

Delegated Decision Report

Application No:	25/0682	Statutory Period Expires:	17th October 2025
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Site:	270 Mill Heath Bettws Newport NP20 7RD		
Proposal:	CONSTRUCTION OF A TWO STOREY SIDE EXTENSION		
Applicant:	D Garwood		
Type:	Full	Ward:	Bettws
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is a two-storey semi-detached dwelling located at the terminal of Mill Heath, situated off a private drive in the Bettws ward. The property benefits from a large front garden which provides multiple off road parking spaces. Externally, the property is finished in red brick with white UPVC windows.

2.2 The site is within the defined settlement boundary as identified by the Newport Local Development Plan 2011 – 2026 although the property shares a rear boundary with the countryside and the north of Bettws Special Landscape Area. Surrounding the property is predominantly residential dwellings. Due to the topography of Mill Heath, the land slopes from the west to the east.

2.3 A garage has previously been built on the site, and this is now used as an additional living space/ cinema room. A lean-to storage shed is currently located on part of the driveway, which is due to be replaced as part of this proposal.

3. DESCRIPTION OF DEVELOPMENT

3.1 A two storey extension is proposed, extending 4m in width from the eastern side elevation and 7m in depth. The extension would be built above the existing ground level of the driveway which is approximately 1m lower than ground level of the dwelling and would measure 8.5m in height to the ridge and 5.6m to the eaves. To offset the height difference, grey engineering brick is proposed at low level and the remainder of the extension would be red brick to match the existing. The extension would be set back 1m from the front elevation of the host dwelling and set down 400mm from the ridge. The proposed design comprises of ground floor 'link' to the existing cinema room through the creation of an integrated garage for the storage of a vehicle along with a location to store bins/ recycling. At first floor there will be 2no additional bedrooms.

3.2 In terms of fenestration, the positions of the windows and doors on the front elevation would mirror the existing dwelling, meaning 1no single pane and 1no double pane window is proposed at first floor level. At ground floor level on the front elevation, a garage door with a brick soldier course above is proposed. On the rear elevation, 1no double pane window and 1no set of patio doors with white metal railings are proposed at first floor level. 1no personnel door is also proposed on the side elevation to provide access to the side entrance. A canopy is also proposed above the garage door on the front elevation at ground floor level.

3.3 In terms of biodiversity enhancement, 2no east facing Woodstone bird boxes are proposed on the eastern side elevation, including 1no on the existing garage/cinema room and 1no on the proposed two storey side extension. Each bird box would have a 32mm entrance hole.

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 SP5 – Countryside states that development in the countryside (that is, that area of land lying beyond the settlement boundaries shown on the proposal and inset maps) will only be permitted where the use is appropriate in the countryside, respects the landscape character and biodiversity of the immediate and surrounding area and is appropriate in scale and design. housing development, rural diversification and rural enterprise uses, beyond settlement boundaries, will only be appropriate where they comply with national planning policy.

Policy SP8 – Special Landscape Areas states that proposals will be required to contribute positively to the area through high quality design, materials and management schemes that demonstrate a clear appreciation of the area's special features.

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 GP4 – Highways and Accessibility states that Development proposals should: i) provide appropriate access for pedestrians, cyclists and public transport in accordance with national guidance; ii) be accessible by a choice of means of transport; iii) be designed to avoid or reduce transport severance, noise and air pollution; iv) make adequate provision for car parking and cycle storage; v) provide suitable and safe access arrangements; vi) design and build new roads within private development in accordance with the highway authority's design guide and relevant national guidance; vii) ensure that development would not be detrimental to highway or pedestrian safety or result in traffic generation exceeding the capacity of the highway network.

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 HIGHWAYS OFFICER

No objection

The proposals result in the need for an additional parking space as the bedroom numbers increase from 2 to 3. It is however possible to have three cars parked within the space available.

The garage could also provide cycle storage. Manoeuvring would be difficult but is remote from adopted highway, so there are no objections.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 03.09.2025.

