

Delegated Decision Report

Application No:	25/0489	Statutory Period Expires:	29th September 2025
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Site:	2 High Cross Close Rogerstone Newport NP10 9DH		
Proposal:	RENOVATION OF DWELLING INCLUDING DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF A SINGLE STOREY REAR EXTENSION, CHANGE OF ROOF FORM FROM HIP TO PITCHED, NEW BALCONY AND ATTIC CONVERSION TOGETHER WITH OTHER INTERNAL AND EXTERNAL WORKS		
Applicant:	S Thomas		
Type:	Full	Ward:	Rogerstone East
Decision:	Refused		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is a detached bungalow located on the south side of High Cross Close a residential cul-de-sac, located within the Rogerstone East ward. The property is set within a relatively large plot benefiting from front and rear amenity spaces and a detached garage within the rear garden. The cul-de-sac is accessed via High Cross Lane and comprises of mainly hipped roof properties that feature front gables.

2.2 The site is located within the defined settlement boundary and within a residential area. The property is situated approximately 85m from the nearest woodland and 300m from the nearest watercourse, the river Ebbw.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks consent for the demolition of the detached garage and the construction of a rear extension which wraps around to the side, the amendment of the roof form from hipped to gabled, a recessed balcony and attic conversion.

3.2 The demolition of the garage would facilitate the rear extension. The extension measures approximately 7m in depth from the rear of the dwelling. The extension would extend 1.6m from the side of the dwelling, however the total width of the extension is 5.81m. The extension would have a flat roof and would be 2.51m in height. Materials include cladding to the rear, the extension and side dormer. The front and side elevations and the front porch will be rendered.

3.3 The roof form would be altered from hipped to gabled. The ridge height would be increased from 6.6m to 6.78m. A side dormer is proposed, which would be set down from the ridge by 1.89m and set up from the eaves by 0.8m. The dormer would be 3.3m in width and 1.9m in height. The dormer would feature an obscure glazed window. A recessed balcony is proposed to the rear and would have a 1.1m high balustrade.

4. RELEVANT SITE HISTORY

4.1 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)

5.3.1 Policies GP2 (General Amenity), GP4 (Highways and Accessibility), GP5 (Natural Environment), GP6 (Quality of Design) and T4 (Parking) of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) are relevant to the determination of this application.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

5.4.1 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance 2015 and Wildlife & Development Supplementary Planning Guidance 2025 is also relevant to the determination of this application.

5.5 TECHNICAL ADVICE NOTES

5.5.1 Technical Advice Note (TAN) 5 – Nature Conservation and Planning is relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 **Ecology Officer:** 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 suggest that there is a reasonable likelihood of an impact upon roosting bats, therefore any application should be supported by a bat survey to determine if this is the case. Specifically in this instance, the proposed works would inevitably disturb a bat roost if one were present in the roof, and I am satisfied that there is sufficient foraging and commuting habitat nearby to support a bat population.

In the first instance a preliminary survey of bat roost potential should be undertaken. This can take place at any time of year. The outcome of a preliminary roost assessment will include one of the following:-

- an adverse impact upon bats is so unlikely that no further action in relation to bats is necessary, or
- the likelihood of an impact is low, such that precautionary mitigation measures can reduce this likelihood still further, or
- the likelihood of an impact upon bats is high, so further survey are needed in order to establish exactly what the impact would be, or
- the outcome is uncertain due to, for example, lack of access to certain areas of the building, so further survey are needed in order to establish exactly what the impact would be, or
- the impact is certain and can be defined precisely on the basis of the preliminary assessment, such that no further surveys are needed, but a licence issued by NRW would be required to allow works to proceed legally.

If a more detailed survey is required, this can only take place between May and September inclusive.

Therefore I advise that the applicant undertakes a preliminary assessment at the earliest opportunity. I would be happy to comment on a report into this survey in due course.

