

Delegated Decision Report

Application No:	26/0120	Statutory Period Expires:	17th April 2026
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Site:	70 Orchard Street Newport South Wales NP19 7DL		
Proposal:	PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION LOFT CONVERSION WITH REAR DORMER		
Applicant:	A Gallivan		
Type:	Full	Ward:	St Julians
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is a terraced dwelling located within the St Julians Ward.

3. DESCRIPTION OF DEVELOPMENT

3.1 Planning permission is sought for the erection of a part single storey part two storey rear extension and a rear dormer roof extension to accommodate a loft conversion.

3.2 The proposed two-storey rear extension would measure a depth of 3.24m, a width of 4.87m and a height of 5.4m. The proposed single storey extension would extend off the rear of the proposed two-storey extension for a depth of 2m and would measure a height of 2.6m and width of 1.8m. A dormer roof extension is also proposed on the rear facing roof slope that would measure a width of 4.5m, a depth of 3.3m and a height of 2.2m.

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
- GP4 – Highways and Accessibility
- GP6 – Quality of Design

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- House Extensions and Domestic Outbuildings SPG
- Parking Standards SPG

6. CONSULTATION RESPONSES

- 6.1 Local Highways Authority: Not policy compliant. The additional bedroom results in a policy requirement or an additional parking space. This is a theoretical requirement but cannot be provided. Highways cannot support the proposals as they are not policy compliant but any impact would be expected to be marginal.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 23/02/26 and a Site Notice was put up on 27/02/26.

7.1 NEIGHBOURS:

68 Orchard Street

- I am writing to formally object to the proposed development at the neighbouring property, described as a two-storey, part single-storey rear extension with a loft conversion and rear dormer. While I understand the desire to improve and extend a home, I am genuinely concerned about the impact this particular proposal would have on my property especially in terms of loss of natural light and the overall sense of space and outlook.
- The most significant issue for me is the likely loss of natural light to the rear of my home. The rooms most affected would be the rear bedroom, kitchen, and living room all of which are primary living spaces that depend on daylight from the rear aspect.
- According to the BRE Guidelines (Building Research Establishment Site Layout Planning for Daylight and Sunlight), developments should be designed to ensure that neighbouring properties retain adequate levels of daylight. A commonly used measure is the 45-degree rule, which helps assess whether a new structure will block light to neighbouring windows. From my understanding, the scale and proximity of the proposed two-storey extension mean it is likely to breach or come very close to breaching this guidance, resulting in a noticeable and harmful reduction in daylight.
- Beyond the issue of light, the overall size and height of the extension would create a dominant and overbearing presence. Replacing the current open outlook with a two-storey structure would significantly alter the feel of my home and garden, making the space feel enclosed and overshadowed.
- The National Planning Policy Framework (NPPF) emphasises that developments should provide a high standard of amenity for existing and future occupants. In this case, I believe the proposal falls short of that expectation, as the impact on my living conditions would be considerable.
- Newport City Councils planning policies seek to ensure that extensions are proportionate and do not have an unacceptable impact on neighbouring properties. In particular, supplementary planning guidance typically highlights the need to avoid excessive overshadowing, loss of outlook, and overbearing development. Given the combined scale of a two-storey rear extension along with a loft conversion and dormer, I feel this proposal represents an overdevelopment of the site. A more modest design may have been possible without causing such a level of harm.

8. ASSESSMENT

8.1 Residential Amenity:

In relation to rear extensions the House Extensions and Domestic Outbuildings SPG states; 'a house extension should not substantially reduce natural light (whether direct or diffuse), privacy or perceived space in neighbours' habitable rooms and back gardens.'

The Council's SPG states that an extension that fails two or more of the 45degree tests for natural light in relation to a neighbour's protected window is unlikely to be acceptable. The extension would fail the horizontal and vertical 45degree tests when taken from the ground floor habitable room of no.68. It is therefore considered that the proposed two-storey rear extension would result in a harmful loss of light to the adjoining property's, no.68, ground floor habitable room. Being located on the north facing elevation of the dwelling, the effect

of shadow is more notable and the extension will impact the limited potential for sunlight during the latter part of the day. The other adjoining property, no.72, has a single storey rear extension of the same depth as the proposed two storey rear extension. Therefore, it is considered that the nearest ground floor window in the rear elevation of the adjoining extension would retain adequate levels of light and the upper floor window will not be demonstrably impacted.

There are no windows proposed in the side elevations of the extensions, protecting neighbouring privacy. The proposed extension from the east elevation, would be viewed as a 5.2m high and 3.2m deep blank elevation. It is considered that this would result in an unneighbourly form of development in close proximity to an area clearly used as a key outdoor patio area off the impacted habitable room opening closest to the shared boundary.

Overall, it is considered that the proposed extensions, owing to their scale and proximity to the shared side boundaries, would result in an unneighbourly form of development that would result in a harmful loss of light and overbearing impact to the detriment of neighbouring amenity, notably in relation to no. 68.

