

This application was reported to the Planning Committee meeting on 6th August 2025, with a recommendation for refusal. The report below sets out the officers' reasons. However, the committee resolved to overturn this recommendation and granted the application, subject to conditions. The conditions are as follows:

01 The development shall be implemented in accordance with the following plans and documents: Applicant comments 2; Applicant comments; 4 Pontymason Close Rev A; 4 Pontymason Planting and Aftercare Notes 2025; 4 Pontymason Close with lower tier planter.; 4 Pontymason Close shrub planters 2025; SD991-01 Existing; SD991 03C Elevation and Details; SD991 02C Proposed; SD991 00 Site Block

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 privacy planting scheme and the biodiversity enhancement scheme as detailed on plans '*4 Pontymason Planting and Aftercare Notes 2025*', '*4 Pontymason Close with lower tier planter.*' '*4 Pontymason Close shrub planters 2025*', '*SD991 02C Proposed*', hereby approved, shall be implemented in accordance with the approved plans within 12 months of the date of this decision and retained as such for the lifetime of the development. If within a period of 5 years from the date of the planting of any tree proposed as part of the proposed scheme, or any tree planted in replacement of it, is removed, uprooted or destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place during the next planting season immediately following the death/removal/destruction of that tree.

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) in accordance with Policy GP2 and GP5 of the adopted Newport Local Development Plan (2011 - 2026).

APPLICATION DETAILS

No:	25/0261	Ward:	Rogerstone West
Type:	Full		
Expiry Date:	29th May 2025		
Applicant:	Coombs		
Site:	4 Pontymason Close Rogerstone Newport NP10 9HG		
Proposal:	RESUBMISSION OF RETROSPECTIVE APPLICATION TO RETAIN TERRACED PATIO AREAS		
Recommendation:	REFUSED		

1. INTRODUCTION

- 1.1 This application seeks retrospective permission to retain terraced areas at 4 Pontymason Close. This is a resubmission following previous refusal 24/0810: RETROSPECTIVE APPLICATION TO RETAIN TERRACED PATIOS WITH THE INTRODUCTION OF NEW TIMBER CLOSE BOARDED FENCE AND OPAQUE GLASS SCREEN TO OBSCURE OVERLOOKING INTO ADJACENT GARDEN
- 1.2 The majority of the development remains the same as that assessed under 24/0810, however, the key differences are the removal of the privacy screen timber fencing and opaque glass on Tier B, and the addition of planting on Tier B and Tier A on the boundary to number 3 Pontymason Close to act as privacy screening.
- 1.3 In terms of the retrospective works within the garden of no. 4 Pontymason Close, the first plateau (Tier A) closest to the dwelling measures 1.4m in height from ground level. The retaining wall on this tier was existing before works commenced, however, this area has become levelled off to a depth of 4.9m and has had patio laid on the surface.
- 1.4 The second plateau (Tier B) is 1.2m in height off the first plateau and holds a levelled off depth of 4.2m. This area has been covered in astroturf.
- 1.5 It should then be noted that the garden increases in height by 0.7m to a small, levelled section (Tier C), and gradually increases in height to the top of the rear of the garden where a shed is located with some patio area. This top sloping section is covered in slate.
- 1.6 For completeness, the applicant clarified the definition of 'raised', as definition, The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, I.1. states, "*raised*" in relation to a platform means a platform with a height greater than 30 centimetres. This will be used below accordingly.
- 1.7 Councillor Yvonne Forsey has called this application to committee if the recommendation is to be refused on grounds of transparency, because of the planning history, and because of the unusual characteristics of the site.

2. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0810	RETROSPECTIVE APPLICATION TO RETAIN TERRACED PATIOS WITH THE INTRODUCTION OF NEW TIMBER CLOSE BOARDED FENCE AND OPAQUE GLASS SCREEN TO OBSCURE OVERLOOKING INTO ADJACENT GARDEN	R	05/12/2024
01/1038	CERTIFICATE OF LAWFULNESS FOR PROPOSED CONVERSION OF GARAGE TO COMMERCIAL KITCHEN	R	23/11/2001

3. POLICY CONTEXT

3.1 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

3.2 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.

