

Newport City Council

Supplementary Planning Guidance

**HOUSE EXTENSIONS AND DOMESTIC
OUTBUILDINGS**



Draft February 2019



Mae'r ddogfen hon ar gael yn Gymraeg, gyda fformatau eraill ar gael ar gais /

This document is available in Welsh, with other formats available on request.

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1.0 INTRODUCTION

1.1 What is supplementary planning guidance (SPG)?

- 1.1.1 Published as an addition to the Newport Local Development Plan 2011 – 2026 (Adopted Plan, January 2015), supplementary planning guidance provides clear, in-depth advice on a range of planning and development issues. Before it can be adopted, it has to undergo a period of public consultation and then receive the council's approval. Once adopted, it constitutes a material consideration in the determination of relevant planning applications.

1.2 What is the history of the House Extensions and Domestic Outbuildings SPG?

- 1.2.1 This SPG was formally adopted on 06 August 2015. It has been updated in 2019 to add clarification on points raised in the ongoing use of the guidance.

1.3 What is the purpose of this SPG?

- 1.3.1 This SPG has two main functions:
- i) To ensure that house extensions and domestic outbuildings do not cause substantial harm to neighbours' living conditions;
 - ii) To protect the character and appearance of residential buildings and their surroundings.

1.4 Further advice

- 1.4.1 Further advice may be sought from:

Development Management, Newport City Council, Civic Office, Godfrey Road,
Newport NP20 4UR.

e-mail: planning@newport.gov.uk

Duty Planning Officer: 01633 656656

2.0 TERMINOLOGY

2.1 Dwelling

2.1.1 A flat or a house.

2.2 Extension

2.2.1 Any form of development that increases the volume of a house (measured externally).

Note:

This definition encompasses porches, conservatories and roof extensions, such as dormers and new gable ends on previously hipped roofs.

2.3 Habitable

2.3.1 Any room used or intended to be used for sleeping, living, cooking or eating purposes. Enclosed spaces, such as bath or toilet facilities, service rooms, corridors, laundries, hallways and utility rooms, are excluded from this definition.

2.4 Perceived space

2.4.1 The sense of living in a reasonably open environment.

2.4.2 Unreasonably conspicuous (or “overbearing”) extensions and outbuildings can create a sense of confinement in neighbours’ homes and gardens. A development may be unreasonably conspicuous on account of its size, massing, location, proximity to a boundary, et cetera (see the following diagrams).

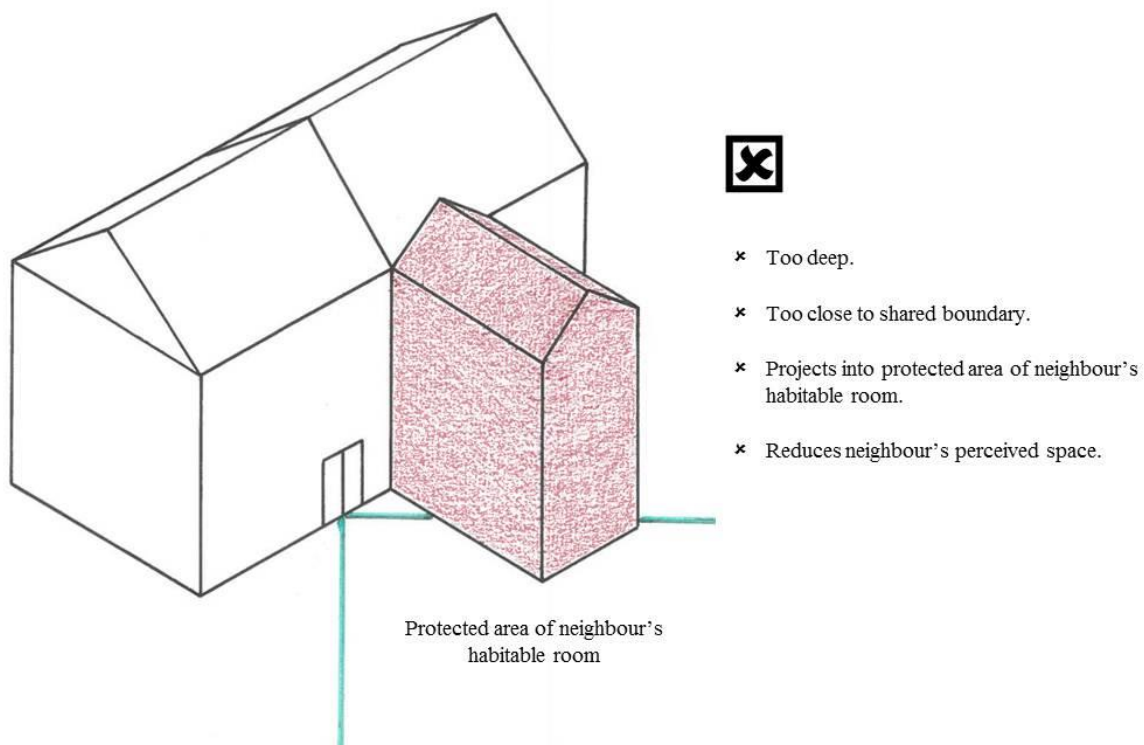


Figure 1: Unacceptable two-storey rear extension

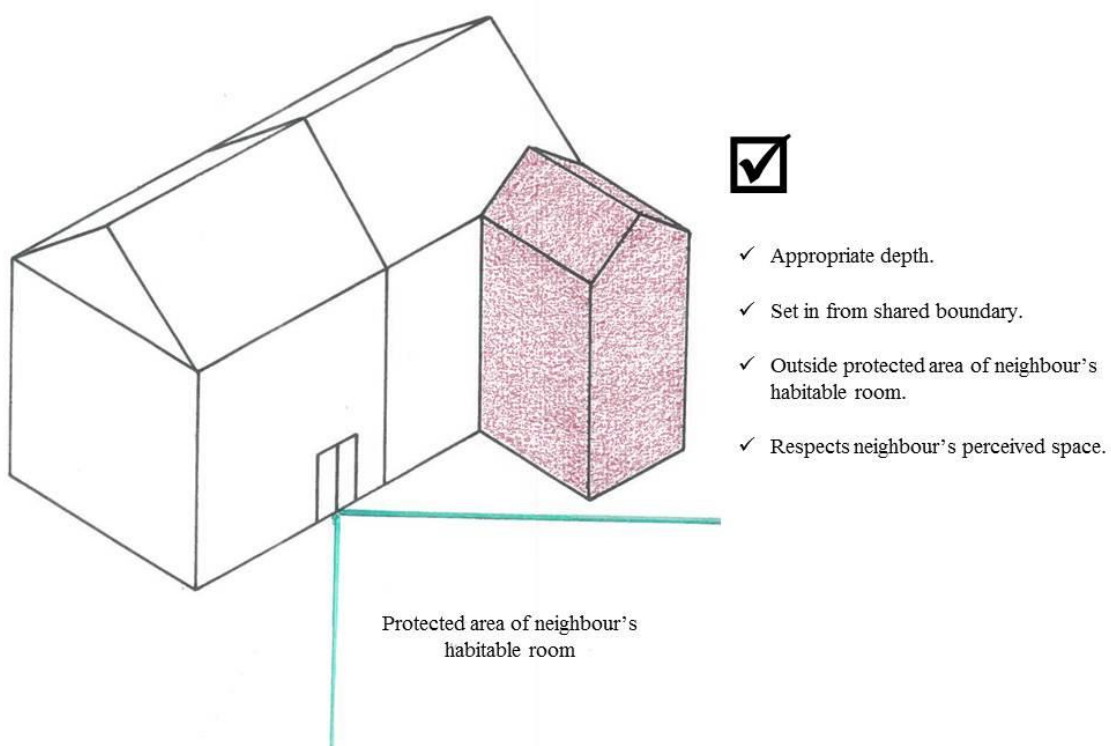


Figure 2: Acceptable two-storey rear extension

2.5 Protected window

2.5.1 An opening (that is, a door or a window) that serves a habitable room in a dwelling.

Note:

A house with a rear extension such as a conservatory whereby it is predominantly glazed, may retain a door or a window in its original rear elevation. If such an extension has an opaque roof (i.e. does not let light through), the Council will treat the rearmost opening (that is, the door or window in the extension) as the protected window. If, however, the conservatory has a transparent roof that does not significantly prejudice light to original openings, the Council may decide to treat these original rear openings as the protected windows

Note:

These terms are provided only for the purposes of this supplementary planning guidance. In no way do they alter or supersede similar terms in planning legislation or national policy documents.