8.2 Visual Amenity/ Character and Appearance;

The Council's House Extensions and Domestic Outbuildings SPG states that '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. In most cases, two-storey rear extensions should not be more than 3.00 metres deep, but each application will be considered on its own merits. Single-storey extensions may be constructed on side boundaries in certain circumstances (for example, at terraced houses), but householders will need some space in which to undertake maintenance. Eaves and guttering, moreover, should not project into a neighbour's property.'

The proposed two-storey rear extension would have a flat roof that would extend up to the eaves of the main dwelling. Flat roofs are not ordinarily favoured and a flat roof in this case would not be compatible with the pitched roof of the main dwelling. Notwithstanding this, it is noted that the extension would be on the rear elevation and would not be highly visible from public vantage points.

The depth of the extension exceeds the 3m depth advised in the SPG and is full width, thereby abutting the intervening boundaries with adjoining properties. There are no comparable two-storey extensions on the nearby terraced properties. Whilst single storey flat roof extensions are observed, there is limited evidence of 2 storey flat roof extensions and nothing close-by of this width and general scale. The flat roof two storey extension, flat roof single storey extension and flat roofed dormer extension in combination, add a significant boxiness to the rear elevation that is at odds with prevailing character and appearance. Whilst the proposals may not be highly visible from public vantage points, this does not itself justify poor design. The proposals will be visible from numerous close neighbours and the main railway line at further distance. It is considered that the overall scale and design of the extensions on this terraced property are overly large, unduly dominant, unneighbourly and poor design.

With regard to the proposed dormer roof extension, the SPG states that a dormer should be set back at least 0.5m from the eaves of the existing building. It should also be set down at least 0.5m from the ridge of the existing roof. The proposed dormer would be set down 0.2m from the ridge of the existing roof and set back 0.4m from the eaves of the existing building. Whilst strictly not in accordance with guidance, there is a set back and set down shown. No.68 as well as no.66 both have dormer roof extensions of comparable scale. By itself, the dormer is compatible with neighbouring properties and not unduly harmful to amenity.

8.3 Movement:

The proposed works would result in the number of bedrooms increasing from 2no bedrooms to 4no bedrooms. In accordance with the Council's Parking Standards Supplementary Planning Guidance (SPG), this would result in the parking demand at the

property increasing from 2no spaces to 3no spaces. It is noted that the property does not benefit from off street parking and therefore the increase in parking demand would put further pressure upon on street parking. The Council's Highways Officer has advised that they cannot support the proposed as it is not policy compliant. Pre application advice was sought prior to the submission of the application whereby it was advised that due to the increase in parking demand, any application should be supported by a sustainability appraisal and/or parking survey. No such details have been submitted with the application. The property is located on a no through road with on street parking the only option for most households. There is no turning head so this can necessitate reversing manoeuvres for considerable lengths along the street however this is an existing situation. Whilst the added floorspace/bedrooms increase SPG expectations for parking by 1 space and on road parking is clearly in high demand, the lack of off street parking and lack of supporting information are not grounds to refuse permission in this case. The site is located in a sustainable location, a short walk to Caerleon Road district centre and a primary thoroughfare with associated public transport routes. The SPG is not intended to be inflexibly applied. In this case, the proposal is considered acceptable in this regard.

8.4 **Biodiversity:**

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. Within the Green Infrastructure Statement, a nest box is proposed to be installed on the north elevation of the dwelling, positioned at a minimum height of 2m above ground level. It is considered reasonable and necessary 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.

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 development, owing to its location, design and scale, has an unacceptable and unneighbourly effect, on the adjoining property no.68, giving rise to overshadowing and overbearing impact of demonstrable harm to residential amenity. This is contrary to policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and the House Extensions and Domestic Outbuildings Supplementary Planning Guidance.
- 10.2 The proposed two storey extension owing to its design, scale and location, is a large and poorly designed development to the detriment of visual amenity. This is contrary to policy GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and the House Extensions and Domestic Outbuildings Supplementary Planning Guidance.

11. DECISION

REFUSED

01 The development, owing to its location, design and scale, has an unacceptable and unneighbourly effect, on the adjoining property no.68, giving rise to overshadowing and overbearing impact of demonstrable harm to residential amenity. This is contrary to policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and the House Extensions and Domestic Outbuildings Supplementary Planning Guidance.

02 The proposed two storey extension owing to its design, scale and location, is a large and poorly designed development to the detriment of visual amenity. This is contrary to policy GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and the House Extensions and Domestic Outbuildings Supplementary Planning Guidance.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Block Plan Drawing No.PP/004, Proposed Elevations and Floor Layout Drawing No.PP/003 Rev A, Site Location Plan Drawing No.PP/001, Existing Elevations and Floor Layout Drawing No.PP/002 and Green Infrastructure Statement.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4 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.