residential amenity and privacy
2. Impact on the character and appearance of the area
3. Impact on trees and landscaping
4. Impact on ecology
5. Highways impact / deficiencies
6. Absence of SuDS Approval Body (SAB) Application / Drainage Statement
7. Absence of sustainability measures
8. Absence of affordable housing commuted sum financial contribution

We would like to apologise at the outset for the length of this objection letter but hopefully you will appreciate there are a significant number of issues with the proposal which we consider are important material considerations to take into account when determining this planning application.

It is noted that a number of the planning application drawings are not at the scale that is stated on the title bar. We would request that the applicant is asked to review their drawings and, where necessary, submit corrected drawings.

Before providing further details on our objections, it is pertinent to note that the Council have previously considered 'backland' development on the northern side of Ridgeway. We attach to the rear of our letter two relevant planning application refusals issued by the Council at no. 29 Ridgeway. 29 Ridgeway is located just 10 properties from 15 Ridgeway on the same side of the road. These planning applications are:

- Planning application ref: 04/1644 – Conversion of existing badminton court into a dwelling
- Planning application ref: 04/0049 – Erection of a detached dwelling

Whilst the refusal decisions date back to 2004, they are still very relevant in confirming the Council's previous in principle position that 'backland' development on the northern side of Ridgeway is inappropriate. Both planning applications were refused for the same reasons:

1. The dwelling, by reason of the proximity of the access to the side elevation of the adjacent properties and the introduction of vehicles into the rear garden area, would cause a noise nuisance and loss of privacy detrimental to the amenities of the occupants of the existing property.
2. The 4 bed dwelling would result in the garden area of the adjacent property, No 27 Ridgeway being overlooked to the detriment of the amenities and privacy of the occupants of this property.

In summary, the planning applications were refused on residential amenity and privacy grounds. These matters continue to remain very relevant to the determination of planning applications today with the context of development plan policy relating to the consideration of planning application proposals on residential amenity remaining largely unchanged. There are a number of very similar comparisons between the above planning applications and the subject planning application at 15 Ridgeway, albeit the subject planning application involves twice the amount of development (2 no. 4 bed detached dwellings) and a 90-metre-long road. Whilst we understand that each planning application must be considered on its own merits, given the similarities between the planning applications and the fact that Councils are required to be consistent in their planning application decision making, it must follow that the subject planning application should also be refused for the same reasons. Given the content of our objections below, it is difficult to see on what basis planning officers would be able to come to a different conclusion.

We set out below our objections to the planning application. Our objections provide further clear reasoning and justification for why the application should be refused planning permission.

## **Our Objections**

### Impact on Residential Amenity and Privacy

The proposed development would result in an unacceptable impact on residential amenity and privacy of 13A Ridgeway, 15 Ridgeway and 17 Ridgeway:

- Proposed Road & Vicinity to Habitable Rooms - The proposed road passes from Ridgeway between our property and 15 Ridgeway into a section of the rear garden of 15 Ridgeway. The proposed road is located just 1.5m from habitable rooms in our house (including kitchen/diner and office) with one of our front bedroom windows located just 2.25 metres from the proposed road. The road is also located just 6-7 metres from habitable rooms at 15 Ridgeway (including a bedroom, living room, and dining room).
- Noise Disturbance – The only noise we hear in our back garden is wildlife. Therefore, the background noise levels are very low. The 90 metre long road immediately abutting the boundary of 13A Ridgeway and the introduction of a great deal of traffic movement into the rear garden area, would cause a significant and unacceptable noise nuisance. It would not only cause a noise nuisance to us but also residents living at 15 and 17 Ridgeway. The proposed development would result in significant activity and noise immediately adjacent to our back garden.
- Privacy and Overlooking into Rear Gardens - The 2 no. 4 bed dwellings would result in the garden area of our property and 17 Ridgeway being overlooked to the detriment of the amenities and privacy of us and the resident at 17 Ridgeway. 15 Ridgeway, which would be at a much higher level than the proposed dwellings would also be overlooking the closest proposed dwelling.
- Overbearing – The proposed development will have a significant overbearing effect on our back garden and those of 15 and 17 Ridgeway. The proposed substantial road and 2 large 4 bed dwellings are cramped into the site. It is noted that one of the proposed dwellings doesn't meet the requirements of the Council's New Dwellings SPG (5.6.2) as the back garden from the rear elevation is less than 10 metres. The proposed dwellings are very tall and appear to be on development platforms. Given the height of the roofs, it is very likely that the roof space would be converted to a

roof floor under permitted development rights further adversely impacting our privacy and amenity and that of 17 Ridgeway.

