

Delegated Decision Report

Application No:	26/0028	Statutory Period Expires:	11th March 2026
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Site:	54 Allt-Yr-Yn Road Newport NP20 5EB		
Proposal:	PROPOSED TWO STOREY REAR EXTENSION		
Applicant:	C Deakin		
Type:	Full	Ward:	Allt-yr-Yn
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is a detached two storey dwelling in Allt-yr-yn. The area is characterised by a mix of semi-detached and detached dwellings with off-street and on-street parking. To the rear of the host site is Barrack Hill environmental space.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks a two storey, hipped roof, rear extension. The materials appear to match that of the main dwelling house, containing brickwork at ground floor and render at first floor. The ground floor would accommodate an open plan dining/living area, while the first floor would accommodate 2no. bedrooms.

Extensions dimensions:

D: 3.3m (3.6m to the roof overhang)

H: 7.4m (7.54m to the roof overhang)

W: 6.9m

Whilst a raised patio is not within the development description, it is shown on the plans:

Raised patio

D: 2.2m

W: 10.3m

H: 1.8m

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 GP4 (Highways and Accessibility)

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 Local Highways Authority: As the existing dwelling is a three-bed unit there is no requirement to provide any additional parking, and none is lost. Access to the rear is retained for cycle and bins, so there are no highway related objections offered.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 19/01/2026, Site Notice was put up on 23/01/2026.

- 7.1 4no. neighbours were consulted. No neighbour comments were 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 When assessing a two-storey rear extension the House extensions and domestic outbuildings SPG states, 5.2.2 *In most cases, two-storey rear extensions should not be more than 3.00 metres deep, but each application will be considered on its own merits. Single-storey extensions may be constructed on side boundaries in certain circumstances (for example, at terraced houses), but householders will need some space in which to undertake maintenance. Eaves and guttering, moreover, should not project into a neighbour's property.* It also goes on to state that two storey extensions should be set down from the main ridge of the dwelling. The proposed rear extension would project approximately 3.3 metres from the rear elevation, which marginally exceeds the depth recommended within the SPG. The roof is also not set down from the main ridge. Due to

the site's topography, the rear garden is set at a lower level than the dwelling, making the extension more visually prominent when viewed from the amenity space. However, there are no properties directly to the rear that would face the extension, and the proposal retains a sufficient amount of private outdoor space for future occupiers. Given its position to the rear of the property, largely screened from the streetscene, the overall visual impact is considered acceptable.

Rear garden of no.54:



- 8.2.2 In addition, the application proposes the extension of the existing levelled patio area. The depth would come out 2.2m from the rear of the two-storey rear extension. Given the slope of the garden, it is considered the overall structure would create a large elevated surface. No sectional drawings detailing the sloped land levels of the garden have been provided, however, whilst the visual appearance of the levelled area would not be unacceptable from the application site, there would be an adverse impact on the neighbouring properties and this is discussed below.

8.3 **Residential Amenity**

- 8.3.1 The SPG sets out an assessment which considers 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.
- 8.3.2 The neighbouring properties at no. 52 and no.56 are at different land levels. The land levels have not been confirmed by the applicant, so the elevational light tests have not been undertaken. However, the plan view light tests were taken from the closest habitable windows at the neighbouring properties on their rear elevations, including the ground floor kitchen window at no.52 and no.56. These windows passed the plan view light tests. Given that these windows pass at least one of the light tests, this is deemed acceptable that the development will not create a significant amount of light from neighbouring windows.
- 8.3.3 At No. 56, there are windows on the side elevation facing the application site. These are all obscure-glazed and therefore not considered to serve habitable rooms.
- 8.3.4 When assessing the overbearing impact of development to the neighbouring properties, it should be noted that the land levels at No. 56 sit slightly higher than those at the application property, and no.52's levels are slightly lower. These have not been fully confirmed by the applicant.

- 8.3.5 When assessing the impact on No. 56, Image 1 (taken from the rear garden of No. 56, with No. 54 to the left and No. 58 to the right) shows that No. 58 has a levelled garden, visible on the right of the photograph. If the application site were also to introduce a large levelled terrace together with a two-storey rear extension, the result would be that the primary levelled area of No. 56's garden closest to the house would feel enclosed, creating a "boxed-in" feel.