3.3 Newport Local Development Plan (2011-2026)

- Policy GP2 (General Amenities)
- Policy GP5 (Natural environment)
- Policy GP6 (Quality of Design)

3.4 Supplementary Planning Guidance

- House Extensions and Domestic Outbuildings (January 2020)

4. CONSULTATIONS

4.1 None.

5. INTERNAL COUNCIL ADVICE

5.1 Tree officer: Comments as 24/0810.

*Under previous application 24/0810:

NCC owns land adjacent to this property which would give a planting opportunity for replacement trees. *

6. REPRESENTATIONS

6.1 NEIGHBOURS:

All properties with a common boundary with the application site were consulted (3no. properties), a site notice displayed on 11/04/2025.

Current owners of 3 Pontymason Close:

Having reviewed the plans, we do not object to the retrospective planning permission. The garden appears to be in a similar state to when we viewed the property in the lead up to our purchase and does not materially lessen our own privacy.

However, we are not in a position to comment on the legal, technical or planning policy compliance aspects of the application.

Previous owners of 3 Pontymason Close:

- Concerns over first tier and balustrade height
- Misrepresentation of the existing land levels and plans do not represent development.
- Amenity area is now not proportionate in size.
- Areas marked on plans as patio is not patio
- 2no Trees to the rear of the garden removed.
- No inclusion of metal balustrade on plans. The first tier has resulted in the creation of a balcony and a new structure in excess of 3 metres high. The consequence of this newly developed patio and balustrade is that a new and additional amenity space has been created.
- Overlooking into garden and house
- The developed land has been raised, altered or built upon along the entire length of the boundary with Number 3, including the third tier of the development, diminishing greatly the necessary and important intended benefits of the boundary fence at all points
- Concerns over red line on block plan excluding development
- Concerns over the actual extent of engineering works and that engineering works happened on the tiers
- Planting as privacy screening is not reliable

It is considered that the previous owners of no.3 Pontymason Close no longer own the property. The new residents were consulted, and no comments were received.

6.2 Rogerstone Community Council: No comments received.

7. ASSESSMENT

7.1.1 Background/context

The site is a two-storey detached property in Rogerstone West and defined within the urban boundary. The adjacent properties along Pontymason Close are at differing heights as the land level is sloping. The applicant has stated that no.3 Pontymason Close is to the South West of the host dwelling and is set down 1.0m from the host property. No.5 Pontymason Close is to the North East of the host dwelling and sits higher by a similar amount. Gardens along Pontymason Close typically hold sloping gardens.

7.1.2 When assessing the development, it should be noted that part of this development is retrospective, and the existing ground levels prior to works cannot be fully confirmed on site. Confirmation from the applicant has been provided through plans and images of the garden prior to works which can be seen below. In terms of the first plateau, part of this area is existing. The second and third plateau, are proposed retrospective development.

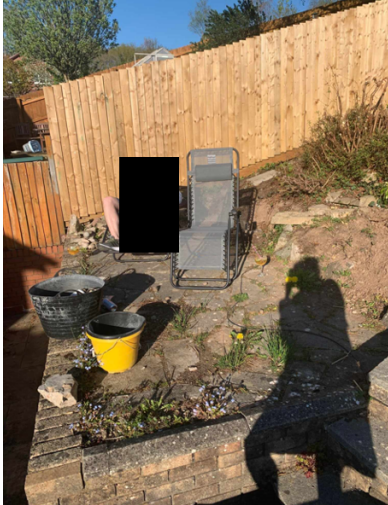
7.1.3 Prior to works on tier A, the space closest to no.3 could have been used as a vegetable patch area with gravel from the videos/photos provided of the house prior to being bought. The area closest to no.5. appears to have sustained some form of small patio area as

submitted from the applicant's picture below. The rest of the garden appeared to continue to gradually slope to the top of the garden where a shed is situated.

