

## **APPLICATION DETAILS**

**No:** 25/1074      **Ward:** Tredegar Park And Marshfield

**Type:** Full

**Expiry Date:** 16th April 2026

**Applicant:** *R Tufail*

**Site:** *4 Nant-Y-Moor Close Coedkernew Newport NP10 8HH*

**Proposal:** ***PROPOSED GROUND FLOOR REAR AND SIDE EXTENSION, LOFT CONVERSION WITH REAR DORMER, ANCILLARY BUILDING AND INSTALLATION OF RETAINING WALL AND REPROFILING OF GARDEN***

**Recommendation:** **GRANTED WITH CONDITIONS**

### **1. INTRODUCTION**

1.1.1 The application site comprises of a detached dwelling located within a purpose-built housing estate at the end of a cul de sac. The dwelling is accessed via a private driveway shared with No.5. Houses in this location are characterised as red brick detached houses, typically with pitched roofs and off-street parking comprises of garages and driveways. The site is within the defined settlement boundary as shown on the proposals maps that accompany the Newport Local Development Plan and is well served by transport links, with the M4 situated to the North of the site, and the A48 to the South.

1.1.2 This application seeks consent for a single storey ground floor rear and side extension to accommodate a kitchen and living area. These extensions wrap around the property to the northern and eastern elevations and contain a flat roof to the rear, with an apex glazed pitched roof design to the side. External materials will match those of the existing house. The eastern elevation of the extension will contain an obscured glazed window and door to serve the pantry. A high-level window to serve the kitchen, and sliding doors to serve the living area. There is also a lantern roof light proposed to allow for more light. On the Northern elevation, proposed is a glazed apex roof, and 3no. sets of glazed sliding doors which opens onto a decked area off the side extension. Part of the land is proposed to be excavated to accommodate for this, and the decked area does not exceed the height of the existing garden level in this location.

#### **1.1.3 Wrap around single storey rear and side extension**

##### **Side extension**

D: 5m (5.3m to roof overhang)

H: 4.5m (to the highest point)

W: 7.1m (7.4m to the roof overhang)

##### **Rear extension**

D: 4m (4.25m to roof overhang)

H: 2.55m (3.2m to roof lantern)

W: 14.7m (15.5m to roof overhang).

1.1.4 The application also seeks consent for a flat roof box dormer on the rear roof plane to accommodate a bedroom. The dormer is proposed to be set in from the extremes of the roof plane, containing matching materials to the main dwellinghouse, with 2no. obscure glazed windows facing towards the eastern boundary, and 1no. full length window facing the Northern boundary, and 2no. flat roof lights.

1.1.5 Dormer

D: 3m

H: 2.5m

W: 8.4m

(set up from the eaves by 0.5m and holds a volume of 26.25m<sup>3</sup>)

1.1.6 A single storey flat roof outbuilding is proposed within the northern section of the amenity space towards the extreme of the boundary, containing a gym, workshop, hobby room and WC. No materials have been specified here. On the Southern front elevation, there are 2no. sets of bi-folding doors.

1.1.7 Ancillary building

D: 6.1m

H: 2.5m

W: 17.5m

1.1.8 The application also seeks to reprofile a section of the garden and contains a retaining wall to the height of 1.3m. The maximum increase in height of the proposed garden level is 0.4m from the existing garden level.

1.1.9 This application was called to committee by Councillor Rhian Howells and Councillor Allon Screen for the following reasons:

- Development not considered in-keeping with surrounding properties. Significant height and overlooking neighbouring properties.
- Additional residential capacity effectively being created in the back garden, where in the past residents have been told development was not permitted so close to the M4.
- Highway – it is not considered that such a significant increase in bedrooms can be sustained in terms of the extra parking that will be required on the street (which is unadopted).
- The sewage system has capacity and water pressure issues and is already at point of being overloaded and unable to cope with additional capacity.

1.2 ***Background***

1.2.1 00/0659 was the parent outline permission for the residential development. Permitted development rights have been restricted on the property insofar that condition 02 restricts conversions of garages and condition 07 restricts the use of garages as businesses. No other rights have been restricted on this permission.

1.2.2 *02 Provision shall be made within the site for garaging/parking facilities for each unit in accordance with the Council's adopted parking standards and shall be kept available for such use at all times. Reason: To ensure that adequate parking provision is made off the highway in the interests of road safety.*

- 1.2.3 07 The garage hereby permitted shall only be used for domestic purposes incidental to the enjoyment of the dwelling house and not for any industrial, commercial or business use. Reason: To protect the amenities of occupiers of adjoining properties

## 2. RELEVANT SITE HISTORY

| App Number | Proposal                                                                                             | Decision | Decision Date |
|------------|------------------------------------------------------------------------------------------------------|----------|---------------|
| 19/0525    | CONSTRUCTION OF 2NO. DWELLINGS AND ASSOCIATED WORKS                                                  | R        | 10/10/2019    |
| 02/0340    | DISCHARGE OF CONDITION 01(MATERIALS) OF PERMISSION 01/0717 FOR THE ERECTION OF 17 DETACHED DWELLINGS | A        | 19/07/2002    |
| 01/0717    | ERECTION OF 17 NO. DETACHED DWELLINGS WITH ASSOCIATED ROADS AND SEWERS                               | GC       | 28/11/2001    |
| 00/0659    | RESIDENTIAL DEVELOPMENT (OUTLINE APPLICATION)                                                        | GC       | 22/05/2001    |
| 98/0233    | RESIDENTIAL DEVELOPMENT (AFFECTING PUBLIC FOOTPATH 390/1)                                            | R        | 21/10/1998    |

