

Delegated Decision Report

Application No:	25/0898	Statutory Period Expires:	15th December 2025
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Site:	<i>The Barn Pentre-Poeth Road Newport NP10 8LL</i>		
Proposal:	PROPOSED DETACHED GARAGE		
Applicant:	<i>R Scaplehorn</i>		
Type:	Full	Ward:	Graig
Decision:	REFUSED		

1. BACKGROUND

- 1.1 Application 25/0236 for a PROPOSED DETACHED GARAGE was refused at the application site for the following reason:

01 The development would have a significant adverse impact upon interests of acknowledged importance, namely the impact upon the tree and landscaping of the site. No tree information has been submitted, and the block plan fails to show site features such as extent of hardstanding and landscaping. The would be contrary to Policies GP2, GP5 and GP6 of the Local Development Plan for Newport 2011-2026 (Adopted January 2015).

2. SITE LOCATION AND CONTEXT

- 2.1 The site is situated along Pentre-Poeth Road in close proximity to Caerphilly Road. The site is adjacent to the countryside and is characterised by open greenspace to the North East, East, South, and South West. There are properties to the North and North West of the proposed development. The property is serviced off Pentre-Poeth Road via an extended driveway and holds a large front garden where the development is proposed. The front boundary contains a large conifer hedge and low stone boundary wall. There is a large tree situated within the front garden of the property.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application is a resubmission following the refusal of 25/0236 for a proposed detached garage. The application seeks a detached garage located within the front garden. The garage would contain space for 2no. parking spaces and a workshop. The dimensions are approximately H 3.8m (max) x W 9.1m x D 6.1m. The front elevation of the garage facing toward the dwelling would contain 2no. double barn style doors to service the parking spaces and a single door to service the workshop. There is one window to serve the workshop. No materials have been proposed. The roof appears as a hipped roof from the front elevation, however, to the rear, the roof pitch elongates down to a height of 1.8m to the eaves. The extended roof plane to the rear is approximately 4.7m in length.

Side elevation:



4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0236	PROPOSED DETACHED GARAGE	R	13.06.2025
04/0280	ERECTION OF A SINGLE STOREY REAR EXTENSION	GC	20/04/2004
90/0892	CONVERSION OF BUILDING TO FORM DWELLING WITH GROUND AND FIRST FLOOR EXTENSIONS	GC	05/07/1991

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 Technical Advice Note

Technical advice note (TAN) 5: nature conservation and planning

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP2 (General Amenity)

Policy GP4 (Highways and Accessibility)
Policy GP5 (Natural Environment)
Policy GP6 (Quality of Design)
Policy SP5 (Countryside)

5.5 SUPPLEMENTARY PLANNING GUIDANCE
TREES, WOODLAND, HEDGEROWS AND DEVELOPMENT SITES
HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS SPG
WILDLIFE AND DEVELOPMENT SPG

6. CONSULTATION RESPONSES

6.1 Tree Team:

Summary: Objection - Both the garage and the driveway would significantly impact on the roots and soil around Beech Tree 1, potentially resulting in decline and premature loss. This tree is prominent within the street scene and although the ARW impact assessments suggest potential solutions, no further supporting information has been provided to show this is practically achievable.

Discussion: Tree 1 is an early-mature Beech. The tree is prominently viewed when traveling north east along Pentre Porth Road and forms part of the larger tree mass when viewed from Cowshed Lane Junction from the north west. The tree is described as mature but given its current size at only 10 metres I would consider it to be middle-aged or early-mature at best with considerable potential for further growth and therefore increasing public amenity value.

The proposed detached garage and driveway access is substantially within the Root Protection Area (RPA) . The RPA is already partially affected by the existing drive which is already set below the existing garden area which gently slopes up from the drive to the proposed garage.

