

Delegated Decision Report

Application No:	25/0662	Statutory Period Expires:	10th October 2025
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Site:	8 The Rosegarden Newport NP20 5BS		
Proposal:	PROPOSED GARDEN ROOM/POD WITHIN REAR GARDEN		
Applicant:	S Jabbar		
Type:	Full	Ward:	Allt-yr-Yn
Decision:	GRANTED SUBJECT TO CONDITIONS		

1. BACKGROUND

1.1 N/A

2. SITE LOCATION AND CONTEXT

2.1 The application site comprises of a 2 storey detached dwelling located in the Allt-yr-Yn ward and is in residential area within the defined settlement boundary. The property benefits from off street parking to the front and a private rear amenity space.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks the consent for a proposed garden room/pod located in the rear garden. The proposal would result in a new outbuilding which would be used as a study, garden room and storage facility. In part, the proposal would provide a covered raised platform. Externality, the development will have glazed windows with metal frames colour dark grey, white fluorocarbon baking paint aluminum cladding, grey aluminum door and glazed balustrade. The development will be set 1.5m from the rear West boundary and 2m from the North boundary, and will be 4m in height, 3.2m deep and 11.5m in length.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
14/1236	DEMOLITION OF GARAGE AND CAR PORT AND ERECTION OF SINGLE STOREY SIDE EXTENSION	GC	27.03.2015

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

2.1 - Good placemaking is therefore essential to the delivery of sustainable development and achieving improvements in the well-being of communities.

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 12 (2016)

5.14.4 - The opportunity should be taken when improving the public realm to protect and enhance biodiversity and assist pollution abatement through careful design, implementation and maintenance of planting. Planting, particularly large tree species can also be used to improve microclimate and reduce dust and the perception of noise through, shade, shelter and screening

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

GP2 - General amenity. There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality

GP4 - General Development Principles. Highways and Accessibility states that development shall only be permitted if it is not detrimental to highway or pedestrian safety or result in traffic generation exceeding the capacity of the highway network

GP5 – General Development Principles – Natural Environment states that proposals should be designed and managed to protect and encourage biodiversity and ecological connectivity.

GP6 - Quality of design. Good quality design will be sought in all forms of development. the aim is to create a safe, accessible, attractive and convenient environment.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

5.4.1 - The 'House Extensions and Domestic Outbuildings' Supplementary Planning Guidance (SPG) (Adopted January 2020) is also relevant.

5.4.2 - The 'Trees, woodland, hedgerows and Development Sites' Supplementary Planning Guidance is also relevant.

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales: N/A

6.2 Local Highways Authority: N/A

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 21.08.25

7.1.1 NEIGHBOURS: An objection has been raised, and the key issues consist of: an overbearing scale, proximity to boundary, intended use and related parking issues, and an out of character development.

7.2 COUNCILLORS: N/A

7.3 COMMUNITY COUNCIL: N/A

8. ASSESSMENT

8.1 Principle of Development:

8.1.1 The application site comprises of an existing residential dwelling within the defined settlement boundary where there is a presumption in favour of development and the efficient use of land is encouraged. As the property is existing there is a presumption in favour of development incidental

to the enjoyment of the dwellinghouse, accordingly, no objection is raised to the principle of the development.

8.2 Visual Amenity/ Character and Appearance;

8.2.1 The subject of the application is the erection of an outbuilding / pod in the rear garden of the dwelling. As a result, of its scale and siting, the development would not be readily visible from the public realm and therefore, any visual impact is not considered to prejudice the character and amenity of the area.

8.2.2 The development is proposed with a contemporary design, whilst this is atypical for the area and is not consistent with the existing built form within the immediate vicinity, given its limited visual impact due to scale/siting, it has not been possible to indemnify an unacceptable level of harm that would warrant this application being refused.

8.2.3 Although, the development may be partly visible from the neighbouring properties, due to the overall scale and siting it would not be overly dominant or result in an unacceptable impact upon outlook from neighbouring properties.