## 3. POLICY CONTEXT

### 3.1 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

Policy 12- Regional Connectivity

Page 83- Planning authorities must act to reduce levels of car parking in urban areas, including supporting car-free developments in accessible locations and developments with car parking spaces that allow them to be converted to other uses over time.

Page 86- Planning authorities should also challenge perceptions that housing needs to be built with parking on plots, which promotes car-dominated developments, and promote different ways of dealing with cars that encourage a reduction in car use and increase active travel and use of public transport.

### 3.2 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.

4.1.51 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Planning authorities must support schemes which keep parking levels down, especially off-street parking, when well designed. The needs of disabled people must be recognised and adequate parking provided for them.

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

Policy GP2 (General Amenity)  
Policy GP4 (Highways and Accessibility)  
Policy GP5 (Natural Environment)  
Policy GP6 (Quality of Design)

### 3.4 SUPPLEMENTARY PLANNING GUIDANCE

House extensions and domestic outbuildings SPG  
Parking standards SPG  
Trees, woodland, hedgerows and development sites SPG

## 4. CONSULTATIONS

### 4.1 Dwr Cymru Welsh Water:

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

### **ASSET PROTECTION**

Having reviewed the amended details submitted, the proposed development site is crossed by a 150mm public combined sewer. Please see copy of indicative public sewer record attached. No operational development is to take place or SuDS features installed within 3 metres either side of the centreline of the sewer. We request that prior to commencing any operational development the location of this asset is determined. If operational development is likely to take place within 3 metres either side of this sewer please stop works and contact us. The applicant may be able to progress with a build over sewer (BOS) agreement or divert this asset under Section 185 of the Water Industry Act 1991.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

### **Conditions**

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

**Reason:** To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

## **5. INTERNAL COUNCIL ADVICE**

### **5.1 Tree Team:**

**Summary:** The site borders the M4 motorway embankment which runs along the north west boundary where there is a substantial belt of young and semi-mature trees. Those on the edge of the group are at a low risk of damage. The trees are of low amenity value being partially viewed from Blacksmith Way. Google Earth indicates that many of the Ash present within the roadside groups are showing evidence of Ash Dieback and are therefore likely to be removed in the near future.

There is no survey or constraints information, arboricultural implications assessment or Tree Protection Method Statement on which a more detailed assessment could be made.

**Policy Consideration :**

Planning Policy Wales (PPW) – Edition 12 (February 2024)

LDP Policy GP5 – General Development Principles (Natural Environment)

LDP Policy EN8 – Trees, Woodlands and Hedgerows

SPG: Trees, Woodland, Hedgerows & Development Sites (2017)

**Discussion:** Risk reduction works (removal of declining Ash) is likely to be required along the motorway embankment in the coming years and therefore damage to declining trees is unlikely to significantly reduce their current life expectancy.

Individual trees along the embankment are of low amenity value with only partial glimpsed views of them when travelling east-west along Blacksmith Way.

**Conclusion:** Although there is no arboricultural information provided on which to make an assessment the risk to boundary trees is minimal and therefore there are no objections on arboricultural grounds.

**Recommendation:**

Green infrastructure Statement indicates the planting of *Eucalyptus gunnii* and *Arbutus unedo* along the north east boundary. Consideration should be given to replacing the *Eucalyptus* (a non native tree) which is known to be problematic in middle age and when mature. Consideration should be given to planting native trees and shrubs which will have greater habitat and ecological value in the future.

**Conditions:**

Detailed Landscape Planting Scheme (Pre-Commencement)

**Condition:**

Prior to commencement, a detailed landscape scheme including new tree and shrub planting (species, sizes, densities, and planting methods) shall be submitted to and approved by the LPA. Planting shall be implemented in the first planting season following occupation or completion.

**Reason:**

To enhance landscape quality and compensate for any potential future tree loss.

**5-Year Replacement Planting**

**Condition:**

Any tree or shrub that dies, is removed or becomes seriously damaged within 5 years of planting shall be replaced in the next planting season with a plant of similar size and species, unless otherwise agreed by the LPA.

**Reason:**

To ensure successful establishment of new landscape planting.

5.2 Landscape Officer:

A revised site plan is submitted which shows additional planting running along the top of the new retaining wall which is welcome. However my previous concerns made in January 2026 [below and now numbered] still remain although these could be dealt with through a suitably worded soft landscape condition.

