

APPLICATION DETAILS

No: 26/0160 **Ward:** Ringland

Type: Full

Expiry Date: 12th May 2026

Applicant: D Perry

Site: 12 Farnaby Close Newport NP19 9PN

Proposal: **PROPOSED FIRST FLOOR SIDE EXTENSION AND RETENTION OF DRIVEWAY**

Recommendation: GRANTED WITH CONDITIONS

1. INTRODUCTION

- 1.1 The application site is a two-storey detached dwelling located along Farnaby Close, a cul-de-sac within the Ringland Ward. The property is finished in brick and render, with a tiled roof and currently benefits from a flat-roof, link-detached garage which connects to the western (side) elevation.
- 1.2 Along this section of Farnaby Close, properties on the north side sit below road level, while those on the south side are positioned above it. The surrounding area displays a predominance of brick wall front boundary treatments and off road driveway arrangements puncture these enclosures. The prevailing pattern is for drives and off-street parking to be sloped, reflecting the natural topography. In this case the garden slopes down towards the dwelling. The application is part retrospective and the development has commenced, insofar as the completion of the driveway to the front of the dwelling. Prior to development, the property benefitted from 1no off-road parking space to the front of the garage that was on a slope and the remainder of the front garden was landscaped with a red brick wall with a pier along the front boundary.
- 1.3 There is a diverse mix of architectural styles along Farnaby Close, with many properties being altered by development to date. There is evidence of off road parking to frontages and two storey side extensions.
- 1.4 The application is presented to committee, as requested by Cllr Stowell-Corten having regard to an objection from no.154 Ringland Circle, and concerns about the proposed extension and the impact on amenity. The concerns relate to loss of light, loss of privacy and potential overshadowing of the rear garden. No.154 Ringland Circle is located to the rear of no.12 Farnaby Close and is downslope of the development site.

2. RELEVANT SITE HISTORY

None.

3. POLICY CONTEXT

- 3.1 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)
- Policy GP2 – General Amenity** states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.
- Policy GP4 – Highways and Accessibility** states that Development proposals should: i) provide appropriate access for pedestrians, cyclists and public transport in accordance with national guidance; ii) be accessible by a choice of means of transport; iii) be designed to avoid or reduce transport severance, noise and air pollution; iv) make adequate provision for car parking and cycle storage; v) provide suitable and safe access arrangements; vi) design and build new roads within private development in accordance with the highway

authority's design guide and relevant national guidance; vii) ensure that development would not be detrimental to highway or pedestrian safety or result in traffic generation exceeding the capacity of the highway network.

Policy GP5 – Natural Environment states that proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.

Policy GP6 – Quality of Design states that good quality design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability.

3.2 SUPPLEMENTARY PLANNING GUIDANCE HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS (ADOPTED JANUARY 2020)

4. CONSULTATIONS

4.1 None.

5. INTERNAL COUNCIL ADVICE

5.1 HIGHWAYS OFFICER (FINAL)

What is presented as visibility splays is not correctly constructed, but given the height of walls etc I don't have an issue with it. The in principle issues of extensive footway crossing and multiple drives remain. These relate to prejudicial impact to disability groups and loss of on street parking. They are not strong enough reasons for a refusal, but I can't support it.

6. REPRESENTATIONS

6.1 NEIGHBOURS:

All properties with a common boundary with the application site were consulted (7no properties). 1no objection received to date.

154 Ringland Circle

Objection on the grounds that the proposed development will have a significant and detrimental impact on my property and my quality of life.

The proposed first floor side extension will substantially reduce the amount of natural light reaching the rear of my property. Due to its height and proximity to my boundary, the extension will cast additional shadow over my garden and rear facing rooms, particularly during the afternoon and evening. The loss of daylight will materially affect my enjoyment and the usability of my home.

My property benefits from long-established windows that have received uninterrupted natural light for well over the 20-year period required for the protection under the Right of Light Act 1959.

The proposed extension appears likely to obstruct a significant portion of this light, potentially infringing on my legal right to adequate light. While I appreciate that right to light and planning matters are assessed separately, I feel it is important to make you aware that this proposed development may interfere with a legal protected right and therefore should be reconsidered.

The plans and supporting information focus primarily on the front elevation but do not provide information about how the extension will affect my property at the rear. This is especially concerning in regards to light and privacy.

A first- floor extension in this location raises serious concerns about overlooking. Any new windows at this height will directly face my garden and my internal living spaces, resulting in a significant loss of privacy. This would materially affect how I am able to use my outdoor and indoor space.

6.2 COUNCILLORS:
CLLR STOWELL-CORTEN

On behalf of a resident, please can we call this planning application in so it can go in front of the committee instead of being decided as a delegated decision.

