

APPLICATION DETAILS

No: 26/0054 **Ward:** Tredegar Park And Marshfield

Type: Full

Expiry Date: 15th April 2026

Applicant: N Howells

Site: White Gates Outfall Lane St Brides Wentlooge Newport NP10 8SS

Proposal: PROPOSED DETACHED GARAGE AND DETACHED GARDEN ROOM

Recommendation: GRANTED WITH CONDITIONS

1. INTRODUCTION

- 1.1.1 This application comprises of housholder development and has been reported to Planning Committee at the request of Councillor Screen and Councillor Howells.
- 1.1.2 The proposed development has been screened under Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is concluded that the development is unlikely to have a significant environmental effect and is not EIA development.
- 1.1.3 Previously consent was granted for a replacement dwelling on this site granted under application ref: 23/0379, this consent is currently being implemented. Condition 9 of consent 23/0379 limited permitted development rights on the site relating to Schedule 2, Part 1 within Classes A, B, C, D, or E of the Town and Country Planning (General Permitted Development) Order 1995.

2. RELEVANT SITE HISTORY

Application Number	Proposal Description	Decision
25/0276	S73 APPLICATION TO VARY CONDITION 9 (REMOVAL OF PD RIGHTS) OF 23/0379 DEMOLITION AND REMOVAL OF EXISTING DWELLING AND CONSTRUCTION OF NEW DWELLING (RE-SUBMISSION FOLLOWING REFUSAL OF 22/1223)	Refused 29.05.2025
24/0683	PARTIAL DISCHARGE OF CONDITION 3 (MATERIALS) OF 23/0379 DEMOLITION AND REMOVAL OF EXISTING DWELLING AND CONSTRUCTION OF NEW DWELLING (RE-SUBMISSION FOLLOWING REFUSAL OF 22/1223)	Granted 03.10.2024
23/1146	PARTIAL DISCHARGE OF CONDITION 2 (CEMP) OF 23/0379 DEMOLITION AND REMOVAL OF EXISTING DWELLING AND CONSTRUCTION OF NEW DWELLING (RE-SUBMISSION FOLLOWING REFUSAL OF 22/1223)	Granted 22.02.2024
23/0379	DEMOLITION AND REMOVAL OF EXISTING DWELLING AND CONSTRUCTION OF NEW DWELLING (RE-SUBMISSION FOLLOWING REFUSAL OF 22/1223)	Granted with conditions 06.12.2023

22/1223	DEMOLITION AND REMOVAL OF EXISTING DWELLING AND ERECTION OF A NEW DETACHED DWELLING	Refused 27.04.2023
03/1280	SINGLE STOREY REAR EXTENSION	Granted with conditions 04.11.2003
99/0341	CHANGE OF USE FROM AGRICULTURAL LAND TO DOMESTIC GARDEN (RESUBMISSION)	Granted with conditions 31.10.2000
98/0978	CHANGE OF USE FROM AGRICULTURAL LAND TO GARDEN	Refused 05.11.1998
95/0239	PROPOSED NEW ROOF STRUCTURE PROVIDING ADDITIONAL RESIDENTIAL ACCOMMODATION AND ASSOCIATED BUILDING WORKS	Granted with conditions 26.05.1995

3. POLICY CONTEXT

3.1 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 4 – Supporting Rural Communities

Policy 8 - Flooding

Policy 9 - Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

3.2 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.

3.69 - A general presumption against development which is inappropriate in relation to the purposes of the designation.

3.60 - new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

6.2.11 The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, informed by an appropriate level of assessment, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, help to overcome the potential for conflicting objectives, and contribute to health and well being outcomes.

6.3.2 The landscapes of Wales are rich and varied. Many Welsh landscapes are iconic, and a quarter of the land area of Wales is designated as either a National Park or Area of

Outstanding Natural Beauty (AONB). The character and special qualities of all our places and landscapes, both urban and rural, can provide a strong sense of place, inspiration and belonging, and contribute to the distinctive cultural identity of Wales.

6.3.12 Planning authorities should provide for the conservation and, where appropriate, enhancement of local landscapes. This may include policies for landscape features, characteristics and qualities of local significance, and the designation of Special Landscape Areas (SLAs).