1. The building is shown very close to the boundaries as highlighted below with no room for maintenance access – please advise if relocation is required.
2. The DAS states 'All openings face the main house to prevent any impact on neighbouring privacy', however I would imagine there will be views into the gym from first floor of neighbouring property – photos from the gym location back to the house should be submitted to illustrate this view.
3. Although not accurately plotted, existing garden small trees/shrubs should be retained to provide some immediate privacy as any new planting will take several years to establish.
4. Planting proposals in the GIS still include eucalyptus and arbutus along the NE boundary. In line with the Tree Team comments I would recommend a revision to species that are easier to maintain in addition to detail on what, where and size at planting ie nursery stock size.
5. I think planting as I have indicated below would still be required to better screen views depending on any site constraints.

Recommendation:

- A more detailed and realistic planting scheme for screening is needed, this could be conditioned.

5.3 Local Highways Authority:

The development retains sufficient space for parking, and the additional buildings are all ancillary to the main house. There are therefore no impacts anticipated.

5.4 Ecology:

I have considered this application in relation to section 7.0, Figure 4 - 'Checklist for protected/priority Species Surveys' set out in the Wildlife and Development SPG, which sets out the criteria we use for deciding when a bat survey is needed. The nature and location of these buildings and the works proposed to them do not suggest that there is a reasonable likelihood of an impact upon roosting bats, so I would not ask for a bat survey on this occasion. However we can never totally rule out the possibility of bat presence, so we should attach our Bat Advisory Note to any consent granted.

My only other concern is the impact of the new buildings upon the line of trees along the motorway embankment. However I note the comment from the Arboricultural Officer that '... the risk to boundary trees is minimal and therefore there are no objections on arboricultural grounds.' As long as these trees are not likely to be significantly impacted, I have no further objection.

The proposed biodiversity enhancement measures shown in the Proposed Elevations plans are acceptable, subject to implementation as shown.

**6. REPRESENTATIONS**

- 6.1 In accordance with the publicity requirements set out in The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 letters were sent to the neighbouring properties on 24/02/26 and a site notice was erected in the vicinity of the application site on 27/02/26.

6.2 34 representations have been received from the public consultation objecting to the proposed development. The concerns are summarised below:

**1. Dormer, Overlooking & Privacy**

- The proposed dormer is not appropriate in this location, causing overlooking across neighbouring gardens and resulting in significant privacy concerns with children playing in neighbouring gardens (including from the opening of obscure-glazed windows).
- The dormer would be visible from the streetscene, appear overbearing and not in keeping.

**2. Overbearing Extensions, Scale & Overdevelopment**

- The kitchen extension is overbearing, particularly as the ridge height on elevation D rises to 5.7m from the neighbour's FFL due to differing ground levels.
- The extensions are overscaled, out of keeping with the surrounding area and estate design, resulting in overdevelopment and intensification of use within the plot and would create an overbearing feel to neighbouring gardens and properties.
- Concerns that outbuildings and living rooms could be converted into future bedrooms, further increasing occupancy and impact.
- The scale and materials of the outbuilding raise concerns as not in keeping with the area.
- The glass roof structure is visually prominent and incongruous feature contrary to local policy.
- The scale and arrangement of the additional walling, screening, and steps suggest a level of development associated with the outbuildings/outhouses that may exceed incidental domestic use. This introduces concerns regarding overdevelopment and potential impacts on neighbouring occupiers.
- Concerns of raised decking and loss of privacy to neighbouring properties.
- Devaluation of surrounding properties.
- No 4 is the highest house in the close due to ground levels and the rear dormer would be like living next to a block of flats. I calculated that the house would be some 6m higher with the dormer (to no.6) and would invade quite a few houses privacy

**3. Traffic, Parking, Highway Safety**

- Increased bedrooms and intensification will lead to too many cars for the property.
- Existing roads are narrow with no passing points; the increase in traffic movements is unsafe, particularly for children.
- Previous planning applications were refused due to increased traffic flow in the area.
- Concerns about loss of garage parking resulting in more pressure on street parking, restricting access to No.5's driveway and impacting emergency access contrary to Council and National Policy.
- Increased parking on the streets would restrict emergency vehicle access.
- The small communal piece of land outside the property cannot be used as parking; it is shared by residents and acts as a wildlife area.

**4. Construction Impacts**

- Construction traffic could damage the unadopted road, which residents must repair themselves.
- Noise and disturbance from construction activities.
- Lack of a Construction Environmental Management Plan (CEMP).
- Conditions requested: CEMP, control of construction vehicle size, routing, hours, pedestrian protection measures, and Fire & Rescue confirmation of emergency access.

**5. Drainage & Sewerage Concerns**

- Existing issues with drainage, sewerage and toilets already backfilling, with overflow onto the A48 due to pressures on the pumping system.
- Concern that the increased number of bathrooms and potential future occupancy will worsen these issues.

## **6. High Occupancy / Future HMO Risk**

- Concerns that the property could become an HMO in the future, increasing pressures on parking, sewerage, intensification, overlooking and overall residential amenity.

## **7. Land Ownership, Boundaries & Covenants**

- The red line boundary includes a shared driveway with No.5; discrepancies with land registry documents raise concerns.
- Concerns that the applicant may take over grass verge land which they do not own.
- Covenants dated 28/09/1984 state no structure—temporary or permanent—may affect neighbouring properties' access to light and air.