3.0 POLICY & LEGISLATION CONTEXT

3.1 Legislation

3.1.1 The Planning (Wales) Act (2015) enables the creation of an efficient planning process that ensures the right development is located in the right place. This is done through adherence with the Well-being of future generations Acts (see below) to ensure that we plan and manage our resources in an engaged and sustainable way. There is greater emphasis on development engagement at the pre-application stage. This approach will help ensure issues such as design and amenity are considered at the earliest stage.

3.1.2 The Well-being of Future Generations (Wales) Act (2015) is about improving the social, economic and cultural well-being of Wales. The Act ensure that local authorities deliver sustainable development by considering long term effects as well as encouraging a more joined up approach. The Well-being of Future Generations Act put in place seven well-being goals to help ensure that public bodies are all working towards the same vision of a sustainable Wales.

3.2 National Policy

3.2.1 *Planning Policy Wales (Edition 10, December 2018)*

This document sets out the land-use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs). Procedural advice is given in circulars and policy clarification letters.

3.2.2 An overarching objective of PPW is the need for planning to take an active and positive role in placemaking¹. This approach is even to be taken at the householder scale, paragraph 2.7 states; Placemaking in development decisions happens at all levels and

¹ The definition of placemaking here is ‘a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area’s potential to create high quality development and public spaces that promote people’s prosperity, health, happiness, and well being in the widest sense. Placemaking considers the context, function and relationships between a development site and its wider surroundings. This will be true for major developments creating new places as well as small developments created within a wider place. Placemaking should not add additional cost to a development, but will require smart, multi-dimensional and innovative thinking to implement and should be considered at the earliest possible stage. Placemaking adds social, economic, environmental and cultural value to development proposals resulting in benefits which go beyond a physical development boundary and embed wider resilience into planning decisions.

involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people.

3.2.3 Paragraphs 1.1.8 & 1.1.9 also states:

It is not the function of the planning system to interfere with or inhibit competition between users of and investors in land. It should not discriminate against or favour any particular group or members of society. In taking planning decisions the planning authority must clearly state the reasons for the decision. Those proposing development also have a responsibility to provide sufficient information to enable the decision maker to make an informed judgement on whether the proposed development is sustainable (i.e. contributes to social, economic, environmental and cultural well-being).

3.2.4 *Technical Advice Note 12: Design (2016)*

Paragraph 1.6 states the following:

The purpose of this TAN is to equip all those involved in the design of development with advice on how ‘Promoting sustainability through good design’ and ‘Planning for sustainable building’ may be facilitated through the planning system.

3.2.5 Paragraph 2.2 states the following:

“The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales — from householder extensions to new mixed use communities.”

3.3 Local policy

3.3.1 *Newport Local Development Plan 2011 – 2026 (Adopted Plan, January 2015)*

Policy GP2 (General Amenity) states the following:

“Development will be permitted where, as applicable:

- i. There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality;
- ii. The proposed use and form of development will not be detrimental to the visual amenities of nearby occupiers or the character or appearance of the surrounding area;
- iii. The proposal seeks to design out the opportunity for crime and antisocial behaviour;
- iv. The proposal promotes inclusive design both for the built development and access within and around the development;
- v. Adequate amenity for future occupiers.”

3.3.2 Policy GP6 (Quality of Design) states the following:

“Good quality design will be sought in all forms of development. The aim is to create a safe, accessible, attractive and convenient environment. In considering development proposals the following fundamental design principles should be addressed:

- i. Context of the site: all development should be sensitive to the unique qualities of the site and respond positively to the character of the area;
- ii. Access, permeability and layout: all development should maintain a high level of pedestrian access, connectivity and laid out so as to minimise noise pollution;
- iii. Preservation and enhancement: where possible development should reflect the character of the locality but avoid the inappropriate replication of neighbouring architectural styles. The designer is encouraged to display creativity and innovation in design;
- iv. Scale and form of development: new development should appropriately reflect the scale of adjacent townscape. Care should be taken to avoid over-scaled development;

- v. Materials and detailing: high quality, durable and preferably renewable materials should be used to complement the site context. Detailing should be incorporated as an integral part of the design at an early stage;
- vi. Sustainability: new development should be inherently robust, energy and water efficient, flood resilient and adaptable, thereby facilitating the flexible re-use of the building. Where existing buildings are present, imaginative and sensitive solutions should be sought to achieve the re-use of the buildings.”

3.3.3 Policy H2 (Housing Standards) states the following:

“Residential development should be built to high standards of environmental and sustainable design, taking into account the whole life of the dwelling.”

Excerpt of supporting text:

“Residential development of all types, whether new development, redevelopment, conversions, extensions or changes of use, should be carried out in as sustainable way as possible, to reduce the impact on the environment both of the construction and subsequent use of the dwelling.”

4.0 GENERAL PRINCIPLES AND CONSIDERATIONS

4.1 Overview

- 4.1.1 House extensions and outbuildings (including detached annexes) can have a profound effect on the built environment and people's quality of life. When considering such proposals, Newport City Council has a responsibility to secure high-quality development that maintains adequate natural light, privacy and perceived space for neighbours. By setting out the principles of good design, this guidance is intended to help those who wish to extend their homes. It expands on the Newport Local Development Plan 2011 – 2026 (Adopted Plan, January 2015) and provides a number of guidelines against which all proposals for house extensions and outbuildings will be assessed.

4.2 Flats, bedsits and houses in multiple occupation (HMOs)

- 4.2.1 Permitted-development rights do not apply to flats, bedsits or HMOs. Any alterations that materially affect the external appearance of buildings that contain such units will require planning permission. Extensions to buildings containing flats, bedsits or HMOs will be assessed against the same guidance notes as traditional house extensions.

4.3 Conservatories and orangeries

- 4.3.1 Conservatories, orangeries and most other structures attached to a dwelling constitute extensions for planning purposes.

4.4 Removal of permitted-development rights

- 4.4.1 Sometimes, when it grants planning permission for the erection of a new house, the council decides to remove permitted-development rights relating to extensions. Householders are advised to check the planning history of their properties before commencing development.

4.5 Wider use of the guidance

- 4.5.1 Newport City Council recommends that all house extensions be built in accordance with this guidance. Residential development that incorporates the principles of good design will improve the built environment and people's quality of life.

4.6 Neighbourly considerations

- 4.6.1 The erection of a house extension may affect neighbours and visitors to the local area in a number of ways. For instance, building works often generate noise, dirt, dust and additional traffic, and plant and building materials may restrict the flow of traffic on public highways. Before commencing development, therefore, developers should consider how they might minimise the impact of the building process on people and the environment.

4.7 Quality of life

- 4.7.1 Insensitively designed house extensions can substantially reduce natural light, privacy and perceived space in neighbours' homes and gardens. Proposals should, therefore, comply with the guidance notes in sections 5.9, 5.10 and 5.11.

4.8 Alterations to listed buildings

- 4.8.1 Listed-building consent may be required for both internal and external alterations to a listed building. Bearing in mind that it is a criminal offence to carry out unauthorised works to a listed building, the council recommends that developers seek guidance from the Historic Buildings Conservation Officer before submitting an application and certainly before undertaking any works.
- 4.8.2 The council, when considering whether to grant planning permission for development that affects a listed building, has a statutory duty to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest that the building possesses" (Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990). Planning Policy Wales (Edition 10,

December 2018) states that there should be a ‘There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage.’ (para. 6.1.10).

4.9 Alterations to buildings within conservation areas

4.9.1 Newport contains 15 conservation areas, the details of which may be found on the councils’ website. Permitted-development rights are curtailed in all conservation areas, but some rights are removed entirely from areas in which Article 4(2) Directions have been issued.

4.9.2 When assessing a development proposal in a conservation area, the council has a duty to pay special attention to the “desirability of preserving or enhancing the character and appearance of [a conservation] area” (Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990). In every submission, therefore, the applicant should indicate precisely how the proposed development would appear in the context of its surroundings.

4.10 Legal and statutory requirements

4.10.1 It is recommended that developers consider all of the legal and statutory requirements that might affect their proposals. Of particular relevance are the Party Wall etc. Act 1996, the Countryside Act, details of property ownership, rights of land and listed-building consent.

4.11 Building regulations

4.11.1 Many forms of development (including house extensions and flat conversions) will require building-regulations approval. Advice and application forms can be obtained from the Building Control section of the Newport City Council website.

4.12 Necessary consents and certificates

- 4.12.1 Those who undertake development (including house extensions and flat conversions) without the necessary consents may find it difficult to sell their properties in the future. They will not, for instance, be able to provide prospective buyers (or their representatives) with copies of certificates.

