

Delegated Decision Report

Application No:	25/0337	Statutory Period Expires:	4th July 2025
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Site:	7 Greenmeadow Road Newport NP19 4LP		
Proposal:	DEMOLITION OF EXISTING SHEDS AND CONSTRUCTION OF A NEW 7M X 3M SHED FOR CHICKENS		
Applicant:	M Bashir		
Type:	Full	Ward:	Liswerry
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 A recent application for the retention of outbuildings and the erection of a single storey rear extension (ref no.24/0191) was refused at the site for the following reason;

By reason of their location, scale and design the outbuildings represent prominent, unsympathetic and poor-quality additions to the side of the property that detract from the character and appearance of the host dwelling and wider streetscape to the detriment of visual amenity. This is contrary to policies GP2 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

The application sought to retain three outbuildings of varying scale and design to the side of the dwelling. Owing to the siting of the buildings as well as their mismatched scale and finish, it was considered that they resulted in unsympathetic and poor-quality buildings within a prominent location.

2. SITE LOCATION AND CONTEXT

- 2.1 The property is sited within settlement in the Liswerry ward. It is one of a pair of semi-detached properties and is located on the corner of Greenmeadow Road and Greenmeadow Avenue. The property benefits from front, side and rear gardens.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 Planning permission is sought to demolish the existing 3no outbuildings that are located to the side of the dwelling but do not have planning permission and erect a new outbuilding that would measure a width of 7m, a depth of 3m and a height of 2.75m for use as a chicken shed. The building will have a flat roof.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0191	RETROSPECTIVE APPLICATION FOR OUTBUILDINGS AND PROPOSED SINGLE STOREY EXTENSION TO REPLACE EXISTING CONSERVATORY	REFUSED	25/04/2024
24/0506	PROPOSED SINGLE STOREY EXTENSION (TO REPLACE EXISTING CONSERVATORY) AND NEW VEHICLE ACCESS AND PARKING AREA	REFUSED	23/01/2025

5. **PLANNING POLICY**

5.1 The National Development Framework: Future Wales - the National Plan 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 Planning Policy Wales (Edition 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 Newport Local Development Plan (2011-2026)

- GP2 (General Amenity)
- GP6 (Quality of Design)
- GP7 (Environmental Protection and Public Health)

5.4 Supplementary Planning Guidance

- House Extensions and Domestic Outbuildings

6. **CONSULTATION RESPONSES**

6.1 Environmental Health: No comments received.

6.2 Senior Scientific Officer: No comments received.

7. **PUBLIC REPRESENTATIONS**

Neighbour and Ward member notification letters were sent on 12th May.

7.1 NEIGHBOURS:

3 Greenmeadow Road

- The proposed shed sized 7m x 3m - with only Greenmeadow Avenue separating my garden and a shed this sized - would feel very intrusive.
- How many birds would you estimate in a shed of this size? Because although I quite like the sound of birds, chicks and cockerels included, but on this scale, in a back garden it would be not be a "pet" sort of size. A shed this size would only be indicated for a commercial purpose.
- I should also like to know what precautions there would be to prevent an infestation of rats, which are already a huge problem without adding to the number.
- For these reasons, I oppose this proposal.

6 Greenmeadow Road

- The current situation with keeping chickens is an eye sore. Cockeral sounds all day from 4am every morning. The smell during the summer period is disgusting. Chickens get loose onto the road and get killed. I have found dead chickens in my front garden. The fencing that is currently there is a disgrace.

