

Delegated Decision Report

Application No:	25/0465	Statutory Period Expires:	29th August 2025
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Site:	62 Graig Wood Close Newport NP20 6HH		
Proposal:	PROPOSED DEMOLITION OF EXISTING LOG CABIN AND THE CONSTRUCTION OF NEW GARDEN ROOM (RESUBMISSION OF 24/0043)		
Applicant:	A Flook		
Type:	Full	Ward:	Malpas
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 An application seeking retrospective permission for the construction of a log cabin to be used as a games room was received in February 2024 under application ref.24/0043. The application was later refused in June 2024 for the following reason:

“The development, by reason of its scale, location, elevation and design, will result in an incongruous, unneighbourly and unsympathetic addition to this domestic rear garden to the significant detriment of residential amenity and contrary to policies GP2 and GP6 of the adopted Local Development Plan.”

- 1.2 The decision was appealed in August 2024 and subsequently dismissed in December 2024.

2. SITE LOCATION AND CONTEXT

- 2.1 The property is a semi-detached, two storey dwelling located on Graig Wood Close, in the Malpas ward. The property benefits from a front and rear garden with a side access.
- 2.2 The site is within the defined settlement boundary as identified by Policy SP5 of the Newport Local Development Plan 2011 – 2026 and as shown on the associated proposals map. Surrounding the property is predominantly residential dwellings.
- 2.3 Due to the topography of Graig Wood Close, the land slopes significantly from the east to the west, meaning that the lowest ground level of the garden is approximately 4m lower than the ground level of the dwelling. As the rear garden is sloping, the garden is tiered, meaning that the ground level drops by 2.7m between the existing patio and the middle tier on which the shed is built. The garden then drops by a further 1.4m, to the lowest tier on which the existing unauthorised garden room is sited.
- 2.4 Due to the established layout, no.62 Graig Wood Close shares its rear boundary with the rear gardens of nos.11, 13 and 15 Llanover Close.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 It is proposed to demolish the existing log cabin and construct a new garden room. The proposed single storey outbuilding would be located in the rear garden of the property, at the lowest level of the tiered garden. It would measure 9.8m in width and 4.9m in depth. The height would measure 2.6m to the top of the hipped roof on the front elevation and a maximum height of 3.2m on the rear elevation due to the change in ground level. Fenestration would consist of 1no double width door, 1no single pane window and 1no double pane window on the front elevation. All fenestration would be white UPVC and external materials would consist of grey composite cladding on the walls and dark tiles on the roof.
- 3.2 The proposal also includes a Biodiversity Enhancement in the form of a woodcrete bird box beneath the eaves at on the northern (side) elevation of the proposed outbuilding.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0043	RETROSPECTIVE APPLICATION FOR THE CONSTRUCTION OF A LOG CABIN TO BE USED AS A GAMES ROOM	REFUSED	13.06.2024

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 SUPPLEMENTARY PLANNING GUIDANCE

- House Extensions and Domestic Outbuildings (January 2020)

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 16/06/2025, Site Notice was put up on 27/06/2025 and 25/07/2025.

7.1 NEIGHBOURS: 5no neighbours were consulted. 1no objection received to date.

13 Llanover Close, Malpas, Newport, NP20 6JB

The building is closer to me than their own house and if it going to be a games room any noise will be directly on the end of my garden and cause a noise nuisance to me, or I will have to keep my windows and doors closed which is not fair, due the size of the building it is not going to be 1 or 2 people it going to more like 5 or 6 which is going to be unfair to me and my other neighbours. I have put up with noise of previous buildings that have been erected without planning and knocked down and changed for months it is totally unfair.

8. ASSESSMENT

8.1 Prior to assessing the proposed development, the site history must be understood. As forementioned, a retrospective application for the retention of an outbuilding was refused in June 2024 and dismissed at appeal in December 2024. The previously refused outbuilding was sited at the rear of the garden on the lowest level and measured 11.48m in width, 5m in depth. In terms of height, the outbuilding measured 3.14m in height to the top of the flat roof and 4.17m in height from the ground level on the front elevation and 2.82m in height and 3.76m in height from ground level to the rear elevation. Fenestration consisted of 2no windows on the rear elevation and 2no windows on the front elevation with 1no door (2no panes) on the front elevation.

8.2 It was deemed that the development by reason of its scale, location, elevation and design, would result in an incongruous, unneighbourly and unsympathetic addition to this domestic rear garden to the significant detriment of residential amenity and contrary to policies GP2 and GP6 of the adopted Local Development Plan. It is now sought to demolish the existing outbuilding and erect an outbuilding of different dimensions and design.