6.3.13 SLAs are non statutory designations that define local areas of high landscape importance, which may be unique, exceptional or distinctive to the area. Planning authorities should apply these designations where there is good reason to believe that normal planning policies cannot provide the necessary protection.

6.4.5 Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems. 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, measurable and demonstrable benefit, primarily on or immediately adjacent to the site.

3.3 TECHNICAL ADVICE NOTES

- Technical advice note (TAN) 5: nature conservation and planning
- Technical advice note (TAN) 6: planning for sustainable rural communities
- Technical advice note (TAN) 12: design
- Technical Advice Note (TAN) 15 Development, flooding and coastal erosion

3.4 Newport Local Development Plan 2011 – 2026 (Adopted January 2015)

- SP1 – Sustainability
- SP3 – Flood Risk
- SP4 –Water Resources
- SP5 – Countryside
- SP7 – Green Wedge
- SP8 – Special Landscape Area
- GP2 – Amentiy
- GP4 – Highways and Accessibilty
- GP5 – Natural Environment
- GP6 – Quality of Design
- GP7 – Environmental Protection and Public Health
- CE4 – Historic Landscapes, Parks, Gardens and Battelfields
- CE6 – Archaeology
- CE7 – Conservation Areas
- T4 – Parking

3.5 Adopted Supplementary Planning Guidance

- Parking Standards
- House Extensions and Domestic Outbuildings

4. CONSULTATIONS

4.1 DWR CYMRU WESLH WATER:

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We would request if minded to grant planning consent, that the following Condition and Advisory Notes are included to ensure no detriment to existing residents or the

4.2 GLAMORGAN GWENT ARCHAEOLOGICAL TRUST:

Thank you for notifying us of this application; consequently, we have reviewed the detailed information contained on your website and can confirm that archaeological mitigation is not required. We have reviewed the area against the information in the regional Historic Environment Record (HER) which shows as follows:

The proposed works are within the Archaeologically Sensitive Area of Newport, and Registered Historic Landscape of the Gwent Levels, specifically the Characterisation Area of Western St. Brides (HLCA016). A review of the 1st – 3rd Edition (1883, 1901, 1920) historic Ordnance Survey maps show no archaeological features in the works area. The proposal includes a detached garage and garden room. The works are of small scale, and with our understanding of the historic environment, it is unlikely that significant archaeological features will be encountered or that existing features will be disturbed. Therefore, the potential impact is considered low.

As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

If you have any questions or require further advice on this matter, please do not hesitate to contact us.

4.3 NATIONAL RESOURCES WALES:

We have no objection to the proposed development as submitted and provide the following advice.

Flood Risk

The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 3 (Sea) and the Technical Advice Note 15 (TAN 15) Defended Zone.

Given the scale and nature of the proposed development (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

We provide advice on our website Natural Resources Wales / Preparing for a flood which may be useful for the developer or occupant of the proposal.

Protected Sites

The site is located partially within the Gwent Level – St Brides Site of Special Scientific Interest (SSSI).

We have considered the information submitted in support of the above planning application. Based on the information submitted, we consider that the proposed development is not likely to damage the notified features of the Gwent Levels – St Brides SSSI.

Modifications to the proposed development may affect our view, and should merit a further consultation with us.

Other Matters

The advice in this letter relates to matters which are included on our consultation topics list. We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development.

Please refer to our website for further details.

Advice for the Developer

Pollution Prevention

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website.

If you have any queries on the above, please do not hesitate to contact us.

5. INTERNAL COUNCIL ADVICE

5.1 Heritage Officer:

I have no concerns from an above-ground heritage perspective but would highlight that the proposed is located within the Archaeological Sensitive Area of Gwent Levels and therefore a response from Henneb should be considered prior to any determination.

5.2 Highways Officer:

The proposals are not anticipated to have any adverse impact on highway matters.

5.3 Landscape officer:

A revised Proposed Block Plan 16 Feb is submitted, this now shows the garden room offset from the rear garden boundary fence to enable approved planting to be accommodated, frontage treatment is also confirmed as approved [also shown on the submitted 'Revised Proposed Landscape Plan'].

