

Delegated Decision Report

Application No:	25/0143	Statutory Period Expires:	26th June 2025
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Site:	9 Laurel Crescent, Newport, NP20 6WQ		
Proposal:	SINGLE STOREY REAR EXTENSION		
Applicant:	S A Brimmel		
Type:	Full	Ward:	Malpas
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 9 Laurel Crescent is a 2no storey semi detached property, situated in the Malpas ward.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to erect a large but single storey rear extension and additions and changes to the rear elevation of the attached garage to allow for rear bin access. The extension will measure 7.5m in depth and 4.5m in width. The highest part of the extension is the first room and will measure 3m to the eaves and 3.3m to the top of the flat roof. The second room will measure 2.4m to the eaves and 2.7m to the top of the flat roof. The roof form is proposed to be flat. The 2m of garage at the rear is proposed to match the splay of the boundary, allowing 0.6m of space for bin access.

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)
- GP6 (Quality of Design)

5.4 SUPPLEMENTARY PLANNING GUIDANCE
HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS SPG

6. CONSULTATION RESPONSES

6.1 Highways Officer: No objection –

The proposals do not impact parking or rear access. There are no highway related objections.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 28.02.2025, Site Notice was put up on 07.03.2025

7.1 NEIGHBOURS: 9no neighbours were consulted and no response was received.

8. ASSESSMENT

8.1 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance (Adopted January 2020) states:

'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).'

The existing dwellinghouse has a gable roof form which does not match the flat roof form of the rear extension. However, this is not visible from a public vantage point and therefore, it is not considered harmful to the visual amenity of the street scene.

8.2 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance (Adopted January 2020) states:

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

Information has not been submitted for the external materials but this can be secured by condition.

8.3 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance (Adopted January 2020) states:

'The 45° test is required where any extension from an existing building line affects a protected window, that is it is required except when the 25° test applies'

The rear extension does not face a building or relevant structure and therefore, the 45° test is required. The neighbouring garden, No 7, is set down by 1.4m from the applicant's garden. There is a ground floor window on the rear elevation of No 7. For the plan view test, a notional line was drawn at 45° from the centre of the affected window. For the elevation view test, a notional line was drawn from the centre of the protected window at 45°. An extension which fails both tests could be deemed unacceptable. The extension passed the elevation test and failed the plan test. It is considered that the proposal would not cause demonstrable loss of light from the protected windows of the neighbouring properties, assisted by its single storey height, flat roof design and set off the common boundary.

No 11 has a canopy at the rear elevation and is separated from the applicant's property by a high boundary fence. It is also marginally elevated from the applicant's garden. There is a ground floor window on the rear elevation of No 11. For the plan view test, a notional line was drawn at 45° from the centre of the affected window. For the elevation view test, a notional line was drawn from the centre of the protected window at 45°. An extension which fails both tests could be deemed unacceptable. The extension passed the elevation test and failed the plan test. The window at No 11 is compromised by its own canopy in terms of light and therefore, it is considered that the proposed rear extension would not adversely affect No 11 by means of a loss of daylight.

The proposed rear extension would exceed the height of the boundary fence at No 11 but is of comparable height to the neighbour's canopy extension and located on the north side of

this neighbour. It would be visible from the garden at No 11 and No 7 and is of large depth. However, the roof has a step down and the majority of the extension is 2.4m to the eaves. Extensions up to 2.5m high can be constructed under permitted development rights, albeit less deep, subject to meeting all conditions. Therefore, while it is visible, it is not considered that the proposed rear extension would have an overbearing effect on the neighbouring properties and being set off intervening boundaries reduces impact further.

- 8.4 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance (Adopted January 2020) states:

'In order to preserve residents' privacy in their homes, suitable separation distances must exist between new protected windows and the protected windows in neighbouring houses. Windows in an extension must therefore be positioned carefully.'

The rear extension is acceptable in this regard and has been modified to address initial concerns. Plans provided show a line of sight from the new kitchen window having regard to the difference in levels and factoring in the current low height of the intervening fence and a new proposed 1.8m high fence. These demonstrate a loss of privacy occurs to the neighbouring property if someone is stood at the new kitchen window and looking over the current low intervening fence. This would be views into at least part of the neighbouring garden. Original plans also included a side facing habitable room window further increasing the impact. This has now been removed. The new elevations, Proposed Elevations 25.10.4B, retain the kitchen window and the increased height of the fence and show that these do not demonstrable impact the privacy of the affected neighbour. A vertical 3no pane bifold door is proposed on the rear elevation and a door is proposed on the side elevation. The bifold door looks over the applicant's garden.

- 8.5 The garage is proposed to be reduced in width at the rear to match the splay of the boundary. 2m of the rear depth is proposed to be changed. This will allow for bin access. As these changes are at the rear, and therefore not visible from a public vantage point, and do not propose any changes to materials, this is acceptable.

- 8.6 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance (Adopted January 2020) states:

'The size and form of every extension should be appropriate to the main building and the space around it'

The rear extension would not be visible from any public vantage points. The size and form of the extension would be appropriate to the main dwelling. An adequate garden space would be retained.

- 8.7 In accordance with Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and Planning Policy Wales edition 12, an ecological enhancement scheme commensurate with the scheme is required. This can be secured by condition.

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 would be acceptable as it does not give rise to overbearing effect or loss of light. Planning permission is granted with conditions.

11. **DECISION**

GRANTED WITH CONDITIONS

01 PLANS CONDITION

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

- Proposed Elevation 25.10.4B
- Proposed Plan 25.10.3A

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 ECOLOGICAL ENHANCEMENT CONDITION

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).

03 MATERIALS CONDITION

The external surfaces of the extension hereby permitted shall only be of materials to match those of the existing building.

Reason: To ensure the development is completed in a manner compatible with its

surroundings.

04 ROOF USE CONDITION

() At no time shall the flat roof of the extension hereby approved be used in any form as an amenity space or sitting out area.

Reason: To protect the privacy of occupiers of adjoining residential properties.

05 WINDOW CONDITION

No window or door openings (other than those shown on the approved plan) shall be formed in the side elevation of the extension hereby approved.

Reason: To protect the privacy of adjoining residents.

06 FENCE CONDITION

No development, other than demolition, shall commence until a 1.8m high close boarded fence shall be erected along the boundary with No 7 Laurel Crescent, in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority. The approved means of enclosure shall be retained thereafter in perpetuity.

Reason: In the interests of residential amenities.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Existing Ground Floor Plan received 25.2.25
- Existing Rear Elevation received 25.2.25
- Site Location Plan received 19.3.25

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

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.