4.13 Enforcement

- 4.13.1 Newport City Council may take enforcement action against (and, if necessary, prosecute) those who commence development without having obtained the necessary permission.

4.14 Lawful Development Certificates

- 4.14.1 A householder may apply for a Lawful Development Certificate (LDC) in respect of existing or proposed development. Existing development that either does not require planning permission (it may constitute permitted development, for instance) or was completed at least four years ago will be eligible for an LDC. Proposed development will be eligible for an LDC only if it constitutes permitted development, the limits of which are currently defined in the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

Note:

At any time, the Welsh Government may exercise its right to amend the General Permitted Development Order.

4.15 Wildlife

- 4.15.1 Dwellings, as well as their outbuildings and curtilages, may support protected species that are material to planning decisions, such as bats, barn owls, swallows and house martins. The Wildlife and Development SPG outlines a range of potential considerations in planning proposals. Further advice may be found via the Natural Resources website (<http://naturalresources.wales>).

5.0 GUIDANCE NOTES

5.1 General

5.1.1 *HEDO 1.1 (Conservation areas)*

Planning applications that relate to properties in conservation areas should indicate precisely how the proposed development would appear in the context of its surroundings.

5.1.2 *HEDO 1.2 (Listed buildings)*

Applications for listed-building consent should contain details of all proposed internal and external works.

5.1.3 *HEDO 1.3 (Extension and effect on existing building and streetscape)*

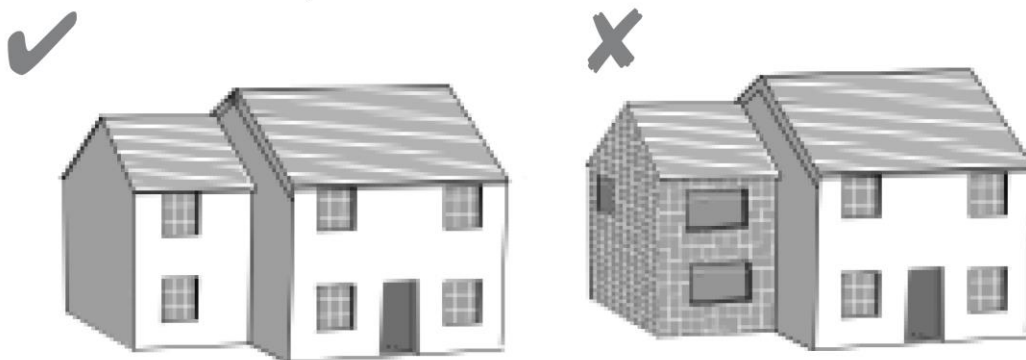
A house extension (or a domestic outbuilding) should relate sympathetically to the existing building and the surrounding area.

Note:

The council will pay particular attention to scale, massing, proportions, architectural detailing, etc.

5.1.4 *HEDO 1.4 (External materials)*

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



Materials used in the construction of any extension should complement those used in the existing property. New windows should also reflect those in the original house in terms of design, positioning and size. Conflicting materials can lead to an unattractive appearance (above right).

Figure 3: External materials of extensions

5.1.5 *HEDO 1.5 (Replication of roof form)*

In general, an extension should adopt the roof form of the existing building, replicating its pitch and architectural detailing (including external materials).

5.1.6 *HEDO 1.6 (Fenestration)*

The fenestration in an extension should replicate the proportions and details of doors, windows and skylights in the existing building.

5.1.7 *HEDO 1.7 (Fenestration-to-elevation ratio)*

An extension should replicate the fenestration-to-elevation ratio of the existing building.

5.1.8 *HEDO 1.8 (Adequate levels of natural light, privacy and perceived space)*

A house extension (or a domestic outbuilding) should not substantially reduce natural light (whether direct or diffuse), privacy or perceived space in neighbours' habitable rooms and back gardens.

5.1.9 *HEDO 1.9 (Adequate amenity space)*

A house extension (or a domestic outbuilding) should preserve adequate amenity space for existing and future occupants of the application property.

5.1.10 *HEDO 1.10 (Adequate off-street parking)*

A house extension (or a domestic outbuilding) should preserve adequate off-street car parking within residential curtilages.

5.2 **Rear extensions**

- 5.2.1 Wherever possible, extensions should be built on the rear or least important elevations of properties. The size and form of every extension should be appropriate to the main building and the space around it.

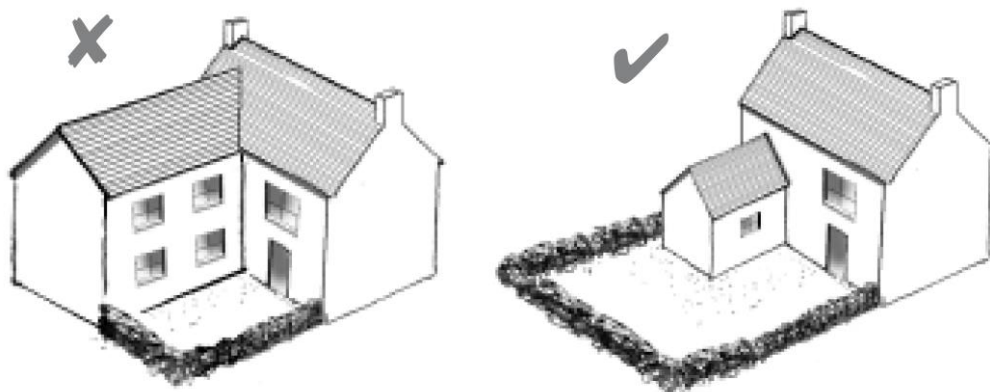


Figure 4: Size and form of a rear extension

- 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.

5.3 Side extensions

5.3.1 Insensitively designed side extensions harm the townscape in two important ways. First, as well as distorting the front elevations of individual houses, they eliminate lines of symmetry in pairs of semi-detached houses and small terraces. Second, they fill spaces between buildings, changing the pattern of development in an area. Such spaces are valuable because they create a visual rhythm of solids and voids. In so doing, they help to punctuate the built environment, preserving a sense of light and space at street level. Over time, development that fills these gaps may result in widespread terracing, to the detriment of public and private visual amenity. In general, therefore, the council recommends that a side extension be set in at least one metre from the side property boundary.



Figure 5: Size and form of a side extension



Figure 6: Side extensions filling gaps between properties

5.3.2 At the time of writing, a side extension that constitutes permitted development may be flush with the front elevation of a house. In most cases, however, a side extension that requires planning permission owing to its height or width should be set back at least one metre from the front elevation of the original building, ensuring it is subordinate to the host building. Such a setback will reduce the visual impact of an extension, helping to maintain the character and appearance of both the original dwelling and the streetscape.

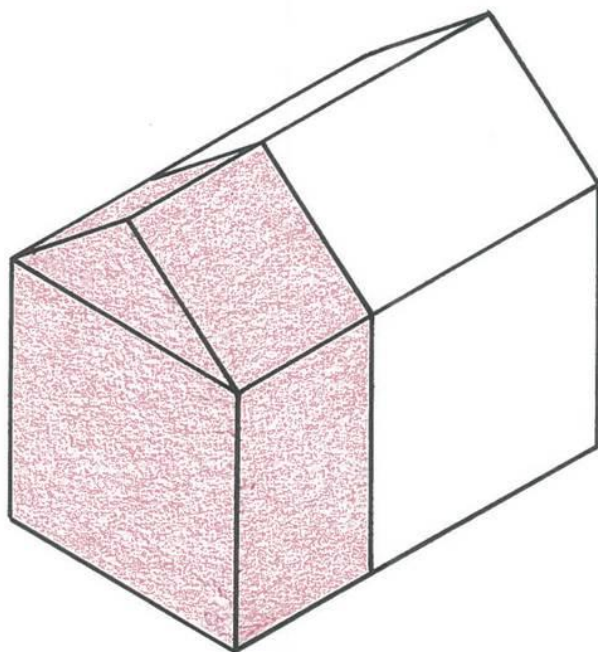
5.3.3 A side extension at a house that occupies a corner plot should be set back from each established building line. Such setbacks will prevent undesirable “tunnelling”, which reduces the sense of light and space in the streetscape (see Figure 9 on page 22).

5.3.4 *HEDO 2.1 (Setback of at least one metre)*

A two-storey side extension (or a first-floor side extension above an existing ground-floor section) should be set back at least one metre from the original front elevation of the existing building.

