

# Delegated Decision Report

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|------------------------|----------------|----------------------------------|--------------------------|
| <b>Application No:</b> | <b>25/0686</b> | <b>Statutory Period Expires:</b> | <b>19th October 2025</b> |
|------------------------|----------------|----------------------------------|--------------------------|

|                   |                                                  |              |                 |
|-------------------|--------------------------------------------------|--------------|-----------------|
| <b>Site:</b>      | <b>10 Poplar Court Caerleon Newport NP18 3EB</b> |              |                 |
| <b>Proposal:</b>  | <b>FIRST FLOOR BALCONY</b>                       |              |                 |
| <b>Applicant:</b> | <b>C Twine</b>                                   |              |                 |
| <b>Type:</b>      | <b>Full</b>                                      | <b>Ward:</b> | <b>Caerleon</b> |
| <b>Decision:</b>  | <b>REFUSED</b>                                   |              |                 |

## 1. BACKGROUND

1.1 None.

## 2. SITE LOCATION AND CONTEXT

2.1 The property is a two-storey semi-detached dwelling located along Poplar Court in the Caerleon ward. The property benefits from a large front garden. Externally, the property is finished in white render at ground floor and clad tile at first floor with white UPVC windows.

2.2 The site is within the defined settlement boundary as identified by the Newport Local Development Plan 2011 - 2026. Surrounding the property is predominantly residential dwellings. Due to the topography of Poplar Court and neighbouring streets, the land slopes from the northwest to the southeast.

2.3 Poplar Court displays a radburn style layout whereby the front elevations and front gardens face a central footpath while the highway runs behind the property. Due to the established layout, the front elevation of no.10 can only be accessed via a pedestrian footpath which provides access to the front elevations of nos.2 – 16 (evens) Poplar Court- along the northwestern side of the path and nos.1 – 15 (odds) along the southeastern side. The street has a pleasant amenity with consistency in design and layout.

## 3. DESCRIPTION OF DEVELOPMENT

3.1 A first-floor balcony is proposed on the front elevation of the dwelling that will include altering a window to a pair of doors. The balcony would measure 1m in depth extending from the front elevation, 3m in width, 2.5m in height to the base from ground level and a maximum height of 3.8m to the top of the glass balustrade railing. The balcony would be constructed from steel framework with perimeter glass balustrades and would include steel joists and composite decking.

3.2 To accommodate access/egress to and from the balcony, 1no set of patio doors are proposed in lieu of the existing first floor triple pane window.

## 4. RELEVANT SITE HISTORY

None.

## 5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

## 5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

## 5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

**Policy GP2 – General Amenity** states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.

**Policy GP5 – Natural Environment** states that proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.

**Policy GP6 – Quality of Design** states that good quality design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability.

## 5.4 SUPPLEMENTARY PLANNING GUIDANCE HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS (ADOPTED JANUARY 2020)

## 6. CONSULTATION RESPONSES

### 6.1 CAERLEON CIVIC SOCIETY

No response received to date.

## 7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 03.09.2025.

### 7.1 NEIGHBOURS: 8no neighbours were consulted. 4no responses received to date.

#### 7 Poplar Court (Objection)

Will encroach on my privacy as it will overlook my bedroom windows.

The prospect makes me uncomfortable and ill at ease in my own home

#### 7 Poplar Court (2) (Objection)

The application would greatly affect myself and my family's privacy and home life.

The application concerns 10 Poplar Court, Caerleon and their application to build a first floor balcony.

I would like to invite you to view this property from my home. Which is directly opposite.

Due to the raised elevation of number 10, the bedroom they are proposing to add a balcony to already directly faces into my main bedroom.

I strongly object to the addition of a balcony as the occupants would have an even clearer view to look down and directly into my bedroom, which would be a huge invasion of our privacy.

We have lived at number 7 for 24 years now and are very happy there but this would absolutely and negatively affect our home life greatly, and make us feel like we were living in a goldfish bowl.

Number 10 has been in a declining state of repair for many years now, so of course we are more than happy that the owners are seeking to improve their property but the proposal of such an imposing balcony on a small semi-detached property with such close neighbouring properties is unacceptable.

I would strongly urge a visit to our little cul-de-sac. It is of an unusual design, which

certainly adds to its charm. Many of us in these properties have been here for decades. However, it is not a typical street, whereby properties facing each other are separated by a dual carriageway road with cars and pedestrians. The front of our properties are only separated by a very narrow walkway which is only frequented by a very small number of residents (most use rear access). The current planning proposal is overly imposing and would create a feeling of being overlooked for both us and our neighbours.

#### 9 Poplar Court (Objection)

I am putting in writing my objection to a first-floor balcony at the front of the property. I feel it will greatly impact my privacy from living room and first floor bedrooms at 9 Poplar Court which is opposite the property. We are a lower elevation and would be concerned that with this in mind it would allow more visibility from the property to look across into my daughter's bedroom and our main bedroom.

I am therefore just logging my concerns in respect of this application

#### 12 Poplar Court (Neutral)

I have no objection to the proposed installation of a 3m x 1m first floor balcony to the front of No. 10 Poplar Court as shown in the architects' drawings and as illustrated on the website of the company named as the installers, Atrium of Sketty, and using materials as described on the specified website.

My only point of concern is that this work is likely to disturb the front flat felt roofing directly above the proposed French windows, and potentially result in water ingress.

I mention this based on previous experience of approx 5 years ago when the rear flat felt roof of No. 10 leaked, the water tracked across into my roof space and resulted in water damage to my rear bedroom which was fortunately unoccupied at the time.