It would help mitigation if the approved landscape scheme can be confirmed as implemented or that at least planting will not be delayed by application 26/0054 [if approved] as planting obviously takes time to establish.

No further comments.

6. REPRESENTATIONS

6.1 In accordance with the publicity requirements set out in The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 letters were sent to the neighbouring properties on 09/02/2026 and a site notice was erected in the vicinity of the application site on 13/02/26. Two objections to the application were received the key points of the objections are included below:

1. Detrimental effects of proposed buildings on boundary hedges
2. Increased surface runoff
3. Overdevelopment of land and not complying with policies SP7 and H12.

6.2 COMMUNITY COUNCIL:

Wentlooge Community Council wish to object to the above application on the grounds of Policy conflict, cumulative overdevelopment, landscape impact, and inconsistency with previous planning decisions, including the long-standing restriction on permitted development rights.

1. Background – Permitted Development Rights Removed for Policy Reasons

The replacement dwelling approved under 23/0379 already exceeded Welsh Government guidance for rural extensions. As noted by neighbours in relation to application 25/0276, the approved dwelling represents a 59% increase, almost double the 30% guideline for rural areas. This is confirmed in the Planning Committee report, which imposed the following condition:

“No development within Classes A, B, C, D or E shall be carried out without the express permission of the Local Planning Authority... to protect the amenities of occupiers of adjoining properties and to control future development... in the interests of the openness of the Green Wedge.”

This condition has been in place since at least 99/0341 and has never been removed. It remains necessary and relevant.

The applicant's current proposal seeks to add two substantial new buildings (33m² garage and 48m² garden room), despite the fact that the dwelling already exceeds rural size thresholds and sits within multiple sensitive designations.

2. Sensitive Landscape Designations – Heightened Need for Restraint

The site lies within several nationally and locally important designations:

- Special Landscape Area (Wentlooge Levels) – SP8
- Site of Special Scientific Interest (Gwent Levels – St Brides)
- Green Wedge (Newport and Cardiff) – SP7
- Countryside – SP5
- Archaeologically Sensitive Area
- Landscape of Outstanding Historic Interest

These designations require strict control of incremental development, particularly where cumulative massing threatens openness or rural character.

The applicant's previous supporting letter claims the outbuildings *“will not appear as an incongruous form of development, nor will they result in any demonstrable harm to the Special Landscape Area, countryside, or green wedge.”*

However, this is an assertion, not an assessment, and is contradicted by:

- the scale and permanence of the proposed structures,
- the cumulative footprint when combined with the oversized replacement dwelling, and
- the long-standing planning history restricting further built form.

3. Conflict With Approved Landscape Scheme (23/0379)

The Council's Countryside & Conservation Officer initially raised clear concerns:

“The proposed garden room is offset only around 1m from the neighbouring fence line... there is insufficient room and therefore a clash between the proposals and the approved landscape scheme rev A under application 23/0379.” (NCC Landscape Comments, 12 Feb 2026)

This demonstrates that the proposal physically conflicts with the landscaping that was required to mitigate the impact of the new dwelling.

Although a revised plan was later submitted, the officer still required confirmation that the approved planting has actually been implemented:

“It would help mitigation if the approved landscape scheme can be confirmed as

implemented... planting obviously takes time to establish.”
(NCC Landscape Comments, 27 Feb 2026)

Given that vegetation on the site was previously cleared, neighbours have already reported increased surface water run-off onto adjoining land and the lane. Until the approved planting is fully established, any additional built form will worsen these impacts.

4. Cumulative Overdevelopment of the Plot

The applicant argues that neighbouring properties have multiple outbuildings. However:

- Those properties did not receive a 59% oversized replacement dwelling,
- They retain agricultural land restrictions, and
- They are not subject to the same long-standing PD removal conditions.

The applicant's comparison is therefore misleading. The land is now lawful residential curtilage, and planning decisions must be based on its current use. The only relevant restriction that prevents outbuildings is the long-standing removal of permitted development rights on the applicant's plot, imposed to protect the Green Wedge and neighbouring amenity. Comparisons with neighbouring land designations carry no weight.