Tree 1 It is unclear how the suggested no-dig surface would marry into the existing drive without the need for excavation which would result in significant root damage. The AIA suggests that “The use of a piled or raft foundation for the area of RPA” and this could lessen the impact if carefully implemented. Using such a system would also require the use of a no-dig methodology and an increase of building levels above that shown on the provided levels section 0898-Drawing-20102025(1). No information on the foundation design has been provided for consideration. The crown of the tree is around 1.5 to 2 metres above ground level and would therefore require crown lifting over the drive access and buildings to achieve and maintain access and construction room. Pruning would be to around 4 metres over the garage and 3 metres over the drive access and is unlikely to have any significantly impact on the trees current or future visual amenity. Given the close proximity of the proposed garage and drive access to the tree, the risk of construction damage is both significant and highly possible without a detailed Arboricultural method statement being provided for consideration prior to the consent being determined.

Conclusion: Although technically it may be possible to install the garage and driveway in the position shown the proposals lack details including – existing and proposed levels. Foundation design, drive construction. Tree protection during construction and working methods. This would be in conflict with:

Planning Policy Wales (PPW) which provides the national strategic guidance with regard to land use planning matters in Wales. Sustainable Development Principles are inherent to national planning policy which expects all those involved in the planning system to adhere to those SD Principles. Of particular relevance in this case is the need to ensure a long-term perspective to safeguard the interest of future generations, to respect environmental limits so that the environment is not irreversibly damaged and to assist in tackling climate change. This can be achieved through good design of development which takes into account the relationship between the natural and built environment. Trees, Woodlands and Hedgerows are recognised in national planning policy as being of great importance, both as wildlife habitats and in terms of their contribution to landscape character and beauty. PPW is clear that Local Planning Authorities should seek to protect tree(s) where they contribute to the character or amenity of a particular locality. Also it is important to note that ancient and semi-ancient woodlands are noted as irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage. It is clear that Local authorities have a duty to ensure that adequate provision is made for the planting or preservation of tree(s) by imposing conditions when granting planning permission and/or by making Tree Preservation Orders.

Policy GP5: General Development Principle, Natural Environment, Criterion vii): [Development will be permitted where] the proposal includes appropriate tree planting or retention where appropriate and does not result in the unacceptable loss of or harm to trees, woodland or hedgerows that have wildlife or amenity value. This policy recognises that trees can have a major influence on the planning and use of the site. However, through the use of Arboricultural surveys the Council can assess the potential effects of development and propose suitable mitigation where appropriate. Effective measures should be taken by developers to protect existing trees, woodlands and hedgerows. It is shown that if such matters are integrated sensitively and with due care it will enhance the quality of the development and amenity from the outset, safeguard biodiversity and natural resources and minimise loss of trees and woodlands. LDP Policy EN8 – Trees, Woodlands and Hedgerows- The protects trees, woodland and hedgerows of amenity, wildlife, cultural or climate-mitigation value. It aims to prevent development that would cause unacceptable harm to these features.

6.2 Ecology: No comments received.

6.3 Landscape:

Comments: I would object to this development for a proposed double garage and workshop as it could be located elsewhere on the site where:

- It would not impact any tree roots.
- It would not negatively impact the outlook of the neighbouring dwelling (1a). In addition, insufficient hard and soft landscape details have been provided. The Proposed Floor Plan and Block Plan and Arboricultural Impact Assessment clearly indicated a significant loss of green space and a negative impact on the Root Protection Areas T1 Beech (Cat B1) and H1 (Cat C1) Western Red Cedar hedge. Therefore I would ensure that the NCC tree officers are consulted. If, however, this application is considered for approval then the following information should be conditioned:
 - An appropriate landscape/planting plan with details to include:
 - o Species
 - o Specification
 - o Size

- o Spacing
- o Position
- A hard landscape/materials plan with details to include:
 - o Surfacing inc. construction detail
 - o Edging
 - o Boundary treatment
 - o Enclosures Sustainable materials and supplementary planting for landscape character and biodiversity benefits would be encouraged. It is recommended that a suitably qualified landscape professional is commissioned to undertake the above requirements.

- 6.4 Highways:
The proposals are not anticipated to have any impact on highway and there are therefore no objections offered.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 23/10/2025, Site Notice was put up on 31/10/2025.

- 7.1 1no. neighbour submitted comments at 1a Hidcote.

