

Delegated Decision Report

Application No:	26/0134	Statutory Period Expires:	1st May 2026
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Site:	<i>Olive Mount Cottage 51 Crescent Road Newport South Wales NP19 8LW</i>		
Proposal:	<i>NEW ACCESS AND DRIVEWAY AND WIDENING OF EXISTING GARAGE</i>		
Applicant:	<i>M Bowen</i>		
Type:	Full	Ward:	Beechwood
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is a single storey detached bungalow sat within a generous plot with amenity space to the front, sides and rear. It is situated at the eastern end of Crescent Road which is a residential street of pleasant amenity and a mix of traditional terraces and later semi detached dwellings. The site is notably for its particularly attractive stone front boundary wall with established grassed bank with hedgerow above that merges with the green space at the corner of Crescent Road and Woodland Road and is seen in the context of Woodland Park. There are neighbouring properties to the north, west and south of the site with a woodland area immediately to the east that was once a dwelling and garden but now vacant and overgrown. The property benefits from a detached garage at road level and abutting back edge of pavement. On road parking is largely unrestricted.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks consent for the removal of part of the front boundary wall to create a vehicular access. A new driveway is proposed from the road winding up to the front of the dwelling. In order to create the driveway, there would be significant excavation of the front garden and the erection of retaining walls. The existing garage is also proposed to be extended.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0804	PROPOSED EXCAVATION OF PART OF THE REAR EMBANKMENT AND CONSTRUCTION OF A SINGLE STOREY REAR EXTENSION	GRANTED WITH CONDITIONS	27/11/2025

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)

- GP2 – General Amenity
- GP4 – Highways and Accessibility
- GP5 – Natural Environment
- GP6 – Quality of Design

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Parking Standards SPG

6. CONSULTATION RESPONSES

6.1 Landscape: Additional information required. The site is development within the front garden of an urban residential area not protected by any specific landscape policies. However, the proposal would change the appearance of the front garden from the street view and may impact on adjacent trees. No information has been submitted to mitigate the visual impact or show the trees could be successfully retained. The proposals [and therefore the impacts] are difficult to comprehend without a topographic base, especially as this is a tight site and levels are challenging. All site frontage garden hedging and shrubs etc would be removed although this is not acknowledged in the application. No replacement planting is shown and no enhancement to meet LDP GP5. It is not clear where the street lighting column lies in relation to the access.

Recommendations:

1. Proposals are shown on a topographic survey base so they can be better understood.
2. A Soft Landscape/Planting Plan [showing planting type, species, size, density] and Soft landscape maintenance and management plan [for five years to cover new planting until established] is required. It is advised that a suitably qualified landscape specialist/professional is used.
3. The topographic survey may highlight the need for a tree survey to BS5837.

6.2 Local Highways Authority: The proposal includes a garage extension and a new access road. These are considered separately for clarity. Garage: Not supported, but no formal objection. Access road: Objection on highway safety grounds, but no objection in principle.

Garage extension - The existing garage has no pedestrian visibility, and this would remain the case if it were extended. It does not necessarily follow however that an extension would result in greater numbers of car movements, so there are no formal objections offered.

New Access - Given that there is an existing access (garage), highways would not ordinarily support a second access. However, the existing garage is of limited use (even extended) in terms of access and is not supported for car use. Indeed, it could be better used for cycles or other storage. The new access is therefore considered acceptable in principle. The detail provided indicates a very steep drive (1:8). Where it meets highway, this should ideally be limited to 1:12 for reasons of safety and ease of use. It is recognised however that the site is constrained. The plans demonstrate vehicular visibility splays in excess of the required 2.4 x 25m, but do not show any pedestrian inter-visibility. The required standard is 2x2m at 600mm height. This raises an objection on safety grounds. To provide pedestrian visibility a section of wall would have to be removed either side of drive and the ground retained battered appropriately. In conclusion, Highways would object to the scheme as proposed, however the access could be amended to provide pedestrian visibility which would make it acceptable. If the loss of additional wall is not a planning issue the matter could be addressed via condition.

6.3 Ecology: I see that the garden is densely vegetated, but from the images provided the bushes and trees etc seems to be mostly ornamental species, so do not form what I would consider a semi-natural scrub or woodland habitat. The site is likely to support nesting

birds, hedgehogs, invertebrates and perhaps reptiles and amphibians. However on a small scale such as this I would not normally ask for formal surveys of these species. I think there are unlikely to be any European protected species such as bats, dormice, otters or great crested newts on this site.

We can make the applicant aware that to damage or destroy a bird's nest while it is in use or being built is an offence under the Wildlife & Countryside Act 1981, and that they should use reasonable avoidance measures to avoid harm to other wildlife such as hedgehogs during clearance, for example. However, compensation for loss of habitat and achieving net benefit for biodiversity could be demonstrated by the submission of a soft landscaping plan as part of a Green Infrastructure Statement. The planting schedule should use a range of species of known value for biodiversity, together with features to support wildlife such as bird nest boxes, bug hotels, bat roosting boxes and hedgehog houses. This approach is more likely to achieve a positive result than requiring the applicant to commission surveys for species which we know are likely to occur on the site.

