

Delegated Decision Report

Application No:	26/0496	Statutory Period Expires:	25th September 2026
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Site:	73 Dunstable Road Newport NP19 9LU		
Proposal:	DECKING TO THE REAR OF PROPERTY (RETROSPECTIVE)		
Applicant:	S Leonard		
Type:	Full	Ward:	Ringland
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 73 Dunstable Road is an end of terrace dwelling located in the Ringland ward. Due to the topography, the land slopes significantly from the front to the rear (north to south), meaning that the ground level of the rear garden is significantly lower than the ground floor level of the dwelling.

3. DESCRIPTION OF DEVELOPMENT

3.1 Retrospective planning permission is sought for the erection of decking to the rear of the property. The decking measures 3m in depth, extending from the rear elevation of the host dwelling, 4m in width spanning between the existing brick steps and the neighbouring boundary shared with no.71 Dunstable Road. The decking is elevated 1.1m above the ground level directly below, the deck itself measures 200mm deep in profile with a 900mm balustrade above, providing an overall height of 2.2m above the ground level of the garden. Along the eastern edge of the deck/shared boundary with no.71 Dunstable Road, a 1.8m feather board fence has been erected for the full depth of the decking.

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)

- GP2 (GENERAL AMENITY)
- GP5 (NATURAL ENVIRONMENT)

- GP6 (QUALITY OF DESIGN)

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS SPG

6. CONSULTATION RESPONSES

- 6.1 None.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 17.07.2026

- 7.1 NEIGHBOURS: 4no neighbours were consulted. 1no response received to date.

75 Dunstable Road (Support)

Even though the Decking will be looking over into our garden (only the bottom part of garden) we have No objection to it being built, and we do believe it makes their garden a nicer outlook for ourselves also for our neighbours giving them the choice of outdoor living straight from their patio doors which we believe is more practical than going through kitchen and down steps to garden without the Decking area being built.

8. ASSESSMENT

8.1 Visual Amenity/ Character and Appearance;

The House Extensions and Domestic Outbuildings SPG (Adopted January 2020) states that:

'A raised amenity space that substantially reduces natural light, perceived space or privacy in neighbouring habitable rooms or back gardens will not be acceptable.'

The decking is set in 4.3m from the shared boundary with no.75 Dunstable Road although it is not set in from the shared boundary with no.71. In terms of loss of natural light, it is considered that the deck itself does not reduce the level of natural light reaching the neighbouring property, nor does it reduce perceived space. Owing to its location, elevation above ground level, there is potential for overlooking into neighbouring amenity.

- 8.2 The House Extensions and Domestic Outbuildings SPG (Adopted January 2020) states that:

'In some cases, privacy screens can reduce the degree of overlooking that neighbours experience in their homes and gardens. They should be large enough to prevent a material loss of privacy yet small enough not to render a structure obtrusive or unsightly. In general, translucent screens and trellis panels are preferable to opaque screens and solid fencing. Ill-designed proposals, no matter how well they protect neighbours' privacy levels, will not be acceptable.'

A 1.8m feather board fence has been erected along the shared boundary with no.71 for the full depth of the decking. This fence mitigates overlooking toward the neighbouring rear elevation windows from the deck. The deck does however provide elevated views towards the rear extent of gardens of both neighbouring properties. Nevertheless, it is acknowledged that a degree of mutual overlooking between properties already existed prior to the construction of the decking, whereby, similar views towards the gardens could be achieved from the existing steps and the rear elevation windows. While the decking would allow views from a point set deeper within the garden, the level of overlooking afforded by the decking over and above the previous and prevailing situation is considered acceptable in this context.

- 8.3 It is acknowledged that there is a ground floor level window in the side elevation of no.75 Dunstable Road which is highly visible from the decking. Notwithstanding this, the visibility of the window is exacerbated by the low height of the shared boundary treatment which is well below 2m. The low height of the boundary treatment means that the window is also visible from the ground level of the garden, so any impact in regard to overlooking is

considered to not be materially worse than the existing situation.

- 8.4 The House Extensions and Domestic Outbuildings SPG (Adopted January 2020) states that:

'A raised amenity space should relate sympathetically to the existing building and the streetscape by virtue of its size, design and materials.'

The decking area does not dominate the rear garden, and a sufficient area of garden space remains useable and undeveloped. The materials used in the development are appropriate for a garden decking area. This is therefore in line with the SPG and considered acceptable.

- 8.5 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 LDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. As part of this development, 2no bird boxes have been erected. A site visit has confirmed that each bird box is has been installed on either side boundary. The implementation of the bird boxes is commensurate to the scheme and satisfactorily address the requirements set out above. The retention of these measures will be secured through a suitably worded planning condition.

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 development would not harm the visual or residential amenity of Dunstable Road. The proposal is in accordance with Policies GP2, GP5 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents:

- Drawings
- Drawings and photos

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 A 1.8m high privacy screen along the entirety of the eastern side boundary of the decking hereby approved shall be provided in accordance with the details shown on approved documents' Drawings and photos' and 'Drawings'. The privacy screen shall be retained as such for the lifetime of the development.

Reason: In the interests of the privacy and amenity of the occupants of the property and neighbouring occupants and in accordance with Policy GP2 of the NLDP.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Drawings, Drawings and photos.

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

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.