

Delegated Decision Report

Application No:	25/0972	Statutory Period Expires:	16th June 2026
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Site:	Stonewell Lower Road Llandevaud Newport South Wales		
Proposal:	PROPOSED ADDITIONAL STOREY INCLUDING NEW HIGHER ROOF AND DORMERS (RESUBMISSION)		
Applicant:	C Williams		
Type:	Full	Ward:	Bishton And Langstone
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 Planning permission was refused under application reference 25/0241 for “Proposed additional storey including new higher roof and dormers”.

1. *The proposal, by reason of its scale, design and location, will have a significant adverse impact upon interests of acknowledged importance, namely the residential amenity and privacy of Myrtle Cottage resulting in an unneighbourly and unacceptable effect. This is contrary to Policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015).*
2. *The proposal, by reason of its scale, massing, increased height, location, and unsympathetic and out of keeping design will have a significant adverse impact upon interests of acknowledged importance, namely the character and appearance of the streetscape and local area. This is contrary to Policy SP5, GP2, GP6 and H13 of the Newport Local Development Plan 2011-2026 (adopted January 2015).*



Figure 1 – 25/0241 – Refused Proposed Elevations

2. SITE LOCATION AND CONTEXT

2.1 The site is an existing dwelling named Stonewell located within Llandevaud, in the Bishton and Langstone ward. Although within a village setting, the site is located outside of any defined boundaries and is countryside, as per Policy SP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

2.2 The existing property is a very modest gable ended bungalow constructed of facing brick that faces Lower Road and is set back from the highway in an elevated position. A detached garage is located to the side of the northern gable end. Located between the curtilage of the property and the highway is an area of grassed open space, which is linked to the Llandevaud Common and a TPO Woodland (TPO 02/2018) – both are allocated as Environmental Space. The general character of the street scape is very pleasant and green. Running along the southern boundary of the site is a Public Right of Way (394/62/1) that links with Upper Road. Directly east of the site the rear boundary backs onto the rear boundary of Myrtle Cottage, a detached dwelling set at a higher ground level than the application site. Directly north, and laying beyond a water course, is a dormer bungalow named Bryn Tirion.

- 2.3 Although the site is located within the countryside and Llandeudaud which has no defined village boundary, and the general layout and appearance of the area is rural and green, the immediate context of the site is residential and is characterised by a mix of housing types and design, ranging from single storey to two storey and of varied scale and massing.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks planning permission for the addition of a first floor, which would require the raising of the roof height and addition of dormer windows and roof lights to the front elevation and a single dormer window and roof lights to the rear elevation, at Stonewell in the Bishton and Langstone ward.
- 3.2 As referenced in the Background section of this report, the application is a resubmission of a previously refused application for a comparable proposal. During the course of this application, the applicant has resubmitted revised drawings to seek to address concerns outstanding.
- 3.3 The proposal would result in the increase in height of the building to 7.00 metres, from the original height of 4.20 metres. This would be a reduction of 0.50 metres from the refused application. The design retains an asymmetrical eaves arrangement, with a height of 3.00 metres at the front and 4.17 metres to the rear. This is a reduction in eaves height of circa 0.50 metres due to a change in the roof pitch proposed. The front elevation now contains 3no. pitched roof dormers of matching appearance, size and spacing across the roof plane. The side elevations remain largely blank and will be finished in render at first floor above the existing brick work to the ground floor level. The rear elevation will be constructed of facing brick and the roof design comprises of 1no. hipped roof dormer window and 6no. rooflights.

