

Delegated Decision Report

Application No:	25/0887	Statutory Period Expires:	11th December 2025
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Site:	37 Penllyn Avenue Newport NP20 4JG		
Proposal:	REMOVAL OF EXISTING CONSERVATORY AND CONSTRUCTION OF NEW UPPER GROUND FLOOR EXTENSION INCLUDING ADDITION OF A BALCONY/RAISED PLATFORM		
Applicant:	J Pugh		
Type:	Full	Ward:	Allt-yr-Yn
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site comprises of a end terrace dwelling located in the Allt-yr-Yn ward, on Penllyn Avenue a no-through residential street within the defined settlement boundary. The property benefits from a private rear amenity space. When viewed from the front the dwelling appears as 2 storeys however due to the topography of the area when viewed from the rear the dwelling is arranged over 3 floors. The topography of the land slopes away from the dwelling towards the south. The north/eastern boundary is bound by a public footpath that links Preston and Penllyn Ave's and Oakfield Rd. Beyond the lane is an area used for parking with the opposite boundary occupying garages.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks consent for the construction of a new upper ground extension in replacement of the existing conservatory. The proposed extension will have a lean to roof and two rooflights. Furthermore, externally the extension will have a slate cladding finish.

3.2 As well as this, the proposal is seeking consent for the construction of a balcony/ raised platform. This will be positioned off the upper floor extension with a depth of 1.5m. The balcony will consist of glazed balustrading and a 2m high privacy screen to boundary. The proposal also includes the reconstruction of the access steps to the garden area.

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 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

GP2 - General amenity. There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality

GP4 - General Development Principles. Highways and Accessibility states that development shall only be permitted if it is not detrimental to highway or pedestrian safety or result in traffic generation exceeding the capacity of the highway network

GP5 – General Development Principles – Natural Environment states that proposals should be designed and managed to protect and encourage biodiversity and ecological connectivity.

GP6 - Quality of design. Good quality design will be sought in all forms of development. the aim is to create a safe, accessible, attractive and convenient environment.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

5.4.1 - The 'House Extensions and Domestic Outbuildings' Supplementary Planning Guidance (SPG) (Adopted January 2020) is also relevant.

6. CONSULTATION RESPONSES

6.1 None

7. PUBLIC REPRESENTATIONS

7.1 Neighbour and Ward member notification letters were sent on 21.10.2025. One comment from the public consultation has been received that neither supported or objected the proposal. The key themes consisted of: a request to see the plans due to a concern the extension will provide an opportunity to overlook into their living room.

7.2 COUNCILLORS: No comment

7.3 COMMUNITY COUNCIL: No comment

8. ASSESSMENT

8.1 Principle of Development:

8.1.2 The application site comprises of an existing residential dwelling within the defined settlement boundary where there is a presumption in favour of development and the efficient use of land is encouraged. As the property is existing therefore there is a presumption in favour of development incidental to the enjoyment of the dwellinghouse, accordingly, no objection is raised to the principle of the development.

8.2 Visual Amenity/ Character and Appearance:

8.2.1 The adopted House Extensions and Domestic Outbuildings SPG states that wherever possible extensions should be built on the rear or lesser important elevations of properties and the size and form should be appropriate to the main building and the space around it. Accordingly, the extension would be positioned to the rear of the property and would not be overly obtrusive and would be appropriate in size to the main building with a lean to design that compliments the existing built form. It is noted that multiple dwellings along Penllyn Avenue benefit from similar rear extension and balcony's, therefore the proposal would not be uncharacteristic for the pattern of development within the area. Although, the external finish of the extension is to be slate cladding and therefore not match the existing dwelling and given the visual prominence of the application site is it considered necessary to condition that the external materials are applied and completed prior to the extension coming into beneficial use/occupation in order to safeguard the character and appearance of the area.

8.2.2 Furthermore although the balcony/ raised platform may be readily visible from the public realm, its scale, form and finish is considered to acceptable and as a result offers no

implications towards visual amenity and character of the area.