The resident has asked for the application to go before the full committee for the following reasons:

They have significant concerns about the proposed extension, particularly regarding the impact it may have on both natural light and privacy at their property. The property that is subject to the planning application sits at the rear of this resident's property. The resident is also concerned that, based on the plans submitted, the scale and positioning of the extension appear likely to reduce the amount of daylight reaching their home and may create direct overlooking into private areas.

7. ASSESSMENT

Description of Development

- 7.1 The proposed first floor side extension would largely be built over the footprint of the existing garage, measuring 3.5m in width and 6.9m in depth. Due to the topographical disparity between the front and rear, the extension would measure 5m in height to the eaves from the ground level at the front and 6.4m in height to the eaves from the ground level at the rear. A hipped roof is proposed for a depth of 3.4m (visible from Farnaby Close) and a flat roof is proposed for the remaining depth of 3.5m. The extension would measure up to a maximum height of 6.2m from the ground level (an increase of 3.3m) and 5.2m to the top of the flat roof (an increase of 1.2m). The extension would be set back 1m from the front elevation of the dwelling and 1100mm from the rear elevation. The elevations of the proposed extension would be finished in fibre cement cladding to match the brickwork, the roof would be brown concrete and windows would be white uPVC to match the existing. Fenestration consists of 1no triple window on the front elevation and 1no triple pane window on the rear elevation.
- 7.2 Retrospective permission is also sought for the creation of a parking plateau/driveway to provide an additional 2no off road parking spaces. Due to the topographical disparity between the highway and the front garden of no.12, engineering works to create a plateau have been undertaken. The plateau measures between 15mm and 860mm above ground level, 5.1m in depth and 7150mm in width. A 6.2m section of the front boundary wall has been removed and a new pier measuring a maximum height of 600mm has been erected. A 1.85m section of the front boundary wall remains. The driveway is surfaced with tarmac with block pavements along the edge and an ACO channel drain along the northern edge.
- 7.3 The application is accompanied by a Green Infrastructure Statement which provides details of a biodiversity enhancement scheme. A woodstone bird box is proposed to be mounted, 2.5m above ground level on the northern (front) elevation.

Visual Amenity/Character and Appearance

- 7.4 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance states that wherever possible, extensions should be built on the rear or least important elevations of properties, and the size and form should be appropriate to the main building and the space around it. An adequate area of garden space would be retained, and the size and form of the extension are appropriate in relation to the host dwelling. The extension would be built on the side elevation, which is a more prominent elevation, although the extension remains appropriately sited in relation to the dwelling and includes a one metre set back at first floor.
- 7.5 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance states that insensitively designed side extensions can harm the townscape by changing the pattern of development in an area by filling the spaces between buildings. The property currently benefits from a link detached garage at ground floor which extends up to the boundary shared with no.14 Farnaby Close. The extension would infill the space above existing garage although would be 1100mm from the ridge of the host dwelling. In this context, it is acknowledged that there is no uniformity in the built form and the pattern of development is irregular due to the diverse mix of architectural styles along Farnaby Close. As such, there is no rhythm of solid and voids. Although the extension would introduce built form at first floor level, owing to the context of Farnaby Close, it is considered that the extension would not harm the streetscape in this instance.
- 7.6 In terms of design, the roof would be hipped for half of the extension with a roof pitch to

match the existing when viewed from the front, and a flat roof for the remaining rear portion. The hipped section of the extension would be visible from the public realm and would match the roof form of the main dwelling. Although the remainder of the roof would be flat, it would not be highly visible from Farnaby Close as set at the rear and whilst it would be visible from Ringland Circle, it would be at distance and would not appear incongruous in context. It would not unacceptably detract from the character and appearance of the host dwelling. The proposed fenestration replicates the proportions and fenestration-to-elevation ratio of the existing dwelling. It would be a subordinate addition to the property that would be in-keeping with the scale and form of the host dwelling.

- 7.7 Regarding the driveway, the House Extensions and Domestic Outbuildings Supplementary Planning Guidance (Adopted January 2020) states that *'The council favours off-street parking, but schemes that sacrifice entire gardens in order to provide parking spaces will not receive planning permission'*. To accommodate the access/parking area, the existing access has been widened by 6.4m (from 3.6m to 10m) and a moderate section of the grassed area in the front garden has been removed. The front garden of the appeal property has been raised with a tarmacked parking area. Alongside these engineered levels, an existing sloping driveway follows the natural topography, descending to the dwelling. The effect of the development is to introduce an engineered form of frontage works with the raised, levelled area and associated hard surfacing materially altering the natural landform of the plot and creating a formalised plateau arrangement. Such arrangements can be particularly incongruous but in this case are less so. Firstly, the level change is not so significant compared to existing as to result in the need for extensive retaining walls or similar features that add to visual impact. Other off road parking areas to property frontages along the street, albeit on a shallow slope in many cases, still provide a visible presence of cars perpendicular to the highway so cars parked on the development will not appear incongruous in this context. The development does not harm the character and appearance of the area or conflict with LDP Policy GP6, as it is compatible with the site context and the adjacent townscape. Details in respect of the finish of the hard surfaced area are considered acceptable. Although the grassed area/front wall has been removed to accommodate the development, this change is not out of keeping with the wider street scene as a number of nearby properties are characterised by similar hard-surfaced frontages and vehicular access arrangements of a similar ilk. Given the context of Farnaby Close, the development does not appear visually intrusive or overly dominant within the streetscape and although the removal of the front wall/grassed area is not desirable, the harm is limited in this instance.