Garden prior to works, photos on Pinkmove:



Photo provided by applicant of first tier next to boundary fence of 5 Pontymason Close:



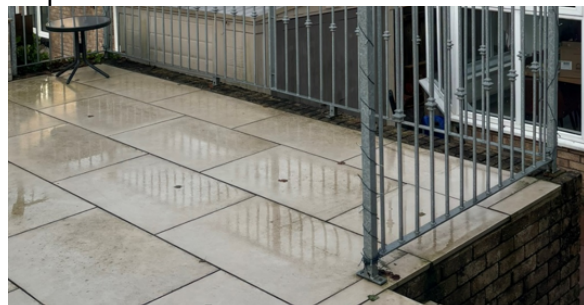
7.2 First tier- Area A

- 7.2.1 Tier A is the closest tier to the dwellinghouse. It is noted that the retaining wall on tier A is pre-existing and this retaining wall does not change in height as part of this submission. The applicant has added a 1m balustrade on top of the existing retaining wall. This is deemed acceptable for safety measures. When addressing if the tier has been built up, the image prior to works demonstrates there was a slight lip on the top of the wall as shown below. The current image of the plateau demonstrates the patio slabs now meet the top of the wall. The laying of patio slabs here increases the height marginally and is acceptable. The applicant demonstrates that part of the tier to the rear has been altered under 300mm and the area closest to number 5 has been reduced over 300mm. Whilst the land level changes here are not substantial, it is noted that the works undertaken have created a more useable levelled platform to what was pre-existing, and the impacts are further discussed below.

Prior to works:



Retrospective works:



Tier A:



- 7.2.2 The most significant change on this level demonstrates that the plateau increases in depth at one level creating a more formalised area to prior to works. The plateau depth is approximately 4.9m. When assessing the views afforded to the neighbouring properties from the first tier, it is noted that no.5 Pontymason Close is set up higher than the host property. The boundary fence is set up, and views to the rear of 5 Pontymason Close has not been significantly increased over the previous plateau from the first tier. When assessing the views afforded to no.3 Pontymason Close, it should be noted, some views could likely be afforded from this tier prior to works into 3 Pontymason's garden given the existing nature of the first retaining wall, however, the full extent to this cannot be understood given the development has already occurred. Notwithstanding, the works undertaken have created a useable surface and has scope to hold a more formalised sitting area/capacity to host more people on the space, affording views down to the neighbouring property and garden. To overcome this, the applicant has provided a planting scheme along the border edge with no.3 Pontymason Close. The planters will provide a high density of evergreen foliage, berries, seeds and habitat. Whilst the planters proposed may limit views to neighbouring properties, natural screening cannot be relied upon as this can fail to establish or be removed in the future. It would be onerous to monitor this. Therefore, natural screening cannot be relied upon in this case. In terms of other privacy screening such as fencing as proposed under the previous submission, this would create an overbearing and unneighbourly presence of development to no.3 given the set down of the property.

Views from first tier edge (Area A) closest to no.3 Pontymason Close:



7.2.3 A recent appeal decision at 4 Ridgeway Crescent, reference 23/0731, Appeal reference CAS-03196-B5D1Z6 looked at the retention of plateaus within the rear amenity space. The Inspector concluded, *Furthermore, the plateau has created a larger more usable space, likely to be used more frequently and for longer periods of time, exacerbating the perception of being overlooked. Although the development has sought to create a safe area for enjoyment for young children, the level of overlooking, particularly in the summer months when the patio area would likely be more intensively used, results in a significant loss of privacy for the occupiers of No. 6....I have considered whether any privacy screening to replace the glass balustrade on the southern and eastern section of the patio area could offer suitable mitigation as suggested by the appellant. However, there are no specific details before me. Given the height of the patio area, its close proximity to the rear of No 6, and the level of screening that would be required to safeguard privacy, I share the Council's concerns that such a screen could be obtrusive. It would not therefore be appropriate to impose a planning condition in this regard.* It is considered the host site shares some parallels as that at Ridgeway Crescent. The introduction of privacy screening and the more formalised space would create an overbearing and intensified platform use. This was deemed unacceptable.

