



Appeal Decision

by G Hall BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 27/01/2026

Appeal reference: CAS-04654-Z0H2C1

Site address: 270 Mill Heath, Bettws, Newport NP20 7RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Dan Garwood against the decision of Newport City Council.
 - The application Ref 25/0682, dated 8 August 2025, was refused by notice dated 16 October 2025.
 - The development proposed is Construction of a two storey side extension.
 - A site visit was made on 20 January 2026.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of neighbouring occupiers.

Reasons

3. The appeal property is an end-of-terrace, two-storey dwelling situated within a residential estate of dwellings of similar age and design. It has been extended by a small single-storey side addition, and there is a larger single-storey rear element attached to the main dwelling. The property also has a large front and side driveway relative to the size of the plot.
4. To the east of the appeal site is a small terrace of three properties whose rear gardens abut a close-boarded fence along the shared boundary. There is a particularly close spatial relationship between these properties and their gardens, which vary in size, with some, including the middle property, No. 246, having notably limited rear amenity space. The appeal site also occupies higher ground than the terrace. The proposed extension would be positioned to the side of the existing dwelling, bringing its end elevation closer to the shared boundary with the terrace of properties to the east.
5. The Council's House Extensions and Domestic Outbuildings Supplementary Planning Guidance (SPG) advises that development reducing the distance between a protected window (serving a habitable room) and a blank two-storey elevation to less than 14 metres is unlikely to be acceptable. Both parties say that the existing separation distance between the side elevation of No. 270 and the rear elevation of No. 246 is 13 metres and that the proposed extension would reduce it further to approximately 9 metres.

6. No. 246 has a rear conservatory and a first-floor bedroom window serving habitable accommodation. Due to its scale, proximity to the shared boundary and elevated position relative to the neighbouring terrace, the proposed extension would substantially narrow the already limited gap between the appeal property and the terrace, reducing the separation distance to a particularly constrained level.
7. The proposed extension would appear visually dominant and oppressive when experienced from within No. 246. It would occupy a substantial proportion of the outlook from rear-facing habitable rooms, reducing visual depth and replacing spatial openness with built form. This would significantly erode the perceived sense of space around the dwelling and materially diminish the quality of outlook, resulting in a harmful and visually intrusive relationship. It would therefore conflict with the objectives of the SPG.
8. In the rear garden of No. 246, the effect would be similarly pronounced. The extension would sit in close proximity to this small and narrow private outdoor space, where its bulk and height would create a strong sense of enclosure and a wall-like presence near the boundary. This would reduce openness, limit visual relief, and result in a notably confined environment. As a result, the proposal would materially harm the occupiers' enjoyment of their garden and undermine its function as a usable and pleasant private outdoor area.
9. The appellant contends that No. 246 benefits from a dual aspect, with windows and garden areas facing both the appeal site and the open countryside to the north. However, the planning assessment must focus on the effect of the proposal on the windows and garden areas that directly face the development. In this case, the extension would create a pronounced sense of enclosure and a marked reduction in outlook from the rear-facing rooms and the garden. These close-range impacts would not be mitigated by the availability of alternative views in other directions, as the harm arises from the immediate relationship between the proposed built form and the affected habitable rooms and outdoor space.
10. I have noted the appellant's evidence in respect of shadowing. In their assessment, the Council considered the overshadowing effect of the proposed extension to be acceptable in terms of both the rear elevations and garden areas of neighbouring properties. I agree with this assessment. However, this would not outweigh the harmful effects of the proposal that I have identified.
11. I acknowledge the appellant's wish to secure improved accommodation for their family, which I recognise as an important matter to them. Nevertheless, the resulting harm to neighbouring living conditions would be significant and carries substantial weight in the planning balance. Furthermore, the absence of objections from neighbouring occupiers does not render the development acceptable in planning terms, nor does it lessen the impacts identified.
12. The appellant refers to other two-storey extensions elsewhere in Mill Heath. However, limited information has been provided regarding these schemes, and in any event, each case must be determined on its own merits. Differences in scale, siting and site-specific context will typically limit the weight that can be attached to such comparisons.
13. I therefore conclude that the proposed development would have an unacceptable effect on the living conditions of neighbouring occupiers, and would conflict with Policies GP2 and GP6 of the Newport Local Development Plan, which seek to ensure that development does not have a significant adverse effect on neighbouring occupiers and is of appropriate scale and form, and with the relevant guidance in the SPG.

Other Matters

14. I have noted the pre-application discussions that informed the evolution of the appeal scheme. Whilst such discussions are encouraged, they do not guarantee that a subsequent application will be acceptable. Each scheme must be assessed on its merits, with regard to the development plan and all other material considerations. In this case, despite the dialogue between parties, the proposal would fail to meet key policy requirements and would result in harm that would not be outweighed by the benefits identified.

Conclusion

15. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

16. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

G Hall

INSPECTOR