

Delegated Decision Report

Application No:	25/1023	Statutory Period Expires:	22nd January 2026
------------------------	----------------	----------------------------------	--------------------------

Site:	18 Melbourne Way Newport NP20 3RE		
Proposal:	DEMOLISH EXISTING GARAGE AND BUILD TWO STOREY SIDE EXTENSION		
Applicant:	R Miller		
Type:	Full	Ward:	Allt-yr-Yn
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site comprises of a two storey detached dwelling located in the Allt-yr-Yn ward, on Melbourne Way a residential street within the defined settlement boundary. The property benefits from off street parking and a private rear amenity space.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application is seeking consent for the construction of a two storey side/rear extension, measuring at 3.8 wide, 8.7m in depth, 4.9m high to the eaves and 7.5m high to the ridge. Furthermore, the rear extension will be extended past the existing rear elevation by 2.25m in depth and 4.2m in width, and the existing garage will be demolished in order to accommodate the development. The ground floor will be used as a kitchen and dining room while the first floor will be a master bedroom and ensuite and another bedroom. Externally, the development will match the existing dwelling with the roof tiles, brickwork and UPVC windows all matching.

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.

4.1.51 - 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.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

GP2 - General amenity. There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality

GP4 - General Development Principles. Highways and Accessibility states that development shall only be permitted if it is not detrimental to highway or pedestrian safety or result in traffic generation exceeding the capacity of the highway network

GP6 - Quality of design. Good quality design will be sought in all forms of development. the aim is to create a safe, accessible, attractive and convenient environment.

T3 – Road Hierarchy. As a general principle, the provision for on-street parking, new frontage access and turning movements will be restricted in the interests of road safety and the efficient movement of traffic.

T4 – Parking. Development will be required to provide appropriate levels of parking, within defined parking zones, in accordance with adopted parking standards.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

5.4.1 The Newport City Council Parking Standards Supplementary Planning Guidance (adopted August 2015) and the 'House Extensions and Domestic Outbuildings' Supplementary Planning Guidance (SPG) (Adopted January 2020) are relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 Local Highways Authority:

The development results in the loss of a garage, but the parking is replaced by widening the drive to a double width. Access is maintained to the rear for bins and bikes.

The drive needs to be widened for 5.5m length and this will also require the access to be widened to ensure vehicles approach at the right angle and have appropriate pedestrian visibility. This then requires the footway crossing to be widened prior to use. (Refer to informative notes).

There are no objections on highway related grounds, subject to the following conditions.

Recommended Conditions:

Before the reconfigured access is used for vehicular purposes, that part of the access extending from the nearside edge of the highway boundary of Melbourne Way for a minimum distance of 5 metres into the site shall be appropriately paved in a bound material such as tarmac, concrete, block pavements or other material approved in writing by the Council as Local Planning Authority.

Reason: To prevent loose surface material/debris from being carried on to the public highway thus causing a potential source of danger to other road users in the interests of road safety.

No part of the development shall be brought into use until visibility splays of 2metres by 2metres have been provided on each side of the access. The depth shall be measured from the back of footway; and the width measured outward from the edges of the access. The splays shall be created clear of obstructions to visibility at or above a height of 0.6 metres above footway level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility in the interests of road safety.

No gates or other means of obstruction shall be placed across the vehicular access formed as part of this development.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the

interests of road safety.

A scheme for the provision of electric vehicle charging points, or passive provision, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of each unit and retained as such thereafter.

Reason: To ensure that appropriate provision for current and future electric and electric/hybrid vehicles and encourage more sustainable means of transport.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 2.12.2025

7.1 No comments were received.

8. ASSESSMENT

8.1 Principle of Development:

8.1.1 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.

8.1.2 It is also acknowledged that the proposed plans included an extension the driveway area, while this is absent from the description of development within the application form, for completeness this element will be assessed against the relevant criteria of the LDP. Significant weight is attached to fall back position of what can be achieved in this regard without the need for planning consent under the provision of the General Permitted Development (Wales) Order.

8.2 Visual Amenity/ Character and Appearance:

Two storey side extension:

8.2.1 The subject of the application is a two storey side extension that will be located on the Western elevation of the dwelling, in replacement of the existing garage. Therefore, the development will be readily visible within the public realm and will impact upon the amenity and character of the area. However, the development is proposed to be set back from the front elevation of the dwelling and will be offset from the common boundary with No. 16, the ridge height of the extension is proposed to be set down relative to the existing as to ensure there is no unacceptable visual impact that would prejudice the character of the existing dwelling, such design features ensure compliance with the guidance contained within the Householder SPG. The external finishes are proposed to match the existing dwelling which results in a coherent visual impact. As a result, the scale and design of the proposed development are considered to be acceptable and to avoid any unacceptable adverse visual impact. Accordingly, the proposal is considered to comply with the requirements of LDP Policy GP6 and the adopted Householder Extensions SPG.

Widening of the driveway:

8.2.2 Furthermore, the widening of the existing drive that is positioned on the front of the dwellinghouse, therefore its visible within the public realm and will impact upon the amenity and character of the area, however given the limited change proposed it is not considered to result in a significantly different impact that would be harmful to the amenity or character of the area.

8.3 Residential Amenity:

Two storey side extension:

8.3.1 The proposed development would result in an enlargement of the existing footprint or built form. Furthermore, the proposal includes a side window positioned on the first floor of the extension. However, any level of overlooking from this window is deemed to be acceptable due to the set off from the common boundary and the impact is not considered greater than the existing overlooking. The window is proposed to serve an ensuite, it is considered that a condition can be attached to any planning consent requiring that the window be obscurely glazed and maintained as such.