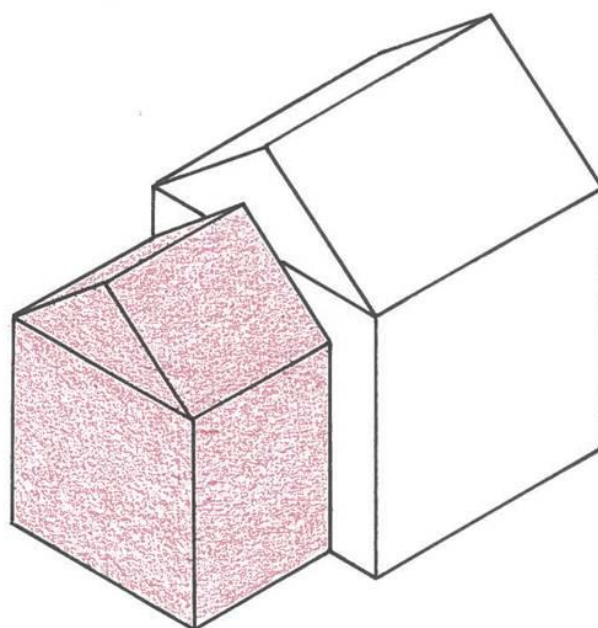
Note:

The original front elevation will not include architectural features such as bay windows or a porch.



- * Not set back from front building line of house.
- * Not set down from roof of house.

Figure 7: Unacceptable two-storey side extension



- ✓ Set back from front building line of house.
- ✓ Set down from roof of house.

Figure 8: Acceptable two-storey side extension

5.3.5 HEDO 2.2 (*Extensions at corner properties*)

A side extension to a house that occupies a corner plot should not breach the established building lines in the streetscape.

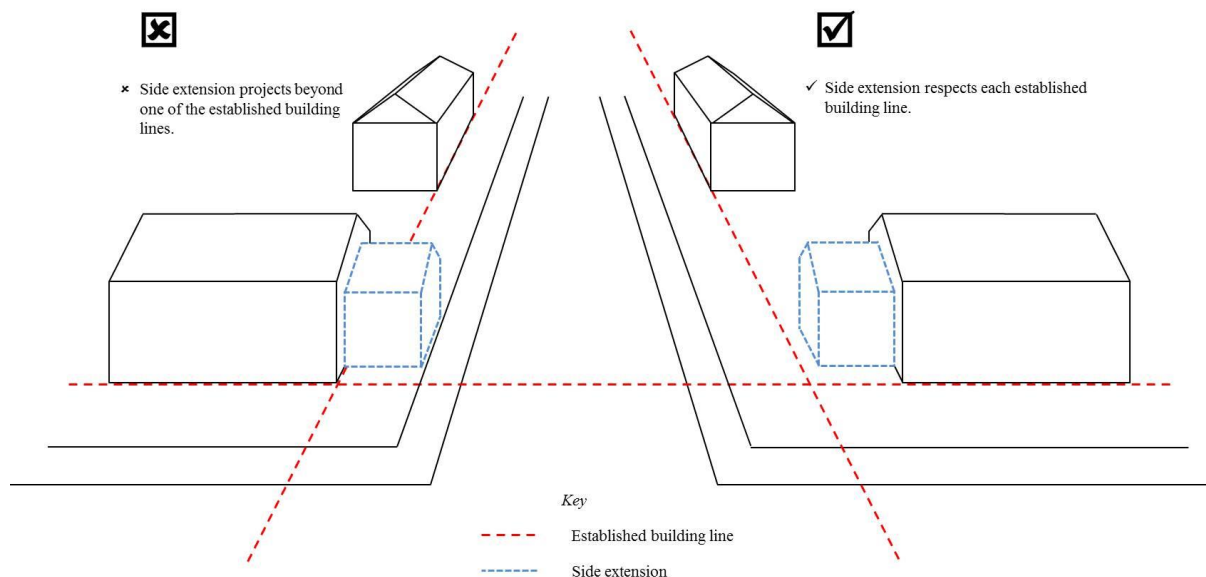


Figure 9: Acceptable and unacceptable side extensions at corner buildings

5.4 Porches and front extensions

5.4.1 Porches

Within certain limits, householders may exercise their permitted-development rights and build porches without planning permission. Porches that exceed these limits will require permission from the council.

5.4.2 HEDO 3.1 (Porches)

A porch should relate sympathetically to the existing building and the streetscape by virtue of its size, design and materials.

5.4.3 Front extensions

Front extensions, as distinct from porches, are unacceptable in principle because they tend to be very prominent in a streetscape. Only rarely will the council consider allowing proposals of this nature.

5.4.4 *HEDO 3.2 (Front extensions)*

A front extension, as distinct from a porch, will be considered for approval only if it would restore symmetry to a pair of semi-detached houses and/or occupy a streetscape that lacks regular front building lines and architectural consistency.



Figure 10: Acceptable and unacceptable front extensions

5.5 **Raised amenity spaces (decks, balconies, patios and roof terraces)**

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.

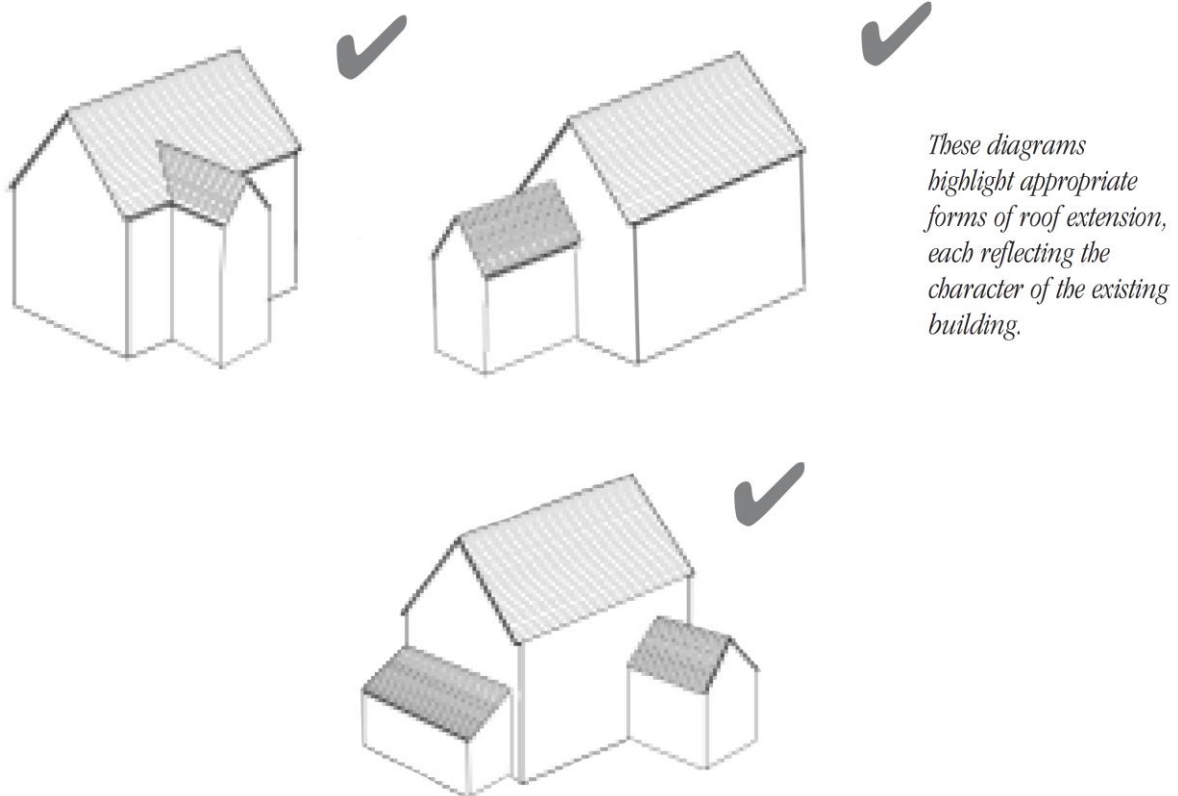
5.5.2 In some cases, privacy screens can reduce the degree of overlooking that neighbours experience in their homes and gardens. They should be large enough to prevent a material loss of privacy yet small enough not to render a structure obtrusive or unsightly. In general, translucent screens and trellis 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.

5.5.3 *HEDO 4.1 (Raised amenity spaces and neighbouring protected windows)*

A raised amenity space that substantially reduces natural light, perceived space or privacy in neighbouring habitable rooms or back gardens will not be acceptable.

5.6 Roof form

5.6.1 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).



Examples of inappropriate roof extensions are highlighted below.