## **8. Light, Amenity & Environmental Concerns**

- Loss of light to neighbouring properties.
- Disturbance to wildlife and loss of habitats.
- Increased household waste and bins becoming hazards in high winds.
- Proposed extensions may encroach into the M4 motorway noise exposure boundary.
- Restriction of National Grid access to the nearby pylon.
- Anti-social behaviour.

## **9. Road Maintenance & Legal Concerns**

- The access road may be privately maintained by a small group of residents; increased traffic would place additional contractual maintenance obligations on them. Concern that permission should not be granted without the agreement of those affected residents.

### **6.3 Coedkernew Community Council:**

The Close is an unadopted highway, the development will overload an already busy area, with cars parked on the road and driveways already at capacity. There are safety concerns about pedestrians in the road and parking on corners. 5 Nant y Moor Close will be most affected by parking issues, as they have limited options on where to park.

The development is not in keeping with the surrounding areas and if permission is granted, will overlook other properties.

There are also suspicions that this property will be turned into some sort of business once planning is granted, which will have a detrimental impact on all residents.

## **7. ASSESSMENT**

### **7.1 Principle of Development**

- 7.1.1 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.

### **7.2 Dormer**

#### **7.2.1 *Visual amenity/character and appearance***

The proposed rear dormer comprises a flat-roofed structure occupying the majority of the rear roof plane. The House Extensions and Domestic Outbuildings SPG (para. 5.7.7 / HEDO 6.4) advises that wide, flat-roofed box dormers are generally unacceptable. The SPG also requires dormers to be set down 0.5m from the ridge and

set up 0.5m from the eaves. While the proposal meets the 0.5m set-up from the eaves, it achieves only a 0.3m set-down from the ridge, contrary to the stated guidance. Notwithstanding these deviations from the SPG, this is marginal, and the dormer meets the criteria for permitted development under The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, as it is set more than 20cm above the eaves line and has a cubic volume of 30m<sup>3</sup>. Significant weight is therefore afforded to the fact that the development could be carried out without the need for planning permission. On balance, the dormer is considered acceptable in this location.

### 7.2.3 *Residential Amenity*

The dormer includes a side window facing the applicant's garden, a roof light, and two rear windows facing No. 6. The side window and roof light provide adequate daylight without creating unacceptable overlooking. The rear windows sit approximately 9.9m from the shared boundary, marginally below the 10m minimum set out in the SPG (para. 5.9.3 / HEDO 8.2), but this shortfall is considered acceptable. The SPG also requires 21m between directly facing protected windows unless separated by permanent features or tree cover. As shown in the submitted photograph, the existing relationship between the first-floor bedroom window and No. 6's conservatory door is already comparable to that created by the proposed dormer, with an existing separation of around 16m, below SPG guidance. Obscure glazing has been proposed for the rear windows to reduce overlooking and this will be conditioned. Outlook will still be available from the full length window on the side elevation.

View from first floor bedroom window toward no.6 Nant-Y-Moor Close:



## 7.3 **Outbuilding**

### 7.3.1 *Visual amenity/character and appearance*

When assessing the outbuilding, the proposed location is to the North West of the main dwellinghouse. The outbuilding is to accommodate a workshop, a gym, a hobby room and a WC. The House Extensions and Domestic Outbuildings SPG states, 5.1.3 HEDO 1.3 *A house extension (or a domestic outbuilding) should relate sympathetically to the existing building and the surrounding area.* It is considered the outbuilding has a large length which would span the majority width of the garden and would be at a slightly higher ground level than the dwellinghouse. Given that the outbuilding is single storey and situated away from the dwellinghouse by approximately 15m and is also set away

from 6 Nant-Y-Moor dwelling by 27m, it is considered that the outbuilding in this location does not create demonstrable harm to the dwellinghouse or streetscape given its location.

### 7.3.2 *Residential Amenity*

When considering potential overbearing impacts on the garden of No. 6, the outbuilding's land level increase is only 0.10m above the existing slope, a change that is allowable under permitted development. No. 6 also has outbuildings positioned along the shared boundary, which further reduces an overbearing impact from the proposal. In addition, the proposal meets the requirements of Schedule 2, Part 1, Class E of The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013: the outbuilding has an overall and eaves height of 2.5m, occupies less than 50% of the curtilage, and is set away from the dwelling's side elevation. As such, the development could be carried out under permitted development, which carries significant weight in the assessment.