- Impact of Lighting – The highways officers objection identifies, *inter alia*, that the proposed road will need to be built to adoptable standards and require lighting. The introduction of lighting into the back garden would significantly impact on our amenity and the amenity of both residents living at 15 and 17 Ridgeway
- Security – We have significant concerns with regard to the security of our back garden given that the proposed development results in the entire length of our back garden being open to a publicly accessible road. The applicant has given no consideration to ‘designing out crime’ planning guidance/requirements.

It is therefore clear that the proposed development will result in substandard living environments/conditions for existing and proposed residents and an unacceptable impact on residential amenity and privacy. Accordingly, it is in conflict with Policy GP2 (General Development Principles - General Amenity), Policy H6 (sub-division of Curtilages, Infill and Backland Development) and the Council’s SPG on ‘New Dwellings’

#### Impact on the Character and Appearance of the Area

With the exception of outbuildings, there is no other backland development on the northern side of Ridgeway. As noted earlier, there have been planning applications for backland development but these have been refused by the Council.

The northern side of Ridgeway is primarily characterised by large detached properties arranged in a linear fashion facing onto Ridgeway with long back gardens backing onto ancient woodland/countryside. The trees and the back gardens of the properties result in a verdant semi-rural character.

The siting of the proposed 2 dwellings a substantial distance back from Ridgeway and projecting beyond the existing built form, would be at odds with the prevailing character of this part of Ridgeway, in which dwellings are arranged in a linear way and have road frontages. The proposed discordant layout of built development would be isolated, unsympathetic to, and harmfully erode, the established pattern of built development along this part of Ridgeway.

We also consider that the following matters are also relevant to the harmful and unacceptable impact of the proposed development on the character and appearance of the area:

- Overdevelopment of Land - Due to a combination of the two dwellings building height, massing, footprint and proximity of the buildings and road to the boundaries, the proposals would result in an unduly cramped and congested form of development.
- Dominance of Proposed Road – the planning application is dominated by a 90 metre long 7 metre wide road. It would introduce an incongruous and harsh feature immediately abutting the entire length of our back garden and is completely out of character with the area.
- Impact on Street Scene - The proposed access road would result in a significant open gap along Ridgeway negatively impacting the street scene and pattern of development.

Accordingly, the proposal would: have an unacceptable and significant harmful impact on the character and appearance of the area; result in over-development; adversely impact on existing residential properties; undermine the pattern of development on Ridgeway; and would erode the character of the area. As a result, the proposal would be in clear conflict with LDP Policy H6, GP2 criterion 2, and GP6 criterion i), and the Council’s Supplementary Planning Guidance (SPG) on New Dwellings.

Were the proposal to be approved it would be likely to create a precedent for further similar piecemeal backland development in the many long gardens of Ridgeway which would seriously harm the character of the area and the amenity of local residents.

### Impact on Trees & Lack of Appropriate Landscaping Scheme

We note that the Council's Arboricultural Officer has objected to the planning on a number of grounds including:

- The absence of a full tree/woodland edge/hedge and boundary tree survey showing the location of trees within and on the boundaries of the application site.
- The development conflicts with Root Protection Areas (RPAs) of trees and the proposed levels for the buildings.
- There is a lack of evidence to demonstrate that walls, service trenches, landscaping or anything else are not located within the RPAs.
- There are no drawings showing the proposed Sustainable Urban Design Strategy (SUDS).

The applicant's approach towards trees is really disappointing. Very shortly before the submission of the planning application, the applicant pre-emptively, felled some 30 healthy and rather lovely mature trees most of which were over 50 years old. This appears to have been purposely undertaken by the applicant as a way to seek to reduce conflict with planning policy in the LDP. The trees represented a natural extension of the ancient woodland adjoining the site to the north west. They provided a positive contribution to the natural environment and important habitat for biodiversity. The impact the tree felling will have had on biodiversity and wildlife is unmeasurable and has been rather upsetting to see. Planning officers will have seen from their site visit that all that is left are a significant number of tree stumps. In this instance, we consider that the loss of the substantial number of trees, which significantly contributed to the 'green wedge' to the rear of properties on Ridgeway, should be a material consideration in the determination of the subject planning application. The trees significantly contributed to the character and appearance of the area.

