

Delegated Decision Report

Application No:	25/0241	Statutory Period Expires:	21st May 2025
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Site:	<i>Stonewell Lower Road Llandevaud Newport NP18 2AE</i>		
Proposal:	<i>PROPOSED ADDITIONAL STOREY INCLUDING NEW HIGHER ROOF AND DORMERS</i>		
Applicant:	<i>K Williams</i>		
Type:	Full	Ward:	Bishton And Langstone
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is an existing dwelling named Stonewell located within Llandevaud, in the Bishton and Langstone ward. Although within a village setting, the site is located outside of any defined boundaries and is countryside, as per Policy SP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

2.2 The existing property is a very modest gable ended bungalow constructed of facing brick that faces Lower Road and is set back from the highway in an elevated position. A detached garage is located to the side of the northern gable end. Located between the curtilage of the property and the highway is an area of grassed open space, which is linked to the Llandevaud Common and a TPO Woodland (TPO 02/2018) – both are allocated as Environmental Space. The general character of the street scape is very pleasant and green. Running along the southern boundary of the site is a Public Right of Way (394/62/1) that links with Upper Road. Directly east of the site the rear boundary backs onto the rear boundary of Myrtle Cottage, detached dwelling set at a higher ground level than the application site. Directly north, and laying beyond a water course is a dormer bungalow named Bryn Tirion.

2.3 Although the site is located within the countryside and Llandevaud has no defined village boundary, whilst the general feel of the area is rural and green the immediate context of the site is residential and is characterised by a mix of housing types and design, ranging from single storey to two storey and of varied scale and massing.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to construct an additional storey to the existing bungalow to create additional living space at the property. The proposal would increase the ridge height from 4.20 metres to 7.50 metres, and would result in an asymmetrical eaves arrangement, with a height of 3.40 metres to the front and 5.00 metres to the rear. The front elevation would contain 3no. pitched roof dormers along with 2no. rooflights. Each side elevation would be blank with no openings proposed, and to the rear 4no. first floor windows are proposed. In terms of materials, the ground floor would remain as per the existing facing brick appearance and the proposed first floor would appear to be finished in render. No further details of proposed materials have been put forward.

3.2 In terms of the internal layout, the ground floor would need to be reconfigured to provide access to the first floor however no proposed arrangement has been submitted. At first floor, the layout would contain 3no. bedrooms, 1no. bathroom, a games room/gym with inset balcony at the front and storage space located off the landing area.

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)

SP1 – Sustainability

SP5 - Countryside

SP9 – Conservation of Natural, Historic and Built Environment

GP1 – Climate Change

GP2 – General Amenity

GP4 – Highways and Accessibility

GP5 – Natural Environment

GP6 – Quality of Design

H13 – Extensions to Dwellings in the Countryside

5.4 SUPPLEMENTARY PLANNING GUIDANCE

Householder Extensions and Domestic Outbuildings

Parking Standards

6. CONSULTATION RESPONSES

6.1 Highways: No objection.

6.2 Landscape: No objection.

6.3 Ecology: No response.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 28th March 2025, Site Notice was put up on 4th April 2025.

7.1 NEIGHBOURS: Sharing a common boundary and located opposite the site were consulted (5no. properties). An objection was received from Myrtle Cottage, with the topics listed below;

- Overlooking/Loss of privacy to garden and house;
- Reduced level of daylight;
- Overbearing impact of the scale and size;
- Impact on rural character of the area.

7.2 LANGSTONE COMMUNITY COUNCIL: No response.

8. ASSESSMENT

8.1 Impact on the Countryside

8.1.1 The proposed extension is located in the countryside and whilst this can be acceptable there is additional policy control in place, which will be relevant to the assessment of the application.

8.1.2 Policy SP5 is the key strategic policy when assessing development in the countryside, and proposals must comply with the policy, which states;

Development in the countryside (that is, that area of land lying beyond the settlement boundaries shown on the proposal and inset maps) will only be permitted where the use is appropriate in the countryside, respects the landscape character and biodiversity of the immediate and surrounding area and is appropriate in scale and design. Housing development, rural diversification and rural enterprise uses, beyond settlement boundaries, will only be appropriate where they comply with national planning policy.