No.6 outbuildings to the rear of the garden:



Rear of host site garden:

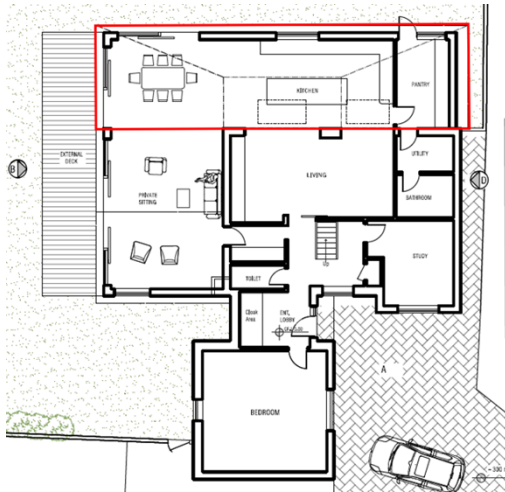


## 7.4 **Wrap around extension**

### 7.4.1 Rear extension

#### 7.4.2 *Visual amenity/character and appearance*

The rear extension links to a side extension creating a wrap around on the property. For clarity and ease of assessment, the rear portion of the extension is being assessed as that defined within the red box below. The SPG states, *Roof form is an important factor in achieving a visually acceptable extension. Buildings that mix pitched and flat roofs, for instance, will lack unity. In order to achieve a coherent form of development, an extension should adopt the roof form of its parent building, replicating its pitch and architectural detailing (including external materials).* It is noted that the original dwellinghouse contains a pitched roof and the proposed rear extension contains a flat roof. Whilst these do not match, given the overall scale of the rear extension, and its location to the rear of the property, the flat roof reduces its scale and prominence and is deemed acceptable. Furthermore, the extension projects only 0.25m beyond the 4m depth allowable under permitted development when measured to the roof overhang. This represents a very minor increase and remains broadly comparable to what could be constructed without planning permission. As such, the scale and design of the development is considered acceptable.



#### 7.4.3 *Residential Amenity*

Moreover, the rear extension is set away from the rear boundary fence by approximately 5.3m and a large garden is still retained to the side. As the development is single storey, it is considered this would not have a demonstrable overbearing impact to the property at number 6 Nant-Y-Moor Close. However, it is noted that 5 Nant-Y-Moor close is adjacent to the South of the host property and is set down from the host site. The applicant has stated that the land level difference between these two properties are approximately 500-600mm. When taking the larger limit, the 45 degree light tests were conducted from the closest ground floor patio doors of no.5. It is noted that the light tests were passed on the elevation test against the rear extension but marginally failed on the plan view test. Given that one light test was passed, and the marginal failure of the plan view test, this is deemed acceptable and compliant with the SPG.

7.4.4 It should also be noted that the windows on the rear elevation of the proposed extension facing toward no.6's windows, which serve the pantry are obscure glazed, and the window which serves the kitchen is high level, limiting direct views into the neighbouring windows.

#### 7.4.5 Side extension

##### 7.5.5 *Visual amenity/character and appearance*

To the Northwest side elevation of the property, there is currently an apex glazed single storey conservatory/extension as shown below to a height of 3.9m. This is proposed to be removed and a new side extension built attached to the rear extension. The proposed single storey side extension includes an apex glazed pitched roof to a maximum height of 4.5m. The addition of this apex style extension would not appear incongruous on the dwelling over the existing situation. Materials on the proposed extensions will be conditioned to match that of the main dwellinghouse to create a coherent and sympathetic form of development. The visual appearance is therefore, deemed acceptable.



EXISTING ELEVATION B



PROPOSED ELEVATION B

#### 7.5.6 *Residential Amenity*

Whilst the overall scale is increasing, the location on the side elevation facing into the applicant's garden does not create undue overlooking or overbearing opportunities to other properties. The side extension does not appear over scaled given the overall size of the plot and its single storey height. Therefore, this is deemed acceptable.

### 7.6 **Garden**

#### 7.6.1 *Residential amenity*

The garden is proposed to be re-profiled to address its existing sloping nature. The works would not raise levels above the garden's previous highest point. Closer to the dwelling, ground levels would be reduced, sitting below the current levels and therefore avoiding any adverse impact on neighbouring properties. In the central area of the garden, levels would increase over existing ground levels, with a maximum rise of 40cm at the steps. This modest increase is not considered to result in unacceptable overlooking of No. 6's amenity space and exceeds permitted development allowances by only 10cm. Overall, the proposed re-profiling is considered acceptable in this location.

### 7.7 **Trees and Landscape**

7.7.1 The Tree Officer notes that the site borders the M4 motorway embankment, which contains a substantial belt of young to semi-mature trees. Those closest to the boundary are at low risk of damage and have limited amenity value, being only partially visible from Blacksmith Way. Aerial imagery also indicates signs of Ash Dieback within the roadside groups, meaning many are likely to be removed in the near future. Although no arboricultural report has been submitted, the risk to boundary trees is minimal, and there are no objections on arboricultural grounds. Moreover, the

landscape officer has raised concern that there is little room for landscape maintenance given the proximity to the boundary. Significant weight is also given to the fact that the outbuilding could be constructed under permitted development.

7.7.2 The Tree and Landscape Officers further note the presence of *Eucalyptus gunnii* and *Arbutus unedo* along the northeast boundary, recommending that the non-native Eucalyptus be replaced with native species to enhance future habitat value and has requested a planting scheme to be controlled via condition. However, as planting within a private garden cannot be controlled by the LPA, a landscaping condition would not be reasonable, and the planting proposed could be implemented by the applicant.

7.7.3 The landscape officer was also consulted on the application, and raises concerns that views from the outbuilding would look into neighbouring first floor windows and a planting scheme should be provided. However, as forementioned, the outbuilding could be constructed under permitted development, and therefore significant weight is given to this.

