

Delegated Decision Report

Application No:	25/0819	Statutory Period Expires:	13th February 2025
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Site:	125 Brynglas Road Newport NP20 5QU		
Proposal:	SINGLE STOREY REAR EXTENSION TO REPLACE EXISTING CONSERVATORY		
Applicant:	F Phillips		
Type:	Full	Ward:	Shaftesbury
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 125 Brynglas Road is a two-storey semi-detached property located in the Shaftesbury ward. Due to the topography of Brynglas Road, the land slopes from north to south meaning that no.125 sits at a higher elevation than no.123.

2.2 The property benefits from an existing single storey conservatory on the rear elevation and an existing raised patio in the rear garden.

3. DESCRIPTION OF DEVELOPMENT

3.1 A single storey rear extension is proposed, measuring 4.4m in depth, 6.2m in width, 2.25m in height to the eaves and 3.6m in height to the ridge of the mono-pitch roof (height measurements taken from the ground level of the existing patio). The extension would be finished in roughcast render, with a tiled roof and 3no Velux rooflights. Fenestration would include UPVC French doors and 1no window on the rear elevation and 2no windows on the southern side elevation.

3.2 To accommodate the extension, it is proposed to remove the existing conservatory which measures 3.8m in width, 4.3m in depth, 2.4m in height to the eaves and a maximum height of 3.2m.

3.3 In terms of biodiversity, the proposal seeks to enhance biodiversity within the curtilage through the introduction of new planting areas which will be established using native plants and shrubs. Additionally, bird boxes are proposed. The bird boxes will be positioned at a safe height, away from potential predators and facing away from prevailing winds on the rear elevation.

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)

Policy GP2 – General Amenity states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.

Policy GP5 – Natural Environment states that proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.

Policy GP6 – Quality of Design states that good quality design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS (ADOPTED JANUARY 2020)

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 05.11.2025. Site notice was put up on 14.11.2025.

7.1 NEIGHBOURS: 2no neighbours were consulted. 1no comment in support received to date.

127 Brynglas Road

Support subject to no change to the positioning of the existing party wall at the rear of the property.

8. ASSESSMENT

8.1 **Visual Amenity/ Character and Appearance;**

The House Extensions and Domestic Outbuildings Supplementary Planning Guidance states that wherever possible, extensions should be built on the rear or least important elevations of properties, and the size and form should be appropriate to the main building and the space around it. An adequate area of garden space would be retained, and the size and form of the extension are appropriate in the context of Brynglas Road. The extension would be built on the rear elevation which is not visible from the public realm, and the extension is therefore appropriately sited.

8.2 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance (Adopted January 2020) states that, in general, an extension should adopt the roof form of the existing building, replicating its pitch and architectural detailing (including external materials). A mono pitch roof with 3no velux rooflights is proposed which does not comply with the guidance however is not an uncommon feature for householder extensions and is acceptable in this instance.

8.3 **Residential Amenity:**

The House Extensions and Domestic Outbuildings SPG states that 'A house extension (or a domestic outbuilding) should not substantially reduce natural light (whether direct or diffuse), privacy or perceived space in neighbours' habitable rooms and back gardens.' The

House Extensions and Domestic Outbuildings SPG sets out tests to help protect light in neighbouring habitable rooms. The 45-degree test (plan view and elevation view) is applicable where an extension from an existing building line affects a protected window. An extension which fails both tests could be deemed unacceptable. The adjoining property (no.127 Brynglas Road) has protected windows on the rear elevation as such, both 45-degree tests were conducted. The extension passed both tests. As such it is not anticipated that the development would adversely affect the neighbouring amenity by means of a loss of an unacceptable level of daylight and the development is in accordance with Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

- 8.4 The adjoining property (No. 127) also contains a side-facing window within its existing rear projection. In this case, regard has been given to the presence of additional windows on the rear elevation that serve the habitable room, as well as the fact that the proposal largely replaces an existing conservatory. Taking these factors into account, the extension is unlikely to reduce daylight to the neighbouring room beyond the current situation and is therefore considered acceptable.
- 8.5 The extension would be set in 2m from the shared boundary with no.123 Brynglas Road which is downslope of the development site and approximately 4m from the side elevation of the dwelling. Although no.123 is situated at a lower ground level, it is unlikely that the extension would appear overbearing, given the set in from the boundary and the separation distance from the side elevation of the dwelling.
- 8.6 In terms of fenestration, 1no set of French doors and 1no window are proposed on the rear elevation. It is not anticipated that these will provide any unacceptable views into neighbouring amenity as the proposed windows would onlook the substantial rear garden. 2no windows are also proposed in the side elevation of the proposed extension. While it is acknowledged that the side windows would protrude closer to the shared boundary with no.123 Brynglas Road than the existing conservatory windows, regard has been given to the provision of the Town and Country Planning General Permitted Development Order 2015 (as amended). A single storey rear extension, measuring up to 4m in depth could be erected at will without requiring planning permission and a side facing window of a comparable impact could be inserted. Moreover, it is considered that an element of overlooking is inevitable due to the topography of Brynglas Road and the existing raised patio already facilitates this to an extent so the addition of a window would not result in a view which could not reasonably be achieved as existing. Given the above, it is not anticipated that the development would adversely affect the neighbouring amenity by means of a loss of privacy in accordance with Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).
- 8.7 It is acknowledged that a neighbour support comment has been received and is subject to no change in the positioning of the party wall at the rear boundary however the implications of the Party Wall Act 1996 are a private civil matter between the applicant and adjoining owners. Such matters are not material to the assessment of this planning application.
- 8.8 **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 NLDP supports this and states that proposals will be expected to maintain, protect, and enhance ecological networks and features of importance for biodiversity. The ecological enhancement proposed as part of the development is commensurate with the scheme and the implementation will be secured through a suitably worded planning condition. As such the proposal is compliant with the aims of Policy GP5 of the NLDP 2011-2026.

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 would not harm the visual or residential amenity of Brynglas Road. A condition will be added to ensure the biodiversity enhancement scheme is implemented. The proposal is in accordance with Policies GP2, GP5 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents

- WL006-03 Proposed Plans and Elevations revA
- Green Infrastructure Statement

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 Prior to the first beneficial use of the development hereby approved, the biodiversity enhancement scheme as detailed in the approved document: 'Green Infrastructure Statement' shall be undertaken in full and retained for the lifetime of development.

Reason: In the interest of biodiversity, in accordance with Policy GP5.

NOTE TO APPLICANT

01 This decision relates to plan Nos: WL006-02 Existing Plans and Elevations revA, WL006-03 Proposed Plans and Elevations revA, WL006-01 - Site Location Plan, Green Infrastructure Statement.

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