



Appeal Decision

by Zoe Baxter BSc, MSc, MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 15/09/2025

Appeal reference: CAS-04462-V0P2H4

Site address: Silver Birches, Wentward Road, Penhow, Newport, NP26 3AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Philips against the decision of Newport City Council.
 - The application Ref 25/0165, dated 4 March 2025, was refused by notice dated 26 June 2025.
 - The development proposed is construction of a double garage with study above.
 - A site visit was made on 28 August 2025.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area and Special Landscape Area; and
 - biodiversity interests.

Reasons

3. The appeal site comprises a two-storey detached dwelling house along with a summerhouse outbuilding and garden areas. It is accessed from Wentward Road, a rural lane and is situated within the settlement boundary to the north of Parc Seymour and adjoins the Wentward Special Landscape Area (SLA) to the north, west and part of the eastern boundary. The properties in the immediate area surrounding the site are situated on varying sized plots and are of mixed design and appearance with no consistent character.
4. Policy GP6 of the Newport Local Development Plan (LDP) relates to high quality design and requires, among other matters, development to be sensitive to the unique qualities of the site and should appropriately reflect the scale of adjacent townscape and care should be taken to avoid over-scaled development. With Policy GP2 requiring proposals not to be detrimental to the character or appearance of the surrounding area. The House Extensions and Domestic Outbuildings Supplementary Planning Guidance (SPG) requires the size, location and appearance of outbuildings to be controlled.
5. The proposed double garage would be sited in a similar position to the former double garage at the property albeit would be of significantly greater scale than the previous single storey flat roofed building. I also note planning permission has recently been granted for a sizeable extension to the host dwelling along with a summerhouse to the

south of the dwelling which was in place during my site visit. However, the property has a generous curtilage, and as such, I consider that the principle of a larger garage than previously at the site would be acceptable. Notwithstanding this, the submitted plans show the proposed garage would be roughly 7m wide and 9m deep with an eaves height of 2.3m and ridge height of 6m. As a result of the proposed design, the garage would have a deep pitched roof creating a first floor with two dormer windows to the front. I note that the roof slope has been oriented to face the road in an attempt to reduce the visual impact. However, in conjunction with the large footprint the considerable scale and mass of the garage would be exacerbated by the roof design which would draw the eye and dominate the front elevation.

6. Notwithstanding that the garage proposes two small dormer windows seeking to tie in with the main house, the design of the deep pitched roof would be in significant contrast to the shallower roof pitch of the existing dwelling and that proposed as part of the recently permitted extension and alterations. Whilst the floorspace of the proposed garage may be considered proportionate when compared to that within the extended host dwelling, the design and appearance of the proposed garage would not be subservient to or complement the host dwelling. The proposed garage would appear top heavy, particularly when viewed alongside the host dwelling. Although the garage would be set back within the site, adjacent to the eastern boundary and additional planting is proposed, given its size and position directly opposite the site access, the proposed garage would be prominent from the rural lane and when entering the site. The result would be a form of development which appears unbalanced with the host dwelling and incongruous within the site and in the rural street scene.
7. I acknowledge that the garage would not be clearly visible when viewed from the north, east or south of the site due to the topography and existing vegetation and as such I do not consider it to be significantly harmful to the wider landscape or the adjacent Wentward SLA. However, as set out above, the proposed garage would be prominent when viewed from Wentward Road to the west where it would dominate views from the rural lane to the detriment of the character and appearance of the site and the immediate surrounding area.
8. Based on the foregoing, the proposal would result in a garage which appears unbalanced with the host dwelling and incongruous from the rural lane causing harm to the character and appearance of the area. It would therefore be contrary to LDP Policies GP2 and GP6 and the objectives of the SPG.

Biodiversity interests

9. Policy 9 of Future Wales states in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit) must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment. Although not submitted with the planning application, the appeal has been accompanied by a Green Infrastructure Statement (GIS) as sought by Planning Policy Wales (Edition 12) (PPW).
10. The Council raise concern over the clearance work undertaken at the site. The GIS confirms that vegetation and a large tree were removed in 2017 in conjunction with the previous permission for a replacement garage at the site. Whilst I acknowledge the Council's position in regard to the imagery available from 2023 and 2025, the appellant has confirmed that this is as a result of recent pruning and thinning of the overgrown laurel adjacent to the site entrance and no loss of trees has occurred as part of the proposed development. Furthermore, the area of hardstanding appears to remain as per previous imagery.

11. As such, whilst no assessment of potential habitats or protected species was undertaken, I consider that the likelihood of the part of the site in which the garage is proposed being of potential importance for protected species is limited. Furthermore, I am satisfied that installation of the tree protection fence in accordance with the submitted plan would enable construction work to be carried out so as not to damage the roots of trees to the north of the site.
12. PPW notes that Green Infrastructure Statements will be proportionate to the scale and nature of the development proposed and in the case of minor development this will be a short description and should not be an onerous requirement for applicants. The submitted statement refers to the provision of 15 metres of new hedgerow along with the installation of integrated bird and bat roosting features, which given the site's proximity to nearby woodland to the east would offer real opportunities to support species. Consequently, the submitted statement suitably demonstrates the potential for securing biodiversity enhancement at the site as part of the development, which I note were considered appropriate by the Council's Ecologist and Landscape Officer. The details could be secured via a condition.
13. Based on the evidence before me I am satisfied that the proposal would secure the maintenance and enhancement of biodiversity to secure a net gain as required by Policy 9 of Future Wales. In addition, it would comply with the requirements of LDP Policy GP5 in regard to protecting and encouraging biodiversity and ecological connectivity and the aims of Chapter 6 of PPW.

Conclusion

14. I have found no harm to biodiversity interests or to the surrounding SLA and acknowledge that the proposal would have no unacceptable impact on highway safety or the amenity of neighbouring occupiers. However, these matters do not outweigh the significant harm to the character and appearance of the area which is an overriding consideration.
15. For the reasons given above and having regard to all matters raised, I conclude that the appeal is dismissed.
16. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

Z. Baxter

INSPECTOR