7.2.4 The applicant has suggested that the works on Tier A do not constitute engineering works given the scale of changes. 'On the block plan, areas outside the redline are excluded from the application as they are permitted development and do not require consent.' It is considered that the development is being assessed as a whole to understand the combined impact of the development. The applicant also suggests that *The use of amenity isn't defined in planning, and this should have been clearly stated, anyone can use any part of their garden as long as its in conjunction with the residential use.* It is understood that the rear garden of a residential house is typically used for the amenity of the occupiers and the development undertaken within the garden require permission. The applicant has stated that the ground levels have not changed above 300mm on this level, and the applicant expresses within the documents submitted that installation of patio is covered by The Town and Country Planning (General Permitted Development) (Amendment)

(Wales) Order 2013, Schedule 2, Part 1, Class F. As forementioned, whilst the land levels on this level have not altered substantially, the increased depth at one level creates a more formalised space to hold more people which would result in exacerbated overlooking opportunities to no.3. The privacy screening proposed is inappropriate contrary to Policy GP2 and GP6.

7.3 Tier 2- Area B

- 7.3.1 When assessing the second tier (Tier B), it should be considered that this levelled tier was not previously existing and was sloped garden which can be seen below. The new tier, which is covered in astroturf, has created a 1.2m in height retaining wall/plateau across the entire width of the garden, and creates a useable space halfway into the garden which projects out for a depth of 4.2m.

Prior to works:



Post Construction (looking down onto Tier B):



- 7.3.2 The adopted House Extensions and Domestic Outbuildings Supplementary Planning Guidance states within para 5.5.1, *'In common with any other extension, a raised amenity space should relate sympathetically to the existing building and the streetscape by virtue of its size, design and materials. A raised amenity space that substantially reduces natural light, perceived space or privacy in neighbouring habitable rooms or back gardens will not be acceptable'*. The applicant has stated that this SPG is not relevant to the development as it does not include an extension or outbuilding. The applicant has also suggested it is not relevant as the SPG categorises raised amenity spaces as decks, balconies, patios and roof terraces, and the applicant has stated that the development does not fall within these categories. On assessment, it is considered that part of Tier B has been raised and is an amenity space for residents. Therefore, the guidance does apply to the development here and is assessed below.
- 7.3.3 From the plans provided, the retaining wall measures 1.2m in height at its highest point, 1m above the pre-existing ground level shown on the plans. Whilst the applicant states that only less than 13.5% of the ground level has been altered above 300mm, construction of the plateau as a whole has created a more useable space which has capacity for more people to use with clear views to no.3, reducing privacy. The area in which the applicant has suggested that the land has increased in height over 300mm proposes planting to

reduce overlooking to no.3 and thus, people could not use this planted area. Whilst privacy screening would not cause loss of light to the neighbouring garden of no.3 given that it is set to the South West of the tier, natural screening is not a reliable form of privacy screening and has been discussed above. Any privacy screening erected along this elevation would still appear a large, overbearing and unneighbourly structure given no.3s property is set down. The images below highlight the top of the existing balustrade of the Tiers at no.4 taken from no.3's patio area.

No 4's balustrade fencing on Tier A and B visible from no.3's patio:



- 7.3.4 No.3's garden has a small levelled area adjacent to Tier B's plateau and can be shown below. This has been existing since at least July 2013 from google satellite imaging. Whilst comments have been made that no.3 has a levelled amenity space directly next to Tier B, no.3's platform is of a smaller scale and does not allow for large amounts of people to congregate.

Photos below of views from the second tier to 3 Pontymason Close:



- 7.3.5 Overall, it is considered that the creation of a levelled, useable surface at this level is not acceptable given its size and reduction of privacy to neighbours. The introduction of privacy screening would be overbearing given the land level differences and the appeal decision above holds parallels with the current application. Therefore, the development is contrary to Policy GP2 and the SPG.