Despite our comments in relation to application 25/0236, we still do not know whether the proposed construction would impact the sunlight to our side, ground floor windows for the following reasons: (i) the Delegated Decision Report in relation to application 25/0236 states, "it is unlikely that the loss of light would be experienced to these windows". We ought to be told with certainty whether the proposed construction will/ will not cause loss of light; not whether it is likely/ unlikely to. (ii) the drawing entitled 'Levels' uses inaccurate measurements/ dimensions, (including but not necessarily limited to) (a) the distance between our property and the boundary fence and (b) the dimensions of our kitchen window. Given the elevation of our property and its proximity to the boundary fence, sunlight to our kitchen windows is already limited - we cannot afford any further reduction.

- 7.3 Graig community Council did not provide comment on the application.

8. ASSESSMENT

8.1 Principle of Development

The application seeks permission for a detached garage to the front of 'The Barn', at Pentre-Poeth Road. The detached garage is single storey in height and defined within the curtilage of the property. The site is situated within the urban boundary and therefore, the development in principle is deemed acceptable.

The scheme remains the same as previous refusal 25/0236 in terms of design and location, however, the applicant has provided further tree information following the previous refusal.

8.2 Visual Amenity/ Character and Appearance

- 8.2.1 The House Extensions and Domestic Outbuildings SPG states in para 5.8.1, *Outbuildings, including detached annexes, can be just as harmful as house extensions to residential amenity and the streetscape. It is essential, therefore, that the council control their size, location and appearance...* Para 5.8.2 states, *an outbuilding should be erected in a back garden and, if possible, out of public sight.* Whilst it is noted that the host site is defined

within the urban boundary, the site sits adjacent to designated Countryside and consideration should be given to the proposed developments impact on this setting also. The proposed garage sits forward of the principal dwellinghouse and adjacent to a rural lane. The garage holds a large elongated roof plane measuring 4.7m in length to the rear elevation which faces toward the streetscene. Whilst the design is not typical to surrounding development, given the single storey height, it would not appear overscaled or cause demonstrable harm to the host site or surrounding countryside. There is also a large mature hedge to the front of the property which would screen some of the views of the garage from the streetscene.

- 8.2.2 The materials used on the garage appears to be wood cladding and would be respectful to the adjacent countryside, however, details have not been specified. A condition for further materials can be secured via condition to ensure the development is sympathetic in accordance with Policy GP6.
- 8.2.3 The applicant has now provided information on the extent of hardstanding, but has not provided specific materials on the subsequent hardstanding to serve the garage. The extent of hardstanding, whilst it would remove grassland, is deemed acceptable from a visual perspective. Further considerations are discussed below.

8.3 **Residential Amenity**

- 8.3.1 In terms of impacts to neighbouring properties, Hidcote, 1a Cowshed Lane is situated to the North East of the development and is the closest neighbouring property to the proposed development. The proposed development is set away from the shared boundary line between Hidcote, 1a Cowshed Lane by 1.25m on the block plan. However, it is considered on a sketch provided by the applicant suggests that it would be 2m away, and therefore, this is contradictory. The neighbouring property suggests that the drawings provided by the applicant are not true or representative to the levels on site. Notwithstanding, the garage does not protrude past the principal elevation or rear elevation of the neighbouring property and therefore, would not cause significant light loss to the front and rear elevation windows which serve the same room as the side windows. The neighbouring property at no.1a raised concerns over the loss of light to the side windows. There are 2no. side windows on the South West elevation of the neighbouring property. It is understood that the neighbouring property is set down and is within close proximity to the shared boundary fence as shown below. The officer did conduct a site visit to Hidcote and shown below. Given the set down of the property, the proximity of the windows to the existing boundary fence, and the set away of the garage from the boundary fence, it is unlikely that the loss of light would be experienced to these windows. The neighbouring property states that they want confirmation there will be no loss of light. While officers can make an approximate assessment, it should also be considered that the windows on the front and rear elevation which serve the same room are not affected and the room would still gain light from these windows. This would not warrant a refusal.

Side elevation of Hidcote and the shared boundary fence:



8.4 **Movement**

- 8.4.1 The scheme would provide 2no. parking spaces within the garage. The highways officer holds no objections to the scheme in this regard.

