

Delegated Decision Report

Application No:	25/0550	Statutory Period Expires:	18th November 2025
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Site:	<i>13 The Uplands Rogerstone Newport NP10 9FA</i>		
Proposal:	<i>RETROSPECTIVE APPLICATION FOR A TWO-STOREY AND SINGLE-STOREY REAR EXTENSION AND PROPOSED RAISED DECKING IN REAR GARDEN</i>		
Applicant:	<i>E Wills</i>		
Type:	Full	Ward:	Rogerstone West
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 The extension (single and 2 storey) have been completed and are in habitable use therefore this element of the application is seeking consent on a retrospective basis. The raised deck area has not been constructed and is proposed.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site comprises of a 2 storey, semi-detached dwelling located on the west side of The Uplands, a residential street located within the defined settlement boundary. The area is primarily characterised by 2 storey semi-detached dwellings benefiting from front and rear garden areas and parking arranged to the front/side of dwellings.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks permission for a proposed raised decking to the rear of the property. This raised decking would be 1.8m in depth, 4.75m in width and 0.8m in height. The steps to the rear to facilitate the development would be 0.9m. A glass balustrade would enclose the raised decking. The retrospective development includes a two-storey pitched roof rear extension and a single storey flat roof extension. The two-storey rear extension would measure 8.4m in height, 3m in depth from the rear elevation, and approximately 6.6m in width. The single storey rear extension would be 3.7m in height, 8.1m in width, and 0.8m in depth. There is a side window in the South side elevation facing toward no.12. There is also bifold doors on the ground floor rear elevation, with 2no. single windows either side, and two windows on the first-floor rear elevation of the two-storey rear extension. The extension is finished with rendered elevations, a tiled pitched roof and UPVC fenestration.

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)

Policy GP5 (Natural Environment)

Policy GP6 (Quality of Design)

5.4 SUPPLEMENTARY PLANNING GUIDANCE House Extensions and Domestic Outbuildings SPG

6. CONSULTATION RESPONSES

6.1 Welsh Water:

The proposed development site is crossed by a 150mm public combined sewer. Please see copy of indicative public sewer record attached. No operational development is to take place or SuDS features installed within 3 metres either side of the centreline of the sewer. We request that prior to commencing any operational development the location of this asset is determined. If operational development is likely to take place within 3 metres either side of this sewer please stop works and contact us. The applicant may be able to progress with a build over sewer (BOS) agreement or divert this asset under Section 185 of the Water Industry Act 1991.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Condition

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 30/07/2025.

7.1 NEIGHBOURS: 5no. neighbours were consulted. No comments received.

8. ASSESSMENT

8.1 Principle of Development:

8.1.1 The application site is within the defined settlement boundary as shown on the proposals map that accompany the Newport City Council Local Development Plan, accordingly there is a presumption in favour of development and the efficient use of land is encouraged.

8.2 Visual Amenity/ Character and Appearance

8.2.1 Decking Area

When assessing raised decking areas to the rear of residential properties, the House Extensions and Domestic Outbuildings SPG states in paragraph 5.5.1, *In common with any other extension, a raised amenity space should relate sympathetically to the existing building and the streetscape by virtue of its size, design and materials. A raised amenity space that substantially reduces natural light, perceived space or privacy in neighbouring habitable rooms or back gardens will not be acceptable.* It is considered that the raised decking is of a small scale measuring 1.8m in depth, 4.75m in width and 0.8m in height. It would not appear a dominating feature to the rear of the dwelling.

8.2.2 The raised decking is proposed to be black with 1m glass balustrade around the edge. This appears sympathetic to the main dwelling house. Overall the decked area would not result in any unacceptable adverse visual impact that would prejudice the character and appearance of the dwellinghouse or wider area.

8.2.3 Two storey rear extension

The two-storey extension is located on the rear of the dwelling therefore is not visually prominent within the public realm. As built the ridge and eaves are uniform with the existing dwelling which is contrary to the guidance within the adopted SPG, however, given that the roof form is pitched to match the existing and does not span the entirety of the rear elevation, it is considered that the two-storey extension does not appear overly dominant and avoids any unacceptable visual impact.

8.2.4 Single Storey Rear Extension

The single storey rear extension appears subordinate in scale and whilst the roof form is flat, given the size and location of the development to the rear, it is deemed acceptable.

8.2.5 The retrospective extensions are rendered to match that of the main dwelling house and the windows are in black. This appears sympathetic to the main dwellinghouse. The proposed development is considered to have an acceptable design that does not prejudice the character of the area, the proposal conforms with the requirements of LDP Policy GP6.

8.3 Residential Amenity

8.3.1 Decking Area

When assessing the impact on residential amenity, the SPG states in paragraph 5.5.3 *A raised amenity space that substantially reduces natural light, perceived space or privacy in neighbouring habitable rooms or back gardens will not be acceptable.* The raised decking area would not reduce natural light to neighbouring properties. Moreover, the raised decking would not create an overbearing impact to neighbouring properties, given

its scale and as it is proposed to be set away from the common boundary. When assessing loss of privacy to neighbouring properties, the views to the adjoining properties no.12 and 14 The Uplands are shown below.