- 6.2 **Highways Officer:** Not supported or policy compliant.
The proposal results in the loss of parking space and an increase in parking requirements as set out with the SPG.

There is reference to providing three spaces perpendicular to highway. This could not be supported due to the impact of the dropped kerb/footway crossing on other road users, but it doesn't appear to be part of the proposal. The maximum that could be provided with highway support would be two spaces perpendicular to highway.

Parking parallel to the highway cannot be supported (but appears to be current practice) because of the safety implications. Access should be close to perpendicular to allow proper observations etc..

7. PUBLIC REPRESENTATIONS

- 7.1 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 16/07/25, No representations were received.
- 7.2 ROGERSTONE COMMUNITY COUNCIL: No representations were received.

8. ASSESSMENT

8.1 Principle of Development

- 8.1.1 The application site comprises an existing residential dwelling that is located within a settlement boundary as designated by the maps contained within the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Accordingly, the principle of development is accepted for development incidental to the enjoyment of the dwelling house.

8.2 Character and Appearance

- 8.2.1 The adopted House Extensions and Domestic Outbuildings SPG states that, wherever possible, extensions should be built on the rear or less important elevations of properties, and that the size and form should be appropriate to the main building and the space around it. Accordingly, the extension of the main dwelling, would mainly be positioned to the rear, and would appear proportionate to the host property. Whilst some of the extension would be to the side, it would be set in by a meter from the boundary. While the proposed flat roof extension would extend a considerable distance into the garden, it is located at the rear of the property and would not be highly visible from the public realm therefore its impact would not unduly prejudice the character and appearance of the area. Furthermore, the impact on the dwelling itself would be minimal, as the extension replaces the existing garage to the side and would result in an appearance that is not significantly different from the current arrangement.

- 8.2.2 The SPG also advises that the roof form of any extension should reflect that of the existing property. The street is characterised by houses of a similar scale and form, typically featuring hipped roofs, although there is some variation in design. The proposals include alterations to the original roof form, introducing a gable-end in place of the original hipped roof, along with a flat roof extension to the rear. The ridge height is also proposed to be raised, but this increase is marginal and would not result in a significant change to the overall perceived scale of the dwelling. While this change would result in a loss to the uniformity of the design of properties in the street, there are several examples of properties along High Cross Lane that have a similar arrangement therefore the design is not out of context with the character of the area and therefore any impact is not considered to be of an unacceptable level. Given this existing context and variation within the street scene, it would not be reasonable to refuse the application on this basis. The flat roof extension would mostly be positioned to the rear and would appear as visually unobtrusive. The dormer would be set up from the eaves and set down from the ridge of the roof. It is considered that the dormer would appear subservient and proportionate to the host dwelling.

- 8.2.3 Overall, it is not considered that there would be a harmful impact on the host dwelling or on the character and appearance of the area and does not conflict with the aims of policy GP6.

8.3 Residential Amenity

- 8.3.1 The proposed extension is single storey in height and would not project beyond the closest rear-most windows of the neighbouring property at No.3 High Cross Close. Additionally, No. 1 High Cross Close is positioned at a different angle in relation to the application site, meaning the extension would not obstruct or adversely affect the daylight reaching windows at either property. Given its modest height, rear positioning, and the orientation of neighbouring dwellings, the proposal would not result in any significant loss of light or overbearing impact.
- 8.3.2 The proposed development includes a roof dormer with windows facing the neighbouring property. However, these windows are intended to serve a bathroom, which will be fitted with obscure glazing. Furthermore, due to the height and positioning of the dormer, the windows would primarily face the roof slope of the neighbouring property rather than directly into any windows. As a result, there would be no harmful overlooking and privacy for the neighbouring occupiers would be maintained.
- 8.3.3 The proposed rear balcony is designed to be set into the roof structure, which helps to minimize any potential privacy concerns. By being recessed rather than projecting outward, the balcony's position reduces direct out look into the rear amenity space of the neighbouring properties.
- 8.3.4 Overall, it is not considered that the proposals would harm the residentially amenity of neighbouring occupiers, in accordance with policy GP2.