## 7.8 Movement

7.8.1 It was noted on a site visit that the garage had been converted internally, but the garage door retained, the applicant seeks consent for this conversion. The Highways officer was consulted on the application and holds no objections to the development, and it has no impacts on parking. The development site is within parking zone 5. The Parking Standards SPG states the following for Parking Zone 5:

### RESIDENTIAL: NEW BUILD & CONVERSIONS

### ZONES 2 - 6

| <i>Type of development</i>                   | <i>Residents</i>                                   | <i>Visitors</i>     |
|----------------------------------------------|----------------------------------------------------|---------------------|
| <b>General-purpose houses and apartments</b> |                                                    |                     |
| Houses                                       | 1 space per bedroom (maximum requirement 3 spaces) | 1 space per 5 units |

7.8.2 Given the dwelling is already a 4no.bedroom house, there is already an existing demand on the property for the maximum 3no. parking spaces. The garage appears as a double garage, however, from the floor plans submitted, the internal measurements are 5.1m x 5m. This was cross-referenced with the applicant, who confirmed these measurements. The Parking Standards SPG states that *Garages may only be counted as parking spaces if they have clear internal dimensions of 6 m x 3 m for a single garage (6 m x 3.8 m where disabled access specifically required) and 6m x 5.4m for a double garage*. The garage could not therefore be counted as a parking space as per the Parking Standards SPG and the conversion is deemed acceptable.

7.8.3 It is therefore, considered that the parking demand does not change at the property and the 2no. existing parking spaces on the driveway will be conditioned to be retained.

7.8.4 Moreover, the application site is within the defined settlement boundary, and therefore, sustainable modes of transport including Blacksmith's Way bus station is approximately 350m from the application site. The use of sustainable modes of

transport and lower dependency on car provisions accord with PPW12 and Future Wales. Therefore, the scheme is in accordance with Policy GP4.

## **7.9 Drainage/ Flooding**

- 7.9.1 Welsh Water have been consulted on the application. The proposed development site is crossed by a 150mm public combined sewer. No operational development is to take place or SuDS features installed within 3 metres either side of the centreline of the sewer. Welsh Water request that prior to commencing any operational development the location of this asset is determined. If operational development is likely to take place within 3 metres either side of this sewer Welsh Water need to be contacted. The applicant may be able to progress with a build over sewer (BOS) agreement or divert this asset under Section 185 of the Water Industry Act 1991. It does appear that works potentially would take place within 3 metres of the sewer, however, this is a separate process and is not within the remit of the Town and Country Planning Act. Therefore, the applicant will need to contact Welsh Water, as this is a separate process.

## **7.10 Biodiversity**

- 7.10.1 PPW12 states in paragraph 6.2.12, *A green infrastructure statement 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. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.* The applicant has provided a Green Infrastructure statement, whilst this does not demonstrate compliance with the step-wise approach, enhancement schemes have been provided. Moreover, a comprehensive GI statement would not be required at the scale of this householder development.
- 7.10.2 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 bat box is proposed on side elevation D, and the bird box on rear elevation C as part of the development. The Ecology officer has stated that the proposed biodiversity enhancement measures shown in the Proposed Elevations plans are acceptable, subject to implementation as shown. As such the proposal is currently compliant with the aims of Policy GP5 of the NLDP 2011-2026 (adopted January 2015).
- 7.10.3 The Ecology Officer was consulted on the application and states that the application has been considered in relation to section 7.0, Figure 4 - 'Checklist for protected/priority Species Surveys' set out in the Wildlife and Development SPG, which sets out the criteria we use for deciding when a bat survey is needed. The nature and location of these buildings and the works proposed to them do not suggest that there is a reasonable likelihood of an impact upon roosting bats, so a bat survey is not required on this occasion. However, a Bat Advisory Note will be attached to any consent granted.
- 7.10.4 The Ecology Officer has also stated concerns over the impact of the new buildings upon the line of trees along the motorway embankment. However, the ecology officer notes the comment from the Arboricultural Officer that '... the risk to boundary trees is

minimal and therefore there are no objections on arboricultural grounds.' As long as these trees are not likely to be significantly impacted, the ecology officer has no further objection.