The occupant of No.10 reacted promptly to have repairs effected and the problem was resolved. But there was of course considerable inconvenience involved for us.

The felt roof above the proposed new balcony and French windows is of the same age (over 20 years) and has not yet been renewed so is likely to be extremely fragile.

The proposed work may well disturb this old roofing with resulting water ingress.

If, as before, it tracks across into my roof space, then it will be directly above the bedroom used by my wife and I.

I do not relish the thought of waking to the sound of water dripping onto our bed!

## **8. ASSESSMENT**

### **8.1 Visual Amenity/ Character and Appearance;**

The House Extensions and Domestic Outbuildings SPG states that front extensions, as distinct from porches, are unacceptable in principle because they tend to be very prominent in a streetscape. Only rarely will the Council consider allowing proposals of this nature. The balcony and associated works would introduce massing and incongruous design features on the principal elevation of the dwelling which is uncharacteristic of a residential dwelling in this location. No development of a similar ilk can be observed in the vicinity of the application site.

### **8.2 The House Extensions and Domestic Outbuildings SPG states that 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. Ill-designed proposals will not be acceptable. As established in paragraph 8.1, development of this nature is inappropriate forward of the principal elevation in this location. The siting of a contemporary style balcony with a glass balustrade and patio type doors on the front elevation in a cul-de-sac of 60's style homes is unsympathetic to the design and materials of the host dwelling and would harm the character and appearance of the property and the wider street scene. Currently, this stretch of Poplar Court provides a pleasant setting and the street has not been unduly altered to date in terms of its character and the majority of the existing properties along this stretch exhibit a modest design with the same proportions and features along the front elevations. The introduction of a first-floor balcony at no.10 would cause significant harm to this setting and will be incongruous in context, to the detriment of the visual amenity of Poplar Court. This is contrary to Policy GP6 of the**

8.3 **Residential Amenity:**

The House Extensions and Domestic Outbuildings SPG states that a raised amenity space, or balcony that substantially reduces natural light, perceived space or privacy in neighbouring habitable rooms or back gardens will not be acceptable. The proposed balcony is set in 300mm from the shared boundary with no.12 Poplar Court and would protrude 1m forward of the principal elevation. No.12 has protected windows at first floor level, set in approximately 1m from the shared boundary. It is considered that there is potential for the balcony to appear invasive, given the proximity of the balcony in relation to the primary bedroom of the adjoining dwelling which would provide views towards the windows from a short range. This is unneighbourly and contrary to Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

8.4 As forementioned, the land slopes from northwest to southeast in this location, meaning that no.10 and the associated row of even number properties sit at a higher elevation than the adjacent row of odd number homes. Even and odd numbered properties have front gardens extending to the footpath. There is a 21m separation distance between the front elevation of no.10 and the opposite front elevation of no.7 Poplar Court. The balcony would reduce the separation distance by 1m which although marginal, would introduce a formalised amenity area in this space at a higher elevation. The current arrangement, whereby the front elevation windows face one another is typical of a residential street and while views can be afforded between properties as existing, any views are minimal and not considered unneighbourly or intrusive. The introduction of an elevated amenity space, in which people are likely to spend extended periods of time at a significantly higher level than the opposite dwelling(s) is considered unneighbourly and would substantially reduce the sense of privacy experienced by neighbouring occupiers. This is contrary to Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015)

8.5 Due to the skeletal frame of the balcony it is unlikely that the development would give rise to an overbearing effect or loss of light however for the reasons outlined above, the development is not compliant with Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

8.6 **Biodiversity:**

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 biodiversity enhancement scheme is proposed as part of the development. As such the proposal is not compliant with the aims of Policy GP5 of the NLDP 2011-2026.

9. **OTHER CONSIDERATIONS**

9.1 ***Crime and Disorder Act 1998***

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 ***Equality Act 2010***

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from

- the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 ***Newport's Well-Being Plan 2018-23***

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. **CONCLUSION**

10.1 The development will result in adverse impact on neighbouring residential amenity by means of a loss of privacy. The design of the development will harm the character/appearance of the host property and the street scene, to the detriment of the visual amenity of Poplar Court. No biodiversity enhancement details have been provided but these could be secured by condition if the development was considered acceptable. The proposal is contrary to Policies GP2 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

11. **DECISION**

**REFUSED**

01 The proposed first floor balcony, by reason of its design, scale, location and height, will have a significant unneighbourly and adverse impact on neighbouring occupiers at no12 Poplar Court through loss of privacy and perceived overlooking to its first-floor habitable room window. The proposal is contrary to Policies GP2 and GP6 of Newport Local Development Plan 2011-2026 (Adopted January 2015) and the adopted House Extensions and Domestic Outbuildings SPG (Adopted January 2020).

02 The development, by reason of its location, height, local topography and design, has an adverse and unneighbourly impact on the neighbouring occupiers at no 7 Poplar Court due to overlooking. Therefore, the proposal would be contrary to Policies GP2 and GP6 of Newport Local Development Plan 2011-2026 (Adopted January 2015) and the adopted House Extensions and Domestic Outbuildings SPG (Adopted January 2020).

03 The development, by reason of its poor design, will appear incongruous in context and has a significant adverse impact upon interests of acknowledged importance, namely visual amenity and the appearance of the host property and streetscene. This is contrary to Policies GP2 and GP6 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

*NOTE TO APPLICANT*

01 This decision relates to plan Nos: Site Location Plan and Proposed Block Plan, Existing Floor Plans 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.