8.4 Highways

- 8.4.1 The Parking Standards SPG states that a parking space should be provided for each bedroom with a maximum of 3 spaces in Parking Zone 3. The Highways Officer has commented that the proposals are not policy compliant due to the removal of the garage, which they consider would result in the loss of a parking space. However, the existing garage measures only 5.1m by 3.16m, falling short of the minimum dimensions required for a compliant parking space, which are 6m by 3m. As such, its removal would not constitute the loss of a policy-compliant parking space. Additionally, there is sufficient space on-site to accommodate three vehicles. While the proposed spaces are not arranged perpendicular to the access, as preferred by the Highways Officer, this does not result in a shortfall in provision nor is this different to the existing arrangement. Additionally the application site is within a highly sustainable location where the LPA would likely be supportive of a reduction of off street parking provision in line with the guidance contained within both Future Wales and PPW12. It would therefore be unreasonable to refuse the application on these grounds.

8.5 Biodiversity

- 8.5.1 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.
- 8.5.2 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.
- 8.5.3 In this case no biodiversity enhancement or GI statement has been submitted to accompany the application. In accordance with section 6.4.12 of PPW 12 *"Where biodiversity enhancement proportionate to the scale and nature of the development is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise, it will be necessary to refuse permission"*. Whilst no biodiversity enhancement or GIS has been submitted, it is considered that there would be a possibility to achieve a suitable biodiversity enhancement without prejudicing the character and appearance of the property. In the event that the planning application were to be approved, a suitably worded condition would be considered circular compliant, and could be attached to the permission. However, given that the application is being refused, the lack of biodiversity scheme will form part of the reason for refusal.

8.6.3 The Council's Ecologist has been consulted on this application and advised that the application should be accompanied by a preliminary bat survey as the property has potential to support bats. Whilst the site is located in an urban area, the application site is situated within 200m from the nearest wooded area and 300m from the closest watercourse. The Wildlife and Development SPG states that a bat survey should accompany any application a property pre-dating the 1960s and within 200m from a woodland. Whilst the site is located in an urban area, the application site is situated approximately 85m from the nearest wooded area. A preliminary bat survey was requested, however this was not forthcoming it has therefore not been possible for the LPA to determine if the application will have an adverse impact upon a European Protected Species or discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981. The LPA considers that they are not able to suitably address such concerns via conditions nor are they able to adequately assess if a net benefit for biodiversity or know if additional compensation/mitigation for an EPS would be required. The lack of bat survey will form a reason for refusal.

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 proposals would not result in an adverse negative impact on the residential amenity of neighbouring occupiers and would not have a significant negative impact on the character and appearance of the streetscene.

11. DECISION

REFUSED

01 The proposal results in a significant adverse impact on matters of acknowledged importance, namely European Protected Species. This is contrary to policy GP5 of the NLDP 2011-2026 (adopted January 2015), Chapter 6 of Planning Policy Wales (Edition 12) and TAN5 - Nature Conservation and Planning. No information has been provided that mitigates this objection.

02 The proposal does not include an appropriate scheme for biodiversity net-benefit, contrary to Policy SP1 and GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015), Chapter 6 of Planning Policy Wales (Edition 12) and Policy 9 of Future Wales.

NOTE TO APPLICANT

01 This decision relates to plan nos; 0207 02 - Existing Floor Plans, 0207 01A - Existing and Proposed Block Plans, Site Location Plan and Block Plan, 0207 10 - Proposed Floor Plans, 0207 11 - Proposed Elevations, 0207 03 - Existing Elevations, Site Location Plan

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5 , GP6 and T4 were relevant to the determination of this application.

03 The House Extensions and Domestic Outbuilding Supplementary Planning Guidance and Wildlife & Development Supplementary Planning Guidance was also relevant to the determination of this application.

04 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.