8.1.3 Linked to Policy SP5 is Policy H13 “Extensions to Dwellings in the Countryside” and this states;

Beyond defined settlement boundaries, proposals to extend a dwelling will be permitted provided that:

- i) The volume of the extension is not more than 30% of the original dwelling, or as existed in 1948;*
- ii) The existing dwelling has a lawful residential use.*

8.1.2 In order to address this policy, the Design and Access Statement has included a section based on volume and policy compliance. Whilst not providing the calculations to evidence the volume increase (as would be expected), the submission accepts that the estimated volume increased is 83% from the original volume of the dwelling. It is also advised that if the detached garage, which is stated as being an original feature of the dwelling, were to be included this increased would be reduced to 56%. The LPA are unable to confirm whether the garage was an original feature, however in either instance there is a policy failure owing to the exceedance of the 30%.

8.1.3 Notwithstanding the exceedance of the 30%, the subtext of Policy H13 does state that the volume limit should be applied in principle, and where it can be demonstrated that an increase above 30% will not have a detrimental impact upon the character and appearance of the surrounding area such development may be considered acceptable. Policy H13 is linked to Strategic Policy SP5, and as earlier referenced the purpose of SP5 is to control development in the countryside so that it is appropriate.

8.1.4 In this instance, whilst the site is located within the countryside, the context in which it is set is predominantly residential. The setting of the site is very pleasant and open and within the vicinity there is a mix of dwelling types, ranging between one and two storeys and of various scale, character and design. The addition of a first floor to the host property, if appropriately designed, sensitive and of a suitable scale, is likely considered to remain in keeping with the character of many properties within the local area, despite a 30% exceedance. This is notwithstanding the appearance and design of the proposal, which will be assessed in the following section of this report.

8.2 Visual Amenity/ Character and Appearance;

8.2.1 Policy GP6 requires good quality design to be sought in all development. Development should be sensitive to the qualities of the site and respond positively to the character of the area, where possible it should reflect the character of the locality but avoid inappropriate replication of neighbouring architectural styles, it should be designed so that the scale and form of the development appropriately reflects the adjacent townscape and high quality material and detailing should be sought.

8.2.2 The Householder Extensions and Domestic Outbuildings SPG does not offer any specific guidance in relation to first floor extensions of single storey dwellings, although advice is given on dormers extension and this will be relevant to the proposal. Paragraph 5.7.5 states;

“A roof extension (other than a hip-to-gable) that projects beyond the plane of an existing roof slope that faces the highway is unlikely to be acceptable”

- 8.2.3 A proposal that changes the form of a roof should not detract from the character and appearance of the streetscape. In this instance, there is considered to be a lack of consistent character and appearance to dwellings within Llandevaud and there is a mix of scale, design and appearance. In principle the addition of a first floor extension is considered to be achievable, however there are objections to the design put forward.
- 8.2.4 The ridge of the dwelling is to be raised by approximately 3.30 metres to facilitate the additional storey. To the front, the existing eaves will broadly remain comparable to the existing height with a marginal increase of around 0.40 metres, however the side gable at either end will be asymmetrical as the rear eaves are to be raised to a height of 5.22 metres and is read as a two storey dwelling at the rear. This arrangement creates a very steep front roof plane compared to a much shallower rear, providing an awkward and imbalanced appearance to each end gable. From visiting site, it is acknowledged that 4 Bramble Way to the south east has been extended to the side with a similar eaves arrangement, however that is a more suitable eaves arrangement, is not as publicly visible and retains the single storey appearance with the use of front and rear dormers. The application site is raised and prominent and the Public Right of Way runs directly adjacent to the eastern gable. It is considered that the eaves and roof design is poor and insensitive and will create an awkward and imbalanced appearance, resulting in an adverse impact on visual amenity and character of the streetscape. Compared to the existing modest dwelling, the proposed addition is unsympathetic and out of keeping.
- 8.2.5 Further to the above, whilst there are other examples of front roof dormers within the vicinity of the site, the design of the appearance of the 3no. dormers proposed raises concern. The pair of dormers are set down from the roof ridge and up from the eaves, as recommended in the SPG, but are of a slightly squat appearance. This might be acceptable had the fenestration arrangement been a traditional casement opening, but the proposed vertical glazing in each dormer appears at odds with the more traditional and horizontally emphasised glazing across the ground floor of the dwelling. Turning to the third dormer, this is much larger, is predominantly glazed and contemporary in its design and provides a contrast to the other two dormers. There are other examples of front dormers within the local area, however these have been more sensitively designed and are more subtle. The proposed mix of styles and design of the dormers and their fenestration within the prominent principal elevation combines to create an ad hoc and inconsistent appearance that detracts from the character and appearance of the street scape.
- 8.2.6 The proposal is contrary to Policy SP5, GP2, GP6 and H13 of the NLDP 2011-2026 (adopted January 2015).