#### 7.11 **Other comments**

- 7.11.1 A number of neighbouring comments have been submitted in line with the application. Firstly, concerns were raised over the proposed dormer creating overlooking opportunities and that design was not in keeping with the streetscene. No.6 has stated that No 4 is the highest house in the close due to ground levels and the rear dormer would be like living next to a block of flats. The house would be some 6m higher with the dormer (to no.6) and would invade quite a few houses privacy. On assessment, it is considered this dormer could be constructed under permitted development, and significant weight has been given to this. This has been addressed within the report. The rear windows will be conditioned to be obscure glazed to limit overlooking. Moreover, another neighbour raised concerns over the apex glass roof structure not in keeping with the character of the area and appearing incongruous. It is considered the existing dwelling holds a glazed apex glazed roof, and therefore, would not appear incongruous in this location. Moreover, it is to the side of the dwelling and not overly visible from neighbouring properties.
- 7.11.2 Secondly, the rear extension appears overbearing to the neighbouring property at no.5 given the land level differences. It is considered the extension passed the light test in this location as outlined in the report, and the height of the extension is within permitted development parameters. This has been addressed within the report. Moreover, concerns were raised on the overdevelopment on the unit given the extent of extensions. The plot is a large plot and the extensions are single storey in height reducing their prominence. It is considered given the height and set away from the adjoining boundary that it would not create an overbearing impact. Moreover, the rear extension is 0.25m over the permissible limit, and therefore, is acceptable.
- 7.11.3 Concerns were also raised on the use of the outbuilding being converted into bedrooms and creating more parking issues. It is considered that the unit is within Parking Zone 5. The number of bedrooms do not dictate the number of cars as per the SPG guidance and this is capped at 3no.parking spaces.
- 7.11.4 It was also raised from Coedkernew Community Council and neighbours that the unit could be turned into a HMO, care home or business in the future. If this were the case, the applicant would need separate consent.
- 7.11.5 The scale and materials of the outbuilding are not in keeping, it is considered that the outbuilding can be constructed under permitted development, and therefore, significant weight is given to this fallback use. Outbuildings are not uncommon in the area, as shown against the neighbouring boundary fence at no.6.
- 7.11.6 Concerns were also raised from neighbours and Coedkernew Community Council, that the existing road is not adopted, and the existing roads are narrow. Increased parking on roads could lead to safety issues for children and 5 Nant y Moor Close will be most affected by parking issues, as they have limited options on where to park. It is noted that the property has 2no. off street parking spaces with a shortfall of 1no. parking space as per the SPG guidance. The addition of 1no. car into the streetscene is not detrimental, and there is a sustainable transport link nearby. Concerns were then further raised about restricting access by emergency vehicles within the estate.

This cannot be controlled by the planning department, and residents should park appropriately within the streetscene.

- 7.11.7 A previous application on site for an additional 2no. houses on the plot of 4no. Nant-Y-Moor close was refused due to increased vehicle movements around the existing dwellings. On assessment, the concerns previously raised were that the new driveways were to be constructed along the common boundary to no.6 which would give rise to further car doors slamming and raised voices. Given no new driveway is proposed and the existing driveway would be utilised, this does not raise significant concern in this instance.
- 7.11.8 Concerns were raised over the loss of garage parking. This has been addressed within the report.
- 7.11.9 Concerns are raised over the loss of the small communal piece of land outside the property which cannot be used for parking as it is shared by residents and acts as a wildlife area. Land ownership is not a material planning consideration and the applicant would need to gain the appropriate permissions from the land owner to cross their land outside of the planning process. However, in this instance, the land owner is not pursuing to park on the grass verge as part of the application.
- 7.11.10 Concerns were also raised that construction traffic could damage the unadopted road which residents need to repair themselves. Given that the development is at a householder scale, it is not necessary to impose a CEMP condition in this instance given the scale of development.
- 7.11.11 Moreover, a neighbour raised that the access road may be privately maintained by a small group of residents; increased traffic would place additional contractual maintenance obligations on them. Concern that permission should not be granted without the agreement of those affected residents. This is not a planning consideration, and should be agreed through a legal avenue.
- 7.11.12 Many neighbours also state this issues with drainage on site and the surrounding area. Sewerage and toilets have already been backfilling with overflow onto the A48 due to pressures on the pumping system. Concerns were held that the increased number of bathrooms and potential future occupancy will worsen these issues. Welsh Water were advised as part of the application and do not raise objection on this basis.
- 7.11.13 Concerns were also raised that the red line boundary includes a shared driveway with no.5, but land registry documents state otherwise. The applicant has signed certificate A to state they own the land. If there are discrepancies with land registry, this will need to be pursued through a legal route.
- 7.11.14 Neighbours also raised the restricted covenants on the estate which would limit some of the works in this location. Again, this is a legal matter and would need to be pursued legally.
- 7.11.15 The development would see grassland removed within the rear amenity space. Concerns were raised over the disturbance to wildlife and loss of habitats. The removal of grassland does not hold high ecological value, and the applicant has proposed bird and bat boxes, and bushes and trees as part of a net gain for biodiversity.
- 7.11.16 In terms of increased waste, it is considered that the unit would still remain as one household and therefore, the increase in rubbish bins would not apply over the existing situation.