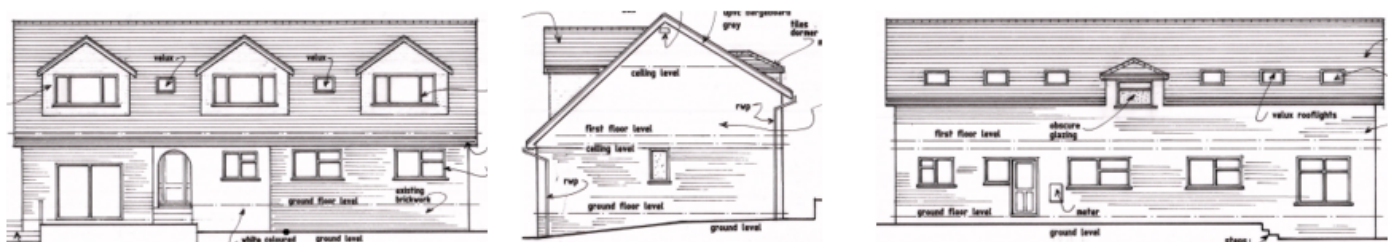


Figure 2 – Proposed Elevations

- 3.4 In terms of the internal layout of the dwelling as a result of the reconfiguration, the ground floor would comprise of a large wrap around living room, lounge and dining area, kitchen and utility room, bathroom, study and 2no. bedrooms. The first floor layout comprises of 2no. ensuite bedrooms, a home office and bathroom.
- 3.5 No external alterations are proposed to the site layout and 3no. external parking spaces and a detached garage are retained.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0241	PROPOSED ADDITIONAL STOREY INCLUDING NEW HIGHER ROOF AND DORMERS	REFUSED	15.05.2025

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)

SP1 – Sustainability
SP5 - Countryside
SP9 – Conservation of Natural, Historic and Built Environment
GP1 – Climate Change
GP2 – General Amenity
GP4 – Highways and Accessibility
GP5 – Natural Environment
GP6 – Quality of Design
H13 – Extensions to Dwellings in the Countryside

5.4 SUPPLEMENTARY PLANNING GUIDANCE

Householder Extensions and Domestic Outbuildings
Parking Standards

6. CONSULTATION RESPONSES

- 6.1 Highways: No objection.
- 6.2 Landscape: No objection in principle. Requests a soft and hard landscaping plan.
- 6.3 Ecology: No response.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 20th November 2025 and a Site Notice was posted on 28th November 2025.

- 7.1 NEIGHBOURS: Those sharing a common boundary and located opposite the site were consulted (5no. properties), with a reconsultation undertaken with Myrtle Cottage on receipt of amended plans.
- 7.2 Throughout the course of the application, two pieces of correspondence have been received from Myrtle Cottage, with the material planning considerations being raised summarised below;
- Maintains that the reasons for previous refusal have not been addressed;
 - There is an excessive number of roof windows, which further increase the potential for overlooking. Although the statement suggests a 1.70m high sill height and partial obscure glazing prevents overlooking, the rooflights open outward and allow angled views to Myrtle Cottage and the garden;
 - The dormer upper window is clear, allowing views outward and is directly opposite the French doors of a daily used room, so would overlook the main living area of the property;
 - Together, these openings continue to create both direct and perceived overlooking, which would significantly impact privacy;
 - The supporting statement also claims that privacy concerns are reduced because Myrtle Cottage is slightly elevated. This argument is flawed. The proposed roof accommodation effectively brings the viewing points of the development to a level comparable with the ground floor windows of Myrtle Cottage. In practical terms, the new

openings would still directly overlook our property and garden, so elevation does not reduce the impact;

- The supporting statement refers to a separation distance of 26.5 metres between the properties. This does not take into account the current active planning in place for Myrtle Cottage, which reduces the actual distance. Distance alone does not prevent overlooking; the roof height, number and position of openings, and orientation of the buildings all contribute to the impact on neighbouring amenity;
- The height of the roof and dormer is excessive. The front dormer is significantly higher than the rear, creating an unnecessarily tall and bulky roof profile. This would dominate the property, appear out of scale with neighbouring buildings, and harm the character of this rural area. The overall height would also substantially reduce the sense of openness and rural scene from both Myrtle Cottage and public viewpoints nearby;
- Whilst existing hedgerow and vegetation provides a degree of screening, planting has previously been cut back or removed by Stonewell, including willow screening. It would therefore not be appropriate to rely on vegetation alone to mitigate overlooking or visual impact;
- Remains concerns that the overall roofline height and prominence of the development have not been addressed;
- Whilst window arrangements have changed, the amendments have not fully overcome the previous concerns regarding residential amenity, privacy or the impact on the character and appearance of the area.

