

Delegated Decision Report

Application No:	26/0529	Statutory Period Expires:	8th September 2026
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Site:	9 Burberry Close Rogerstone Newport NP10 9JU		
Proposal:	DEMOLITION OF EXISTING CONSERVATORY AND CONSTRUCTION OF SINGLE STOREY REAR EXTENSION (RETROSPECTIVE)		
Applicant:	R Ghalta		
Type:	Full	Ward:	Rogerstone West
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is a detached dwelling situated within Rogerstone West. The application site is on a residential housing estate and within Flood Zone 2 (Rivers). To the West there are a few industrial units and a supermarket.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application is a retrospective application for the demolition of an existing conservatory, and the construction of a flat roof, timber clad, single storey rear extension.

The dimensions are as follows:

H: 2.6m

W: 4.1m (to roof overhang)

D: 8.3m (to roof overhang)

4. RELEVANT SITE HISTORY

None.

5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

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

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

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

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

- 5.3 Technical Advice Note
Technical advice note (TAN) 15: development, flooding and coastal erosion

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP2 (General Amenity)
Policy GP5 (Natural Environment)
Policy GP6 (Quality of Design)
Policy SP3 (Flood risk)

- 5.4 SUPPLEMENTARY PLANNING GUIDANCE
House extensions and domestic outbuildings SPG

6. CONSULTATION RESPONSES

- 6.1 None.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 20/07/2026, Site Notice was put up on 24.07.2026.

- 7.1 5no. neighbours were consulted. 2no. comments were received. The main concerns are outlined below.

15 Burberry Close

- The extension was constructed without prior notification to neighbouring residents.
- The development has resulted in a perceived loss of light to a home office room.
- The extension extends above the boundary fence and is located very close to the shared boundary.
- The scale and massing of the extension are considered disproportionate to the original dwelling and create an enclosed and oppressive effect for adjacent residents.
- The design and form of the structure are considered out of character with the surrounding properties within Burberry Close.
- The materials used are not considered to match either the host dwelling or the wider street scene.
- The extension is viewed as an overdevelopment of the plot, reducing the amount of open garden space available.

7 Burberry Close

- Overdevelopment of the site: Concerns that the extension occupies an excessive proportion of the plot, resulting in a significant loss of garden space and insufficient outdoor amenity area for the host dwelling.
- Scale, massing and footprint: The extension is considered disproportionately large in relation to the original dwelling and plot size.

- Visual impact and character: Concerns that the design, scale and appearance of the extension are out of keeping with the established character of Burberry Close and the surrounding area.
- Materials: Objection to the extensive use of timber cladding, which is considered inconsistent with the traditional brick-built character of neighbouring properties.
- Impact on neighbouring amenity: Concerns that the height, bulk and massing of the extension create an overly dominant and intrusive feature, resulting in a loss of outlook and a greater sense of enclosure when viewed from neighbouring properties and gardens.
- Precedent: Concern that granting retrospective permission could establish an undesirable precedent for similar forms of development that are out of character with the area.
- Retrospective nature of the application: Concern raised regarding the fact that the development has already been carried out and a request that planning permission be refused and enforcement action considered.

7.2 Graig Community Council: No comments received to date.

8. ASSESSMENT

8.1 Principle of Development

8.1.1 The application site is within the defined settlement boundary as shown on the proposals map that accompany the Newport City Council Local Development Plan, accordingly there is a presumption in favour of development, and the efficient use of land is encouraged.

8.2 Visual Amenity/ Character and Appearance

8.2.1 The extension is located to the rear of the application site and comprises a flat roof with timber cladding to the external walls. Whilst the extension is not visible from the front of the property, the orientation of the neighbouring dwellings means that it can be viewed from the side, as shown below and is therefore partly visible within the public realm and impacts upon the character and amenity of the area.



8.2.2 In terms of visual design, The House Extensions and Domestic Outbuildings SPG states,

5.2.1 Wherever possible, extensions should be built on the rear or least important elevations of properties. The size and form of every extension should be appropriate to the main building and the space around it. The extension is to the rear of the application site.

5.6.1 Roof form is an important factor in achieving a visually acceptable extension. Buildings that mix pitched and flat roofs, for instance, will lack unity. In order to achieve a coherent form of development, an extension should adopt the roof form of its parent building, replicating its pitch and architectural detailing (including external materials).

5.1.4 In all but exceptional circumstances, the external materials of an extension should be consistent with those of the existing building.

8.2.3 In assessing its impact with the SPG guidance above, it is acknowledged that the extension is located to the rear of the property, but the roof form does not replicate the pitched roof of the host dwelling contrary to the SPG. Despite this, the flat roof design reduces the overall height and visual prominence of the extension, thereby limiting its impact on both the street scene and neighbouring properties. Additionally, it is noted that flat roof extensions can be constructed without the need for planning consent under the Provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), weight has been given to this in the assessment of this application. Given its scale and location, a flat roof is acceptable in this regard in line with Policy GP6.

8.2.4 Moreover, although the external materials do not match those used on the main dwelling as stated within the SPG above, the timber cladding has a subdued and domestic appearance that is comparable to a timber boundary fence when viewed from the streetscene. As such, it does not appear incongruous within its setting and does not result in an unacceptable adverse visual impact that prejudices the character or amenity of the existing dwelling or wider area.

8.3 **Residential Amenity**

8.3.1 When assessing the impacts to neighbouring properties and loss of light/outlook, The SPG sets out light tests, The 25° test would be required where it relates to protected windows facing other buildings or relevant structures. To the rear of the property is no.15 Burberry Close. There is a separation distance from no.15 and the rear extension of approximately 2m. When undertaking the 25 degree light test from the ground floor side window of no.15, it is noted that this passes the 25 degree light test, and therefore, there would not be a significant/unacceptable amount of light loss from this window.