- 8.2.3 The proposed development also includes the reconstruction of the external staircase located on side elevation of the dwelling. Accordingly, the development would be positioned on the side of the main dwelling and would be readily visible from the public realm. However, the development would not be overly obtrusive and would be appropriate in size to the main building and therefore is considered not to cause any unnecessary harm to the visual amenity and character of the area and therefore be in accordance with policy GP6

8.3 **Residential Amenity:**

- 8.3.1 The proposed development would result in an enlargement of the existing footprint or built form and while there are two rooflights proposed, there are no proposed side windows, therefore, it is not considered that the proposed extension will alter the existing levels of overlooking currently experienced to the neighbouring properties. The extension is proposed with a limited scale and height, therefore any impact in respect of outlook or loss of light is not considered to be of an unacceptable level.

- 8.3.2 Furthermore, the proposal includes a balcony/ raised platform 1.5m deep from the Extension, with an overall width of 5.1 m. In addition, a 2m high privacy screen to boundary is to be implemented to help mitigate any factors of overlooking into neighbouring properties. Accordingly, the proposed development is considered to be acceptable avoiding any unacceptable impact in respect of outlook, overbearing or overlooking impact. However it is considered to be necessary to condition that the privacy screen is implemented prior to the balcony coming into beneficial use and to be maintained as such as to avoid any unacceptable impact upon the living conditions of neighbouring occupiers.

- 8.3.3 The proposal also includes the reconstruction of the external staircase located on the side elevation of the dwellinghouse. The staircase will be positioned off the part of the existing dwelling being used as a utility/ boot room and is not considered to alter the existing levels of overlooking currently experienced to the neighbouring properties. Accordingly, the proposed development is deemed acceptable avoiding any unacceptable impact in respect of outlook, overbearing or overlooking impact.

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. In this case no enhancement has been proposed, therefore a condition requiring a biodiversity enhancement shall be attached to any consent requiring details to be submitted to and approved by the Local Planning Authority.

- 8.4.2 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 **Response to third parties:**

- 8.5 In response to the comment received from the public consultation, the plans submitted with the application providing details of the development have been available to view online and within The Council's offices since the application was validated. Furthermore, the scale, siting and relationship of the development with neighbouring properties has been considered in an earlier section of this report and is deemed to not prejudice the existing levels and therefore is deemed to be acceptable.

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 proposed rear extension and balcony/ raised platform are deemed acceptable, as it does not result in any significant loss of light or overbearing impact. The development has been thoroughly assessed against relevant local and national planning policies and found to be compliant. It is considered sympathetic to the character and appearance of the host property and would not cause unacceptable harm to residential amenity. Therefore, the proposal is recommended for approval, subject to appropriate conditions.

11. **DECISION**

Approve subject to the following conditions:

1. The development shall be implemented in accordance with the following plans and documents: Proposed Floor Plans and Elevations JP / 02
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. Prior to the commencement of development, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be implemented in accordance with the

approved plans prior to the first beneficial use of the development hereby approved.
The location and details of these must be shown on relevant plans.
Reason: In the interest of protected species, in accordance with Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

3. Prior to the beneficial use/occupation of the extension hereby approved, the external materials as shown on approved plan Proposed Floor Plans and Elevations JP / 02 shall be applied and completed.

Reason: in order to safeguard the character and appearance of the area. In accordance with Policy GP6 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

4. The balcony hereby approved shall not come into beneficial use until the privacy screen as shown on approved plan JP / 02 has been installed with obscure glazing with a level of obscurity to a minimum of level 4 on the Pilkington Scale of Obscurity and maintained as such for the lifetime of the development.

Reason: To protect the living conditions of neighbouring occupiers, in accordance with Policy GP2 of the Newport Local Development Plan (adopted January 2015)

NOTE TO APPLICANT

01 This decision relates to plan Nos: Proposed Floor Plans and Elevations JP / 02

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

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.