7.2 LANGSTONE COMMUNITY COUNCIL: No response.

8. ASSESSMENT

8.1 Impact on the Countryside

8.1.1 The proposed extension is located in the countryside and whilst this can be acceptable there is additional policy control in place, which will be relevant to the assessment of the application.

8.1.2 Policy SP5 is the key strategic policy when assessing development in the countryside, and proposals must comply with the policy, which states;

Development in the countryside (that is, that area of land lying beyond the settlement boundaries shown on the proposal and inset maps) will only be permitted where the use is appropriate in the countryside, respects the landscape character and biodiversity of the immediate and surrounding area and is appropriate in scale and design. Housing development, rural diversification and rural enterprise uses, beyond settlement boundaries, will only be appropriate where they comply with national planning policy.

8.1.3 Linked to Policy SP5 is Policy H13 “Extensions to Dwellings in the Countryside” and this states;

Beyond defined settlement boundaries, proposals to extend a dwelling will be permitted provided that:

- i) The volume of the extension is not more than 30% of the original dwelling, or as existed in 1948;*
- ii) The existing dwelling has a lawful residential use.*

8.1.4 In relation to this policy and specifically the volume assessment, the refused 25/0241 report stated;

In order to address this policy, the Design and Access Statement has included a section based on volume and policy compliance. Whilst not providing the calculations to evidence the volume increase (as would be expected), the submission accepts that the estimated volume increase is 83% from the original volume of the dwelling. It is also advised that if the detached garage, which is stated as being an original feature of the dwelling, were to be included this increased would be reduced to 56%. The LPA are unable to confirm whether

the garage was an original feature, however in either instance there is a policy failure owing to the exceedance of the 30%.

8.1.5 No volumetric details have been submitted in support of this current application, however the reduction in height is likely to result in a small reduction to the volume increase, although this is largely considered to be academic. Notwithstanding this, an increase in volume over 30% is not necessarily reason to refuse planning permission, and the subtext of Policy H13 does state that the volume limit should be applied in principle, and where it can be demonstrated that an increase above 30% will not have a detrimental impact upon the character and appearance of the surrounding area such development may be considered acceptable. Policy H13 is linked to Strategic Policy SP5, and as earlier referenced the purpose of SP5 is to control development in the countryside so that it is appropriate.

8.1.6 In this instance, whilst the site is located within the countryside, the context in which it is set is predominantly residential. The setting of the site is pleasant and open and within the vicinity there is a mix of dwelling types, ranging between one and two storeys and of various scale, character and design. The addition of a first floor to the host property, if appropriately designed, sensitive and of a suitable scale, will remain in keeping with the character of many properties within the local area, despite a 30% exceedance. This is notwithstanding the appearance and design of the proposal, which will be assessed in the following section of this report.

8.2 Visual Amenity/ Character and Appearance;

8.2.1 Policy GP6 requires good quality design to be sought in all development. Development should be sensitive to the qualities of the site and respond positively to the character of the area, where possible it should reflect the character of the locality but avoid inappropriate replication of neighbouring architectural styles, it should be designed so that the scale and form of the development appropriately reflect the adjacent townscape and high quality material and detailing should be sought.

8.2.2 The Householder Extensions and Domestic Outbuildings SPG does not offer any specific guidance in relation to first floor extensions of single storey dwellings, although advice is given on dormer extensions and this will be relevant to the proposal. Paragraph 5.7.5 states;

“A roof extension (other than a hip-to-gable) that projects beyond the plane of an existing roof slope that faces the highway is unlikely to be acceptable”

8.2.3 A proposal that changes the form of a roof should not detract from the character and appearance of the streetscape. In this instance, there is considered to be a lack of consistent character and appearance to dwellings within Llandeudaud and there is a mix of scale, design and appearance. In principle the raising of eaves and ridge to facilitate the provision of first floor habitable accommodation is considered to be acceptable, subject to acceptable design, which was a reason for refusal as part of the refused scheme. Many houses closeby have similar arrangements.

