

21 May 2026



Newport City Council
Planning Services
Civic Centre
Godfrey Road
Newport
NP20 4UR

Dear Sir/Madam

**OBJECTION TO RETROSPECTIVE PLANNING APPLICATION 26/0301
30 PARK CRESCENT, NEWPORT, SOUTH WALES, NP20 3AQ**

Introduction

We act on behalf of our client, the owner of 28 Park Crescent, in submitting this objection to retrospective planning application 26/0301 relating to 30 Park Crescent. 28 Park Crescent is adjacent to 30 Park Crescent (semi-detached dwellings). The application seeks retrospective permission for the alteration of a rear single-storey pitched roof to a flat roof with a balcony above. For the reasons set out in the accompanying statement, the development gives rise to the following principal concerns for the Council's consideration:

- Unacceptable overlooking of the adjoining rear garden and a neighbouring children's bedroom window.
- Noise disturbance arising from first-floor activity in close proximity to neighbouring habitable rooms.
- Overbearing impact due to the balcony's scale, siting and relationship to the shared boundary.
- Harm to outlook and daylight resulting from the position and height of the balcony structure.
- Conflict with Policies GP2, GP6 and GP7 of the Newport Local Development Plan and the relevant House Extensions and Domestic Outbuildings SPG.

Planning Policy

Our client objects to application 26/0301 on the basis that the constructed balcony results in material and unacceptable harm to neighbouring residential amenity, contrary to policies within the Newport Local Development Plan and the council's House Extensions and Domestic Outbuildings Supplementary Planning Guidance.

Relevant policies which the development is contrary to are listed and described below.

Newport Local Development Plan 2011-2026 (Adopted January 2015)

Policy GP2 – General Amenity

This policy requires development to avoid any significant adverse effect on local residential amenity, including impacts relating to noise, disturbance, privacy, overbearing presence, odours, air quality and loss of light. Proposals must also avoid harm to the visual amenities of neighbouring occupiers and the character of the surrounding area.

/Cont'd...

Policy GP6 – General Development Principles – Quality of Design

Requires development to demonstrate good quality design that responds positively to the context and character of the area. Proposals must be appropriately scaled and formed so they do not appear over-scaled in relation to neighbouring properties.

Policy GP7 - General Development Principles – Environmental Protection and Public Health

Development will not be permitted which would cause or result in unacceptable harm to health because of noise, or any other identified risk to environment, local amenity or public health and safety.

House Extensions and Domestic Outbuildings SPG (Adopted January 2020)

This SPG states that raised amenity spaces such as balconies and roof terraces must be appropriate in size, design and position, and should not materially reduce neighbouring privacy, outlook or natural light, which is outlined under section 5.5 of the SPG document. The guidance also seeks to prevent overlooking into neighbouring habitable rooms and rear gardens and refers to the 25° and 45° daylight tests as useful indicators of whether adequate light is retained.

Principle of Objection

The works undertaken at 30 Park Crescent, NP20 3AQ involve the replacement of a former conservatory with a brick-built extension, physically linked to an earlier kitchen extension. A new flat roof has subsequently been formed across both structures, and a balcony has been constructed above without planning permission. A retrospective planning application is currently live for this development under the reference 26/0301.

The balcony gives rise to serious and demonstrable harm to neighbouring residential amenity. When the possibility of a balcony was first raised with our client, they were made to understand that any feature would be limited to a Juliet balcony only. However, as shown in Figures 1 and 2, the balcony that has in fact been built is materially larger and, by virtue of its size, height and proximity to the neighbouring window, has a clear and harmful impact on our client's amenity. It is also relevant that the affected window at 28 Park Crescent currently serves a children's bedroom, which underscores the sensitivity of the location and the seriousness of the resulting amenity impacts.



Figure 1: View of the development from the client's garden of the property of 28 Park Crescent

/Cont'd...



Figure 2: View of the development from the bedroom of the neighbouring property of 28 Park Crescent

The balcony runs the full length of the extension and spans the full width of the neighbouring house and extends slightly beyond it. It allows direct, close-range overlooking from the patio area adjoining the kitchen to the far end of our client's garden. Views are possible through gaps in the balustrade and the screen above the railings, resulting in a substantial loss of privacy.

Internal privacy

The balcony begins only inches from the neighbouring boundary and is situated only a few feet from a neighbouring bedroom window. Following our clients concerns, these were raised with the neighbour, and a temporary wooden privacy screen was erected; however, in our view, this does not provide an effective solution.