8.5 **Biodiversity**

- 8.5.1 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 ecological enhancements are proposed as part of the development. As such the proposal is currently not compliant with the aims of Policy GP5 of the NLDP 2011-2026 (adopted January 2015). However, this can be reasonably conditioned.

- 8.5.2 PPW12 states in paragraph 6.2.12, *A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.* A GI statement has not been provided in this instance, however, given the scale, this can be conditioned.

8.6 **Landscaping/ Trees**

- 8.6.1 It is considered the development is within close proximity to the boundary hedge, a large established tree in the front garden and a large Beech Tree within the middle of the garden. Following the refusal of previous application 25/0236, the applicant has provided further tree information which has been reviewed by the Tree Team.

The Tree Team have concluded that the beech tree is prominently viewed when traveling north east along Pentre Porth Road and holds good public amenity value. The proposed detached garage and driveway access is substantially within the Root Protection Area (RPA) . The RPA is already partially affected by the existing drive which is already set below the existing garden area which slopes up from the drive to the proposed garage. The information provided is somewhat ambiguous, with the tree officer stating that it is unclear how the suggested no-dig surface would marry into the existing drive without the need for excavation which would result in significant root damage. The AIA suggests that "The use of a piled or raft foundation for the area of RPA" and this could lessen the impact if carefully implemented. Using such a system would also require the use of a no-dig methodology and an increase of building levels above that shown on the provided levels section 0898-Drawing-20102025(1). No information on the foundation design has been provided for consideration. The crown of the tree is around 1.5 to 2 metres above ground level and would therefore require crown lifting over the drive access and buildings to achieve and maintain access and construction room. Pruning would be to around 4 metres over the garage and 3 metres over the drive access and is unlikely to have any significantly impact on the trees current or future visual amenity. Given the close proximity of the proposed garage and drive access to the tree, the risk of construction damage is both significant and highly possible without a detailed Arboricultural method statement being provided for consideration prior to the consent being determined. Whilst the Tree Officer suggests that an alternative location for the garage should be sought, construction of the garage may be possible in this location, however, the submission is lacking in detail including, existing and proposed levels, foundation design, drive construction, tree protection during construction and working methods. Without this information, a full assessment cannot be undertaken to understand the impact on the trees contrary to Policy GP5 and PPW12. Moreover, it is the planning departments understanding that the Tree Team are in the process of applying a Tree Preservation Order to the tree, and we have not had further comments on the scheme since this. Any damage to the tree would not be acceptable.

- 8.6.2 The Landscape officer also suggests that insufficient hard and soft landscape details have been provided. The Proposed Floor Plan and Block Plan and Arboricultural Impact Assessment clearly indicated a significant loss of green space and a negative impact on the Root Protection Areas T1 Beech (Cat B1) and H1 (Cat C1) Western Red Cedar hedge.
- 8.6.3 Overall, it is considered the submission currently demonstrates harm to the beech tree and hedge on site, and insufficient information has been submitted to overcome this.

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 Overall, it is considered that the development would not have an adverse impact to residential amenity, and the visual impact of the development would not cause demonstrable harm to the host site or surrounding streetscene or countryside. The tree information submitted demonstrates that works would be within the RPA of the tree and hedge, and there is insufficient information submitted within the application to demonstrate that works would not cause significant harm to the trees and hedges. Therefore, the application is refused.

11. DECISION

REFUSED

01 The proposed development would result in a significant adverse impact on interests of acknowledged importance, namely on the beech tree, hedgerow, and wider landscaping character of the site. Insufficient information has been submitted to demonstrate that there will be no harm to the tree and hedge during works, and how these features would be protected during construction. In the absence of this essential information, the Local Planning Authority is unable to assess the extent of potential harm or determine whether the development could be undertaken without unacceptable impact on these important landscape features. As such, the proposal fails to demonstrate that the trees and hedgerows would be safeguarded, contrary to Policies GP2, GP5 and GP6 of the Local Development Plan for Newport 2011-2026 (Adopted January 2015) and Planning Policy Wales 12.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Proposed Floor Plan and Block Plan.; Site Location Plan; Levels; Proposed Elevations; Arboricultural Impact Assessment.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP5, GP2, GP4, GP5, 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.