8.3.2 The SPG also sets out a 45 degree light test. The 45° test is required where any extension from an existing building line affects a protected window. The ground floor glazed door at 11 Burberry Close is the closest opening to the host site which could be affected. The 45 degree elevation test was undertaken from this door and passed. Therefore, the door would not experience a significant/unacceptable loss of light and deemed acceptable. Given the scale, siting and relationship with the closest residential dwellings it is not considered that there would be any unacceptable adverse impact in respect of loss of light or outlook arising from the development.

8.3.3 When assessing the overall overbearing impact on neighbouring properties, No. 11 is the dwelling most likely to be affected. However, the extension is set in from the shared boundary, reducing its visual prominence. Furthermore, the extension has an overall height of approximately 2.65m. By comparison, extensions up to 2.5m in height can be constructed under permitted development rights, meaning the proposed height is not significantly greater than what could be achieved without the need for planning consent, this has been given significant weight in the assessment of this application.

Notwithstanding its increased depth compared to the previous existing conservatory, the site visit confirmed that the extension would not result in a demonstrable overbearing impact on the occupiers of neighbouring properties.

- 8.3.4 When assessing amenity to the residents, there is still a rear outdoor amenity area retained for the applicants to use. This is deemed acceptable.

8.4 **Biodiversity**

- 8.4.1 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. Ecological enhancements are proposed as part of the development including a bird box, an insect hotel, and 2no. pollinator flower patches. As such the proposal is currently compliant with the aims of Policy GP5 of the NLDP 2011-2026 (adopted January 2015) and will be secured via condition.

8.5 **Flooding**

- 8.5.1 The application site is identified within Flood Zone 2 (Rivers) on Natural Resources Wales' Flood Map for Planning, indicating an area with a low to moderate risk of river flooding. The proposal relates to a modest extension to an existing dwellinghouse and does not involve the creation of a new residential unit or any intensification of the existing residential use. The development would remain ancillary to the existing dwelling and would not increase the site's vulnerability classification or result in a significant increase in the number of people at risk from flooding. Therefore, in this instance the development is acceptable in line with TAN15 and Policy SP3.

8.6 **Other comments**

- 8.6.1 Neighbouring comments have been submitted in line with application. Comments state that the extension was constructed without prior notification to neighbouring residents. There is no requirement for notification to be given to neighbouring landowners/occupiers under the provision of the Town & Country Planning Act therefore this point is outside of planning control and not a material planning consideration. The applicant has now applied for permission and residents have been notified and provided the opportunity to comment, accordingly no one is considered to be prejudiced by the process. The planning application is assessed accordingly.
- 8.6.2 The occupiers of No. 15 have also stated that the development has resulted in a loss of light to a home office room. A daylight assessment was undertaken from the ground floor side window serving the property, and the results demonstrated compliance, as detailed within the submitted report. Whilst the development may result in a different impact to previous this does not mean the impact is unacceptable, the development has been assessed against the requirements of the relevant planning policies and adopted guidance and is considered to be acceptable. Concerns have also been raised by neighbouring properties regarding the proximity of the extension to the boundary, its height above the boundary fence, and its scale and massing, which are considered by the neighbour to be disproportionate to the host dwelling and to create an overbearing impact on neighbouring occupiers. In assessing these concerns, it is acknowledged that the extension is of a considerable depth. However, regard must be had to the fact that, under permitted

development rights, a structure can be erected up to 2.5m in height adjacent to the boundary. In this case, the development exceeds this height by only 0.1m and is set back from the rear boundary by 1.7m and from the side boundary by 1.2m. Given these separations, together with the findings of the daylight assessment which indicate no significant loss of light to neighbouring windows, the proposal is considered acceptable. Furthermore, sufficient private amenity space would remain available within the garden for occupiers of the dwelling.

- 8.6.3 It has been raised that the design, form and materials of the structure are considered out of character with the surrounding properties within Burberry Close. The design has been assessed within the report above and concluded that the development does not result in an unacceptable visual impact.
- 8.6.4 A neighbouring property has also raised concerns over the impact on neighbouring amenity. Concerns that the height, bulk and massing of the extension create an overly dominant and intrusive feature, resulting in a loss of outlook and a greater sense of enclosure when viewed from neighbouring properties and gardens. On assessment, it is noted that the development is single storey in height and would not have an overly dominant presence to neighbouring properties given the height and set away from boundary fences.
- 8.6.5 Finally, neighbour comments have raised concerns over setting an undesirable precedent within the area. A full assessment has been carried out within the report over the design. There is no precedent set by the development with each case considered on its merits.

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 Overall, the proposed development is considered acceptable and would not result in any significant harm to the character and appearance of the area or the amenities of neighbouring occupiers. The proposal provides appropriate biodiversity enhancements and would not increase flood risk. Accordingly, the development is considered to comply with policy outlined above and is granted with conditions.

11. **DECISION**

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: AL03 - Proposed GF Plan - Rev A; Site Location Plan; Proposed Elevations; Existing Elevations; Existing Floor Plans; Biodiversity enhancement scheme

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 The biodiversity enhancement scheme shall be implemented in accordance with the approved plans: *Biodiversity enhancement scheme*; AL03 - *Proposed GF Plan - Rev A* within 6 months of the date of this decision hereby approved and retained as such for the lifetime of the development.

Reason: In the interest of protected species, 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 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP5, GP6 were relevant to the determination of this application.

02 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.