

APPLICATION DETAILS

No: 25/0124 **Ward:** Bishton And Langstone

Type: Full

Expiry Date: 4th June 2025

Applicant: S Johnson

Site: Ridings View Bishton Road Bishton Newport NP18 2DZ

Proposal: **THE CONSTRUCTION OF AN ANNEXE AND LINK WALKWAY WITH STORAGE AND WORK FROM HOME SPACE**

Recommendation: REFUSED

1. INTRODUCTION

- 1.1 This application was presented to the Planning Committee on Wednesday 4th June 2025 with the recommendation to refuse planning permission for the below reason;
- 01 The development, by reasons of large scale, unsympathetic design and location will have a significant adverse impact upon interests of acknowledged importance, namely the character and appearance of the host building and the surrounding area contrary to Policies GP2 (General Amenity) and GP6 (Quality of Design) of the Newport Local Development Plan 2011–2026.*
- 1.2 The Officer's Report setting out full details of the proposal, the policy context, site history, consultees comments and the officer assessment is attached as Appendix A to this report.
- 1.3 Planning Committee did not move the Officer's recommendation. No decision was made, and a proposal was agreed for the application to be brought to the next available meeting with a suggested conditional regime.
- 1.4 This report provides advice to Committee on recommended use of planning conditions following the decision to defer consideration of the application under a two stage voting process at the Planning Committee held on 4th June 2025. It should be noted however that the Officer's recommendation remains the same.
- 1.5 Notwithstanding this, should Members be inclined to approve the application, Officer's are of the view that the following conditions should be attached to any permissions with the rationale set out below the suggested conditions.

2. ASSESSMENT OF RECOMMENDED CONDITIONAL REGIME

2.1 01 – Approved Plans & Document

The development shall be implemented in accordance with the following plans and documents: R897-05 – Proposed Site Plan; R897-04 – Proposed Plans 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

- 2.1.1 This is the standard planning condition used to ensure compliance with the submitted plans and documents that were considered in the assessment of the planning application.

2.2 02 Scheme of Soft Landscaping

Prior to the commencement of development, a proposed scheme of soft landscaping for the development (including location, species, height and spacing) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be

carried out in its entirety by a date not later than the end of the full planting season following the first beneficial occupation of the development hereby approved. Thereafter the soft landscaping shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. The monitoring and remediation of the landscape mitigation planting during the 5 years establishment phase is to be confirmed by:

- a) A short report with photo evidence by the landscape consultant to be submitted to and approved in writing by Newport City Council immediately following the completion of the landscape scheme and showing the site before and after planting, seeding, fencing has been undertaken, and to confirm this is all in line with the approved documents e.g. plant species, plant size, planting operations etc; and*
- b) A report with photo evidence by the landscape consultant to be submitted to Newport City Council by 31st July for year 2 and 5 of the five-year establishment period (and thereafter approved in writing by the Local Planning Authority) summarising any issues with planting or seeding, any replacement planting required and the timetable for replacements.*

For the purpose of this condition, the planting season shall mean the period of October to March.

Reason: To secure the satisfactory implementation and maintenance of the soft landscape scheme in the interests of visual amenity and biodiversity/ecological enhancement having regard to Chapter 6 of Planning Policy Wales Edition 12 and Policy SP1, GP2 and GP5 of the adopted Newport Local Development Plan 2011-2026 (adopted January 2015).

- 2.2.1 The application proposes a new native hedgerow along the eastern boundary of the site to mitigate the proposed development, as well as other planting within the curtilage of the existing property to screen the propane tank and to contribute to biodiversity enhancement, as required by Policy 9 of Future Wales and Chapter 6 of Planning Policy Wales Edition 12.
- 2.2.2 No soft landscaping specification or details have been provided on the submitted plans, which outline indicative planting details. The Council's Landscape Officer has requested details of all proposed planting of an appropriate specification to be submitted for approval. This condition secures the submission of a suitably detailed scheme of soft landscaping for the development, its implementation and management/maintenance for a suitable period to allow for establishment.

2.3 03 Bird & Bat Box Implementation

Prior to the first beneficial occupation of the development hereby approved, the bird and bat boxes as shown on the approved plans shall be installed and retained thereafter.

Reason: To safeguard the developments contribution to ecological enhancement in accordance with Policy 9 of Future Wales, Chapter 6 of Planning Policy Wales Edition 12 and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

- 2.3.1 The submitted details of the bird and bat box to be installed at either end of the proposed extension are considered to be an acceptable and proportionate contribution to ecological enhancement at the site.
- 2.3.2 This condition secures the implementation and retention of the approved details.

2.4 04 Provision of Parking

Prior to the first occupation of the development hereby approved, the parking spaces as shown on the approved plans shall be provided in full and made available for use. Thereafter, the parking spaces shall be kept available from obstruction and available for their intended use at all times.

Reason: To ensure adequate parking is provided on site in the interests of highway safety in accordance with Policy GP4 and T4 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

- 2.4.1 The proposed extension alters the existing parking arrangement on site. The proposed site plan provides 3no. parking spaces, which is the required provision for the site in accordance with the Council's adopted Parking Standards. This condition secures the 3no. spaces are provided and retained available for use thereafter.

2.5 **05 External Materials**

The external surfaces of the extension hereby approved shall only be of materials to match those of the existing barn.