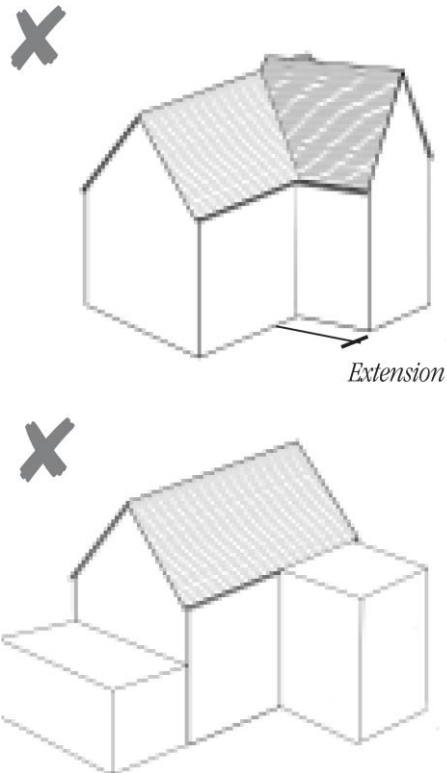


Figure 11: Acceptable and unacceptable roof forms

5.6.2 HEDO 5.1 (Set-downs for two-storey extensions)

The roof of a two-storey extension should be set down from the main roof of the existing building it should be set down and clearly subordinate to the main property, see figure 8 for an example. The roof should also complement the host building.

Note:

See Figure 8 on page 21.

5.6.3 HEDO 5.2 (Retention of roofline features)

Roofline features, such as party walls, chimney stacks and chimney pots, should be retained wherever possible.

5.7 Roof alterations, roof extensions, skylights/roof windows and dormers

5.7.1 Roof alterations

5.7.2 HEDO 6.1 (Changes to roof form and effecting on existing building)

A proposal that changes the form of a roof (e.g. pitched to mansard) should nevertheless be consistent with the scale and proportions of the existing building.

5.7.3 HEDO 6.2 (Changes to roof form and effect on streetscape)

A proposal that changes the form of a roof should not detract from the character and appearance of the streetscape.

5.7.4 Roof extensions



A large roof extension can have a significant impact on its surroundings.



Figure 12: Unacceptable roof extension

5.7.5 HEDO 6.3 (Roof extensions and adjacent highways)

A roof extension (other than a hip-to-gable extension) that projects beyond the plane of an existing roof slope that faces a highway is unlikely to be acceptable.

5.7.6 Dormers

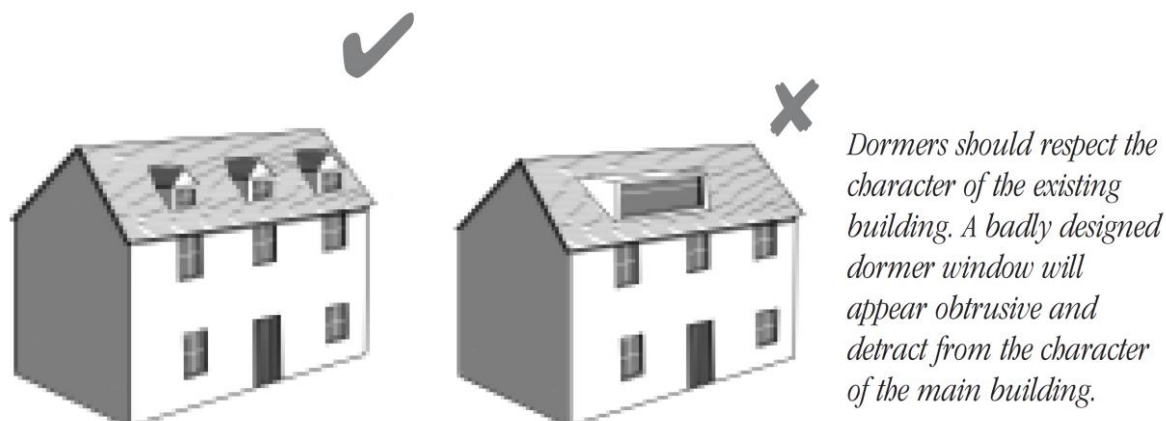


Figure 13: Acceptable and unacceptable dormers

5.7.7 HEDO 6.4 (Dormers with wide flat roofs)

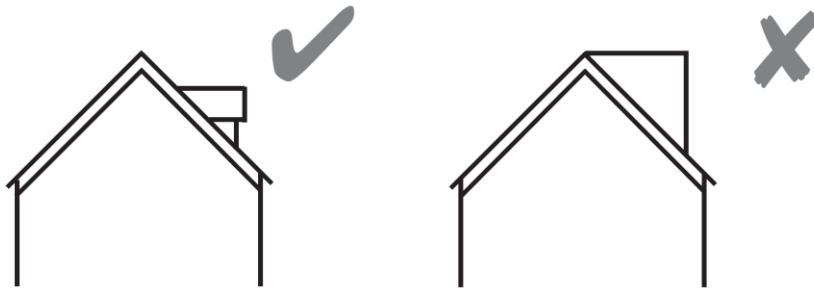
A dormer that has a wide flat roof is unlikely to be acceptable.

5.7.8 HEDO 6.5 (Two narrow dormers preferable to a single wide one)

Two narrow dormers may be preferable to a single wide dormer.

5.7.9 HEDO 6.6 (Setbacks and set-downs for dormers)

A dormer should be set back at least 50.00 centimetres from the eaves of the existing building. It should also be set down at least 50.00 centimetres from the ridge of the existing roof.



Dormers should be set well below the ridgeline of the main roof and set back from the main face of the existing building

Figure 14: Set-downs for dormers

5.7.10 *Skylights and roof windows*

5.7.11 *HEDO 6.7 (Skylights and roof windows)*

Where a roof light is required to the front or other prominent elevation; care should be taken to ensure that its proportions and positioning reflect the style and character of a dwelling, and that it does not look unduly prominent. Flush-fitting roof lights may help to reduce prominence.

5.7.12 *HEDO 6.8 (Low-profile skylights and roof windows in conservation areas)*

In conservation areas the installation of roof lights requires planning permission. Roof lights should be few in number and discreetly positioned so that they are not readily visible from prominent views within the conservation area. They should also be of a 'conservation type' which do not protrude above the plane of the roof. Consideration should also be given to the general arrangement of any roof lights in order to reduce their impact, even if this is limited to private views alone.

5.8 Outbuildings (including detached annexes)

- 5.8.1 Outbuildings, including detached annexes, can be just as harmful as house extensions to residential amenity and the streetscape. It is essential, therefore, that the council control their size, location and appearance.

Note:

An annexe must contain only essential accommodation that is commensurate with the needs of its user and supplementary to the facilities and accommodation available in the associated dwelling house. It must not, moreover, have its own curtilage, parking area or vehicular access.

5.8.2 *HEDO 7.1 (Outbuildings, back gardens and public visibility)*

An outbuilding should be erected in a back garden and, if possible, out of public sight.

5.9 Loss of privacy

- 5.9.1 Applicants ought to consider how their proposals might affect their neighbours' privacy in habitable rooms and back gardens. For instance, high-level protected windows in the side elevations of extensions will almost always be unacceptable (see the following drawing).

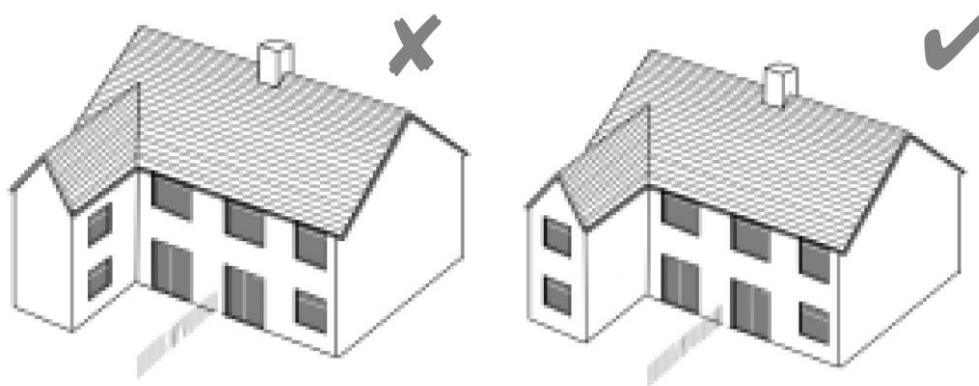


Figure 15: High-level protected windows in side elevations

5.9.2 *HEDO 8.1 (Protected windows and separation distances)*

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.

Notes:

- i) Protected windows that face one another should be at least 21.00 metres apart (unless separated by permanent structures or evergreen trees protected by Tree Preservation Orders).
- ii) Protected windows that do not allow views to rooms that should be reasonably expected to be private may be less than 21.00 metres apart.