7.1 NEIGHBOURS: 6no neighbours were consulted. No representation received to date

8. ASSESSMENT

8.1 Visual Amenity/ Character and Appearance;

The site is located at the end of a row of terraces on a corner plot. Given the general shape and regularity of similar plots on the estate, this plot is unusually larger due to being located on the estate perimeter and in a corner. 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 form of the extension is appropriate albeit the extension is significant in comparison to the host dwelling. The extension would be built on the side elevation, which is typically a more prominent elevation, although due to the established layout of Mill Heath, the extension would be set away from the adopted highway and only partial views of the extension would be afforded, meaning it would not appear unduly prominent within the street scene.

8.2 The House Extensions and Domestic Outbuildings Supplementary Planning Guidance states that insensitively designed side extensions can harm the townscape by changing the pattern of development in an area by filling the spaces between buildings. In this instance, no.270 Mill Heath forms the end dwelling in a cul-de-sac, and the adjacent side boundary forms the rear boundaries of no.244, no.246 and no.248 Mill Heath which are downslope of the development site. As such, there is no adjacent side elevation, and the proposed two storey extension would not contribute to a terracing effect or disrupt the visual rhythm of solids and voids. It is recommended that a side extension is set in at least one metre from the side property boundary. The proposed extension is set in 1.2m from the boundary which marginally exceeds the recommended distance and therefore, it is not anticipated that the development would cause significant harm to the townscape as the sense of light and space is preserved at street level.

8.3 The SPG also states that insensitively designed side extensions can harm the townscape by eliminating the lines of symmetry between semi-detached houses. The site and adjoining dwelling (no.272 Mill Heath) retain a balanced and symmetrical appearance in terms of property widths and fenestration placement fronting the street, albeit the context has been altered by a single storey side extension on the side elevation of no.270. This is evident in several pairs of semi-detached properties along Mill Heath, with few exceptions and the street has not been unduly altered to date in terms of its character and the majority of the existing properties along this stretch exhibit a modest design with the same proportions and roof form (red brick narrow fronted dwellings with traditional windows and a pitched roof). No two storey extensions of a similar ilk can be found within the immediate context with the closest one at no.240 Mill Heath including a set back and set down akin to the proposal. Although there are limited examples of two-storey side extensions in the vicinity, it is acknowledged that due to the compacted nature of the site, few properties have sufficient space to host any considerable side extensions. No.270 mill heath is a larger plot due to its corner location on the site and being on the end of a run of terraces. Examples of nearby two-storey side extensions, like the proposal, are set off the intervening boundary and preserve the general rhythm of stepped heights that are characteristic of this street.

