

Delegated Decision Report

Application No:	25/0623	Statutory Period Expires:	30th October 2025
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Site:	12 Augustan Drive Caerleon Newport NP18 3DB		
Proposal:	ERECTION OF DECKING AND FENCING (RETROSPECTIVE)		
Applicant:	N Suller		
Type:	Full	Ward:	Caerleon
Decision:	REFUSED		

1. BACKGROUND

- 1.1 An enforcement complaint was received following the erection of the decking and fencing at the front of the property. This application has been submitted seeking planning permission for its retention and is therefore retrospective.

2. SITE LOCATION AND CONTEXT

- 2.1 The property is a detached bungalow located within the Caerleon ward. The property is elevated from the road and previously contained a grassed sloped front garden that has now in part been replaced with the decking and fencing subject to this application. Immediately adjoining the front façade, the property benefitted from a level plateau extending along the front elevation and to its sides. Augustan Drive has a very pleasant amenity with generous plots, generally of detached single storey dwellings of mixed designs but all benefitting from front gardens that include attractive green areas and landscaping. Being located on a slope, the northern side of the road has properties with banked front gardens up to the properties, and the southern side has properties set lower than the road.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 Planning permission is sought for the retention of the decking and fencing that has been erected to the front of 12 Augustan Drive and effectively extends the level and usable plateau(s), covering all this area in decking and enclosing it. The decking extends from the dwelling for a depth of 1.84m at a height of 0.27m before a set of steps leads down to the remainder of the decking that extends for a further depth of 2.64m at a maximum height of 0.525m. The decking extends across the entire front of the dwellinghouse, 9.75m wide with a maximum depth (inclusive of steps) of 5.45m. Fencing has been erected around the front and both sides of the deck area at a maximum height of 1.65m, lower closest to the house.

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)
- GP6 (QUALITY OF DESIGN)

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS SPG

6. CONSULTATION RESPONSES

None.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 08/09/2025.

7.1 NEIGHBOURS:

5no letters of support were received with the following comments;

- The decking area has made a great living space. An improvement on a plain lawned area that was unused. Combined with some thoughtful planting, the property has more character and appeal.
- Very thoughtful and stylish design has made the front of the property into a useful and attractive area enhancing the street appeal. None of the decking encroaches on my visibility or privacy.
- I have no objection to the work having been undertaken at this address. It is not obtrusive and has been constructed very well to a high standard. I fully support this.
- I would like to say that I approve of this structure pleasing to the eye also makes more private if I lived that side I would also want to do this . When i walked my dog you could see into the room the occupants must have felt like they were in a goldfish bowl. I love the habitat boxes and planting that has been done given time for this to mature probably would not see much of it.
- I support this retrospective application. The decking and fencing are not visible from my property due to the hedge between our gardens and therefore have no impact on my amenity. I also recognise the benefits for my neighbours in terms of health, privacy, ease of garden maintenance, and enjoyment of their outdoor space.

8. ASSESSMENT

Visual Amenity/ Character and Appearance;

- 8.1 Due to the height of fencing around the front and both sides of the decking, only the fencing is visible from public vantage points. The fencing is set back approximately 4m from the highway, however, due to its elevated positioning, it is highly visible from public vantage points. The fencing, at a height of 1.65m and width of 9.75m to the front of the property is an incongruous and rather stark addition to both the dwelling and the streetscene, jarring with the prevailing character of green spaces and landscaping to front gardens that contribute positively to the overall streetscene. Neighbouring properties alongside the application site generally have low brick boundary walls to the front and are highly vegetated, further exacerbating the impact of the fencing which subsequently appears incongruous in its setting.
- 8.2 It is noted that the neighbouring property, no.10 Augustan Drive, has fencing to the front of their property however it is not considered to be comparable in terms of visual impact. Firstly, the neighbouring fencing is largely screened by existing vegetation to the front and side. Secondly, the fencing at the neighbouring property is broken up by the front steps and contains trellis in parts so the fence is less solid and impactful overall and provides views through, unlike the applicant fencing which does not allow views through and has obvious horizontal slim boards across almost the entirety of the property frontage.
- 8.3 Adopted Supplementary Planning Guidance states at paragraph 5.5.2:

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.

The fencing and decking combined amount to a significant amount of wooden additions to the frontage that do not contribute positively to the streetscene. If the fencing were to be removed, the decking behind is of large and prominent expanse and by itself would appear as an incongruous addition to the front of the property. Overall, it is therefore considered that the development is of an unacceptable form to the detriment of visual amenity, and detracting from the character and appearance of the host dwelling and wider streetscape.

Residential Amenity:

- 8.4 Adopted Supplementary Planning Guidance on House Extensions states at paragraph 5.5.1:

In common with any other extension, a raised amenity space should relate sympathetically to the existing building and the streetscape by virtue of its size, design and materials. 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, at its closest, is set in approximately 0.35m from the boundary shared with no.10 Augustan Drive. Owing to the siting and scale of the decking, there is potential for overlooking.

- 8.5 It is accepted that there was potential for the applicants to stand in their previous front garden and look towards the neighbouring site, however, this was less likely given the grassed sloped nature of the garden compared to the decking that has now been erected. Views from the original level walkway around the front of the dwelling would have been oblique in terms of their relationship to any habitable room windows at no. 10. It is anticipated that the decking would be used to sit out on, indeed it already accommodates garden furniture and therefore has the potential to provide views not only into the neighbouring front garden, but also into the ground floor front window that did not previously exist. The fencing is less than a metre high closest to the house and less than 1.7m at its highest and does not therefore prevent overlooking or act as an effective privacy screen.
- 8.6 Regarding the relationship with the other neighbouring property, no.14, the decking is set approximately 4.6m from the shared boundary which contains high mature vegetation. It is therefore considered that owing to the distance of the works from the shared boundary and the presence of mature vegetation, the development would not result in a harmful impact on the amenity of the residents at no.14.

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 represents an incongruous, obtrusive and unneighbourly addition to the front of the property to the detriment of visual and residential amenity, detracting from the character and appearance of the host dwelling and wider streetscape and giving rise to loss of privacy. This is contrary to policies GP2 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and adopted Supplementary Planning Guidance on House Extensions and Domestic Outbuildings (2020).

11. DECISION

REFUSED

01 The development represents an incongruous, obtrusive and unneighbourly addition to the front of the property to the detriment of visual and residential amenity, detracting from the character and appearance of the host dwelling and wider streetscape and giving rise to loss of privacy. This is contrary to policies GP2 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and adopted Supplementary Planning Guidance on House Extensions and Domestic Outbuildings (2020).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Location Plan and Plans and Elevations as Existing and Proposed Drawing No.PL01 Rev B.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2 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.