5.9.3 *HEDO 8.2 (Protected windows and adjacent gardens)*

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.

Note:

When judging whether the distance between a high-level protected window and a neighbouring garden is suitable, the council will consider, amongst other things, the shape, size and layout of the garden and the effects of ground levels, outbuildings and boundary treatments (e.g. hedges and fences).

5.9.4 HEDO 8.3 (*Overbearing Effect on Gardens*)

Development proposals that have a significant overbearing effect on neighbouring garden areas regardless of whether all other tests outlined in this SPG are met will be unacceptable. The Council will give consideration to the characteristics of the affected garden area including its size, orientation, likely usage, topography existing neighbouring development, screening vegetation and any other pertinent consideration when assessing overbearing effect.

5.10 Loss of daylight

5.10.1 There are two types of assessment which consider the potential loss of daylight from new development. There is the 25° test and 45° test the requirement for each is set out below.

5.10.2 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. Side facing windows are more likely to fail this test because of established layout and a judgement will be made on whether or not a development that fails this test on a side facing 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.

5.10.3 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.

5.10.4 *25° test for natural light*

From the horizontal centre of a protected window, at a point two metres above ground level, a notional line is drawn at an angle of 25° to the horizontal. Any development that projects within this line is likely to interfere with the diffuse daylight available to the existing building. In such circumstances, planning permission will be refused in most cases subject to the commentary at para 5.10.2 above.

25° test - Impact of proposed extension

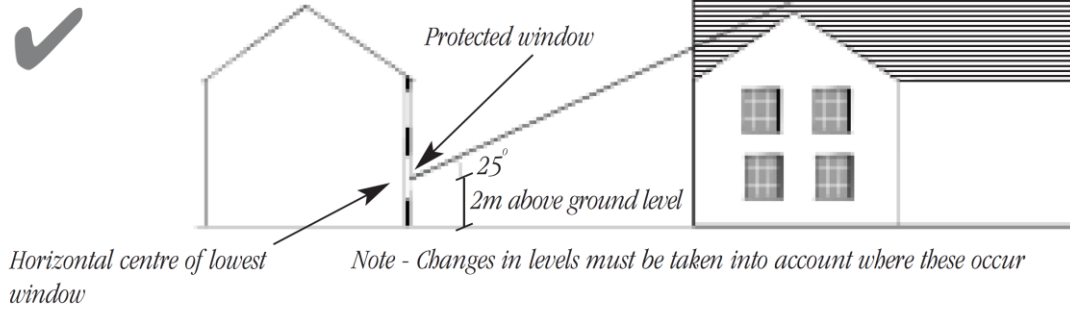


Figure 16: 25° test for natural light

5.10.5 Plan-view 45° test for natural light

This test is performed by drawing two notional lines at 45° angles from the centre of a protected window. The proposed development should not project beyond the nearest 45° line.

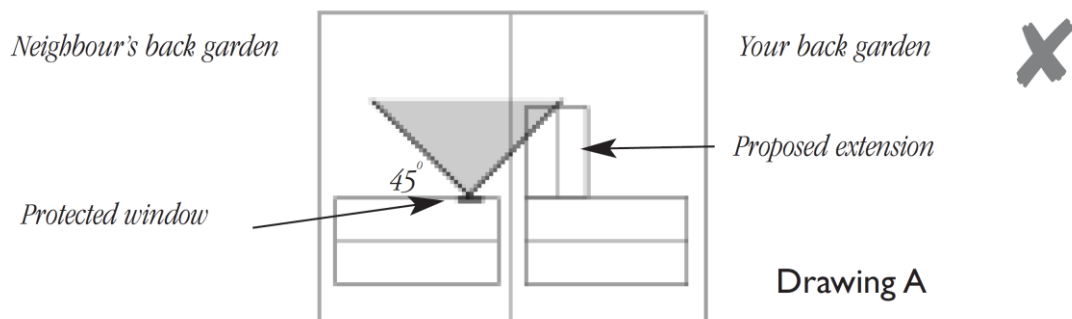


Figure 17: Plan-view 45° test for natural light

5.10.6 Elevation-view 45° test for natural light

For this test, a notional line is drawn from the centre of a protected window at 45° to the horizontal. If the protected “window” is a floor-length window or a door, the 45° line will be taken from a point on the horizontal centre of the opening at 2.00 metres above ground level (see the second illustration below). The proposed development should not project beyond the 45° line.

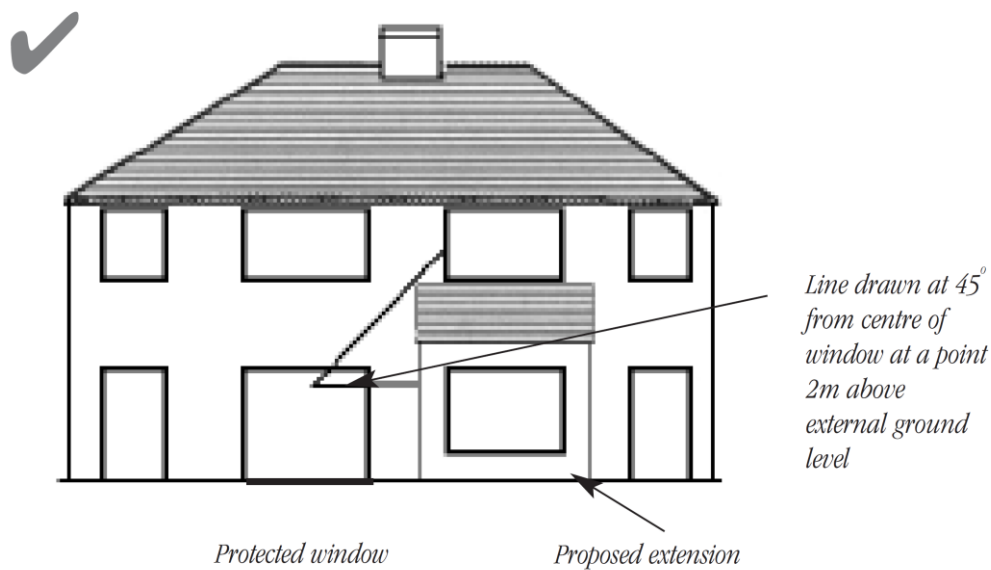
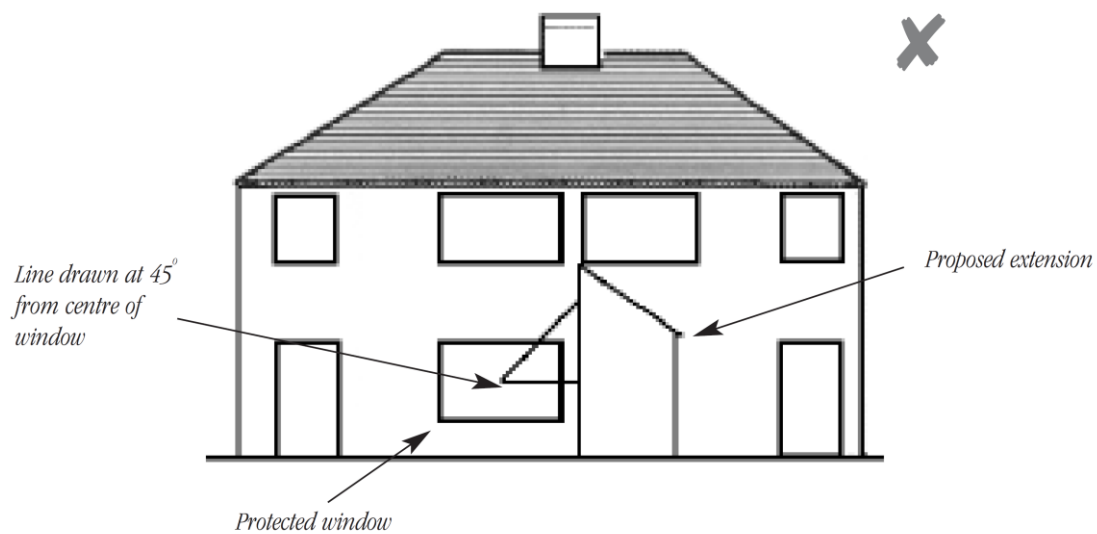


Figure 18: Elevation-view 45° test for natural light

Note:

A house with a rear extension such as a conservatory whereby it is predominantly glazed, may retain a door or a window in its original rear elevation. If such an extension has an opaque roof (i.e. does not let light through), the Council will treat the rearmost opening (that is, the door or window in the extension) as the protected window. If,

however, the conservatory has a transparent roof that does not significantly prejudice light to original openings, the Council may decide to treat these original rear openings as the protected windows

5.10.7 Elevation-view 45° test for natural light (side windows)

Due to the established layout and acceptability that properties can be positioned closer side by side, the 25° test on a side facing protected window is considered to be too strict to satisfy. Therefore, to consider the impact of a proposed development on a protected side window, a 45° test will be applied. The consideration here is not only on the loss of light, but of overbearing as well: see section 5.11 for more detail on this assessment.