The planning application simply cannot physically mitigate for the loss of the significant number of mature trees. Indeed, it is noted that the proposed development is void of any new trees, shrubs or soft landscaping. Instead, it proposes to remove any remaining trees, shrubs and landscaping and is led / dominated by a circa 90 metre long road and built development. Given, *inter alia*, the highways officers requirements to widen the vehicular access, include a footpath along the road, include replacement parking for 15 Ridgeway and a turning head at the bottom of the road, the proposal, if physically possible to amend, would be even more dominated by hard surfacing with no soft landscaping, shrubs or trees whatsoever.

The planning application also does not provide any buffer zones from either the ancient woodland or woodland within 13A and 17 Ridgeway. The Council's SPG on new dwellings identifies that woodlands and woodland edges should be protected. The proposal is contrary to the SPG in that it does not provide the required minimum 10 metre buffer between the woodland and the curtilage of the proposed nearest dwelling. A much wider minimum buffer zone is necessary between the development and the protected ancient woodland. There does not appear to be any specific minimum buffer zone requirements for Ancient Woodlands in Wales. We note that there is in England which is a minimum of 15 metres from the boundary of the ancient woodland ([Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK](#)). We consider, in the absence of guidance in Wales, it would be reasonable to have regard to the guidance in England and that a buffer of at least 15 metres from the Ancient Woodland boundary should be applied in this instance.

We note that the tree officer requires existing and proposed levels so the impact of the proposed development on the trees can be established. We consider this information is vital not just to understand the impact of the trees but also to fully understand all impacts associated with the proposed development. This includes the boundaries at 13A Ridgeway where the circa 90 metre long new road is proposed along the entire length of our back garden with a levels difference of 12 metres (sloping from Ridgeway to the ancient woodland). Without this information it is not possible to be able to fully understand the significance of the impact of the planning application.

Accordingly, in the absence of the essential information and surveys required by the Council's tree officer, the application can be refused on these grounds alone. Furthermore, given that the proposal does not include appropriate tree planting or retention, buffers from existing woodlands, and results in unacceptable harm to trees, it is in conflict with LDP Policy GP5 criterion vii. The proposal is also contrary to LDP Policy GP5 criterion v in that it has an unacceptable impact on landscape quality. In the absence of appropriate landscape buffers with the existing woodland the planning application also conflicts with the Council's SPG's on 'New Dwellings' and 'Trees, Woodland and Hedgerows and Development Sites'.

#### Impact on Ecology

The applicant has not assessed the potential impact of the proposed development on ecology. No Preliminary Ecological Assessment (PEA) has been undertaken which should be required in this instance given it adjoins a protected ancient woodland and other woodland in the rear of neighbouring back gardens.

The ancient woodland provides an ecology rich habitat for various wildlife and protected species. We have witnessed bat activity in our back garden with foraging taking place through the neighbouring gardens to 15 Ridgeway. We understand from the discussions with neighbours that there are also badgers in the wood. Given the same strong connections between 15 Ridgeway and the ancient woodland, we would expect badgers to also forage within the application site.

Given the highways officer's requirement for the road to include lighting (to an adoptable standard) and there is bat activity on and around the site a lighting assessment is also required as part of the planning application.

The applicant has therefore not demonstrated how the proposal seeks to avoid, mitigate or compensate negative impacts on biodiversity and ecology. Accordingly, the proposal is in conflict with Policy GP5ii of the LDP and the Council's SPG on Wildlife and Development.

#### Highways Impact

We note that the Council's highways officer has objected to the planning application for a number of reasons:

- The proposed access does not meet highways requirements (form, width and visibility splays)
- The proposed road does not meet current highways standards:
  - It needs to be built to adoptable standards and be a minimum 5 metre width carriageway and footpath.
  - It doesn't include a turning head and HGV's would have to reverse beyond the maximum 12 metre distance.
- The proposal does not provide replacement car parking for 15 Ridgeway.
- A bin collection point is not provided.

We agree with the highways officer's concerns but note that the highways officer suggest that a suitable road arrangement may be physically possible. We consider that it is not physically possible to meet the highways requirements when considered together with other planning matters we set out in this objection letter.

