

Delegated Decision Report

Application No:	25/0796	Statutory Period Expires:	9th December 2025
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Site:	48 Pillmawr Road Newport South Wales NP20 6WG		
Proposal:	REMOVAL OF EXISTING FRONT WALL AND RAISED GARDEN TO EXTEND EXISTING DRIVEWAY (PART RETROSPECTIVE)		
Applicant:	S Muir		
Type:	Full	Ward:	Malpas
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 48 Pillmawr Road is a two-storey detached dwelling located in the Malpas ward. Pillmawr Road is a classified highway (R301).

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to remove the existing front boundary wall (1.33m in height x 6m in width) to extend the existing driveway. The existing access measures 3.22m in width, this would be widened to 9.24m. New brick pillars are proposed inside the existing, complete with finial capping. Engineering works are also proposed to remove the raised front garden. A 6m x 10.6m section of the raised front garden would be removed.

3.2 Works have commenced insofar as the removal of the front boundary wall and the section of raised garden.

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 SP1 – Sustainability states that proposals will be required to make a positive contribution to sustainable development by concentrating development in sustainable locations on brownfield land within the settlement boundary. They will be assessed as to their potential contribution to: i) the efficient use of land; ii) the reuse of previously developed land and empty properties in preference to greenfield sites; iii) providing

integrated transportation systems, as well as encouraging the co-location of housing and other uses, including employment, which together will minimise the overall need to travel, reduce car usage newport local development plan 2011 – 2026 january 2015 17 and encourage a modal shift to more sustainable modes of transport; iv) reducing energy consumption, increasing energy efficiency and the use of low and zero carbon energy sources; v) the minimisation, re-use and recycling of waste; vi) minimising the risk of and from flood risk, sea level rise and the impact of climate change; vii) improving facilities, services and overall social and environmental equality of existing and future communities; viii) encouraging economic diversification and in particular improving the vitality and viability of the city centre and district centres; ix) conserving, enhancing and linking green infrastructure, protecting and enhancing the built and natural environment; x) conserving and ensuring the efficient use of resources such as water and minerals.

Policy SP9 – Conservation of the Natural, Built and Historic Environment states that the Conservation of the Natural, Historic and Built Environment the conservation, enhancement and management of recognised sites within the natural, historic and built environment will be sought in all proposals.

Policy GP2 – General Amenity states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.

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

Policy GP5 – Natural Environment states that proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.

Policy GP6 – Quality of Design states that good quality design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability

5.4 THE HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS SUPPLEMENTARY PLANNING GUIDANCE

6. CONSULTATION RESPONSES

6.1 HIGHWAYS OFFICER

Objection

The application includes photographs and shows that the drive is too wide to be supported and does not achieve the required pedestrian visibility splays (even with proposed piers). Furthermore, it is not appropriately surfaced and falls towards highway.

The required visibility splay is 2x2m at a height of 600mm. This requires the drive to be 2m away from the retained walls/piers. Some low-level boundary treatment is needed to narrow the drive but allow visibility. In addition, the drive should only be a double drive. That is only around 5m wide. To be used lawfully it will need the footway crossing to be changed. This can only be supported as a double drive as it is prejudicial to disabled footway users and reduces on street parking. A double drive should be served by 5 dropped kerbs and two transitional kerbs. This should align with the gap in the wall. Separate licence is needed from highways for this which is independent of planning. Applications can be made online.

In addition, the drive must be surfaced with permeable bound material to avoid the transfer of loose material onto highway. It must not discharge water onto highway, so if the fall is towards highway there should be a cut off drain and soak away provided.

No gates will be supported on a classified road, which this is. The alignment of parking should ensure vehicles approach highway more or less perpendicular to footway.

We would also anticipate charging, which it appears likely is to be provided. Newport's parking SPG limits the number of spaces to be provided to 3 max per dwelling so the proposed drive would not be policy compliant. Double depth can be permitted as well as double width.

In summary therefore there are a number of issues that need to be addressed to avoid an objection on highway safety grounds. Whilst some of these could be addressed via conditions, we would raise an objection pending amended and detailed proposals to ensure a suitable arrangement is agreed prior to construction. Reduced width and improved visibility should be demonstrated prior to approval. We have however provided some potential wording for conditions to help the applicant understand what is needed.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 23.10.2025.

- 7.1 NEIGHBOURS: 5no neighbours were consulted. No response received to date.

8. ASSESSMENT

8.1 Visual Amenity/ Character and Appearance;

The House Extensions and Domestic Outbuildings Supplementary Planning Guidance (Adopted January 2020) states that '*The council favours off-street parking, but schemes that sacrifice entire gardens in order to provide parking spaces will not receive planning permission*'. To accommodate the access/parking area, a 6m section of the wall along the front boundary has been removed, as well as a significant section of the landscaped area in the front garden. As forementioned development has commenced insofar as the removal of the front boundary wall and a section of the raised garden. Prior to this the front garden provided 3no off-road tandem parking spaces with a raised garden with some moderate shrubbery and landscaping features, contributing to a pleasant amenity. The development has removed all existing green infrastructure and no compensatory planting is proposed. Having regard to the guidance set out in the House Extensions and Domestic Outbuildings SPG, it is considered that the development is not acceptable as it sacrifices the entire front garden in order to provide parking.