Residential Amenity

- 7.8 The 'House Extensions and Domestic Outbuildings' SPG states that 'a house extension should not substantially reduce natural light (whether direct or diffuse), privacy or perceived space in neighbours' habitable rooms and back gardens.' The 25-degree natural light test is applicable in this instance. The 25° test would be required where it relates to protected windows facing other buildings or relevant structures. In most cases, a proposal that fails the 25° test in relation to a neighbour's protected window will not receive planning permission. Side facing windows are more likely to fail this test because of established layout and a judgement will be made on whether or not a development that fails this test on a side facing protected window has a demonstrable adverse effect on the protected window over and above the existing situation. This will have regard to the relationship of the protected window to existing built development, the built character of the area, its orientation, the presence of other windows serving the same room and any other factors deemed to be material to the assessment of daylight impact on the window. There are no protected windows in the side elevation of no.14 Farnaby Close although there is a single pane window at first floor which serves a landing. The House Extensions SPG specifies that only habitable rooms are relevant to daylight considerations however the 25-degree test was undertaken, nevertheless. The proposed extension failed the 25-degree test against the proposed elevations although the test also marginally fails against the existing dwelling. This demonstrates that the proposed extension would diffuse some natural light over the existing situation however the impact would not be significantly worse and in any event, the window is not protected, nor does it serve a habitable room so the impact to neighbouring amenity is limited.

- 7.9 In terms of impact on perceived space, whilst the proposed first floor side extension would

reach the shared boundary, the existing situation already restricts views from the side alleyway and ground floor windows at no.14 with the existing single storey garage occupying the ground floor level at no.12 along the shared boundary. Whilst the proposed extension would be of a greater scale, bringing a two-storey structure closer to the boundary, on balance it is considered that the impact on perceived space is not harmfully worse than the existing situation. Overall, on balance, it is considered that the proposed first floor side extension would not harmfully impact the amenity of the neighbouring occupiers by reason of loss of light, perceived space or privacy in accordance with Policy GP2 of the Newport Local Development Plan 2011 – 2026. It is also noted that no adjoining neighbours to the side have objected.

- 7.10 Concerns have been raised in relation to the impact of the proposed extension on no.154 Ringland Circle. Due to the topography, the land slopes from Farnaby Close to Ringland Circle at the rear, meaning that no.154 Ringland Circle is set at a lower ground level than no.12 Farnaby Close. The proposed extension would be 36.2m from the rear elevation of no.154 and 18.5m from the shared boundary. The concerns relate to loss of light, loss of privacy and potential overshadowing of the rear garden. It is unclear why the complainant considers the works described would do so over and above the main dwelling.
- 7.11 In terms of loss of light, the extension easily passed the 25-degree natural light test when conducted from the rear GFL and FFL windows on the rear elevation of no.154 Ringland Circle. This demonstrates that the proposed extension would not diffuse the level of natural light entering the protected windows.
- 7.12 Regarding the shadowing of the rear garden, the House Extensions and Domestic Outbuildings SPG states that the Council will seek to maintain adequate levels of natural light in people's back gardens. There is not a specific test for this purpose, but a development proposal that would deprive a neighbouring back garden of a reasonable amount of light, whether diffuse, oblique or direct, is unlikely to be acceptable. When assessing the impact on a neighbour's quality of life, the council will consider a garden's aspect and existing exposure to daylight. A shadow analysis demonstrates that the existing dwelling does not cause shading to the rear garden, nor the rear elevation of no.154 Ringland Circle and any existing shadowing is caused by nos.10 and 14 Farnaby Close. Given this, there is no reason to consider that the proposed first floor extension would cause shadowing, especially given the set down and set back and the distance between the proposal and the objector's property.
- 7.13 In terms of privacy, the development proposes a first-floor window on the rear elevation. The proposed window would be set back 1m from the rear elevation of the existing dwelling. The neighbour concerns relate to a loss of privacy however any view toward the rear elevation/garden can already be achieved through the existing FFL windows on the rear elevation which project closer to the dwelling than the proposed window. Given the above, it is considered that the windows would not result in a loss of privacy over and above the existing situation.
- 7.14 The concerns also refer to the Right of Light Act 1959 however this is a civil matter and not a planning consideration. In any event, the LPA can be reasonably satisfied that development would not have an unacceptable or harmful effect on the daylight reaching the neighbouring amenity for the reasons assessed above.