8.2.4 The objection from Myrtle Cottage raised concerns regarding the height of the roof and roof dormers, creating an unnecessarily tall and bulky roof profile which would dominate the property, appear out of scale with neighbouring buildings and harm the character of the rural area, as well as substantially reducing the openness and rural scene from Myrtle Cottage and public viewpoints.

8.2.5 The proposed front elevation now contains three pitched roof dormers each of the same design, size and appearance. These dormers are set down from the roof ridge and set back from the eaves so that they appear subservient additions to the roof plane. This provides the front elevation of the dwelling with a much more balanced and coherent appearance in comparison to the refused scheme and is considered acceptable. Front dormers are present on other dormer bungalow style dwellings close-by and are a typical feature. The addition of dormers here will not appear incongruous. The raising of the height of the roof ridge has been reduced compared to the refused scheme, bringing the proposed height down by approximately 550mm. Whilst the raised ridge would still result in asymmetric eaves at the sides, and this was previously considered unacceptable, the height to the rear is also reduced

and the difference is now considered to be far less jarring. The reduction in ridge height and rear eaves height as well as the acceptably designed front dormers are considered to reduce any combined and adverse impact and mitigate key objections to the previous scheme in this respect.

- 8.2.6 The small centrally located dormer in the rear elevation is an unfamiliar addition on its own, but it is understood to be included in an attempt to avoid/limit overlooking to Myrtle Cottage from primary rooms, which have now been arranged to have their main outlook to the front. From a design perspective, this addition is relatively small and contributes to breaking up an otherwise fairly blank rear elevation and does not result in any harm to the visual amenity of the local area, or to the appearance of the dwelling overall.
- 8.2.7 The comments on the design and height received from Myrtle Cottage are noted, and have been given due consideration as part of the assessment. However in design terms it is considered that the proposal is now acceptable and would not result in any adverse visual impact on the street scape or the rural character of the surrounding area. As previously referred to, the character within this setting, whilst outside of the settlement boundary, is akin to a village and its very pleasant verdant appearance will not be demonstrably harmed by the proposal. Although it is accepted that views from Myrtle Cottage towards the wider countryside will be impeded to some degree, there is no 'right' to a view and it is not considered that the height increase will result in any demonstrably adverse impact on the neighbouring property that would warrant the refusal of planning permission. Housing design and scale is mixed here, with a mix of older and more recent additions within the locality, as well as extended or modernised properties. The proposed design put forward is not considered to be out of keeping given the overall mix in design, appearance and materials of properties within the vicinity.
- 8.2.8 The proposed materials for the relevant parts of the extension are specified on the proposed elevation drawings and as these are to be contained within the approved plans and documents condition, it is not considered necessary to apply a secondary condition relating to these materials.
- 8.2.9 Overall, it is considered that the proposal is now acceptable in terms of its design and will preserve the character and appearance of the street scape and surrounding countryside, overcoming the second previous reason for refusal, and is in compliance with Policy GP2, GP6 and SP5 of the NLDP 2011-2026 (adopted January 2015).

8.3 Residential Amenity:

- 8.3.1 The first reason for refusal of the previous application related to the adverse impact on the residential amenity and privacy of the occupiers of Myrtle Cottage to the rear, resulting in an unneighbourly and unacceptable impact. The occupiers of Myrtle Cottage objected to the previous application and have objected to the proposed scheme (as revised), raising issues relating to the multiple rooflights and rear dormer in the rear elevation resulting in overlooking and loss of privacy and the raised height reducing the sense of openness and rural scene from Myrtle Cottage.
- 8.3.2 Policy GP2 "General Amenity" is the relevant policy in relation to residential amenity, and states;