5.10.8 For the 45° test, a notional line is drawn from the horizontal centre of an *original* protected side window at 45° to the vertical. Such a window may serve either the ground or the first floor. If the protected “window” is a floor-length window or a door, the 45° line will be taken from a point on the horizontal centre of the opening at 2.00 metres above ground (or, where appropriate, first-floor) level. The proposed development should not project beyond the 45° line.

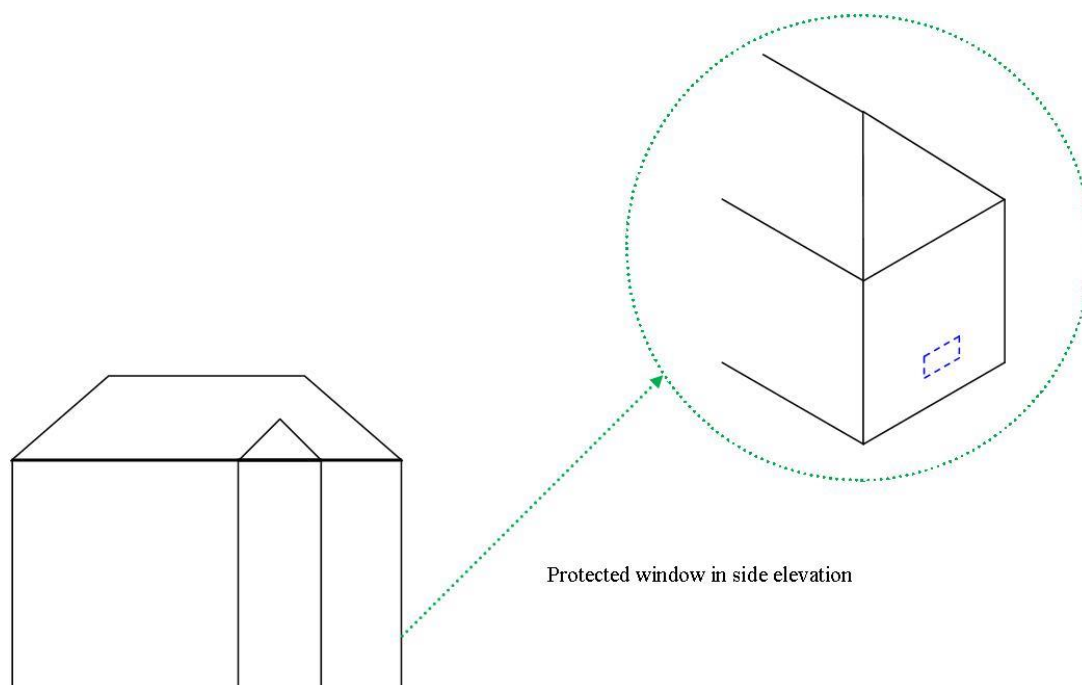


Figure 19: Example of an original protected side window

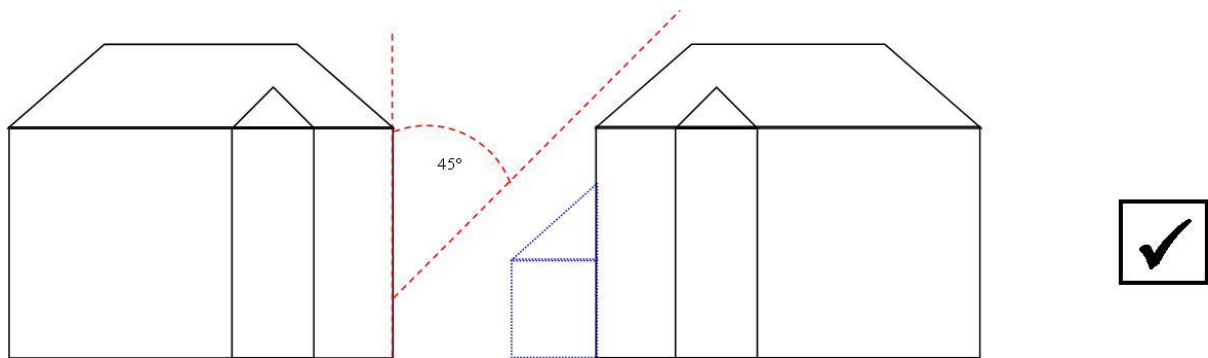


Figure 20: Modest side extension causes no loss of light to neighbour's original protected side window

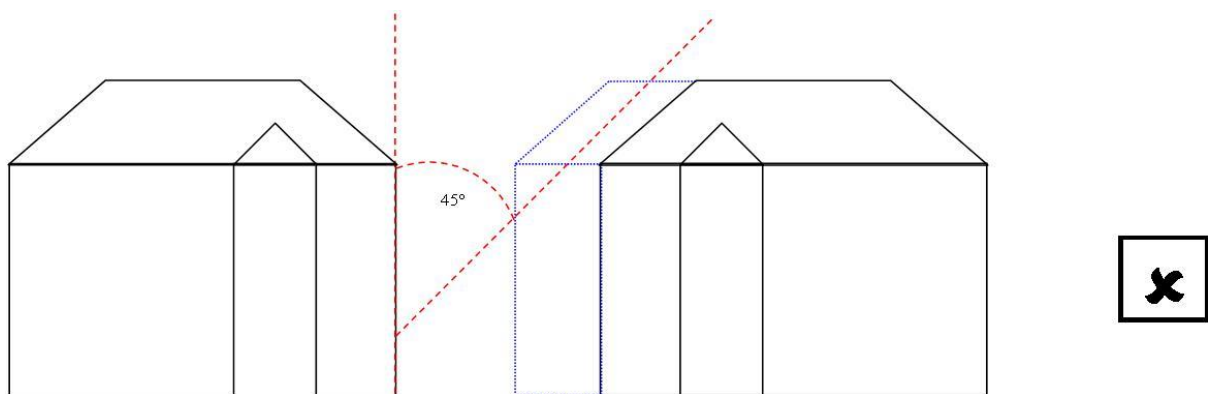


Figure 21: Excessively large side extension causes loss of light to neighbour's original protected side window

5.10.8 *Loss of daylight in back gardens*

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. For instance, a south-facing garden tends to receive a great deal of direct sunlight between dawn and dusk, whereas a north-facing garden tends to

receive only diffuse and oblique light. Of the two, then, it is the former that is more likely to be overshadowed for long periods by a neighbour's extension or outbuilding.

Note:

For the purposes of this assessment, a dwelling's principal amenity space will be treated as its "back garden".

5.10.9 *HEDO 9.1 (45° tests for natural light)*

An extension or outbuilding that fails two or more of the 45° tests for natural light in relation to a neighbour's protected window is unlikely to be acceptable.

Notes:

- i) A habitable room may contain more than one door or window. So long as one of its openings would continue to provide occupants with adequate natural light, the council may allow a proposal that contravenes the aforementioned guidance note.
- ii) The elevation-view test for natural light (side windows) applies only to original protected windows.

5.10.10 *HEDO 9.2 (25° test for natural light)*

An extension or outbuilding that fails the 25° test for natural light in relation to a neighbour's protected window will be unacceptable in most cases but it is acknowledged that side facing windows will more likely fail this test and other material factors will need to be considered in evaluating impact, see paragraph 5.10.2 for more detail.

Note:

A habitable room may contain more than one door or window. So long as one of its openings would continue to provide occupants with adequate natural light, the council may allow a proposal that contravenes the aforementioned guidance note.

5.11 Loss of perceived space and visual amenity

5.11.1 HEDO 10.1 (*Protected windows and blank two-storey elevations*)

Development that reduces the distance between a protected window and a blank two-storey elevation to less than 14.00 metres is unlikely to be acceptable.