Reason: In the interests of good design and visual amenity in accordance with Policy GP2 and GP6 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

- 2.5.1 The submitted plans annotate that the proposed extension will be constructed of materials to match the existing barn. This condition will control the external surfaces of the extension match the existing building in the interests of good design and visual amenity.

2.6 **06 Annexe Use**

The annex hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the host dwelling known as Ridings View.

Reason: To ensure the extension does not become a separate unit of accommodation and to protect the residential amenity of the surrounding area in accordance with Policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

- 2.6.1 This condition is necessary to restrict the annexe, so that it remains as a C3 use that is ancillary to the function of the main dwelling to which it is linked. Whilst Members discussed adding an element that prevented the annex to be sold or let as a separate unit, this is considered to go beyond the remit of a condition as the key issue is the use, which would be controlled via the suggested condition.
- 2.6.2 Members also queried whether the Authority needed to restrict the use to that of a dwelling to prevent the use becoming holiday accommodation/ short term lets (C6). The original dwelling would benefit from permitted development rights that would allow it to be used for short term lets and a condition restricting the use of the annex to C3 would therefore be unreasonable. The recommended condition above would ensure that the annex remains ancillary to the primary use of the dwelling to which it is attached which would be sufficient in planning terms.

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 a positive determination.

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.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage.

- 3.4 The above duties have 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 a positive determination. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.
- 3.6 ***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 a positive determination.
- 3.7 ***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 a positive determination.

4. CONCLUSION

- 4.1 The Officer's recommendation remains that planning permission should be refused for the following reason;

01 The development, by reasons of large scale, unsympathetic design and location will have a significant adverse impact upon interests of acknowledged importance, namely the character and appearance of the host building and the surrounding area contrary to Policies GP2 (General Amenity) and GP6 (Quality of Design) of the Newport Local Development Plan 2011–2026.

- 4.2 If, however, Planning Committee does not consider that the application should be refused, and Members are minded to grant planning permission subject to conditions, then the recommended conditional regime set out in Section 2 of this report and as repeated below are attached to any approval.

5. RECOMMENDATION

REFUSED

SUGGESTED CONDITIONAL REGIME

Approved Plans and Document

01 The development shall be implemented in accordance with the following plans and documents: R897-05 – Proposed Site Plan; R897-04 – Proposed Plans 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

Pre- commencement conditions

Scheme of Soft Landscaping

02 Prior to the commencement of development, a proposed scheme of soft landscaping for the development (including location, species, height and spacing) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be carried out in its entirety by a date not later than the end of the full planting season following the first beneficial occupation of the development hereby approved. Thereafter the soft landscaping shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. The monitoring and remediation of the landscape mitigation planting during the 5 years establishment phase is to be confirmed by:

- b) A short report with photo evidence by the landscape consultant to be submitted to and approved in writing by Newport City Council immediately following the completion of the landscape scheme and showing the site before and after planting, seeding, fencing has been undertaken, and to confirm this is all in line with the approved documents e.g. plant species, plant size, planting operations etc; and
- b) A report with photo evidence by the landscape consultant to be submitted to Newport City Council by 31st July for year 2 and 5 of the five-year establishment period (and thereafter approved in writing by the Local Planning Authority) summarising any issues with planting or seeding, any replacement planting required and the timetable for replacements.

For the purpose of this condition, the planting season shall mean the period of October to March.

Reason: To secure the satisfactory implementation and maintenance of the soft landscape scheme in the interests of visual amenity and biodiversity/ecological enhancement having regard to Chapter 6 of Planning Policy Wales Edition 12 and Policy SP1, GP2 and GP5 of the adopted Newport Local Development Plan 2011-2026 (adopted January 2015).

Pre –occupation conditions

Bird and Bat Box Implementation

03 Prior to the first beneficial occupation of the development hereby approved, the bird and bat boxes as shown on the approved plans shall be installed and retained thereafter.

Reason: To safeguard the developments contribution to ecological enhancement in accordance with Policy 9 of Future Wales, Chapter 6 of Planning Policy Wales Edition 12 and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

Provision of Parking

04 Prior to the first occupation of the development hereby approved, the parking spaces as shown on the approved plans shall be provided in full and made available for use.

Thereafter, the parking spaces shall be kept available from obstruction and available for their intended use at all times.

Reason: To ensure adequate parking is provided on site in the interests of highway safety in accordance with Policy GP4 and T4 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

General conditions

External Materials

05 The external surfaces of the extension hereby approved shall only be of materials to match those of the existing barn.

Reason: In the interests of good design and visual amenity in accordance with Policy GP2 and GP6 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

Annexe Use

06 The annex hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the host dwelling known as Ridings View.

Reason: To ensure the extension does not become a separate unit of accommodation and to protect the residential amenity of the surrounding area in accordance with Policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: R897-00 – Site Location Plan; R897-01 – Existing Plans and Elevations; R897-02 – Existing Site Plan; R897-03 – Existing 3D Visuals.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1 (Sustainability); SP3 (Flood Risk); SP4 (Water Resources); SP9 (Conservation of the Natural, Historic and Built Environment); GP1 (Climate Change); GP2 (General Amenity); GP3 (Service Infrastructure); GP4 (Highways and Accessibility); GP5 (Natural Environment); GP6 (Quality of Design); H7 (Annexes to Residential Dwellings); T4 (Parking); CE6 (Archaeology) were relevant to the determination of this application.

03 As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.

04 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.