The SPG states in Paragraph 5.5.2 that Privacy Screens on raised amenity spaces "*should be large enough to prevent a material loss of privacy yet small enough not to render a structure obtrusive or unsightly*". The privacy screen on the balcony does neither of these things. It is of a large obtrusive and unsightly nature, which harms the view of the bedroom window, and only slightly prevents the material loss of privacy. It remains possible to see into the bedroom through gaps in the screen, particularly at night. The screen also fails to address the associated impacts of noise disturbance and smoke drift referred to below.

Noise disturbance and pollution

By reason of its design and position, the balcony encourages first-floor outdoor activity immediately adjacent to a habitable bedroom window that would not otherwise occur. In our view, this results in an unacceptable loss of residential amenity.

Noise arising from a garden at ground level is materially different from elevated activity occurring only a few feet from a bedroom window. Whereas ordinary garden activity would take place at a much greater separation distance, noise from the balcony is generated in immediate proximity and is therefore significantly more intrusive, particularly in the evening.

/Cont'd...

The balcony introduces an elevated outdoor amenity space only a few feet from, and at a similar level to, a first-floor bedroom window at 28 Park Crescent. Any use of the balcony involving smoke — whether from smoking, cooking, or similar activity — would release that smoke at first-floor level, directly adjacent to a habitable room window, rather than at ground level where it would disperse harmlessly across an open garden. This is a direct and predictable consequence of the form and siting of the structure, not of any particular pattern of use. A ground-level garden does not create this pathway; an elevated terrace positioned inches from a shared boundary and only a few feet from a neighbouring bedroom window inevitably does. The affected window serves a child's bedroom. The introduction of a foreseeable source of smoke drift at first-floor level, immediately adjacent to that window, is contrary to Policy GP2, which expressly resists development causing significant adverse effects on local amenity, including "odours and air quality", and to Policy GP7, which resists development causing unacceptable harm to local amenity or public health through environmental effects. The SPG's expectation that raised amenity spaces should not materially reduce neighbouring amenity is engaged for the same reason.

Overbearing impact

The balcony is excessive in scale and overbearing in its effect. It extends across the full width of the house, from the boundary with our client's property to the opposite side of the neighbouring dwelling, and projects along the full length of the extension. This is far greater than would ordinarily be expected for a domestic balcony serving a single bedroom. It is disproportionately large for a balcony said to serve a single bedroom. It is inappropriately positioned given its proximity to the neighbouring bedroom window. This is in direct opposition to Policy GP6 which relates to Quality of Design. This balcony is out of scale with the neighbouring property, and is proportionally large, meaning it does not respond positively to the character of the area and reflect the scale of adjacent townscape as stated in GP6.

By reason of its dimensions, the balcony is plainly capable of accommodating group use rather than the modest occupancy normally associated with a balcony serving a single bedroom. A structure of this size functions in practice as an elevated outdoor living and entertaining space, and its scale invites a pattern of use — and a level of associated noise and activity — that is disproportionate to its stated purpose and materially harmful to neighbouring amenity.

This reinforces the point that, by reason of its scale and siting, the structure has a materially harmful relationship with neighbouring occupiers. It functions not as a modest bedroom balcony, but as an elevated outdoor living space, intensifying noise and disturbance in immediate proximity to neighbouring habitable rooms. This is contrary to Policy GP2 of the Local Development Plan, which requires development to avoid significant adverse effects on local amenity.

Loss of daylight

Since the balcony was constructed to the side of the children's bedroom, the room has experienced a marked reduction in light and openness, with only a narrow channel of daylight remaining (see attached photographs). The balcony's position fails to maintain adequate daylight to the neighbouring bedroom, contrary to the SPG's 25° and 45° daylight tests.

Conclusion

We respectfully request that the Council undertake a site visit at the earliest opportunity in order to fully appreciate the effect of the development on our client and his family, in particular the loss of privacy,

/Cont'd...

the noise and smoke disturbance arising from the balcony, and its overbearing form. For the reasons set out above, the retrospective balcony causes unacceptable harm to neighbouring residential amenity and conflicts with Policies GP2, GP6 and GP7 of the Local Development Plan and the House Extensions and Domestic Outbuildings SPG.

We particularly draw the Council's attention to Policy GP2, which states that development must not result in "*a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality.*" The balcony has resulted in a clear loss of privacy, increased noise and disturbance, overbearing effects, and smoke drift affecting a child's bedroom, precisely the types of harm GP2 seeks to prevent.

Planning permission should therefore be refused and appropriate enforcement action taken. The retrospective nature of the application does not mitigate the harm caused; the development must be assessed on its planning merits alone.

We trust that this objection clearly sets out the basis of our client's concerns, and we look forward to the Council's response in due course.

Yours faithfully,