Development will be permitted where, as applicable:

- i) There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality;*
- ii) The proposed use and form of development will not be detrimental to the visual amenities of nearby occupiers or the character or appearance of the surrounding area;*
- iii) The proposal seeks to design out the opportunity for crime and anti-social behaviour;*
- iv) The proposal promotes inclusive design both for the built development and access within and around the development;*
- v) Adequate amenity for future occupiers.*

- 8.3.3 The Householder Extensions and Domestic Outbuildings SPG is also relevant to the determination of the application and sets out guidance on how such planning applications should be assessed.
- 8.3.4 The proposal will increase the height of Stonewell, and it needs to be considered whether there would be any adverse impact on light received by Myrtle Cottage. The application site is set down from the curtilage of Myrtle Cottage and owing to the topography of the curtilage and the siting of the dwelling, Myrtle Cottage is raised further and at a distance of approximately 25.00 metres from the rear elevation of Stonewell. Owing to this distance and the topography, there is not considered to be any significant impact by the development on light received by the neighbouring dwelling.
- 8.3.5 The distance between the rear elevation of Myrtle Cottage and the rear elevation of Stonewell is in excess of the 21 metres separation distance that the SPG requires between habitable facing windows. Whilst this distance is a guide and greater distances can be sought, the neighbouring property is elevated above the site and well over 21m away, albeit that the site dwelling is located close to the shared boundary. Myrtle Cottage has planning permission (19/1045), which appears to have been partially implemented, and includes an extension to the western elevation (closest to Stonewell) that would bring the property closer to the application site. However, even when built it is not considered that access to light would be adversely affected by the proposal and a separation distance circa 23.00 metres will remain. The distance between windows would also remain at 21.00 metres or greater. As such, there is not considered to be any harmful overlooking between facing windows that would result in an adverse impact on residential amenity.
- 8.3.6 Of the rooflights proposed, 4no. would be secondary openings that serve bedrooms and 2no. would serve an ensuite. The dormer window would serve a home office. At present, the only windows in this elevation are at ground floor and due to the topography face the boundary retaining wall and hedge and offer no views into the garden of Myrtle Cottage. The separation distance between the rear elevation and the shared boundary measures approximately 4.50 metres so is less than would ordinarily be expected. Section 5.9.2 of the Householder Extensions and Domestic Outbuildings SPG states;

“...Windows in an extension must therefore be positioned carefully. Upper storey side windows, which look directly across to your neighbour’s property or garden, should generally be avoided and preference will be for their omission.”

- 8.3.7 Whilst not directly applicable, as the proposal is an extension of an existing dwelling and not a new dwelling, Section 5.7.2 of the New Dwellings SPG gives an indication of a typically acceptable relationship between the rear of properties, stating;

In order to prevent overlooking or perceived overlooking and overbearing effects developments must have a suitable separation distances between new high-level protected windows and adjacent back gardens. In most cases, a back garden should extend at least 10.00 metres from the rear elevation of a house a new high level window in order to protect the amenity of neighbouring gardens.

- 8.3.8 Given that the properties are existing and the relationships fixed, it is not possible for the above 10 metre distance to be achieved. Having visited Myrtle Cottage, the rear garden is very private and does not currently experience any overlooking from neighbouring properties. It is a very pleasant and used area of amenity space to the rear of the property, which is enjoyed by the residents. The previous scheme proposed 4no. windows in a vertical rear elevation that would have direct and clear views to the rear boundary and was considered to give rise to a material change in the relationship between the properties that would result in a significant adverse impact on the residential amenity of Myrtle Cottage, by way of overlooking and loss of privacy to the garden and being generally unneighbourly giving an overbearing feel.
- 8.3.9 This resubmitted scheme now replaces those windows with 6no. roof lights and a transparent dormer window, as previously described. All rooflights will have a minimum height of 1.70 metres to the bottom sill from the proposed finished first floor level as well as the rear dormer

window being fitted with a top opening window with obscure glazing below. Proposed plans have been annotated and a proposed section drawing showing rooflight height provided for clarity.

