

Delegated Decision Report

Application No:	25/0192	Statutory Period Expires:	26th June 2025
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Site:	<i>Iona Glasllwch Lane Newport NP20 3PU</i>		
Proposal:	<i>FIRST FLOOR REAR EXTENSION, ALTERATIONS TO FRONT BAY AND REBUILDING OF LARGER SIDE EXTENSION</i>		
Applicant:	<i>R J Dyer</i>		
Type:	Full	Ward:	Rogerstone East
Decision:	REFUSED		

1. BACKGROUND

- 1.1 A planning application (24/0784) for a first floor extension and conversion of loft with replacement of existing roof structure was recently refused as the proposed extensions and alterations were considered to be of poor quality design and would have been detrimental to the appearance of the host property and the visual amenities of the area. Additionally, the first floor extension by reason of its proximity to the garden and dwelling at No. 33 Glasllwch Lane would result in a loss of privacy to the occupiers of the property.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site comprises a two storey, detached property located on the eastern side of Glasllwch Lane, a residential street within the Rogerstone East ward. The property occupies a substantial plot with the majority of the land being located forward of the dwelling. The property is built facing into the plot at an angle. The land level rises towards the east resulting in the dwelling occupying an elevated position relative to the road.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks permission for a first floor rear extension, alterations to the front bay window, and the rebuilding of a larger extension on the side of the elevation.
- 3.2 The first floor extension would measure 3.17m in depth, 9.93m in width, the total height to the eaves would be 7.62m, and the total height to the pitch would be 7.73m.
- 3.3 The side extension would accommodate a garage, utility room, and small bathroom. It would measure 8.26m in depth, 3.77m in width, and 4.5m in height at its highest point.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision
24/0784	FIRST FLOOR EXTENSION AND CONVERSION OF LOFT WITH REPLACEMENT OF EXISTING ROOF STRUCTURE	REFUSED

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 HOUSE EXTENSIONS SUPPLEMENTARY PLANNING GUIDANCE

6. CONSULTATION RESPONSES

6.1 Local Highways Authority: *No objections.*

6.2 Ecology Officer: *The nature and location of the building and the works proposed to it suggest there is a reasonable likelihood of an impact upon roosting bats, therefore the application should be supported by a bat survey to determine if this is the case. Specifically, because the proposal includes major work to the roof of the property, if a bat roost were present then it would inevitably be disturbed. In the first instance a preliminary survey of bat roost potential should be undertaken.*

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 07.05.2025.

7.1 NEIGHBOURS: **33 Glasllwch Lane:**

We are of the view that the proposed extension will create a serious lack of privacy for two of our principle rooms on the ground floor, namely living room and kitchen, our bedrooms on the first floor, and also outside on our patio seating area & garden. The design of

the proposed development does not accord adequate privacy for the occupants of Iona, nor our property that is directly at the rear (No.33), particularly with regards to our right to the quiet enjoyment of garden amenities and the privacy of our principle habitable rooms.

We are not of the view that that the size and form of the proposed extension is appropriate to the main building and space around it. The new roof and extension does

not appear subordinate to the host dwelling. As well as adding that at its nearest point, the rear wall of Iona's current single story extension is only 4.7m from our shared boundary. Which means that the proposed new first floor windows would provide views towards our house and garden much closer than the existing windows. The size and style of the proposed extension isn't in keeping with other properties rear extensions in the vicinity.

We have read the uploaded report from Matt Harris the Ecology Officer on the previous application, and can confirm that for the 15 years we have lived at 33 Glasllwch View, there has been regular bat activity in the area of our garden and surrounding properties. No update on this has been provided.

7.2 COUNCILLORS: None.

7.3 COMMUNITY COUNCIL: None.

8. ASSESSMENT

8.1 Principle of Development

The property is located within the defined settlement boundary as shown on the proposals maps that accompany the Local Development Plan and is within a residential area, accordingly the proposal is acceptable in principle. The main considerations of this application are design and neighbouring amenity which are discussed further below.

8.2 Visual Amenity/ Character and Appearance

Although the application site is set back from the road and at a higher level it is still readily visible within the public realm and therefore will have an impact upon the amenity and character of the area. The Council's House Extension SPG states that *The size of the extension should respect the scale of the original house in order to prevent it becoming an unduly obtrusive element in the design. This is particularly important in the case of two-storey extensions. Ideally, both single and two storey extensions should not extend to the full depth of the house.* The proposed rear extension is not set down from the ridge and therefore does not appear subordinate to the host dwelling. However, it is considered that this does not have an adverse effect on the property or the character of the area.

8.3 Additionally, it is proposed to erect a window at the front of the property. The proposed window would not detract from the character and appearance of the streetscape and does have a suitable regard to the host dwelling. The general form is prominent, yet it is not overly obtrusive and is sympathetic in size.

8.4 Residential Amenity

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. Upper storey side windows, which look directly across to your neighbour's property or garden, should generally be avoided and preference will be for their omission. In some cases, alternative designs of windows may mitigate adverse impacts associated with actual and*

perceived overlooking. The obscure glazing and fixing shut of windows is a last resort and will not be acceptable where they are the only or primary windows to habitable rooms.

- 8.5 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance (Adopted January 2020) also states: *Where the principal windows of a proposed extension face the principal windows of a neighbouring property, there should be a minimum of 21 metres between principal windows to habitable rooms.*
- 8.6 The previous application was refused due to the high level window in the apex, which would have been very prominent, and whilst some 22 meters from the property, it would have altered the privacy of the relationship in a noticeable way. However, as there is no longer a window in the apex, this previous concern has been overcome.
- 8.7 Furthermore, *In order to prevent overlooking or perceived overlooking and overbearing effects developments must have a suitable separation distances between new high-level protected windows and adjacent back gardens. In most cases, a back garden should extend at least 10.00 metres from the rear elevation of a house a new high level window in order to protect the amenity of neighbouring gardens. 5.9.3 HEDO 8.2 (Protected windows and adjacent gardens).*
- 8.8 The distance from the first floor windows to the rear boundary would be approximately 7.27m. This is significantly less than the 10.00 meters the SPG suggests as an appropriate measurement for the distance to the rear boundary.
- 8.9 Whilst there is high intervening vegetation on the boundary between Iona and 33 Glasllwch Lane, this is can be removed at any point, and therefore cannot be relied upon to maintain the privacy of neighbours.

8.7 **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 applicants have proposed a bat box on the side elevation.

- 8.8 However, the Ecology officers have referred to the likelihood of an impact on roosting bats. The applicant has not satisfied the LPA.

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 extensions and alterations would result in a loss of privacy to the neighbouring occupiers to the rear of the site, and a bat survey has not been provided.

11. **DECISION
REFUSED**

01 The first floor extension by reason of its proximity to the garden at No. 33 Glasllwch Lane would result in a loss of privacy to the detriment of the amenities of the occupiers of that property, which is contrary to Policy GP2 of the Local Development Plan for Newport 2011-2026 (adopted January 2015).

02 The development would have a significant adverse impact upon interests of acknowledged importance, namely the impact upon protected species and biodiversity (bats). No information has been provided to mitigate this objection in the form of a bat survey and biodiversity enhancements, contrary to Policies SP1, SP9

and GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: SD980 re 02i Proposed plans and elevations, SD980 re 03 - Design Statement, SD980 re 02 - Proposed Plans and Elevations, SD980 re 01 - Existing Plans and Elevations, SD980 re 00 - Site Location and Block Plans.

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.