Views over to 14 The Uplands:



Views toward 12 The Uplands:



8.3.2 The SPG suggests, in some cases, privacy screens can reduce the degree of overlooking that neighbours experience in their homes and gardens. They should be large enough to prevent a material loss of privacy yet small enough not to render a structure obtrusive or unsightly. In general, translucent screens and trellis panels are preferable to opaque screens and solid fencing. Ill-designed proposals, no matter how well they protect neighbours' privacy levels, will not be acceptable. In this instance, it appears that a privacy screen would not be needed in this instance given the set away from no.12 and the existing boundary fence between no.14 which limits views to the neighbouring properties.

8.3.3 Rear Extensions

8.3.4 Light tests

There are two types of assessment which consider the potential loss of daylight from new development. 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.

- 8.3.5 When assessing the loss of light to no.12 The Uplands closest ground floor patio doors and the first-floor window, it is considered the plan view test was passed. It is noted that the land level decreases down to no.12 from no.13. This level change has not been confirmed and therefore, the elevation test has not been carried out, however, given the plan view test is passed, this is deemed acceptable and the extension would not facilitate an unacceptable loss of light to these openings.
- 8.3.6 When assessing the loss of light to no.14, it is considered that a number of windows should be considered on the rear elevation. Firstly, when assessing the first-floor closest window to the development, this window passes against plan view and elevation view. Therefore, there is not a significant loss of light to this window. When assessing the ground floor windows, there are 2no. windows which should be considered. Firstly, when assessing the closest window on the single storey rear extension elevation at no.14, this window would marginally fail the elevation test and marginally fail the plan view test. However, it is considered this window already failed the plan view test, and given the marginal failure, it is considered it would not cause significant loss of light to this window.
- 8.3.7 When assessing the ground floor window which is on the rear elevation closest to no.13, this passes the elevation test against the proposed development but fails the plan test. However, it is considered the plan view test would fail against the existing development at plan view, and given that one test is passed, this is deemed acceptable.
- 8.3.8 *Overbearing impact*
When assessing the potential overbearing nature of the development, no.12 is set down from the host site. A site visit was conducted to this property to understand the impact. Given that no.12 is set away from the boundary, and that the extension has a limited depth, it is considered that the extension does not result in an overbearing impact to no.12 and deemed acceptable.
- 8.3.9 In terms of the impact to the semi-detached neighbour, no.14, the land level is similar to the host site. It is considered that the two-storey element is set away from the neighbouring property by two metres, which would limit the overbearing impact. Moreover, the element adjacent to the boundary fence is single storey and is shorter in depth than the previously existing outbuilding/rear extension. Therefore, it is considered the development would not have an overbearing impact on neighbouring properties.
- 8.3.10 *Windows*
The proposed windows on the rear elevation are deemed acceptable and would hold a typical residential relationship with neighbouring properties. There is 1no. window on the ground floor South side elevation looking towards the common boundary with no.12. Whilst this may create views to the neighbouring property, given the extent of the set off between the window and the primary rear amenity space of the neighbouring dwelling no unacceptable level of overlooking has been identified. It is noted that windows can be inserted into ground floor side elevations without the need for planning consent and significant weight has been applied to this in the assessment of this application.
- 8.3.11 Amenity Space

There is sufficient amenity space retained within the rear garden and is deemed acceptable.

8.4 Biodiversity

8.4.1 PPW12 states in paragraph 6.2.12, *A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.* Given the scale of development a GI statement would not be required in this instance.

8.4.2 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. No ecological enhancements are proposed as part of the development. As such the proposal is currently not compliant with the aims of Policy GP5 of the NLDP 2011-2026 (adopted January 2015), however, given the scale of development, this can be secured via condition.

8.5 Welsh Water

The proposed development site is crossed by a 150mm public combined sewer. No operational development is to take place or SuDS features installed within 3 metres either side of the centreline of the sewer. Welsh Water request that prior to commencing any operational development the location of this asset is determined. If operational development is likely to take place within 3 metres either side of this sewer please stop works and contact Welsh Water. The applicant may be able to progress with a build over sewer (BOS) agreement or divert this asset under Section 185 of the Water Industry Act 1991. On assessment of these comments, this is a separate process, and is not assessed under this application or controlled via the Town and Country Planning Act therefore would not impact the assessment of this application. A separate agreement would need to be sought. DCWW have requested a condition relating to Surface Water Drainage, this is controlled via separate legislation and therefore the recommended condition will not be attached to any subsequent planning consent.

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 Overall, it is considered that the development is acceptable within the setting and would not create an unacceptable loss of light or demonstrable overbearing impact to neighbouring properties. A biodiversity enhancement has not been provided and will be secured via condition. Therefore, the scheme is granted with conditions.

**11. DECISION
GRANTED WITH CONDITIONS**

01 The development shall be implemented in accordance with the following plans and documents: SD896 Updates plans Existing and Proposed; Proposed Floor Plans & Elevations; Site Location Plan; Existing Plans and Elevations.; Block Plan.; Photograph of Proposed Elevation; Photograph of Existing Elevation

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 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 and retained as such for the lifetime of the development.

Reason: In the interest of protected species, in accordance with Policy 9 of Future Wales and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

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

02 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.

03 The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.