- 7.11.17 Concerns were also raised that the proposed extensions may encroach into the M4 motorway noise exposure boundary. It is considered that the proposal is not to create a new dwelling/household, this is an extension onto the existing dwellinghouse. The side extension would encroach 2m closer to the boundary over the existing situation. This room is also a living area and not a bedroom, therefore, this is deemed acceptable.
- 7.11.18 One neighbour also raised concerns over restricting access to the pylon for the National Grid. It is considered that the development proposed would not restrict access to the pylon.
- 7.11.19 Coerdkernew Community Council have also provided concerns including the development is not in keeping with the surrounding areas and if permission is granted, will overlook other properties. This has been discussed above.
- 7.11.20 A neighbour has also raised that the garage conversion to a living room and the bathroom located downstairs next to the study, must as part of the planning approval insist it must remain as a living room and a study respectively to prevent future use as bedrooms to prevent further car parking issues and access problems. A condition added to control this is onerous and we would not have control over the future configuration of the internal house.
- 7.11.21 A neighbour has also raised that the garden outbuildings should be conditioned to only be used for the intended use as stipulated as part of the planning and must never be used as bedroom or living accommodation to again prevent the property from being used otherwise causing parking and access issues. A condition will be added to state that the outbuilding will only be used ancillary to the main dwellinghouse, however, if the applicant wishes to convert the outbuilding to an annex, this can be undertaken under permitted development.
- 7.11.22 A neighbour has raised concerns of the proximity of built development near tree root zones. The Tree Team have provided comment on the scheme and has been addressed within the report above.
- 7.11.23 A neighbour also raises concerns of the raised decking overlooking neighbouring properties. The proposed decking sits lower than the previously existing ground level and as such is deemed acceptable.
- 7.11.24 Concerns were raised on the overall proposed development, and the devaluation of surrounding properties. This is not a material planning consideration.
- 7.11.25 Anti-social behaviour was also raised as an issue from the residents. This cannot be controlled by the planning department and would be a civil matter.

## **8. OTHER CONSIDERATIONS**

### **8.1 *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.

## 8.2 ***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.

## 8.3 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.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage.

## 8.4 The above duties have 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. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.

## 8.6 ***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.

## 8.7 ***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.

## 9. **CONCLUSION**

### 9.1 Overall, the scale and design of the proposed alterations to the dwellinghouse are deemed acceptable. Whilst the box dormer is wide on the roof plane, it is considered this can be undertaken under permitted development and significant weight is given to this fallback. The rear and side extensions represent modest additions, and their design and roof forms are considered acceptable in this context. The proposals would not give rise to unacceptable impacts on neighbouring residential amenity, with only marginal deviations from SPG guidance, and are therefore considered acceptable in accordance with Policy GP2 and GP6. The proposed outbuilding, given its single-storey scale, separation distances, minimal level changes, and the fact it could be built under permitted development, would not result in harm to visual or residential

amenity and is therefore considered acceptable. The proposed reprofiling works to the garden would result in only modest level changes and are considered acceptable in this location. A biodiversity enhancement has been provided, and therefore, this is in accordance with Policy GP5. The outbuilding would have a limited impact to the trees to the rear, and given the outbuilding could be constructed under permitted development, significant weight is given to this fallback. Whilst the landscape officer and tree team have raised issues on the type of tree planting, this cannot be controlled by the Local Planning Authority and is onerous to control. Finally, in relation to parking, the garage conversion results in no change to parking demand given the size. The 2no. spaces will be conditioned to be retained on the driveway, and given the sustainable transport policies from PPW12, this is considered acceptable. The highways officer has no objections. The application is therefore recommended to be granted with conditions.

## **10. RECOMMENDATION**

### **GRANTED WITH CONDITIONS**

01 The development shall be implemented in accordance with the following plans and documents: 100 - Existing site plan with garden cross section; 101 - Existing ground and first floor plan.; 207 - Part site plan and retaining wall sections; 208 - Proposed site plan and section; 201 R1 - Proposed site plan; 202 R1 - Proposed ground and first floor plans; 203 R1 - Proposed loft and roof plans; 205 R1 - Proposed elevation C & D; 204 R1 - Proposed elevation A & B; 200 - OS plan; 105 - Existing Roof Plan; Site Location Plan; 206 - Proposed Ancillary Buildings; 200 - O/S Plan; 103 - Existing Elevations C and D; 102 - Existing Elevations A and B; Green Infrastructure Statement; Design Statement

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 The external surfaces of the extensions hereby permitted shall only be of materials to match those used in the existing building.

Reason: To ensure the development is completed in a manner compatible with its surroundings

03 The biodiversity enhancement scheme as shown on: '205 R1 - Proposed elevation C & D' shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved and 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).

04 The two parking spaces on the driveway of number 4 Nant-Y-Moor Close, shall be kept available for the parking of vehicles and retained as such for the lifetime of development.

Reason: To ensure adequate parking is provided for residents.

05 The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 4 Nant-Y-Moor Close.

Reason: To ensure the building does not become an independent unit of residential accommodation, in accordance with Policies SP13 and GP2 of the Newport Local Development Plan.

06 Prior to the first use of the dormer hereby approved, the rear dormer windows facing no.6 Nant-Y-Moor close shall be fitted with obscure glazing and shall be retained in that state thereafter.

Reason: To protect the privacy of adjoining occupiers.

07 Prior to the first use of the dormer hereby approved, the rear dormer windows facing no.6 Nant-Y-Moor close shall be fitted with obscure glazing to a minimum of Pilkington Level 3 and non-opening below 1.7m in height from the internal floor level, and shall be retained in that state thereafter for the lifetime of the development.

Reason: To protect the privacy of adjoining occupiers.

#### *NOTE TO APPLICANT*

01 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.

02 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.

03 Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales (NRW) must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and undertake bat surveys if necessary.

Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result.

NRW can be contacted at:-

Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-

5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228

04 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property),

it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com).

05 The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

06 In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.