

Delegated Decision Report

Application No:	25/0134	Statutory Period Expires:	17th April 2025
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Site:	69 St Julians Road Newport NP19 7RU		
Proposal:	NEW PALLET SEATING (PART RETROSPECTIVE)		
Applicant:	J Tadman		
Type:	Full	Ward:	St Julians
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 The site has previously been refused permission for retention of a fence over 1m and retention of decking to the front garden. This was for reasons of the privacy screen and proposed fence representing an obtrusive addition, to the detriment of visual amenity. A separate enforcement case is also open regarding the pallet seating and other development in the front garden.

2. SITE LOCATION AND CONTEXT

- 2.1 69 St Julians Road is a 2no storey semi-detached property in the St Julians ward. A majority of the properties on St Julians Road retain low brick walls with no additional boundary enclosure. Most properties have enclosed front gardens and some close by have hard surfaced these to create an amenity space in the front garden. The street has a pleasant amenity with evidence of public trees and grassed verges. The external walls of the properties on Howe Circle are a mix of painted renders and brick facing.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 It is proposed to erect pallet seating in the front garden measuring 3m in width and 1.7m in depth. The height of the backseat measures 1m in height while the height of the seat of the pallet measures 0.2m. The materials are proposed to be grey painted timber. The description states the proposal is part retrospective but the pallet seating appears to be complete on site with the owner in the process of removing unacceptable elements pursuant to the enforcement complaint.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
23/1139	RETENTION OF FENCE OVER 1M IN HEIGHT AND RETENTION OF DECKING TO FRONT GARDEN	R	22.02.2024

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
NONE

6. CONSULTATION RESPONSES

6.1 Highways Authority: No objection –

No highway impact is anticipated

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 20.02.2025.

7.1 NEIGHBOURS: 16no neighbours have been consulted and no response was received

8. ASSESSMENT

8.1 The House Extensions and Domestic Outbuildings SPG (Adopted January 2020) states that:

'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 pallet seating is to be constructed on the existing front garden with no proposal for raising the levels. It is proposed to be grey painted timber. There are few amenity spaces in the front gardens of houses nearby No69, namely No67 which has partially raised levels allowing chairs and tables to be placed on top of it. However, the front garden is set down from the highway and therefore, it is not a prominent addition to the streetscene. It is also in context of the area, being a front garden and already being an amenity space.

8.2 The House Extensions and Domestic Outbuildings SPG (Adopted January 2020) states that:

'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. In general, translucent screens and trellis panels are preferable to opaque screens and solid fencing. Ill-designed proposals, no matter how well they protect neighbours' privacy levels, will not be acceptable.'

There is no proposed privacy screen, however it is not considered to be a necessity as there is a boundary fence and the pallet seating will not be significantly raised above this. The seating looks out towards the road rather than towards the neighbouring property and the proposal gives rise to no overlooking issues over and above the existing situation. The proposal is not considered to cause a loss of privacy or afford views into the front garden of the neighbouring property that would otherwise not be visible from the streetscene.

8.3 The House Extensions and Domestic Outbuildings SPG (Adopted January 2020) states that:

'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 pallet seating is not perceived to adversely affect the neighbouring property by means of a loss of daylight or overbearing effect as, while it slightly surpasses the height of the boundary fence, it is of insignificant depth and therefore will not restrict light to the neighbouring property's front garden.

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 pallet seating, whilst unusual is not of significant scale or impact and is not considered to be harmful to visual amenity as the garden is slightly set down from the highway and the seating is set back from the front boundary. Planning permission is therefore granted with conditions.

11. DECISION

GRANTED WITH CONDITIONS

01 PLANS CONDITION

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

- plans and elevations existing and proposed PL01 Rev B

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

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- plans and elevations existing and proposed 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 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.