8.3 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.62 Graig Wood Close at the lowest ground level. Due to the change in ground levels along Graig Wood Close, the dwelling and associated curtilage is situated below the prevailing street level so some views of the rear garden may be afforded through the side access, however any views would be minimal, and it is considered that the outbuilding is appropriately sited in the context of the property.

8.4 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. It was concluded that the previous outbuilding dominated the lower part of the rear garden, spanning almost its entire boundary, making it highly visible from the adjacent properties along Llanover Close due to its position and scale. This caused the outbuilding to appear as a disproportionately large, prominent and intrusive feature that was out of scale with the existing pattern of development. It is acknowledged that the outbuilding has been reduced in scale from the previous proposal. The width has been reduced in width by 1.7m (from 11.5m to 9.8m), the maximum height has been reduced by 1m (from 4.2m to 3.2m) and the depth has been slightly reduced by 100mm (from 5m to 4.9m). Although the outbuilding remains large in scale, the rear garden of no.62 is larger than the average plot, with the garden reaching a width of up to 16.8m at the rear, so it is considered that there is more scope for a larger scale outbuilding and an adequate area of usable garden space would be retained.

8.5 In terms of appearance, the outbuilding comprises a pitched roof and would be finished in grey composite cladding. It is considered that the outbuilding appears as a typical garden structure and does not appear incongruous in this location.

8.6 Residential Amenity

In terms of siting, the outbuilding would be located 1.3m from the shared boundary with no.11 Llanover Close, 1.6m from the shared boundary with no.13 and 3.9m from the shared boundary with no.15 at its closest point. Moreover, the outbuilding would be set in 2.2m from the shared boundary with no.60 Graig Wood Close and 1.5m from the shared boundary with

no.58. The appeal decision from the previous application (24/0043) noted that the cabin extended across a significant portion of the rear boundaries of nos.13,14 and 15 Llanover Close which, together with its substantial size and height, would result in a large, dominant structure elevated above the boundary fencing. As forementioned, the height of the structure has been reduced by 1m in height to 3.2m, so the outbuilding would appear less elevated above the boundary treatment. Moreover, it is believed that mitigation is offered by the pitched roof which allows the structure to appear less solid and bulky when viewed from the rear gardens of Llanover Close. It is acknowledged that there are trees along the rear boundaries of Nos. 13, 14 and 15 Llanover Close which currently offer screening benefits however these are not permanent features and could be removed at any time by the occupiers, so little weight has been given to the mitigation offered by this. Nevertheless, it is considered that the proposed outbuilding would not have an unacceptable overbearing impact on neighbouring properties and their garden areas.

8.7 In terms of privacy, 1no door and 2no windows are proposed on the front elevation of the outbuilding. The windows would look towards the substantial rear garden of No 62 and would not provide any unacceptable views into/towards neighbouring houses or gardens. Therefore, it is not anticipated that the proposed windows would 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).

8.8 It is acknowledged that concerns have been raised regarding potential noise and disturbance arising from the use of the outbuilding as a games room however there is no cogent evidence before me which suggests the noise level associated with the development would be excessive or unneighbourly and therefore, little weight can be afforded to this point.

Biodiversity:

8.9 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. A woodcrete bird box is proposed on the side elevation of the outbuilding and the implementation of this 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 (adopted January 2015).

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 There would not be an adverse impact on residential amenity, nor the character/appearance of the area as a result of the development. The proposal complies with the relevant design guidance set out in the House Extensions and Domestic Outbuildings SPG and is compliant with adopted LDP.

11. DECISION

GRANTED WITH CONDITIONS

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

- Site Location Plan
- DRG.23 - Proposed Site Plan
- DRG.24 - Sectional View
- DRG. 25 - 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 No window or door openings (other than those shown on the approved plan) shall be formed in the western (rear), northern (side) and southern (side) elevations of the outbuilding hereby approved without the prior written permission of the Local Planning Authority.

Reason: In the interests of protecting the residential amenity and privacy of the neighbouring property in accordance with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

03 Prior to the first beneficial occupation of the extension hereby permitted, the biodiversity enhancement scheme shall be implemented in accordance with the details set out in 'DRG. 25 - Proposed Floor Plan and Elevations' and be retained as such for the lifetime of the development.

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).

01 This decision relates to plan Nos: Site Location Plan, DRG.22 - Existing Site Plan, DRG.23 - Proposed Site Plan, DRG.24 - Sectional View, DRG. 25 - 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.