- 8.4 The proposed extension would double the width of the two-storey frontage of the property to a total of 8m from an existing width of 4m, an increase of that would elongate the appearance of the front elevation of the property and significantly enlarge the dwelling. The House Extensions and Domestic Outbuildings SPG requires an extension to appear subordinate to the host dwelling so that the character and appearance of the original dwelling and the streetscape are maintained. To ensure that the extension appears subordinate to the host property, a 1m setback has been proposed, in addition to a 400mm set down from the ridge of the host dwelling as advised by the SPG. Although the extension complies with the guidance set out in the SPG, the significant width of the extension results in the extension appearing dominant in relation to the existing dwelling. Notwithstanding this, regard has been given to the location of the proposed development in relation to the street scene, the mitigation offered by the set back/set down and the lack of architectural consistency along Mill Heath and on balance it is considered that the extension would not harm the character and appearance of the host dwelling and would not unduly alter the context of the streetscape, in accordance with Policy GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).
- 8.5 A roof covering is proposed above the garage door. The roof covering would match the pitch and materials of the existing porch roof covering the front door on the front elevation. The introduction of this roof covering prevents a large blank space between the first-floor fenestration and the garage door at ground floor, contributing to a coherent form of development.
- 8.6 The site shares its rear boundary with the North of Bettws Landscape Area, as identified by Policy SP8 of the Newport Local Development Plan 2011 – 2026. Policy SP8 states that proposals within designated Special Landscape Areas should contribute positively to the area through high quality design, materials and management schemes that demonstrate a clear appreciation of the area's special features. Although the application site is not within the SLA, the property is located directly adjacent and could therefore influence the setting. The design of the proposed extension is in keeping with the already established residential character of the area through choice of materials, symmetry and scale. Although the extension would introduce more contemporary/glazed elements on the rear elevation including patio doors and associated railings, this design can already be seen on the existing rear elevation and would not introduce harm to the setting over and above the existing situation.
- Residential Amenity:**
- 8.7 The nearest affected properties to the west of the site would be nos.244 – 248 Mill Heath which are downslope of the development site. The two-storey extension would be adjacent to the rear boundaries and elevations of these properties. The House Extensions and Domestic Outbuildings SPG states that development which reduces the distance between a protected window and a blank two-storey elevation to less than 14 metres is unlikely to be acceptable. The existing side elevation of no.270 is 13m away from the rear elevation of no.246 Mill Heath which although marginally below the 14m threshold, is sufficient to not appear conspicuous and maintains an adequate distance between the properties. The extension would reduce the separation distance to 9m. Each of the 3no properties downslope have protected windows on the rear elevation which would face the blank elevation. Given the 4m reduction in the separation distance between these protected windows and the blank elevation and the topographical disparity between nos.244-248 Mill Heath and the application site, it is considered that the extension would substantially increase the conspicuity of the elevation and significantly reduce perceived space between the properties, particularly when viewed from no.246. This is contrary to the guidance set out in the SPG and Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).
- 8.8 The House Extensions and Domestic Outbuildings SPG states that the 25° test would be required where it relates to protected windows facing other buildings or relevant structures. In most cases, a proposal that fails the 25° test in relation to a neighbour's protected window will not receive planning permission however a judgement will be made on whether or not a development that fails this test on a protected window has a demonstrable adverse effect on the protected window over and above the existing situation. This will have regard

to the relationship of the protected window to existing built development, the built character of the area, its orientation, the presence of other windows serving the same room and any other factors deemed to be material to the assessment of daylight impact on the window. The proposed extension failed the 25-degree light test when conducted from the ground floor window of no.246. The 25-degree light tests also failed when conducted against the existing side elevation of the property. Although the outcome of the tests is the same in this instance, there is a discernible difference between the tests, and the proposed development would introduce significant massing along the notional 25-degree line. Regard has been given to the orientation of the dwellings in relation to the extension. In this instance, the rear elevations/garden of nos.244 – 248 Mill Heath are west facing, meaning that the proposed extension would not significantly worsen the level of shadowing of/daylight reaching the rear elevation. Although the extension would not substantially diffuse natural light in the neighbouring habitable rooms, the extension would project materially further into the space above the rear boundaries of the 3no properties downslope, as forementioned substantially reducing perceived space. This is unneighbourly and contrary to Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