In addition to the matters set out by the highways officer in his objection, we would also like to raise the following highways issues with the proposal:

- Detrimental to Highway & Pedestrian Safety – Not only does the proposed development require delivery/HGV vehicles to reverse up to 90 metres along the proposed road, which significantly exceeds the maximum 12 metre reversing distance set by highway standards, delivery/HGV vehicles and cars would need to reverse up a significant slope and onto the busy Ridgeway. This

would not only result in unacceptable highways safety issues it would also compromise the safety of pedestrians using the footpath on Ridgeway as delivery/HGV drivers would not be able to have visibility of them.

- Road 'Turning Head' Requirements – As noted by the highways officer, a turning head is required. Notwithstanding the other non-highways planning matters that need to be taken into account (eg Woodland buffers), we do not consider that the turning head requirements could physically be provided on the application site without the need to remove one of the dwellings from the scheme.
- Unacceptable Bin Arrangements - The proposed bin arrangement does not meet highways standards. Manual for Streets 2 (which the Council's SPG on New Dwellings refers to) identifies that residents should not carry waste more than 30 metres to a proposed collection point. Whilst we note that the planning application does not propose any bin storage at the dwellings or bin collection point area at the main access, the application drawings show that the two proposed dwellings are located approximately 55 and 88 metres from the entrance to the site at Ridgeway. These distances far exceed the maximum distance required for carrying waste. Not only does the application proposal need residents to carry/wheel bins a significant distance it also requires them to do so up a significant slope. Finally, there are also no replacement waste collection arrangements proposed for 15 Ridgeway.

Accordingly, the proposal is contrary to LPD Policy GP4(vi) and the Council's SPG on New Dwellings (ND 10.1, 11.1, 11.4) in that it doesn't provide an acceptable highway and parking arrangements which meets with the relevant highways standards. The proposal is also in conflict with LDP Policy GP4(vii) and the New Dwellings SPG (ND 13.1) in that it would result in detrimental impact on both highway and pedestrian safety.

#### Lack of SuDS Approval Body (SAB) Application / Drainage Statement

We can find no record of the applicant submitting a SAB application to the Council prior to the submission of the planning application. SAB applications are required by law in Wales for any construction areas adding up to 100sq m or more. We have roughly calculated the construction area and note even without the amendments required to meet the highways officer concerns, the hard standing construction area far exceeds the 100sq m threshold.

We understand, in accordance with TAN 15 (Development and Flood Risk), if planning permission is sought prior to SAB approval, a Drainage Statement is required as part of the planning application to provide confidence the development incorporates SuDS appropriately and is subsequently likely to obtain SAB approval. No such Drainage Statement is submitted with the planning application.

As planning officers will be aware, applicants must demonstrate compliance with the Welsh Government's Statutory Standards to obtain SAB approval. Given the significant amount of new hardstanding proposed (including the circa 90 metre long road) and the fact that the site slopes away from the main road where existing surface water infrastructure is located it is considered likely that flooding and drainage will be a particular issue on this site and that SAB approval is likely to be challenging to obtain.

Accordingly, in the absence of a SAB approval, or a Drainage Statement to demonstrate that SAB approval can be obtained, the planning application is contrary to LDP Policy SP4, TAN 14, and the Flood and Water Management Act 2010.

#### Lack of Sustainable Measures

The proposed development involves no renewable energy measures. It is therefore in conflict with LDP Policy SP1 which requires proposals to make a positive contribution to development including reducing energy consumption, increasing energy efficiency and the use of low and zero carbon energy sources.

Lack of Affordable Housing Commuted Sum Financial Contribution

Policy H4 of the LDP requires housing proposals involving fewer than 10 dwellings within the settlement boundary to provide a commuted sum contribution towards affordable housing. The application does not propose any such contribution and therefore is contrary to Policy H4 and the Council's SPG on Affordable Housing.

**Concluding Remarks**

In summary we have significant concerns with this planning application. For the reasons set out in this letter the proposed development is contrary to numerous development plan policies, national policy and the Council's SPG's. We would therefore respectfully suggest that this planning application be rejected.

Should the planning application be amended or further information be submitted we would be grateful if you could inform us, so we have the opportunity to review and, if necessary, provide further comment.

Should you have any queries please do let us know.

Yours faithfully,