The proposed garage and garden room together total 81m², exceeding the footprint of the former outbuildings (68m²) referenced in the applicant's letter. The garden room does not need to be the size The previous structures were also: *“unfit for use and structurally unsafe... the reason for removal.”*

Their removal was not a licence to replace them with larger permanent masonry constructed, modern structures in a sensitive landscape.

5. Impact on Neighbouring Amenity

The original PD restriction was imposed partly: *“To protect the amenities of occupiers of adjoining properties.”*

Neighbouring residents have already raised concerns that the new dwelling is significantly more imposing than the original bungalow. Additional built form—particularly a 48m² garden room close to boundaries—will further erode privacy, outlook, and rural character.

The applicant's assertion that the proposal *“will not harm the amenity of neighbouring occupiers”* is not supported by any assessment.

6. Prematurity – Appeal on PD Removal Still Undetermined

The applicant has appealed the refusal of 25/0276 (removal of PD rights). Until that appeal is determined, the PD restriction remains in force.

It would be inappropriate to approve substantial new outbuildings while the Inspector is considering whether unrestricted development would harm the Green Wedge and neighbouring amenity.

7. Policy Conflict

The proposal conflicts with:

- SP7 – Green Wedge (protect openness)
- SP8 – Special Landscape Areas
- GP5 – Natural Environment, particularly:

“the proposal includes an appropriate landscape scheme which enhances the site and wider context including green infrastructure and biodiversity networks.”

The scheme does not enhance the landscape; it adds further built mass and disrupts the approved mitigation planting.

Conclusion

For the reasons above, the proposal represents unjustified, cumulative overdevelopment within a highly sensitive landscape, contrary to long-standing planning controls and the rationale for removing permitted development rights.

WCC therefore respectfully request that planning application 26/0054 be refused.

6.3 COUNCILLORS:

6.3.1 Cllr Screen and Cllr Howells has requested that the application is presented to Planning Committee due to potential impact with regard to character of the area.

7. ASSESSMENT

7.1 SITE LOCATION AND CONTEXT

7.1.1 The application site is located on the east side of Outfall Lane which links to the wider road network B4239 to the north, and forms part of a run of 4no. detached dwellings situated within generous plots. Outfall Lane is relatively narrow and leads to the flood defences adjacent the Severn Estuary. The site is surrounded by open fields and commercial developments at Greenmoor Nurseries and Walnut Tree Farm Park.

7.1.2 The application site is located outside of the defined settlement boundaries, and therefore for the purposes of planning is located in the Countryside, and within an archaeologically sensitive area, Flood Zone 3 as shown on Natural Resources Wales (NRW) Flood Maps for Planning (FMfP), undeveloped coastal zone, countryside, Green Wedge, Special Landscape Area (SLA), Historic Landscape Area and a Site of Special Scientific Interest (SSSI).

7.2 DESCRIPTION OF DEVELOPMENT

7.2.1 The application is seeking consent for the construction of a detached double garage located to the front of the dwelling that will be set 1.2m off the common boundary with the neighbouring property and will measure 5.5m in depth, 6m in width, 2m in height to the eaves and 3.5m in height to the ridge. Externally, the proposed garage will adopt a gable roof design and will be constructed of cream render with stone cladding at its base and dark grey concrete tiles to match the existing dwelling.

7.2.2 Additionally, the application is seeking consent for a detached outbuilding located to the rear of the property. The proposed outbuilding will measure 4m in depth, 12m in width, 2.2m in height to the eaves and a maximum height of 2.5m. Externally, the proposed outbuilding will adopt a mono-pitched roof and will be constructed of cream render with stone cladding at its base and single ply membrane to match the existing dwelling. The detached outbuilding would be positioned to the rear of the property, on the northern side of the site. It would be located approximately 5 metres from the existing dwelling and positioned around 1.7 metres from the shared boundary with the neighbouring property, Willobrook.