1. Photos from no.56's garden:



2. Facing toward no.54:



- 8.3.6 Further to this, the image below is taken from the existing patio of the application site looking towards No. 56. The proposed two-storey extension would project 0.3m beyond the existing patio edge as shown in the photo, followed by an additional 2.2m of new levelled patio from this. The House extensions and domestic outbuildings SPG states, *A raised amenity space that substantially reduces natural light, perceived space or privacy in neighbouring habitable rooms or back gardens will not be acceptable*. No privacy screening has been proposed, and the terrace would result in an unacceptable degree of overlooking into the neighbouring garden. Even if a privacy screen was erected on the shared boundary, this would create a large, stark, overbearing feature to the neighbouring properties gardens, exacerbating the overbearing, boxed feel. No full garden section plans detailing the sloping land levels have been provided but based on the site visit and the available photographs, it is clear that the scale, height and extent of the works would create an unacceptable overbearing impact. No evidence has been submitted to indicate otherwise.

From no.54's terrace looking toward no.56:



- 8.3.7 When assessed from No. 52, the extension itself is set back approximately 2.4m from the shared boundary and is therefore not considered to have a significant direct impact. However, the proposed raised and levelled patio would extend to the shared boundary. The elevated patio would appear prominent and elevated over the existing situation; however, the absence of any privacy screening would result in direct overlooking into the neighbouring garden and ground-floor windows. Even if a 1.8m screen were added to the shared boundary fence, it would appear stark, overbearing and visually intrusive given the difference in levels to the garden. Although no sectional drawings have been provided, the site visit confirms that the raised terrace would create a new form of development which would lend views into private amenity space. No information has been provided otherwise. Overall, the proposal would result in an unacceptable overbearing impact and degree of overlooking to no.52.

Levelled amenity space of no.52 facing the host site:



8.4 **Movement**

- 8.4.1 The highways officer was consulted on the application. As the existing dwelling is a three-bed unit there is no requirement to provide any additional parking, and none is lost. Access to the rear is retained for cycle and bins, so there are no highway related objections offered in compliance with Policy GP4.

8.5 **Biodiversity**

- 8.5.1 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). Given the scale of development, this can be reasonably conditioned.

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 Although the extension would exceed SPG guidance and the garden works would create a large, elevated terrace, the main concern arises from the resulting relationship with neighbouring properties. The combined scale, height, and re-grading of the garden would create an overbearing impact, particularly for No. 56, where the development would enclose the nearest part of the garden, and for No. 52, where the elevated terrace would create direct overlooking into the neighbouring garden and windows. While there are no highway objections and biodiversity matters could be conditioned, the overall impact on neighbouring residential amenity is considered unacceptable. Therefore, the application is refused.

11. DECISION

REFUSED

01 The proposed development, by virtue of the combined scale of the two-storey rear extension and the re-levelling of the rear garden to create an enlarged raised terrace, would result in an unacceptable loss of residential amenity to the neighbouring properties at Nos. 52 and 56 Allt-yr-yn Road. Given the sloping levels of the gardens, the raised terraced patio area, combined with the two-storey rear extension would create a large, dominant structure to no.56. Given the site context, the development would create an overbearing, 'boxed in' feel to no.56's levelled amenity space closest to the dwelling and is unacceptable. The proposed raised terraced area would create direct overlooking into the neighbouring gardens of number 52 and 56, and ground floor windows of number 52 Allt-yr-yn Road. No mitigation has been proposed, however, privacy screening on the shared neighbouring boundary fences would appear dominant, overbearing and unacceptable given the overall height and scale. The scheme is therefore contrary to Policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and the adopted House Extensions and Domestic Outbuildings SPG.

NOTE TO APPLICANT

01 This decision relates to plan Nos: PL04 - Proposed Elevations; PL03 - Proposed Floor Plans; PL02 - Existing Elevations; PL01 - Existing Floor Plans; Site Location Plan and Proposed Block Plan

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5, 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.