- 8.3.2 The 45 degree tests have been undertaken in relation to the neighbour at no. 16 due to the Two storey nature of the extension. The development fails in both the elevation and plan view test, however, the aspect of the development that would fail the plan view is deemed to be the overhang of the roof, therefore the elevations themselves would be compliant.
- 8.3.3 Given the limited extent of this non-compliance, the setback from the shared boundary, the limited projection of the extension, and the orientation of the properties with gardens facing south-east, the overall impact is not considered unacceptable or sufficient to justify refusal. Additionally, the application site is located north of the closest residential dwelling. Therefore, it is concluded that the proposal would not cause an unacceptable level of detrimental impact on the residential amenity of neighbouring occupiers, in accordance with Policy

Widening of the driveway:

- 8.3.4 The proposed development would result in the extension of the existing drive. While the level of hard surface will increase in the front garden, it would not result in an unacceptable impact when considering outlook, overbearing or overlooking impact. Therefore, it is considered to be acceptable, as the proposed development would not prejudice the living condition of the neighbouring occupiers to an unacceptable degree.

8.4 Highways:

- 8.4.1 The Local Highways Authority's (LHA) Team was consulted on the application and raised no objections to the widening of the drive because no parking spaces were lost, access to the rear is retained allowing for bin and cycle storage and the widening of the drive is minimal. However, they advised that should the application be approved, the applicant must widen the footway crossing and be surface with a bound porous material. As well as this, it is deemed necessary to attach additional suggested conditions suggested by the LHA to the decision. The requirement to attach the conditions as suggested by the LHA are to ensure; the development accords with the requirements of the GPDO in respect of surface water drainage management, to ensure that the extended area of driveway can be lawfully accessed and to ensure the development does not have any unacceptable adverse impact upon highway or pedestrian safety. A condition relating to EV charging is not being carried forward given the residential use of the dwelling and the lack of planning policy basis for this to be justified in. Additionally, a condition regarding access is not being applied because the access already exists, making it unnecessary. Furthermore, the condition for the proposed driveway to be surfaced with a bound material has been incorporated into one of the other suggested conditions.

8.5 Drainage

- 8.5.1 The proposed development could lead to surface water runoff onto the adopted highway. However, the application does not provide details on the material of the extended driveway or drainage. Therefore, in order to help satisfy the requirements of the General Permitted Development (Wales) Order a condition will be attached to ensure the development is constructed to meet the requirements of the Order and is maintained as such.

8.6 Biodiversity:

- 8.6.1 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. In this case two bird boxes have been proposed, this is considered to be appropriate when considering the scale and context of the development.
- 8.6.2 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.
- 8.6.3 The proposed development will tie into the existing roof, given the context of the application site no unacceptable impact relating to EPS is expected, therefore an appropriately worded informative will be attached to the report.

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 proposed development has been assessed in accordance with relevant local and national planning policies and is found to be compliant. It is considered to be in keeping with the character and appearance of the host property and would not result in any unacceptable impact on residential amenity. As such, the proposal is recommended for approval, subject to conditions.

11. DECISION

Approve subject to the following conditions:

1. The development shall be implemented in accordance with the following plans and documents: Site Location Plan 25-2286-DWG-01, Existing/ Proposed Floor/Site/Roof Plans and Elevations 25-2286-DWG-02B

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

2. The materials used to finish the extension hereby permitted shall only be of materials that match the existing dwelling.

Reason: To ensure the development is completed in a manner compatible with its surroundings, in accordance with Policy GP6 of the Newport Local Development Plan (adopted January 2015).

3. The biodiversity enhancement scheme as shown on approved plan Existing/ Proposed Floor/Site/Roof Plans and Elevations 25-2286-DWG-02B 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 ecology and biodiversity, in accordance with Policy 9 of Future Wales and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

4. The extended area of driveway hereby permitted shall be constructed in a porous or permeable bound material and shall be permanently maintained as such.

Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.

5. No part of the widened driveway hereby approved shall be brought into beneficial use until visibility splays of 2metres by 2metres have been provided on each side of the access. The depth shall be measured from the back of footway; and the width measured outward from the edges of the access. The splays shall be created clear of obstructions to visibility at or above a height of 0.6 metres above footway level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility in the interests of road safety.

6. No gates or other means of obstruction shall be placed across the vehicular access formed as part of this development.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety.

7. The side window hereby approved shall be fitted with obscure glazing to a minimum of level 5 on the Pilkington Scale of Obscurity and maintained as such for the lifetime of the development.

Reason: To protect the living conditions of neighbouring occupiers, in accordance with Policy GP2 of the Newport Local Development Plan (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan 25-2286-DWG-01, Existing/ Proposed Floor/Site/Roof Plans and Elevations 25-2286-DWG-02B

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP6, T3 and T4 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.

04 It is an offence to carry out any works within the public highway without permission of the Highway Authority. This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980 the Highway Authority must specify the works to be carried out and only the Highway Authority or contractor approved by the Highway Authority can carry out the works. Therefore, prior to commencing any works that affect the access you must contact the Council's Highway Maintenance Team for further details.

05 The applicant is reminded that it is an offence to allow material to be carried from the site and deposited on or cause damage to the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute persistent offenders under Sections 131, 148 & 149 of the Highways Act 1980.

06 The amended Wildlife and Countryside Act 1981 protects bird species whilst nesting in the UK. This protection extends to a bird, its nest, eggs, and young until such time as the young have fledged. Vegetation clearance should proceed outside the peak bird-breeding season (generally considered to be March through August inclusive) or within the breeding season only if a pre-clearance survey shows no breeding birds to be present, nesting or commencing nesting within the vegetation to be affected.

07 Caution should be exercised due to the possibility of encountering bat roosts unexpectedly during development work. In the event that a bat roost is found, work on the structure should cease immediately whilst advice is sought from the Countryside Council for Wales on 02920 772400.