7.2.3 The application includes proposed landscaping and planting across the site. Along the western front elevation, adjacent to Outfall Lane, it is proposed to provide approximately 75 sqm of wildflower planting, followed by a 1.8m high Carpinus betulus hedgerow. To the rear of this, two rain gardens are proposed, together with a pond. On the northern side elevation, three Betula nigra trees are proposed alongside a native hedgerow mix to be maintained at a height of 1.8m. Similarly, the southern side elevation would comprise two Alnus glutinosa trees, together with a native hedgerow mix maintained at 1.8m in height. To the rear (eastern) elevation of the site, the planting scheme includes two Pyrus species on Quince A rootstock and three Malus species on MM106 rootstock

7.3 Principle of Development:

- 7.3.1 The application site comprises of an existing dwelling located outside of the defined settlement boundary and within the countryside. As the dwelling is existing there is no in principle objection to development ancillary/incidental to the existing residential use subject to the development satisfying other material considerations.

7.4 Visual Amenity/ Character and Appearance:

- 7.4.1 The application site is within the open countryside and within an SLA, accordingly the location and setting are considered to be extremely sensitive therefore, the standard of design for any proposed development will need to be high and clearly demonstrate that no harm would arise from the proposal in order to be considered favourably. The existing dwelling is located in a run of 4.no dwellings and is surrounded predominately by open fields. Therefore, any development must be appropriate for its context in terms of scale, design and material finishes. LDP Policy SP5 relates to development in the countryside and states that development beyond the defined settlement boundaries 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.
- 7.4.2 The proposed outbuilding would be positioned in the rear garden and therefore would not be readily visible from the public realm, accordingly any visual impact arising from the outbuilding would be limited. The outbuilding is proposed to be constructed out of cream render with stone cladding at its base and single ply membrane roof, the elevational finish is proposed to match the existing dwelling, therefore resulting in a visually coherent development with the existing dwelling that is appropriate for its context. The outbuilding is proposed with a limited scale and height and is positioned against the side boundary with the neighbouring property, the outbuilding would be sited parallel to the outbuildings within the neighbouring dwellings rear garden and therefore appear coherent and avoids any sporadic development within the plot that could appear as incongruous or harmful to the character and appearance of the area. Therefore, the proposed outbuilding is considered to be in accordance with policy GP6 and SP5.
- 7.4.3 The proposed double detached garage will be situated to the front of the dwelling and therefore will be readily visible within the public realm. However, the overall scale and sitting of the garage in relation to the existing dwelling, neighbouring properties and street scene is deemed to be acceptable offering no adverse impact to the openness of the surrounding area or special character of the countryside or SLA. Moreover, the garage is proposed to adopt a gable roof and be constructed out of materials that match the existing dwelling. This would result in proposal that compliments the existing dwelling and would not result in an unacceptable impact to the visual amenity of the area. Furthermore, it is acknowledged that the neighbouring property Greenfields has a garage that is of similar size, siting and design as the proposal, therefore it is considered that the proposed development is not out of character with the pattern of development in the area. Therefore, the proposed garage is considered to be in accordance with policy GP6 and SP5.
- 7.4.4 The Landscape Officer has been consulted on this application and is satisfied that the proposed development would not have any adverse impact upon the character and appearance of the area or wider landscape. The proposed hedgerow on the front elevation of the site would be visible from the public realm, however it is to be made up of native species and therefore it is not considered to have an adverse effect on the character of the area. Furthermore, it is deemed the hedge would have a positive effect on the existing dwelling and proposed detached garage providing a softer integration between the built form of the site and the surrounding character of the countryside. As well as this, the proposed hedgerow on the side elevations of the site would be made up of native species and therefore would not result in a detrimental impact to the surrounding countryside.

7.5 Residential Amenity:

- 7.5.1 The proposed outbuilding would be situated 1.7m from the common boundary with the closest neighbouring dwelling and is proposed with a maximum height of 2.5m. The outbuilding would be sited adjacent to the outbuildings within the neighbouring dwellings rear garden. Given the limited scale of the outbuilding, its position and orientation facing

into the plot, the intervening boundary treatments, the set off from the existing dwelling it is not considered that the proposed development would result in any unacceptable impact upon the living conditions of neighbouring occupiers.