3 Greenmeadow Avenue

- Firstly, as an animal lover and former chicken keeper myself, I would like to state that I am in no way opposed to the keeping of chickens in gardens, per se. Many neighbours have been upset by the noise that the cockerels make crowing early in the morning, but I do not find this a nuisance in any way at all. The cock-a-doodle-doo of a rooster, however early, is preferable to me to the usual noise in our local area of yapping dogs and loud exhausts.
- However, since the arrival of the chickens at Greenmeadow Road, the area, the streets and our gardens have been plagued with what can only be described as an ABSOLUTE INFESTATION of RATS. They can be seen daily, in the roads and in our gardens. This was never an issue before the arrival of the chickens.
- My 14-year-old cat has been managing to catch, on average, a rat a week. Unfortunately, he then thinks its ok to bring them in through the cat flap, so I have regularly awoken to find a dead rat in my kitchen. Sadly, last week, while "ratting" in the road (seen on CCTV stalking), my cat was struck by a car, ran away, and has not been seen since.
- Also, given that the property backs onto the patch of what *looks* like disused land in Greenmeadow Avenue, where there have been longstanding issues of the property owner abandoning old vehicles on the land, and on the street outside this patch; basically, dumping rubbish there, only exacerbates the rat problem. The vehicles are taxed if on the roads, so technically not illegally parked, but an incredible eyesore and nuisance which the Council have had many, many reports of over the last few years. As I say, this is a separate issue, which has been reported to the Council on numerous occasions but is also massively enabling the chicken/rat problem.
- Of note, conversations with neighbours have highlighted that there are houses on Greenmeadow Road whose owners claim the property deeds deem the keeping of chickens to be kept to no more than six chickens. Further conversations with neighbours also highlight the concern that the proposer may be running an (un-licensed -?) egg-selling business from the property. These are interesting points that the Council could possibly investigate further.
- Another issue with keeping chickens in Greenmeadow Road is that the owner of the proposing property likes to burn his chicken bedding and waste in his garden, often on a Sunday afternoon, and the smell is intolerable.
- Again, as a former chicken keeper, I have no opposition to a small, CLEAN, well-maintained coop and a small, manageable brood of garden/pet chickens kept with good standards of animal husbandry, kept as pets, and to produce just enough eggs for personal use. However, the large number of chickens kept on Greenmeadow Road has become unmanageable.
- Furthermore, the property is an eyesore with mismatched and poorly maintained fencing, and the increase in weeds, possibly caused by chicken feed (?), in and around the property, add to this. This badly affects the visual appeal of the area, and no doubt the value of our properties.
- Therefore, wish to STRONGLY OPPOSE this proposal, and I urge the Council to decline this application, for the following reasons, including my own, and my neighbours', concerns regarding: - NOISE, SMELLS, RAT INFESTATION HYGIENE AND CLEANLINESS, CONCERNS ABOUT ANIMAL WELFARE STANDARDS, WEEDS/GENERAL MAINTENANCE AND "AMBIANCE" OF THE AREA

4 Greenmeadow Avenue

- I am writing to formally object to planning application 25/0337. This marks the third attempt to gain approval for such a structure, with both previous applications having been rightfully rejected.
- Odour and Health Concerns: The persistent smell emanating from the existing chickens has become a significant issue, particularly during warmer months. This odour adversely affects the quality of life for my family and raises concerns about potential health implications for my two young children.
- Noise Disturbance: The noise generated by the chickens, especially during early morning hours, disrupts the peace and quiet of our neighbourhood. This constant disturbance is detrimental to the well-being of my family.
- Previous Rejections: The fact that this is the third application indicates a pattern of disregard for the council's decisions and the concerns of neighbouring residents. The reasons for previous rejections remain valid and should be upheld.

- Non-Compliance with Local Development Plan: The proposed development may conflict with Policy GP2 of the Newport Local Development Plan, which seeks to ensure that new developments do not have a significant adverse effect on local amenity, including in terms of noise and odours.
- I urge the council to consider the cumulative impact of this proposed development on the local community and to uphold the previous decisions to reject similar applications.