- 8.2 When assessing the context of the site and neighbouring properties along this stretch of Pillmawr Road, a strong uniform line of raised front gardens with front boundary walls can be observed. Properties are typically characterised having raised planted front gardens, with hedging/vegetation and sloped tandem off-road parking spaces running parallel. This arrangement, with few exceptions, has not been altered to date. Along the front boundary, all properties benefit from a stone retaining wall with brick piers on either side. The consistency of these front gardens contributes to a pleasant streetscape which holds strong uniformity. The development would disrupt the pattern of development and remove the features that are characteristic of this stretch of Pillmawr Road including the stone wall along the front boundary and raised/planted front garden. This would be detrimental to the visual amenity of the streetscene and the proposal is therefore not in accordance with Policy GP2 (General Amenity) of the Newport Local Development Plan 2011 – 2026.

8.3 Residential Amenity:

Given the nature and scale of the proposed development, it is not likely that there would be a significant impact on neighbouring occupiers as a result of the development.

8.4 Highways Safety:

Pillmawr Road (R301) is a classified road. As such the Council's Highways Officer was consulted. The Highways Officer notes that the drive is too wide to be supported and does not achieve the required pedestrian visibility splays (even with proposed piers). The required visibility splay is 2x2m at a height of 600mm. This requires the drive to be 2m away from the retained walls/piers. Some low-level boundary treatment is needed to narrow the drive but allow visibility. In addition, the drive should only be a double drive which would be 5m in width. The development is prejudicial to disabled footway users and reduces on street parking. It offers substandard visibility and is not beneficial to parking provision as any off road provision is cancelled out by on road lost space.

- 8.5 In addition, the drive must be surfaced with permeable bound material to avoid the transfer of loose material onto highway. It must not discharge water onto highway, so if the fall is towards highway there should be a cut off drain and soak away provided. Details in respect of the finish of the hard surfaced area have not been provided, and no details of surface water drainage have been submitted. As the driveway slopes towards the highway, these details are required, and their absence weighs against the proposal in this instance. The proposal is not in accordance with Policy GP4 of the Newport Local Development Plan 2011 – 2026 (adopted January 2015).
- 8.6 Newport's parking SPG limits the number of spaces to be provided to a maximum of 3no per dwelling. The property already benefits from 3no off-road parking spaces so the additional provision is considered excessive and the proposed drive would not be policy compliant.
- 8.7 **Biodiversity:**
Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. PPW 12 requires development to provide a net-benefit for biodiversity informed by a Green Infrastructure Statement that uses the DECCA principles and step-wise approach as detailed within Chapter 6. The application proposes the removal of green infrastructure and therefore any application for planning consent should be accompanied by scheme for biodiversity enhancement informed by a Green Infrastructure Statement. No Green Infrastructure Statement or biodiversity enhancement measures have been submitted as part of this application and their absence weighs against the proposal in this instance.
- 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 proposal by reasons of its location, scale, design and appearance would result in a prominent and obtrusive development that would be out of keeping with the surrounding area and harmful to the character and appearance and visual amenity of the streetscene. It would set an undesirable precedent for similar development elsewhere along this street. This is contrary to Policies GP2 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). The driveway width and number off road spaces proposed is excessive, and insufficient detail has been provided in relation to the hardstanding finish and drainage. This is contrary to Policy GP4 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). The proposal involves the removal of green infrastructure and no Green Infrastructure Statement or biodiversity enhancement measures have been proposed. This is contrary to Policy SP1, SP9 and GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015), Chapter 6 of Planning Policy Wales (Edition 12) and Policy 9 (Resilient Ecological Networks and Green Infrastructure) of Future Wales.

11. DECISION

REFUSED

01 The proposal by reasons of its location, scale, design and appearance will result in a prominent and obtrusive development that is unsympathetic with the surrounding area and harmful to the character and appearance and visual amenity of the streetscene. It will set an undesirable precedent for similar development elsewhere along this street to the detriment of its pleasant amenity. This is contrary to Policies GP2 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

02 The proposed driveway will cause significant harm to interests of acknowledged importance, namely highway and pedestrian safety and highway drainage by reason of its poor layout, design, location and lack of visibility with no positive surface water drainage proposed. 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.

03 The development will have a significant adverse impact upon interests of acknowledged importance, namely biodiversity, as the proposal includes the removal of green infrastructure. No Green Infrastructure Statement or ecological information has been submitted to mitigate this objection to the detriment of biodiversity and ecosystem resilience. This is contrary to Policy SP1, SP9 and GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015), Chapter 6 of Planning Policy Wales (Edition 12) and Policy 9 (Resilient Ecological Networks and Green Infrastructure) of Future Wales.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan, Photograph with Dimensions, Photograph 1, Photograph 2, Existing Floor Plans and Elevations, E001 -Existing Roadside Elevation, E002 - Current Roadside Elevation, E003 - Proposed Roadside Elevation, P001 - Original Plan, P002 - Existing Layout, P003 - Proposed Layout, Proposed Steps and Retaining Wall.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP9, 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.