8.3.10 The objection received has described the number of rooflights as excessive. With the distance from proposed FFL to the bottom of the glazing being 1.70m (which can be controlled by condition), this height will prevent significant outlook from an angled opening. Two of the rooms that 4no. dormers serve are habitable rooms, but the rooflights are reasonably small and it is also noted that the primary openings are much larger and contained within the proposed front dormers. It is accepted that owing to the number of rooflights proposed the perception of overlooking could still exist, particularly when they are open, however in this instance following the amendments, perception of overlooking is considered to not be a robust reason to refuse planning permission. The angle of the roof lights, their size, height and position, all limit any potential for overlooking to the garden of the property at the rear. Occupants would have to actively stand on chairs or similar and elevate heads through the open rooflight to view the neighbouring garden space although views through the windows from the neighbouring property are likely easier due to its elevation. The rooflights are above head height and so not easy to look through from inside the property. It would not be possible to look through them when standing on the floor. Turning to the dormer window, whilst this is shown as serving a non habitable room, so would be less sensitive, it is acknowledged that it could be used differently, for example as a bedroom, in the future and this could not be restricted. The obscure glazing to the bottom unit of the window can be controlled by planning condition to a minimum obscurity level and as a fixed unit. The top opening part which is clear glazed would again be at a minimum height of 1.70 metres, and would be acceptable, whilst still offering natural light to the room. Some intervisibility may be possible from some parts of this room but these are not direct or excessive and harm would not be material.

8.3.11 On balance, the objection received from Myrtle Cottage has been considered, and the resubmitted scheme, with the further negotiated revisions, has now overcome the first reason for refusal of the previous application. It is accepted that the proposal will result in a different relationship between properties as there is currently no first floor or first floor openings, but it is not considered that this would be of significant or demonstrable harm in this case, and the use of planning conditions will secure mitigation measures in the longer term.

8.3.12 The introduction of the dormers in the front elevation would give rise to views in a westerly direction. The properties at Lower Road opposite the site are located in excess of 45.00 metres from the front elevation of the dwelling and as such this is significantly over the 21.00 metre separation distance and would not result in any harmful impact on amenity. To the north, the side boundary shared with Bryn Tirion is located approximately 11.00 metres from the northern gable end of the host dwelling. Stonewell is set behind the rear building line with Bryn Tirion, however despite the increase in height proposed and location to the south, given the position and set back from the boundary it would not be anticipated that any harmful overbearing impact or loss of light would occur.

8.3.13 Overall, subject to conditions it is considered that the proposal is compliant with Policy GP2 of the NLDP 2011-2026 (adopted January 2015) and the House Extensions and Domestic Outbuildings SPG.

8.4 Highways and Parking:

8.4.1 The site can currently accommodate parking for a least 3no. vehicles and this is the maximum that can be sought for a dwelling. The proposed development does not result in any additional demand over and above the 3no. spaces and it will not impact the parking layout.

8.4.2 The Council's Highways Officer has confirmed no objection to the proposal. The application is compliant with Policy GP4 of the NLDP 2011-2026 (adopted January 2015) and the Parking Standards SPG.