8. **ASSESSMENT**

8.1 **Visual Amenity:**

The proposed outbuilding would be sited in the north-east of the garden to the side of the house which runs along Greenmeadow Avenue. Whilst the outbuilding would be visible from public vantage points, it would still be a domestic building of modest scale and simple design within a garden in a residential area. It is proposed to be of low height and only marginally higher than existing close boarded fencing along the boundary. Whilst the materials of the outbuilding haven't been submitted for consideration, it is considered that this could be dealt with via condition. The building will abut the boundary of the highway and be set forward compared to other properties along Greenmeadow Avenue. Buildings in such positions can often appear incongruous. However in this case, the building is located within an area that is enclosed as a residential garden and existing close boarded fencing will largely screen it from views. It is therefore considered that owing to the location, scale and design of the proposed outbuilding, it would not result in an incongruous addition to the property and would not result in a harmful impact on visual amenity or detract from the character and appearance of the property or wider streetscape.

8.2 **Residential Amenity:**

In terms of potential impact on neighbouring amenity, to the north, Greenmeadow Avenue would separate the outbuilding from the dwelling (no.3) by a distance of approximately 19m. To the east, the outbuilding would be located approximately 12m from the nearest dwelling with an intervening vacant parcel of land. To the south, the outbuilding would be located approximately 10m from the boundary shared with the adjoining property. The outbuilding would not contain any windows in its side or rear elevations. Owing to its scale, design and distance from neighbouring properties, it is not considered that the building itself would result in a harmful impact on residential amenity by reason of overbearing impact, loss of light or privacy.

8.3 **Biodiversity/Green Infrastructure:**

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 LDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. Whilst the applicant has not indicated any measures as part of the application, it is considered reasonable and necessary in this instance to secure a scheme of biodiversity enhancement measures by condition to ensure that a net benefit is provided to biodiversity as part of this application.

In accordance with Chapter 6 of PPW 12 due regard has been given to the fact that the application should be accompanied by a Green Infrastructure Statement, however given the scale of the development proposed it is not considered proportionate to request one in this instance.

8.4 **Other Issues**

Comments have been received from a number of neighbouring properties objecting to the application. It should be noted that only material planning considerations can be taken into account when assessing the merits of the application. Both noise and odour complaints are being investigated by other departments within the Council and are best dealt with by other regulatory authorities. The application is for a householder outbuilding for purposes incidental to the occupation of the site as a dwelling and is acceptable in this regard.

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 Owing to its location, scale and design it is considered that the erection of the outbuilding would not result in a harmful impact on visual or residential amenity and planning permission is granted subject to the conditions below.

11. **DECISION**

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Site Plans Drawing No.B001, Proposed Floor Plans Drawing No.BREG-0007, Proposed Elevations Drawing No.BREG-0008, Proposed Elevations Drawing No.BREG-0009, Proposed Section Drawing No.BREG-0010 and Proposed Roof Plan Drawing No.BREG-0011.

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 work shall be commenced on the construction of the outbuilding until details of materials and finishes to be used on the external surfaces have been submitted to and

approved in writing by the Local Planning Authority. The development shall then be carried out using the approved materials.

Reason: To ensure that the development is completed in a manner compatible with its surroundings.

03 Prior to the commencement of development, a scheme of Biodiversity Enhancement Measure(s) and an Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Enhancement Measure(s) shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with policy GP5 and policy 9 of Future Wales.

04 The chicken shed shall only be used for a purpose incidental to the enjoyment of the dwellinghouse i.e. keeping chickens for personal use, and at no time shall it be used for commercial purposes. Reason: In the interest of residential amenity in accordance with policy GP2.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Plans Drawing No.B001, Existing Floor Plans Drawing No.BREG-0002, Existing Elevations Drawing No.BREG-0003, Existing Elevations Drawing No.BREG-0004, Existing Section Drawing No.BREG-0005, Existing Roof Plan Drawing No.BREG-0006, Proposed Floor Plans Drawing No.BREG-0007, Proposed Elevations Drawing No.BREG-0008, Proposed Elevations Drawing No.BREG-0009, Proposed Section Drawing No.BREG-0010 and Proposed Roof Plan Drawing No.BREG-0011.

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