The green infrastructure at this site is likely to have a range of benefits apart from for biodiversity, including sustainable drainage, visual amenity, and climate change mitigation & adaptation. Any GI statement should set out how all these elements, including application of the stepwise approach, have been integrated into a comprehensive strategy to enhance the green infrastructure of the site.

6.4 Structures: No comments received.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 13/03/2026. No comments were received.

8. ASSESSMENT

8.1 Visual Amenity/Character and Appearance;

The property is raised and set back from the road with the intervening highly vegetated front garden which slopes up toward the dwelling. The proposed works would include the removal of part of the front boundary wall, significant excavation of the front garden, the erection of retaining walls in masonry with painted render finish, hard surfaced driveway and an enlarged garage. There also appears to be a gate shown. It is assumed that most of the vegetation currently to the front of the property will be removed however this has not been addressed within the submission.

The site, which is highly vegetated, currently contributes positively to the area. Given the height of the site in relation to the road, the works would be highly visible and prominent alterations to this pleasant highly vegetated garden. The extensive retaining walls and hard surfacing would appear incongruous and at odds with its surroundings and would result in an unduly dominant and unsympathetic alteration to the street scene. The presence of parked and moving cars would be clearly visible at height in comparison to the road and on a street where such a feature would appear particularly incongruous as parking and garages are characteristically at roadside level. The effect of the development is to introduce a highly engineered and visually prominent form of frontage works that is at odds with the prevailing character of this part of Crescent Road. The raised, surfaced areas will materially alter the natural landform of the plot and create a formalised terraced arrangement that draws the eye in the street scene. The extent of tarmac surfacing on a relatively steep slope, seen alongside high retaining wall features will give the frontage a much more utilitarian appearance and results in a dominant, incongruous feature when viewed from the public realm. This is reinforced when the area is in use for parking, as vehicles would sit more prominently within the street scene than would typically be the case. Accordingly, the development harms the character and appearance of the area and conflicts with LDP Policy GP6, as the development fails to respond positively to the site context and the adjacent townscape.

8.2 Landscaping/Trees/Biodiversity:

The application does not acknowledge removal of all vegetation to the front of the property and no replacement planting has been proposed. The proposed works are in close proximity to the woodland area immediately to the southeast of the site and could impact the adjacent trees. No information has been submitted to mitigate the visual impact or show

that the trees could be successfully retained. The proposal justifies a Green Infrastructure Statement but one has not been provided.

As noted above, the proposals would include significant excavation to the front of the property resulting in the loss of vegetation and a significant hardening to the appearance of the property as a result of the retaining walls and hardstanding area. The application is not supported by a Green Infrastructure Statement and there is no regard for the step wise approach advocated by PPW12. Such a statement should set out how green infrastructure has been incorporated into the site and how the step-wise approach has been applied. The requirement for appropriate landscaping is further strengthened in the Chief Planning Officer letter dated 11th October 2023 and PPW 12 and the proposals are contrary to this. Paragraph 6.4.12 of PPW states "Where biodiversity enhancement proportionate to the scale and nature of the development is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise, it will be necessary to refuse permission". In this case, it appears that most of the hedge to Crescent Road will require removal along with shrubs west of the existing garage to accommodate the turning area. To achieve visibility, the wall will need to be punctured and reduced in height for part of its length, new retaining walls constructed and inevitable working clearance areas around the entirety of the development works that will give rise to extensive landscape disruption and removal. Albeit garden, the site is likely to support nesting birds, hedgehogs, invertebrates and perhaps reptiles and amphibians. The Council's Ecology Officer has advised that on a small scale such as this, we would not normally ask for formal surveys on these species. However, compensation for loss of habitat and achieving net benefit could be included in a soft landscaping plan as part of a GIS. The planting schedule should use a range of species of known value for biodiversity, together with features to support wildlife such as bird nest boxes, bug hotels, bat roosting boxes and hedgehog houses. The green infrastructure at this site is likely to have a range of benefits apart from for biodiversity, including sustainable drainage, visual amenity, and climate change mitigation & adaptation. Any GI statement should set out how all these elements, including application of the stepwise approach, have been integrated into a comprehensive strategy to enhance the green infrastructure of the site. The applicant should be aware that to damage or destroy a bird's nest while it is in use or being built is an offence under the Wildlife & Countryside Act 1981, and that they should use reasonable avoidance measures to avoid harm to other wildlife such as hedgehogs during clearance, for example.

No biodiversity/ecological information accompanies the submission. The proposal is contrary to policies GP2 and GP5 of the LDP.

8.3 **Movement:**

The site already contains a garage but this appears constrained and occupiers are likely to rely on the street for parking. A new vehicle access is proposed to the site as well as the enlargement of the existing garage. The Council's Highways Officer advises that whilst they would not ordinarily support a second access, the resultant garage is of limited use in terms of access and is not supported for car use.