8.5 Biodiversity and Green Infrastructure:

- 8.5.1 Given the rural location of the site and the proposal that requires works to the roof of the dwelling, it needs to be considered whether a bat survey is required. No response has been received from the Council's Ecologist, however in a recent response to a pre application enquiry at the site it was advised that due to the age and construction of the dwelling it would not fit the criteria that is used to determine whether a bat survey is required. No further information is considered to be necessary.
- 8.5.2 Chapter 6 'Distinctive and Natural Placemaking and Well-Being' of Planning Policy Wales (PPW) Edition 12 (updated February 2024) states that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long term benefit. PPW 12 also advises that a Green Infrastructure Statement (GIS) 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. PPW 12 states that having worked iteratively, in line with Figure 12 through the stages of The Stepwise Approach, and providing a GIS that the step wise approach has been followed, a scheme of enhancements must be provided to ensure a net benefit for biodiversity.
- 8.5.3 A Green Infrastructure Statement has been submitted in support of the application and has set out existing GI on site and how it might be impacted by the proposed development. Given the nature of the application as a first floor extension, no GI is considered to be impacted. Ecological enhancement is proposed through the provision of 2no. bird nesting boxes to be installed as part of the new extension. This is considered to be proportionate and appropriate for the scale of development proposed.
- 8.5.4 The Council's Landscape Officer has offered no objection to the proposed development, however has requested that details of hard and soft landscaping proportionate to the site are controlled by a planning condition. Having reviewed the application, no additional hard surfacing is proposed or required as the extension is first floor only. In terms of soft landscaping, where necessary, this could be controlled as mitigation of visual impact. However, given the context of the site within a residential area it is not considered that tree planting or soft landscaping is required in this instance to make the scheme acceptable.
- 8.5.5 Overall, it is considered that the proposal is compliant with Policy GP5 of the NLDP 2011-2026 (adopted January 2015) and Chapter 6 of PPW12.

8.6 **Public Right of Way:**

- 8.6.1 The proposal itself will not have any adverse effect on the PROW or its useability, as the building itself is set off the boundary and the proposal is for the vertical extension of the building within the same footprint.
- 8.6.2 During construction, there is no reason to believe the use of the PROW would be impeded, and legally it will need to be remain unimpacted. However, this is a separate matter outside of the remit of planning control.

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 Overall, it is considered that the proposed development preserves residential amenity, the character and appearance of the street scape and the surrounding countryside, will not result in any adverse impact on matters of highway safety and can provide ecological enhancement.

10.2 As such, the proposal complies with the relevant Local and National planning policy and supplementary guidance.

10.3 The application is granted with conditions.

11. DECISION

GRANTED WITH CONDITIONS

Approved Plans & Documents

01 The development shall be implemented in accordance with the following plans and documents: Drawing No. KD2043 2B Proposed Revised; Drawing No. A9 – Layout Plan (Block Plan); Green Infrastructure Statement; Letter from Kevin Dorrington (19th May 2026). Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

Pre –occupation conditions

Rooflights Height

02 The rooflights hereby approved shall be installed at a height measuring a minimum 1.70 metres from the internal finished floor level and shall be retained as such for the lifetime of development.

Reason: To preserve the residential amenity of the neighbouring occupier in accordance with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

Dormer Window

03 The rear facing dormer window shall be fitted with a top hung opening window and a fixed and non opening lower pane that is obscure glazed to a minimum of Pilkington Obscurity Level 4 at the time of installation. The window shall thereafter be retained in this state for the lifetime of development.

Reason: To preserve the residential amenity of the neighbouring occupier in accordance with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

Parking Provision

04 The 3no. parking spaces as shown on the approved plans shall be made available for use on site prior to the first occupation of the extension hereby approved. The spaces shall be kept free from obstruction and kept available for use for the lifetime of development.

Reason: To ensure adequate parking is provided on site in accordance with Policy GP4 of the NLDP 2011-2026 (adopted January 2015).

Installation of Bird Nesting Boxes

05 Prior to the first use of the extension hereby approved, the 2no. bird nesting boxes as shown on the approved plans shall be installed and shall be retained thereafter.

Reason: To secure ecological enhancement as part of the approved development in accordance with Policy SP1 and GP5 of the NLDP 2011-2026 (adopted January 2015) and Chapter 6 of PPW12.

Restriction of New Openings

06 No window openings, roof alterations/extensions/enlargements or rooflights (other than those shown on the approved plans) shall be formed in the side or rear of the development hereby approved.

Reason: To preserve the residential amenity of the neighbouring occupier in accordance with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan; KD2043 1 - Existing Floor Plans/Sections and Elevations; Design Statement.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP5, SP9, GP2, GP4, GP5, GP6, GP7 and H13 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.