- 8.9 Given the location of the development in relation to the rear boundaries of nos.244 – 248 Mill Heath, it is considered that there is potential for impacts on the adjacent garden areas by means of overshadowing and overbearing. The Council will seek to maintain adequate levels of natural light in people's back gardens. There is not a specific test for this purpose, but a development proposal that would deprive a neighbouring back garden of a reasonable amount of light, whether diffuse, oblique or direct, is unlikely to be acceptable. When assessing the impact on a neighbour's quality of life, the council will consider a garden's aspect and existing exposure to daylight. The application is accompanied by a shadow analysis which demonstrates that the proposed development would cause partial shading of the rear gardens of no.246 and no.244 Mill Heath during the late afternoon. When the shadow analysis is assessed against the existing elevations, a similar shading impact can be observed, whereby the existing dwelling causes some partial shading of the rear gardens of no.246 and no.244 Mill Heath during the late afternoon, indeed, an effect exacerbated during the winter period. On balance, while the two-storey side extension would marginally increase the level of shading of the adjacent rear gardens, the impact over and above the existing situation is limited and the extension would not significantly increase shadowing to that of an unacceptable level.
- 8.10 The extension would be set in 1m from the adjacent side boundary. Currently, the side elevation of the host dwelling is set in 5m from the side boundary. As the extension would introduce significant massing in this location, there is potential for a perceived overbearing effect, namely from the rear gardens of the properties which are located downslope of the site (nos.244 – 248 Mill Heath). The property most affected by the development is no.246 Mill Heath as the proposed extension would span the entire width of their rear boundary and enclose the rearmost part of the garden. No.246 benefits from a narrower garden than the adjoining dwellings, measuring a maximum width of approx. 4m, meaning that the entire width of the rear garden would be adjacent to the proposed extension. The rear garden of no.246 would align with the centre of the proposed extension, at which it reaches its highest point and the proposed two storey extension would measure up to 8.5m in height just 1m away from the boundary. It is considered that given the significant height of the extension and its proximity to neighbouring amenity, the extension would appear unduly dominant and overbearing to the detriment of the amenity currently enjoyed by the occupiers of no.246 Mill Heath. No.244 and no.248 Mill Heath benefit from larger plots, meaning that the rear gardens extend beyond the width of the dwelling to the side of each respective dwelling. The extension at no.270 would only span a partial width of each of the forementioned dwellings so it is not anticipated that the extension would appear unreasonably overbearing when viewed from the rear gardens. Given the above, it is considered that the proposed development would adversely affect neighbouring residential amenity, notably at no.246 Mill Heath by means of an overbearing effect and the proposal is not in accordance with Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).
- 8.11 Regarding the proposed fenestration, the House Extensions and Domestic Outbuildings SPG states that windows in an extension must be positioned carefully. Upper storey windows, which look directly across to a neighbour's property or garden, should generally

be avoided and preference will be for their omission. 2no windows are proposed on the front elevation 1no set of patio doors are proposed on the rear elevation at first floor level. The upper storey windows on the front elevation affords views toward the front driveway and the blank side elevation of no.268 Mill Heath so would not be harmful to privacy in this instance. The upper storey window on the rear elevation would provide views of the rear garden and the north of Bettws SLA which would not demonstrably impact neighbouring amenity over and above what can already be achieved through the existing upper storey windows of the host dwelling. With regard to the above, it is considered that the proposed extension would not adversely affect neighbouring residential amenity by means of a loss of privacy and the proposal accords with Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

8.12 Highways Safety:

The development would introduce 2no additional bedrooms, increasing the total number of bedrooms to 4no. The Parking Standards SPG requires a 4-bedroom property to provide 3no off road parking spaces. The site currently benefits from 2no off-road parking spaces in the front garden. As part of the development, the existing single storey side extension would be removed, and a garage would be introduced. The garage would introduce 1no off-road parking space, taking the total number of off-road parking spaces to 3no, in addition to cycle storage. As such, the proposal is compliant with the parking standards SPG and The Council's Highways Officer has not offered any objections.

8.13 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. A biodiversity enhancement scheme is proposed as part of the development and is to include the installation of 2no Woodstone bird boxes on the eastern side elevation. The implementation of this scheme can be achieved 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 amenity of Mill Heath however due to its scale in relation to neighbouring amenity, namely no.246 Mill Heath, the proposal would adversely harm the residential amenity by means of overbearing effect and loss of perceived space. The proposal is therefore not in accordance with the house extensions and domestic outbuildings SPG and Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

11. DECISION

REFUSED

01 The development, by reason of its location, height, local topography and design, has an adverse and unneighbourly impact on the neighbouring occupiers at no.246 Mill Heath by means of overbearing effect and loss of perceived space. Therefore, the proposal would be contrary to Policies GP2 and GP6 of Newport Local Development Plan 2011-2026 (Adopted January 2015) and the adopted House Extensions and Domestic Outbuildings SPG (Adopted January 2020).

NOTE TO APPLICANT

01 This decision relates to plan Nos: PL001 – Existing Floor Plans and Elevations, PL002 – Proposed Floor Plans and Elevations, PL003 – Shadow Analysis – Existing, PL004 – Shadow Analysis – Proposed, Design and Access Statement, Site Location Plan

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP5, SP8, GP2, GP4, 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.