7.4 *Third tier C*

- 7.4.1 In regard to the top plateau and area of sloping land to the rear of the garden, this area is covered in slate, and given the sloping of the land, would be harder to create a formalised area. The applicant has suggested there is a slight plateau due to the need for a retaining wall, but does not appear large enough to create a formal space for seating or for residents to use. Some land has been levelled to the top of the garden, this contains a shed and patio area which is set away from the boundary of no.3 and views cannot be afforded to no.5's garden. This sloping area would not enable a formalised space such as that of the second tier. It should be considered there was a shed area to the top of the garden prior to works commencing. Therefore, this area would be deemed acceptable.

7.5 Trees

Two silver birch trees were removed to the rear of the garden in 2021 as shown below. The exact date of the removal of the trees cannot be confirmed, however, it can be seen from mapping images below that the trees were not present to the rear of the garden in June 2021. It is not apparent that these trees were protected trees. The applicant suggested that the birch trees were getting large and hard to maintain and were causing a reflection in the upstairs left-side bedroom window that resulted in roughly 4-5 birds flying directly into it and either seriously injuring themselves or causing death. PPW12 suggests, *Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost.* The Tree officer was consulted and suggested replacement planting should be sought, if not in the garden, on Newport City Council owned land adjacent to the site. On assessment, it was previously concluded that

PPW chapter 6 introduced the need for GI statements in February 2024. However, prior to that, a Chief Planning Officer letter dated 11 October 2023 required Green Infrastructure Statements with immediate effect. Given that the trees were not present from at least June 2021, the removal pre-dates the GI requirements. Therefore, it can be considered that replacement planting is not sought under this application.

Satellite image from June 2021:



7.6 Other comments

The applicant has provided aerial imaging of the type of development contained in this application replicated, on the surrounding estate of the south facing hillside. Whilst it is noted that some plateau development could have occurred in surrounding gardens, each case is assessed on its own merits and has its own site characteristics and context which should be fully assessed.

7.7 Neighbouring comments

7.7.1 Comments from 3 Pontymason Close suggest there are no objections to the retrospective planning permission and states the garden appears to be in a similar state to when they viewed the property in the lead up to our purchase and does not materially lessen our own privacy. However, we are not in a position to comment on the legal, technical or planning policy compliance aspects of the application. It is understood that the current owners do not have objections to the development. However, the application is to assess the design and subsequent impacts it could have now or in the future and this has been discussed in the report above.

7.7.2 The following neighbouring comments have been submitted by the previous residents at number 3 Pontymason Close. These residents no longer reside at the property. Neighbour comments from no.3 have stated that they welcome the aim of 'obscuring overlooking into adjacent garden', however, the neighbouring property has stated that further consideration needs to be given to the first tier, specifically the newly developed patio and balustrade. Concerns were also stated that this has resulted in the creation of a balcony and a new structure. The consequence of this newly developed patio and balustrade is that a new and additional amenity space has been created. When assessing these comments, the applicant has erected a balustrade around the front of the plateau for safety as a means of enclosure. The balustrade is approximately 1m in height and would be

deemed acceptable in this instance for safety. Given the development is situated on an existing retaining wall, the development does not constitute a balcony.