8.3 **Residential Amenity:**

- 8.3.1 An objection has been received from the occupier of Myrtle Cottage, located directly to the rear of the application site, to the east. The objections relate to the impact of the proposed development on the residential amenity of Myrtle Cottage, namely; overlooking/loss of privacy, reduction of daylight and overbearing impact. Policy GP2 “General Amenity” is the relevant policy in relation to residential amenity, and states;
Development will be permitted where, as applicable:
- i) *There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality;*
 - ii) *The proposed use and form of development will not be detrimental to the visual amenities of nearby occupiers or the character or appearance of the surrounding area;*
 - iii) *The proposal seeks to design out the opportunity for crime and anti-social behaviour;*
 - iv) *The proposal promotes inclusive design both for the built development and access within and around the development;*

v) *Adequate amenity for future occupiers.*

8.3.2 The Householder Extensions and Domestic Outbuildings SPG is also relevant to the determination of the application and sets out guidance on how such planning applications should be assessed.

8.3.3 The addition of the first floor at Stonewell includes 4no. windows in the rear elevation. The application site is set down from the curtilage of Myrtle Cottage, and owing to the topography of the curtilage and the siting of the dwelling Myrtle Cottage is raised further and at a distance of approximately 25.00 metres from the rear elevation of Stonewell. There is not considered to be any significant impact on light received by the dwelling. Furthermore, as the distance between the windows is in excess of the advisory 21.00 metre distance, it is not considered that the proposal would result in any adverse impact on habitable room privacy. It is noted that Myrtle Cottage has planning permission (19/1045), which appears to have been partially implemented, and includes an extension to the western elevation (closest to Stonewell). However even when built it is not considered that access to light would be adversely affected by the proposal and a separation distance circa 23.00 metres will remain. The distance between windows would also remain at 21.00 metres or greater.

8.3.4 Two of the proposed windows would serve bedrooms, one an ensuite (obscure glazed) and one a games room/gym. At present, the only windows in this elevation are at ground floor and due to the topography face the boundary retaining wall and hedge, and offer no views into the garden of Myrtle Cottage. The separation distance between the rear elevation and the shared boundary measures approximately 4.50 metres. Section 5.9.2 of the Householder Extensions and Domestic Outbuildings SPG states;

“...Windows in an extension must therefore be positioned carefully. Upper storey side windows, which look directly across to your neighbour’s property or garden, should generally be avoided and preference will be for their omission.”

8.3.5 Whilst not directly applicable, as the proposal is an extension of an existing dwelling and not a new dwelling, Section 5.7.2 of the New Dwellings SPG gives an indication of a typically acceptable relationship between the rear of properties, stating;

In order to prevent overlooking or perceived overlooking and overbearing effects developments must have a suitable separation distances between new high-level protected windows and adjacent back gardens. In most cases, a back garden should extend at least 10.00 metres from the rear elevation of a house a new high level window in order to protect the amenity of neighbouring gardens.

8.3.6 The 2no. bedroom and gym/games room would result in the introduction of views directly into the rear garden of Myrtle Cottage that are not currently experienced. They will rise above the intervening hedge line and will be keenly observed and felt by users of the private rear garden of the adjoining property. Having undertaken a site visit to Myrtle Cottage, the rear garden is very private and does not currently experience any overlooking from neighbouring properties. It is a very pleasant and used area of amenity space to the rear of the property, which is enjoyed by the residents. The introduction of the proposed windows, of which at least two or three would serve habitable rooms, will materially change the relationship between the two properties and will result in a significant adverse impact on the residential amenity of Myrtle Cottage, by way of overlooking and loss of privacy. The new presence of the windows and their close proximity to the boundary would also provide an overbearing feel on the private amenity space, which is unacceptable.

8.3.7 The introduction of the dormers and balcony in the front elevation would give rise to views in a westerly direction. The properties at Lower Road opposite the site are located in excess of 45.00 metres from the front elevation of the dwelling and as such this is significantly over the 21.00 metre separation distance and would not result in any harmful impact on amenity. To the north, the side boundary shared with Bryn Tirion is located approximately 11.00 metres from the northern gable end of the host dwelling. Stonewell is set behind the rear building line with Bryn Tirion, however despite the increase in height

proposed and location to the south, given the position and set back from the boundary it would not be anticipated that any harmful overbearing impact or loss of light would occur. The proposed balcony in the front dormer might allow oblique views north, but this would not be considered harmful enough to cause a significant impact on amenity to Brin Tirion.