The driveway is shown to be very steep (1:8) and the Officer states that this should be limited to 1:12 where it meets the highway for reason of safety and ease of use. The effect of this would likely be to increase the need for retaining features. In terms of visibility, whilst the plans demonstrate vehicular visibility splays in excess of the required 2.4m x 25m, no pedestrian intervisibility is shown. The required standard is 2m x 2m at a height of 600mm. This raises an objection on safety grounds. Therefore, there are concerns regarding the steepness of the drive and the absence of pedestrian visibility.

The existing garage has no pedestrian visibility. The application proposes to enlarge the garage and there would still be no pedestrian visibility. The enlarged garage could result in the increased use of the garage and a greater number of car movements however whilst the Council's Highways Officer does not support the works to the garage, they do not raise a formal objection given the existing situation. This seems reasonable, as the enlarged garage would only retain scope for a single vehicle parking. The garage is well established and whilst there is an absence of pedestrian visibility for egressing vehicles, there is an understanding that those using the garage or walking by it, must apply a degree of caution

and awareness to ensure no harm arises. In highway safety terms, the widening of the garage is compatible with policy GP4. The new driveway is, however, of concern and notably there appears to be reference to gates close to the new entrance. The Highways Officer does not refer to this but they would, if installed, require vehicles to park across the pavement whilst gates are opened. Furthermore, the steepness of the drive is of concern particularly as vehicles approach the pavement at a steep angle. To achieve visibility, plans show areas of existing frontage wall would require reduction in height which is not compatible with the elevation plans provided. The proposed driveway raises highway safety concerns at present and whilst these may be addressed by revisions for example, this does not mitigate other concerns raised.

8.5 Residential Amenity:

Given the siting of the works, the proposal is not considered to result in an adverse impact to the amenity of neighbouring properties. Whilst the engineering works extend forward of the dwelling and close to the adjoining neighbour, there is sufficient separation distance to mitigate any adverse effects arising from turning vehicles for example and potential for intervening vegetation.

8.6 Structural Stability:

As the application includes significant excavation and retaining walls, the application should be supported by structural calculations. These have not been provided.

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 By reason of its location, scale and design the proposed development would result in significant works to the front of the property that would represent unduly dominant and unsympathetic alterations to the detriment of the character and appearance of the site and wider area. This is contrary to policy GP2 and GP6 of the Newport Local Development Plan 2011-2026 (Adopted January 2015).
- 10.2 The proposal fails to mitigate or compensate for landscape and biodiversity impact or demonstrate that biodiversity enhancement can be achieved in accordance with the Stepwise Approach of PPW12. This is contrary to Policy 9 of Future Wales: The National Plan and Planning Policy Wales 12 and policies SP1 and GP5 of the Newport Local Development Plan 2011-2026 (Adopted January 2015). No information has been provided that mitigates or outweighs this objection.
- 10.3 The proposal will cause significant harm to interests of acknowledged importance, namely highway safety, by reason of the gradient of the drive and substandard pedestrian visibility. This is contrary to policy GP4 of the Newport Local Development Plan 2011-2026 (January 2015) and no information has been provided to mitigate this objection.
- 10.4 For the aforementioned reasons, it is recommended that planning permission is refused.

11. DECISION

REFUSED

01 By reason of its location, scale and design the proposed development introduces a highly engineered and visually prominent form of frontage works that are unduly dominant, unsympathetic and significantly harm the character and appearance of the area by failing to respond positively to the site context and the adjacent townscape. This is contrary to policy GP6 of the Newport Local Development Plan 2011-2026 (Adopted January 2015).

02 The proposal fails to mitigate or compensate for landscape and biodiversity impact or demonstrate that biodiversity enhancement can be achieved in accordance with the Stepwise Approach of PPW12. This is contrary to Policy 9 of Future Wales: The National Plan and Planning Policy Wales 12 and policies SP1 and GP5 of the Newport Local Development Plan 2011-2026 (Adopted January 2015). No information has been provided that mitigates or outweighs this objection.

03 The proposal insofar as it relates to the new access, will cause significant harm to interests of acknowledged importance, namely highway safety, by reason of the gradient of the drive and substandard pedestrian visibility. This is contrary to policy GP4 of the Newport Local Development Plan 2011-2026 (January 2015) and no information has been provided to mitigate this objection.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Section E Elevation Drawing No.19, Section D Elevation Drawing No.18, Proposed Elevation Drawing No.17, Existing Elevation Drawing No.16, Proposed Block Plan Drawing No.15, Existing Block Plan Drawing No.14, Access Road Sheet 3 of 3 Drawing No.12, Access Road Sheet 2 of 3 Drawing No.11, Access Road Sheet 3 of 3 Drawing No.12, Access Road Sheet 1 of 3 Drawing No.10 and Location Plan Drawing No.13.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026

(Adopted January 2015). Policies SP1, 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.