

Delegated Decision Report

Application No:	25/0665	Statutory Period Expires:	21st November 2025
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Site:	164 Waltwood Park Drive Llanmartin Newport NP18 2HG		
Proposal:	ERECTION OF GARDEN BUILDING (RETROSPECTIVE)		
Applicant:	R Sutton		
Type:	Full	Ward:	Bishton And Langstone
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 164 Waltwood Park Drive is a two-storey detached dwelling located in Llanmartin within the urban area and in the Bishton and Langstone ward.

3. DESCRIPTION OF DEVELOPMENT

3.1 Retrospective planning permission is sought for the erection of an outbuilding. The outbuilding measures 4.3m in width, 4.3m in depth and a maximum height of 2.8m to the top of the lean-to roof. The external walls are rendered and finished in a sand colour paint. Fenestration includes 5no single pane, small and square, obscure glazed windows with white UPVC frames and top hung with 1no dark grey steel security door to the garden.

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

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 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP2 – 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 – 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 – 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

5.4 THE HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS SUPPLEMENTARY PLANNING GUIDANCE

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 16.09.2025.

7.1 NEIGHBOURS: 5no neighbours were consulted. No responses received.

8. ASSESSMENT

8.1 Visual Amenity/ Character and Appearance;

The House Extensions and Domestic Outbuildings Supplementary Planning Guidance states that an outbuilding should be erected in a back garden and, if possible, out of public sight. The outbuilding would be sited in the rear garden of no.164 Waltwood Park Drive abutting the shared rear boundary and shared side boundary. Due to the change in ground levels between the highway and the rear garden, the outbuilding is partially visible from the highway but does not appear incongruous. Partial views are also afforded from the street which runs behind the application property (nos.149 – 160 Waltwood Park Drive) whereby partial views of the outbuilding above the existing boundary treatments can be afforded through the side access of no.158. Nevertheless, views are minimal, and it is considered that the outbuilding is appropriately sited in the context of the property.

8.2 The House Extensions and Domestic Outbuildings SPG concludes that outbuildings can be just as harmful as house extensions to residential amenity and the streetscape. The size, location and appearance are key to the assessment of acceptability. The outbuilding is appropriately scaled and sited in the context of the dwelling. In terms of appearance, the outbuilding comprises a flat roof and the external walls are finished in render, painted in a sand colour. It is considered that the outbuilding is ressemblant of a typical garden structure and does not appear incongruous in this location.

8.3 Residential Amenity:

In terms of siting, the outbuilding would be located in the northwestern corner of the rear garden, along the shared boundaries with no.165 and no.158 Waltwood Park Drive. The outbuilding measures up to 2.8m in height and as such, is visible above the boundary fencing. There is approximately a 1m elevation disparity between no.164 and neighbouring properties, including nos.165 and 158, meaning that the extension appears elevated further above each respective boundary treatment. Nevertheless, the width/depth of the outbuilding is limited to 4.3m so the building does not occupy the full width of the boundary, and the structure does not appear as an overly dominant structure elevated above the boundary fencing. Whilst larger than an average domestic shed, it is smaller than a domestic garage for example and is low height. Moreover, in this instance, regard has been given to the provision of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) which permits the erection of a flat roofed outbuilding up to 2.5m metres in height within 2m of the boundary (among other conditions). While the proposed outbuilding is 300mm above the 2.5m threshold, reaching 2.8m within 2m of the boundary, it is only marginally beyond what can be achieved through the provision of the GDPO. As such, it is considered that the proposed outbuilding does not have an unacceptable overbearing impact on neighbouring properties, in accordance with Policy GP2 of the Newport Local Development Plan 2011-2026.

- 8.4 In terms of privacy, 1no door and 5no obscure glazed windows are installed. The largest of the 5no windows is located on the rear elevation and is situated above the boundary fencing of no.158 Waltwood Park Drive's rear garden. Nevertheless, the window is obscure glazed so does not give rise to unacceptable views into/towards the rear garden of no.158 and the applicant has confirmed that these windows are to be fixed shut. The fixing shut of the window will be secured via a suitably worded planning condition. Similarly, a smaller obscure glazed window (500mm x 500mm) is situated on the side elevation which faces toward the rear garden of no.165 Waltwood Park Drive. The fixing shut of this window will also be secured via condition. Therefore, is considered that the windows do not adversely affect neighbouring residential amenity by means of a loss of privacy and the proposal accords with Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

Biodiversity:

- 8.5 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 details have been provided as part of this submission however it is considered that a scheme can be secured through a suitably worded planning condition. As such the proposal is compliant with the aims of Policy GP5 of the NLDP 2011-2026.

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 development does not harm the visual or residential amenity of Waltwood Park drive. A condition will be added to ensure a biodiversity enhancement scheme is submitted to and approved to ensure compliance with Policy GP5. The proposal is in accordance with Policies GP2 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents:

- Proposed Block Plan
- Proposed Floor Plan 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 outbuilding hereby permitted shall be completely removed from the site within 6 months of the date of failure to meet any one of the requirements set out below:

- i) within 3 months of the date of this decision the windows serving the northwestern (rear) elevation and the southwestern (side) elevation shall be fixed shut and maintained as such for the lifetime of development.
- ii) if an appeal is made in pursuance of (i) above, that appeal shall have been finally determined and the submitted appeal shall have been approved by the Welsh Ministers.

The outbuildings shall be maintained as approved for the lifetime of development.

Reason: In the interests of safeguarding visual amenity, in accordance with LDP Policy GP2 and GP6.

03 Within six months of the date of this decision, 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 and retained as such for the lifetime of development. The location and details of these must be shown on relevant plans.

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).

Commented [JD1]: See above re OG windows comments.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Proposed Block Plan, Proposed Floor Plan and Elevations.

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