- 7.5.2 The detached double garage is proposed with a maximum height of 3.5m and is positioned with a 1.2m set off from the neighbouring property. Due to the position, scale and siting of the garage in relation to the neighbouring dwelling, it is considered the proposed development would be acceptable avoiding any unacceptable impact in respect of outlook, overbearing or overlooking impact and therefore in accordance with Policy GP2 of the LDP.

7.6 Highways:

- 7.6.1 The Local Highways Authority (LHA) was consulted on the application and raised no objection citing that the proposal would not have any adverse impact on highway matters. It is noted that there will remain sufficient space within the plot for vehicular parking and for the safe access/egress of vehicles. No concern is raised in relation to highway safety.

7.7 Flood Risk and Drainage:

- 7.7.1 The FMfP that accompanies TAN15 shows the application site to be located within a defended zone/Flood Zone 3. TAN 15 states that the proposal needs to be both justified and the consequences of development found to be acceptable. Natural Resources Wales have stated that the proposal would not change the vulnerability of the site or impact the level of flooding experienced elsewhere and no objections were raised. As a result, it is considered that the proposal is acceptable in terms of flood risk.
- 7.7.2 Welsh Water were consulted on the application and offered no objections in relation to the proposed development but requested a condition to be attached to the decision restricting surface water from draining directly or indirectly to the public sewerage system, as surface water management is controlled via separate legislation it would not be appropriate to attach such a condition to a planning consent.
- 7.7.3 The proposed development is of small scale and would not trigger the requirement for SuDS. There is no evidence to suggest that the development will have any unacceptable adverse impact upon flooding or surface water drainage within the immediate area.
- 7.7.4 Additionally the application site is located within the undeveloped coastal zone, given that the property is existing and the land benefits from an existing residential use there is no in-principle objection to the development nor has any policy conflict been identified that would result in planning consent being withheld on this basis.

7.8 Biodiversity:

- 7.8.1 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. In this case, a landscape planting scheme has been proposed, this is considered to be appropriate and commensurate to the scale and context of the development. An appropriately worded condition will be attached to the decision to secure the implementation of the proposed landscaping / planting.
- 7.8.2 The application site is within the Gwent Levels SSSI, accordingly consideration is given to the impact of the development upon the special features of the SSSI. In this case as the proposed development is minor in scale and incidental to the existing residential use of the plot no concern or objection is raised in respect of the impact on the SSSI nor has any policy conflict been identified that would preclude the development progressing to a positive determination on this basis.

7.9 Heritage:

- 7.9.1 The Council's Principal Heritage Officer was consulted on the application and had no concerns from an above ground heritage perspective, offering no objections. However, they stated that the site is located within an Archaeological Sensitive Area and that a response from HENEB should be considered prior to any determination.

7.10 Archaeology:

- 7.10.1 The site is located within an archaeologically sensitive area. However, the development is of small scale and HENEB (previously Glamorgan Gwent Archaeological Trust) advise that there is no objection to the positive determination of the scheme. Therefore, the proposal accords with Policy CE6.