- 7.7.3 The neighbouring property at no.3 also has stated that the sketch of the original garden in the plans provided is misrepresentative of the land as it were prior to the new development where some areas held patio and others shrubbed areas as a natural privacy screen between gardens. It should be considered that previous photos of the garden have been provided. The area on the existing first tier does not show shrubbery present on this boundary to no.3 and holds some shrubs further up the garden. It is noted the neighbour also questions the labelling of the patio on the existing plans on the first tier. Photos of the property show the land levelled around this area, however, this was more of an informal area than its current use. The applicant has provided photos of the host family using this space with chairs.
- 7.7.4 Neighbouring comments from no.3 states that the original steps and path also swept left and away from the boundary with number 3. The neighbour states that the original design was well considered and recognised the need to balance the rights of neighbouring properties. When considering these comments, the development as built is being assessed and not alternative designs/recommendations.
- 7.7.5 The neighbouring property at number 3 also comments on the loss of trees, this has been discussed above.
- 7.7.6 Concerns from no.3 states that there are no photos or 3D imaging of the site as built. This is not a validation requirement, and the case officer has conducted a site visit to understand the development as built.
- 7.7.7 Concerns were raised on overlooking into neighbouring gardens and this has been addressed above.
- 7.7.8 The neighbouring property at no.3 has stated that the 'as built' plans highlight breaches of permitted development rights in 5 separate areas with regards to the 300 mm rule. The development as built has been assessed within the report.
- 7.7.9 The neighbouring property at no.3 has stated that the developed land has been raised, altered or built upon along the entire length of the boundary with Number 3, including the third tier of the development, diminishing greatly the necessary and important intended benefits of the boundary fence at all points. The development and overlooking has been assessed in the report above.
- 7.7.10 The concerns from the neighbouring property at no.3 has stated that the insertion of a red line on the block plan does not mean that the areas outside the line are permitted development. As stated in the report above, the development as a whole is being assessed under this submission.
- 7.7.11 The neighbouring property at number 3 has stated that the start date of the development provided by the applicant 02/08/21 is not correct. The applicant at no.3 has stated that

Tier A required excavation requiring a digger and bulldozer happened prior to that in Spring 2021, including the creation of Tier A patio, construction of retaining wall to the rear of Tier A and the erection of balustrade. Since this comment, the applicant has revised the date.

7.7.12 The neighbouring property at no.3 has stated that the absence of a qualified engineer cannot be the defining factor on whether the development constitutes engineering works. On assessment, the development has altered ground levels in areas constituting engineering works and this has been assessed within the report.

7.7.13 The neighbouring property has stated that the original plans submitted under 24/0810 and 25/0261 are different as a segregating line has been added to tier A and the word patio has been replaced with gravel. The plans have been assessed above. In terms of the segregating red line, it is considered that the development is being assessed as one whole development.

7.7.14 The neighbouring property has concerns over the potted plants are not considered a sustainable nor lasting remedy to overlooking. This has been assessed within the report.

8.1 ***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.

8.2 ***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.

8.3 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.

8.4 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 the proposed decision. There would also be no negative effects which

would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.

8.6 *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 the proposed decision.

8.7 *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 the proposed decision.

9. CONCLUSION

- 9.1 The proposed changes under this submission, namely the planting, compared to those previously assessed under the previous submission 24/0810 are insufficient to overcome the issues outlined. Due to the depth, altered height, and formalisation of tiers, the development would substantially reduce privacy to 3 Pontymason Close's garden when residents are on the plateaus causing detrimental harm to neighbouring amenity and overlooking. The plateaus are insensitive and unneighbourly to neighbouring properties and the planting would not be a reliable form of privacy screening to mitigate this, contrary to the SPG and GP2. Therefore, the application is refused.

10. RECOMMENDATION

REFUSED

01 The development, namely tiers A and B has resulted in the creation of terraced patios providing a formalised amenity area. The works have created large useable surfaces to allow the garden to be used for sitting out and socialising and have involved terraced patios at altered heights and prominence in closer proximity to 3 Pontymason Close. The terraced patios have caused an appreciable adverse impact on privacy and perceived overlooking to neighbouring properties in particular 3 Pontymason Close. The proposed planting represents a contrived attempt to mitigate the impact of the terraced patios and would be unreliable and overbearing failing to mitigate the unneighbourly impact and loss of privacy caused by the development. The scheme is contrary to Policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and the adopted House Extensions and Domestic Outbuildings SPG.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Applicant comments 2; Applicant comments; 4 Pontymason Close Rev A; 4 Pontymason Planting and Aftercare Notes 2025; 4 Pontymason Close with lower tier planter.; 4 Pontymason Close shrub planters 2025; SD991-01 Existing; SD991 03C Elevation and Details; SD991 02C Proposed; SD991 00 Site Block

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

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.