8.3 Residential Amenity:

8.3.1 The development is proposed with a max height of 4m, given the intervening boundary treatments, amount of set off the common boundary and the topography in the area it is not considered that the proposed development would result in any unacceptable level of overlooking.

8.3.2 The development is proposed to be set off the common boundary with no. 8 and 9 Fields park Gardens by 1.5m, the high fencing/bushes and higher elevation of the property, restrict any overlooking aspect and no unacceptable impact has been identified upon the living conditions of these properties. The extent of set off the common boundaries with 7 The Rosegraden is considered to be acceptable as to ensure that the proposed development would not prejudice the living condition of the neighbouring occupiers to an unacceptable degree.

8.3.3 The proposed development is considered to be acceptable avoiding any unacceptable impact in respect of outlook, overbearing or overlooking impact.

8.4 Biodiversity:

8.4.1 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. In this case no enhancement has been proposed, therefore a condition requiring a biodiversity enhancement shall be attached to any consent requiring details to be submitted to and approved by the Local Planning Authority.

8.4.2 In accordance with Chapter 6 of PPW 12 due regard has been given to the fact that the application should be accompanied by a Green Infrastructure Statement, however given the scale of the development proposed it is not considered proportionate to request one in this instance

8.5 Landscaping/ Trees:

Following concerns from tree officer surrounding the development and its proximity to two TPOs located in the rear garden of the dwelling. The closest part of the development will be positioned 9.8m away from the closest TPOs trunk and 11.2m away from the second TPOs trunk. This as a result, sits outside the TPOs root protection area. Accordingly, the separation distance is considered to be sufficient as to ensure that there would be no conflict between the proposed development and the protected trees, However, an appropriately worded condition relating to the construction period of the development will be attached to any consent.

8.6 Response to third parties:

The scale, siting and relationship with neighbouring properties has been considered in an earlier section of this report and is deemed to be acceptable.

The design has also been considered in an earlier section of this report and whilst it is not typical or in keeping with the prevailing character of the built form in the area given its limited scale and siting it would not be readily visible outside of the application site and therefore would not have an unacceptable impact upon the character of the area and it has not been possible to identify an unacceptable level of visual harm that would result in the application being refused on these grounds.

In terms of the use of the building, this application is submitted as ancillary accommodation to the existing residential use there is no suggestion that the development would be for businesses purposes, and this application has been assessed on this basis. Should an alternative use of the development arise that constitutes a change of use of the site this would require consent in its own right and be controlled via individual consent or via the enforcement arm of the Local Planning Authority. Due to the nature of the development being considered ancillary to the existing residential use no additional traffic generation would be expected, therefore, no concern/objection is raised in this regard.

Other Issues

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 To conclude, the proposed development would be sited within the rear garden area of the dwelling with limited visibility from outside the site, therefore no unacceptable visual impact has been identified that would prejudice the character of the area. Due to the scale and siting of the development no unacceptable impact has been identified in regards to the living conditions of neighbouring occupiers. The use of the development is proposed as ancillary accommodation the existing residential use, accordingly no objections or concern has been identified in this regard. As a result, the proposal is recommended for approval subject to conditions.

11. DECISION

Approve subject to the following conditions:

1. The development shall be implemented in accordance with the following plans and documents: PL04 - Proposed Block Plan, PL05 - Proposed Site Plan, Proposed Plan PL06, Proposed Elevation PL07 and PL08 Proposed Site Section,
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based
2. Prior to the commencement of development, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved. The location and details of these must be shown on relevant plans.
Reason: In the interest of protected species, in accordance with Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).
3. The development hereby approved shall be carried out in strict accordance with the requirements of British Standard: [BS 5837:2012](#) (Trees in relation to design, demolition and construction).
Reason: To ensure the development does not prejudice the health or wellbeing of the Protected Trees on site.

NOTE TO APPLICANT

01 This decision relates to plan Nos: PL04 - Proposed Block Plan, PL05 - Proposed Site Plan, Proposed Plan PL06, Proposed Elevation PL07 and PL08 Proposed Site Section,

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