

Delegated Decision Report

Application No:	25/0761	Statutory Period Expires:	3rd December 2025
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Site:	633 Chepstow Road Newport NP19 9BN		
Proposal:	<i>PARTIAL DISCHARGE OF CONDITION 3 (VISIBILITY SPLAYS) OF 24/0727 NEW VEHICULAR ACCESS OFF CHEPSTOW ROAD AND ASSOCIATED OFF ROAD PARKING AREA TO FRONT OF PROPERTY (PART RETROSPECTIVE)</i>		
Applicant:	G Armstrong		
Type:	Discharge Conditions	Ward:	Alway
Decision:	REFUSED		

1. BACKGROUND

- 1.1 An application for a new vehicular access and associated off road parking area to the front of the property was granted with conditions under application ref.24/0727 in February 2025.

2. SITE LOCATION AND CONTEXT

- 2.1 633 Chepstow Road is a two storey, semi-detached property, situated in the Alway ward.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks to discharge condition 3 (visibility splays) of application ref.24/7027. Condition 3 reads:

“No development, other than demolition, shall commence until the visibility splays and sight line areas shown on the approved drawings have been provided. All these areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres.

Reason: In the interests of road safety and traffic movement”

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0727	NEW VEHICULAR ACCESS OFF CHEPSTOW ROAD AND ASSOCIATED OFF ROAD PARKING AREA TO FRONT OF PROPERTY (PART RETROSPECTIVE)	GRANTED WITH CONDITIONS	13.02.2025
25/0587	DISCHARGE OF CONDITION 2 (BIODIVERSITY ENHANCEMENT DETAILS) OF PLANNING PERMISSION 24/0727 NEW VEHICULAR ACCESS OFF CHEPSTOW ROAD AND ASSOCIATED OFF ROAD PARKING AREA TO FRONT OF PROPERTY (PART RETROSPECTIVE)	APPROVED	11.09.2025

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 GP4 (HIGHWAYS AND ACCESSIBILITY)

6. CONSULTATION RESPONSES

6.1 HIGHWAYS OFFICER

Initial response

Recommend no discharge

The photographic evidence provided shows planting in excess of the 600mm height requirement within the visibility splay. The height of the bed not the key point when bushes/shrubs are planted in it. The planting obstructs the visibility.

Final response

Recommend partial discharge, in so far as the visibility has been provided but remains to be retained.

Following receipt of amended plans and clarification of what has been built, would now confirm that satisfactory visibility has been provided and recommend partial discharge.

7. PUBLIC REPRESENTATIONS

N/A

8. ASSESSMENT

8.1 Condition 3 required the provision of approved visibility splays and sight line areas. It does not require the provision of information for approval by the LPA. Notwithstanding, the submission is accompanied by a layout plan and photographic evidence that the sight lines/visibility splays are provided on site as approved.

8.2 The Council's Highways Officer initially raised concerns as the photographic evidence provided showed planting in excess of the 600mm height requirement within the visibility splay. Following receipt of amended plans and clarification of what has been built, the Highways Officer has confirmed that satisfactory visibility has been provided and recommend partial discharge, in so far as the details have been provided but remains to be retained.

8.3 Notwithstanding the above, the submission is now accompanied by a layout plan that does not match the planning permission as shows a larger area of hardsurfacing. Such changes cannot be made as part of a discharge of condition request.

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 plan accompanying this request does not match the development approved by the primary permission. The request is refused.

11. **DECISION**

REFUSED

01 The request is accompanied by a plan (CR-03D) that does not match the approved layout plan. A discharge of condition request cannot be used to amend approved drawings and therefore this submission is refused.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Evidence of Visibility Splays Achieved Application To Discharge All Remaining Conditions of 24-0727, CR-03-D Proposed Layout.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policy GP4 was 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.