Highways Safety:

- 7.15 The Council's Highways Officer was consulted on the application and is not supportive of the proposal due to insufficient detail however, a conditional regime has been suggested to address concerns. The concerns relate to surface water drainage and visibility splays.
- 7.16 Regarding surface water drainage, the drive slopes toward the dwelling, is finished with permeable tarmac and benefits from an ACO channel drain along the southern edge which discharges through the wall into an existing ACO drain for surface water drainage. As such, no surface water runoff is expected to drain toward the highway and conditions requiring the submission of surface water drainage details are not considered necessary.
- 7.17 Visibility splays have been provided, although the Highways Officer notes that these are not

correctly constructed. Albeit, given the height of the walls, the Highways Officer has not raised concerns. Allied to this, it is acknowledged that Farnaby Close is a Cul-de-sac of limited homes which only allows single file traffic and does not support the flow of traffic at any given time. Collision data indicates that the existing driveways along Farnaby Close do not currently present a safety issue. It could be argued that the proposed driveway is an improvement over the previous arrangement, given that the off-road spaces would remove on street parking which formerly acted as an obstruction to visibility for cars emerging from the single width drive.

- 7.18 For the avoidance of doubt, the lawful use of the driveway for vehicular access requires the provision of an authorised dropped kerb. Without an approved vehicular crossover, vehicles would be required to cross the footway unlawfully, which can cause damage to the highway and pose risks to pedestrian safety. The absence of a dropped kerb therefore means the driveway cannot be used legally for parking or access purposes, regardless of its physical availability within the curtilage of the property. The applicant is advised that 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, the applicant must contact the Council's Highways Authority but is likely awaiting the outcome of this application.
- 7.19 The creation of the driveway has increased the off-road parking provision from 1no space to 3no spaces although in doing so, has removed a single on street parking space. Therefore, the development has increased parking provision by 1no space and has reduced reliance on on-street parking. Whilst wide vehicle cross overs of footpaths is not favoured, the risk in this case is low and presents the added opportunity to reduce the chance of vehicles parking on road and partly on the pavement thereby causing obstruction.
- 7.20 **Biodiversity:**
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. The application is accompanied by a Green Infrastructure Statement which provides details of a biodiversity enhancement scheme. A woodstone bird box is proposed to be mounted, 2.5m above ground level on the northern (front) elevation. The implementation of this scheme will be secured via a suitably worded planning condition. As such the proposal is compliant with the aims of Policy GP5 of the NLDP 2011-2026.
- 7.21 **Other Matters:**
No objections have been raised by neighbouring properties regarding the off-road parking works.

8. OTHER CONSIDERATIONS

8.1 *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.

8.2 *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.

8.3 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.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage.

8.4 The above duties have 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. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.

8.6 ***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.

8.7 ***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.

9. CONCLUSION

9.1 The development does not harm the visual amenity of Farnaby Close nor the residential amenity of neighbouring occupiers. A condition will be added to ensure the implementation of the biodiversity enhancement scheme. The proposal is in accordance with Policies GP2, GP5 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

10. RECOMMENDATION

GRANTED WITH CONDITIONS

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

- PL01_C Site Plans Existing & Proposed
- 2026.578 PL02 A - Existing/Proposed Floor Plans and Elevations
- Planning Design and Access Statement February 2026
- Green Infrastructure Statement February 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.

02 No window openings shall be formed in the southwestern (side) elevation of the first-floor side extension hereby approved without the prior written permission of the Local Planning Authority.

Reason: In the interests of protecting the residential amenity and privacy of the neighbouring properties in accordance with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

03 Prior to the first beneficial use of development hereby approved, the bird box shall be

installed in accordance with the details as shown in 'Green Infrastructure Statement February 2026' and '2026.578 PL02 A - Existing/Proposed Floor Plans and Elevations' and retained for the lifetime of development.

Reason: In the interest of biodiversity, in accordance with Policy GP5 Newport Local Development Plan 2011 -2026 (Adopted January 2015).

04 No development, other than demolition, shall commence until the visibility splays and sight line areas shown on the approved drawings have been provided. All these areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres.

Reason: In the interests of road safety and traffic movement, in accordance with Policy GP4 of the Newport Local Development Plan 2011 -2026 (Adopted January 2015).

05 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, in accordance with Policy GP4 of the Newport Local Development Plan 2011 -2026 (Adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: PL01_C Site Plans Existing & Proposed, 2026.578 PL02 A - Existing/Proposed Floor Plans and Elevations, Planning Design and Access Statement February 2026, Green Infrastructure Statement February 2026.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5 and GP6 were relevant to the determination of this application.

As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.

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.