8.3.7 Overall, it is considered that the proposal is contrary to Policy GP2 of the NLDP 2011-2026 (adopted January 2015) and the House Extensions and Domestic Outbuildings SPG.

8.4 Highways and Parking:

8.4.1 The site can currently accommodate parking for a least 3no. vehicles and this is the maximum that can be sought for a dwelling. The proposed development does not result in any additional demand over and above the 3no. spaces and it will not impact the parking layout.

8.4.2 The Council's Highways Officer has confirmed no objection to the proposal. The application is compliant with Policy GP4 of the NLDP 2011-2026 (adopted January 2015) and the Parking Standards SPG.

8.5 Biodiversity and Green Infrastructure:

8.5.1 Given the rural location of the site and the proposal that requires works to the roof of the dwelling, it needs to be considered whether a bat survey is required. No response has been received from the Council's Ecologist, however in a recent response to a pre application enquiry at the site it was advised that due to the age and construction of the dwelling it would not fit the criteria that is used to determine whether a bat survey is required. No further information is considered to be necessary.

8.5.2 Chapter 6 'Distinctive and Natural Placemaking and Well-Being' of Planning Policy Wales (PPW) Edition 12 (updated February 2024) states that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long term benefit. PPW 12 also advises that a Green Infrastructure Statement (GIS) should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. PPW 12 states that having worked iteratively, in line with Figure 12 through the stages of The Stepwise Approach, and providing a GIS that the step wise approach has been followed, a scheme of enhancements must be provided to ensure a net benefit for biodiversity.

8.5.3 A Green Infrastructure Statement has been submitted in support of the application and has set out existing GI on site and how it might be impacted by the proposed development. Given the nature of the application as a first floor extension, no GI is considered to be impacted. Ecological enhancement is proposed through the provision of a bird nesting box to be installed as part of the new extension. This is considered to be proportionate and appropriate for the scale of development proposed.

8.5.4 The Council's Landscape Officer has offered no objection to the proposed development, however has requested that details of hard and soft landscaping proportionate to the site are controlled by a planning condition. Having reviewed the application, no additional hard surfacing is proposed, or required as the extension is first floor only. In terms of soft landscaping, where necessary this could be controlled as mitigation of visual impact. However, given the context of the site within a residential area it is not considered that tree planting or soft landscaping is required in this instance to make the scheme acceptable.

8.5.5 Overall, it is considered that the proposal is compliant with Policy GP5 of the NLDP 2011-2026 (adopted January 2015) and Chapter 6 of PPW12.

8.6 Public Right of Way:

- 8.6.1 The proposal itself will not have any adverse effect on the PROW or its useability, as the building itself is set off the boundary and the proposal is for the vertical extension of the building within the same footprint.
- 8.6.2 During construction, there is no reason to believe the use of the PROW would be impeded, and legally it will need to be remain unimpacted. However, this is a separate matter outside of the remit of planning control.

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 proposal, by reason of its location, scale and design is considered to result in a significant adverse impact on the residential amenity of Myrtle Cottage and the character and appearance of the surrounding street scape and its high quality visual amenity.
- 10.2 This is contrary to policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).

10.3 Planning permission is refused.

11. DECISION

REFUSED

01 The proposal, by reason of its scale, design and location, will have a significant adverse impact upon interests of acknowledged importance, namely the residential amenity and privacy of Myrtle Cottage resulting in an unneighbourly and unacceptable effect. This is contrary to Policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

02 The proposal, by reason of its scale, massing, increased height, location, and unsympathetic and out of keeping design will have a significant adverse impact upon interests of acknowledged importance, namely the character and appearance of the streetscape and local area. This is contrary to Policy SP5, GP2, GP6 and H13 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan; Existing Floor Plan; Existing Front Elevation; Existing East Side Elevation; Existing West Side Elevation; Existing Rear Elevation; Proposed Upper Floor Plan; Proposed Front Elevation; Proposed Rear Elevation; Proposed East Side Elevation; Proposed West Side Elevation; Layout Plan (Block Plan); Green Infrastructure Statement; Design and Access Statement.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP5, SP9, GP2, GP4, GP5, GP6, GP7 and H13 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.