7.11 Response to third parties:

- 7.11.1 Two objections were raised by neighbours. The first objection makes reference to potential impacts to the boundary hedge, however, the garden room is to be offset 1.7m. As a result, the Landscaping Officer has deemed the proposed development acceptable, citing that the proposal enables the approved planting to be accommodated. As well as this, the neighbour made reference to the increase in impermeable surface areas leading to the potential increased surface runoff and therefore increased flooding. However, NRW and Welsh Waters were consulted on the application and raised no concerns regarding the potential surface water runoff. Furthermore, it is the view that there is sufficient permeable land within the site and therefore it is not considered to result in a adverse impact on the amount of surface runoff experienced.
- 7.11.2 The second neighbour objection raises concerns regarding an increase in the overall built volume on the site. Whilst it is acknowledged that the site is located within the countryside and that a Site of Special Scientific Interest (SSSI) lies to the rear of the property, reference is made to Policy H12, which is not considered relevant in this instance. Policy H12 relates specifically to replacement dwellings in the countryside, for which consent is not being sought as part of this application. A previous consent was granted for a replacement dwelling however as part of that proposal permitted development rights were restricted and therefore the outbuilding requires consent to ensure that no harm to the open character of the area would be experienced, this proposal is not considered to result in any such harm.
- 7.11.3 The objection also refers to Policy SP7; however, this policy relates to extensions that result in an increase in the size of a dwelling, rather than the erection of outbuildings. As such, it is not directly applicable to the proposal. Notwithstanding the above, due regard has been given to the site's sensitive location and the proposal has been carefully assessed in terms of its impact on local character. As discussed earlier in this report, the scale, positioning, and design of the proposal are considered acceptable and would not result in an unacceptable impact on the character of the site or the surrounding area.
- 7.11.4 The Wentlooge Community Council (WCC) were also consulted on the application and raised an objection due to a number of reasons. WCC make reference to the previous condition attached to the site restricting the Permitted Development rights within Classes A, B, C, D or E. This condition was attached to ensure that incremental development on site does not harm the open character of the countryside/SLA, it does not preclude development on site subject to planning consent being obtained. As a result, the proposal was assessed against the relevant policies and was deemed to not result in an unacceptable harm to the site or the surrounding openness of the countryside. Furthermore, WCC state that the development would have an adverse impact on the residential amenity of the neighbouring property. However, this view is not shared by the LPA for the reasons stated in earlier sections of this report.
- 7.11.5 Furthermore, WCC raised concerns surrounding conflicts with the landscaping schemes. However, the NCC landscape Officer raised no objections to the revised landscaping plan and therefore it is determined that the siting of garage and outbuilding are situated with enough distance to result in no clashes with the proposed landscape plan. Furthermore, WCC have asked that planting is implemented before anymore development occurs on site, nevertheless, as mentioned before in the report a condition will be attached to the decision that will secure the planting to be implemented before the first beneficial use of the proposed garage and outbuilding.
- 7.11.6 WCC has also raised concerns regarding the cumulative overdevelopment of the plot and potential conflict with Policies SP7, SP8, and GP5. However, as previously noted, an existing condition removes permitted development rights to ensure that any proposed outbuildings require planning consent, thereby allowing their impact to be properly assessed and controlled. In this instance, the proposal is not considered to result in

overdevelopment of the site. The application site is of a generous size and would continue to retain a substantial amount of undeveloped land. As such, the proposal would not result in harm to the character of the surrounding countryside or to the residential amenity of neighbouring properties. Policies SP7, SP8, and GP5 have been given full consideration during the assessment of this application and, for the reasons outlined above and elsewhere in this report, the proposed development is not considered to result in an unacceptable impact on the character of the site or the wider area

11. OTHER CONSIDERATIONS

11.1 *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.

11.2 *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.

11.3 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.

11.4 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.

11.6 *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.

11.7 *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.

12. CONCLUSION

12.1 The proposed development is considered to accord with the aims and objectives of the

relevant policies contained within the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and National Planning Policies therefore, the application is hereby recommended for approval

13. RECOMMENDATION GRANTED WITH CONDITIONS

1. The development shall be implemented in accordance with the following plans and documents: Site Location Plan, Proposed Landscape Plan, Proposed Block Plan, Proposed Garage Plan, Proposed Garden Room Plan
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.
2. The materials used to finish the development shall be implemented in accordance with following plans Proposed Garage Plan and Proposed Garden Room Plan prior to the first beneficial use of the development and retained as such for the lifetime of the development.
Reason: To ensure the development is completed in a manner compatible with its surroundings, in accordance with Policy GP6 of the Newport Local Development Plan (adopted January 2015).
3. The Landscaping scheme as shown on approved plan Proposed Landscape Plan, shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved and retained as such for the lifetime of the development.
Reason: In the interest of ecology and biodiversity, in accordance with Policy 9 of Future Wales and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan, Proposed Landscape Plan, Proposed Block Plan, Proposed Garage Plan, Proposed Garden Room Plan

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP4, SP5, SP7, SP8, GP2, GP4, GP5, GP6, GP7, CE4, CE6, CE7, T4 were relevant to the determination of this application.

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

04 The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

05 Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website.

06 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.