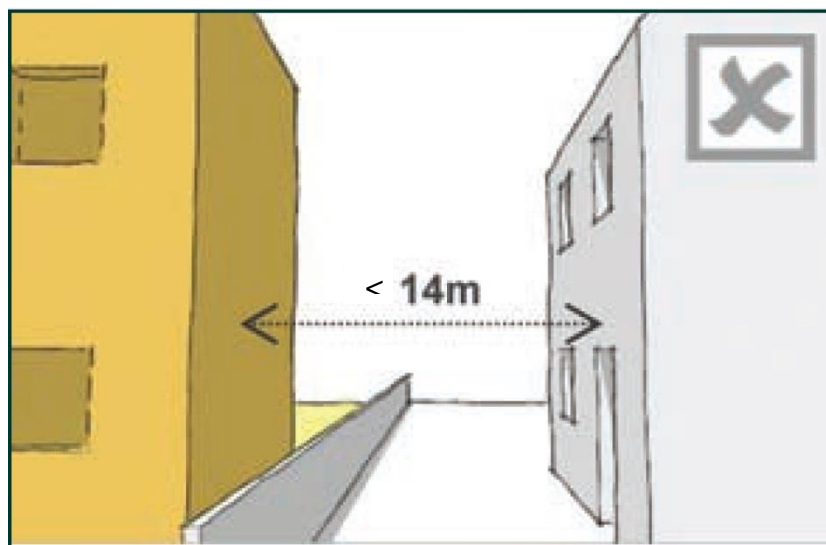
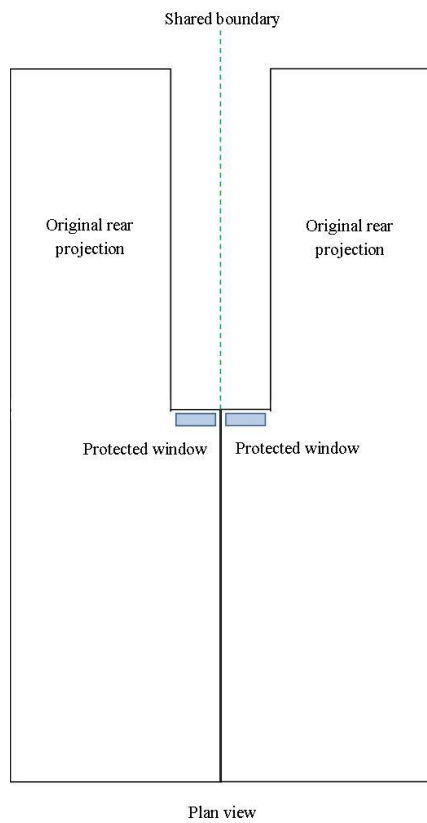


Figure 22: Distance of 14.00 metres between a protected window and a blank two-storey wall

5.11.2 Many traditional terraced houses were built with substantial rear projections. In some cases, these projections are quite close to protected windows (e.g. those serving dining rooms) in neighbouring properties. Even when gaps do exist between rear projections and neighbours' protected windows, it is possible that such layouts, assessed retrospectively, would violate the principles set out in this guidance. Nevertheless, it is clear why some homeowners may be tempted to build infill extensions in these gaps. Should they require planning permission, however, extensions of this nature are unlikely to be acceptable if they would be adjacent to protected windows. In such circumstances, infill extensions are likely to appear unreasonably conspicuous to neighbours, substantially reducing perceived space and diffuse natural light in their habitable rooms (see the following diagrams).



- ✓ Each original rear projection is set in from the shared boundary and the adjoining property's protected window
- ✓ Each occupant has adequate perceived space and diffuse natural light in a habitable room
- ✓ No undesirable "tunnelling" effect on either protected window

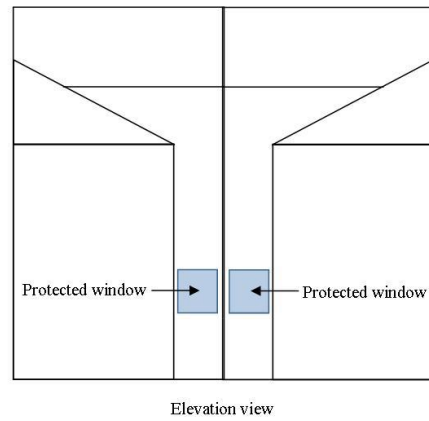
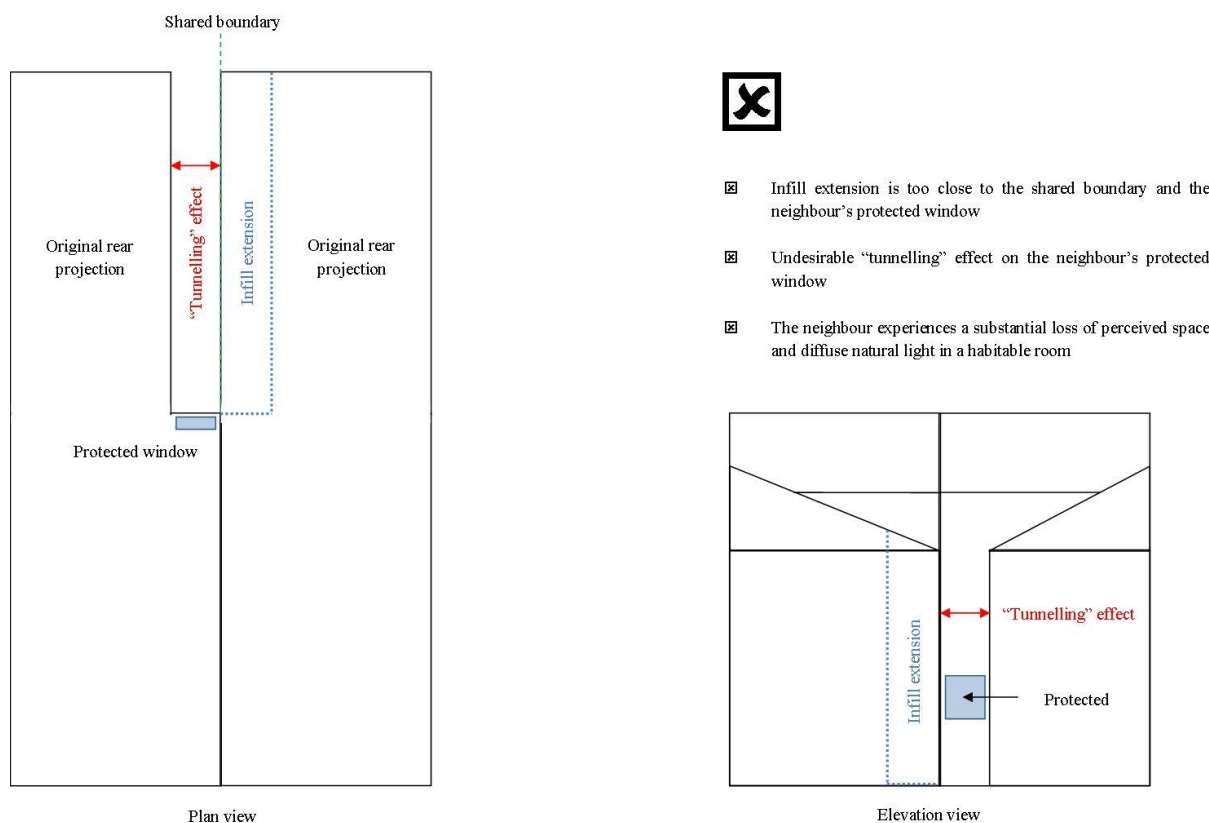


Figure 23: Acceptable relationship between an existing rear projection and a neighbour's protected window



5.12 Concluding note

5.12.1 Every application for development requires the council to assess whether any residents would experience a material (that is, substantial and harmful) loss of privacy, natural light or perceived space. No two application sites have identical physical characteristics, however, and very few sites conform to the “textbook” scenarios illustrated in this guidance. The council must, therefore, consider how factors such as orientation, topography and spatial relationships between buildings might accentuate or diminish the impact of a proposal. For instance, a south-facing window receives a great deal of direct sunlight between dawn and dusk, whereas a north-facing window receives only diffuse and, on occasion, oblique light. Of the two, then, it is the former that is more likely to be left in shadow by a neighbour’s extension or outbuilding. Lastly, the council must also take into account how development proposals might affect, or be affected by, other proposals that have received planning permission and are likely to be implemented.

6.0 PARKING

6.1 *HEDO 11.1 (Parking standards)*

Development proposals should comply with the Newport City Council Parking Standards 2015 (or any supplementary planning guidance that amends or replaces these standards).

Note:

The council favours off-street parking, but schemes that sacrifice entire gardens in order to provide parking spaces will not receive planning permission. Proposals that cannot provide off-street parking and are likely to create or exacerbate on-street parking problems will also be unsuccessful. The council may, however, relax certain requirements if an applicant can demonstrate that a proposal is sufficiently well served by public transport and local services. Planning decisions will also take account of the manner in which buildings are currently used. For instance, even in the absence of off-street parking, the council may grant planning permission if the proposed development would create less demand for parking than the existing use.

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