

Delegated Decision Report

Application No:	25/0140	Statutory Expires:	Period	9 th May 2025 (Extended)
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Site:	Fairholme 15 St Mellons Road Marshfield Cardiff CF3 2TX		
Proposal:	CONSTRUCTION OF AN ENTRANCE PORCH TO THE FRONT ELEVATION AND NEW BOUNDARY WALL, PILLARS, VEHICLE AND PEDESTRIAN GATES		
Applicant:	L Summers		
Type:	Full	Ward:	Tredegar Park And Marshfield
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site consists of a detached bungalow located within the Tredegar Park and Marshfield Ward. The bungalow is set back from the highway to the north east which it fronts, with the site currently bound by mature hedging to its front and side boundaries. To the rear the property benefits from a spacious garden, which appears to be mainly laid to lawn.
- 2.2 Properties along this section of St Mellons Road are generally bungalows of mixed design, and many have been altered or extended in various ways. In addition, there are a variety of boundary treatments in the local area, including hedging, railings, timber fencing and walls of brick and stone construction and render finish.
- 2.3 The application site is located within the defined Marshfield village boundary. It is within The Levels Archaeologically Sensitive Area and entirely within Flood Zone 3 Rivers and Sea and the Wentlooge Levels TAN15 Defended Zone of NRW's Flood Map for Planning. In addition, the site is within Parking Zone 5.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks full planning permission for the construction of an entrance porch to the front elevation of the existing bungalow, along with a new boundary wall, pillars, vehicle and pedestrian gates.
- 3.2 The proposed porch would measure approximately 2.7 metres in width, and 3.8 metres in length, partially wrapping around the side of the property. It would feature a gable ended roof form and a glazed front elevation which would incorporate an entrance door. The porch would also incorporate three full height glazed panels on its side elevations. External materials proposed include timber cladding and roof tiles to match the host property.
- 3.3 The new boundary treatment would replace an existing privet hedge and consist of four rendered pillars, a stone clad wall, a 5 metre wide electric operated sliding gate and a pedestrian access gate. The stone wall and both gates would reach a height of 1.8 metres, with the pillars rising slightly above this.
- 3.4 In terms of ecological enhancement, the new boundary would be positioned directly behind the location of the existing hedge, and a new grass verge would be created between the back of the pavement and the new wall. In addition, an area of new planting would be created adjacent to the new porch.

4. RELEVANT SITE HISTORY

Application Number:	Proposal:	Decision:	Decision Date:
15/0558	DEMOLITION OF SINGLE STOREY CONSERVATORY AND ERECTION OF	Granted with Conditions	03.07.2015

	REPLACEMENT SINGLE STOREY SIDE EXTENSION		
04/1012	ERECTION OF SINGLE STOREY GARAGE EXTENSION TO FRONT OF PROPERTY	Granted with Conditions	10.09.2004
03/0767	ERECTION OF DETACHED DOUBLE GARAGE	Refused	21.07.2003
94/0973	ERECTION OF REAR EXTENSION AND EXTERNAL ALTERATIONS TO PROVIDE ADDITIONAL BEDROOMS SWIMMING POOL AND CONSERVATORY	Granted with Conditions	23.12.1994

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)

5.3.1 Policies GP2 (General Amenity), GP4 (Highways and Accessibility), GP5 (Natural Environment), GP6 (Quality of Design) and T4 (Parking) of the Newport Local Development Plan 2011-2026 (adopted January 2015) are relevant to the determination of this application.

5.4 Supplementary Planning Guidance

5.4.1 The House Extensions and Domestic Outbuildings and the Parking Standards Supplementary Planning Guidance (adopted August 2015) are also relevant.

6. CONSULTATION RESPONSES

6.1 Local Highways Authority: Highways would support the principle of relocating the boundary/removing the hedge and replacing it with a low wall. The gate can only be supported if it is at least 5m behind the highway boundary (back of footway) for reasons of highway safety.

The application should demonstrate visibility splays of 2.4 x 25m and 2x2m at 600mm height to be compliant with current policy, however some relaxation is acceptable as there would be demonstrable betterment over the existing situation.

For the avoidance of doubt, Highways would support the application if the gates were removed/relocated and the proposed wall did not exceed 600mm adjacent to the entrance. However, the current proposals for the gate would raise an objection on grounds of highway (pedestrian) safety. Amended detail of the wall and gates is requested, but there are no issues with the porch.

6.2 Landscape Officer: No objections in principle. However, since there would be a significant loss of mature hedgerow. This should be compensated for in the form of:

- 1 or 2 ornamental specimen trees of appropriate species and specification within the forecourt.
- A replacement hedge of appropriate species and specification, planted with the behind the proposed boundary wall, the height managed so that is proud of the wall and visible from the public highway.

It is not agreed that the justification to remove the hedge to improve visibility splays as replacement with a solid wall is contradictory to this statement. There are insufficient details of the proposed shrubs to the “5m² new planting” in front of the property.

Hence, details of all proposed planting of an appropriate specification for their position/function in the form of a planting plan, should be submitted for approval; to include:

- Species
- Size
- Quantity
- Spacing
- Maintenance regime

It is recommended that a professional with an understanding of planting design is involved. Details of any new hard materials such as edging, paving, boundary treatment and wall stone type should be submitted for approval, for example, in the form of a hard landscape plan. Sustainable approaches to design would be supported.

- 6.3 Ecology Officer: The current hedge which is to be removed is a closely-clipped privet hedge which has low biodiversity value, although it may have some green infrastructure / landscaping value. Also I don't see that it contributes greatly to habitat connectivity along the St Mellon's road frontage, nor to the diversity and condition of natural habitats in the area.

Nevertheless in order to ensure a net gain in green infrastructure, if it is removed it should be replaced by suitable planting. Details of replacement planting should be provided, and a revised green infrastructure statement should set how the planting enhances the diversity, extent, connectivity and condition of ecosystems in the local area.

In this respect I support the comments provided by the Landscaping Officer in his response of 13th March, advising replacement trees and a replacement hedge.

- 6.4 Heneb Glamorgan Gwent Archaeology: No Objections.

7. PUBLIC REPRESENTATIONS

- 7.1 NEIGHBOURS: Neighbour notification letters were sent on 4th March 2025 and a site notice was displayed on 5th March 2025. No representations have been received.

- 7.2 Marshfield Community Council: No response received.

8. ASSESSMENT

- 8.1 Principle of Development:

- 8.1.1 The application relates to development associated with an existing residential dwelling. There are no objections in principle to the development.

- 8.2 Visual Amenity/ Character and Appearance:

- 8.2.1 The proposals would be visible from the public realm and as such, the quality of design must be fully considered. The proposed porch would be well set back from the road frontage and appear proportionate to the host property. In addition, its style and form would relate well to the host dwelling, as would the materials proposed.

- 8.2.2 It is considered that the front hedge has some visual value and although fairly high, its natural form and texture result in a softer appearance when compared to the proposed boundary wall. The new wall and gates would be 1.8 metres high and located directly adjacent to the footpath. Whilst the materials of the new wall can be found within the locality, other boundary walls along this section of St Mellons Road are generally lower in height, with entrance ways

set back and more open. The lower walls and more open character along the road contributes positively to the area, giving a pleasing consistency to the street scene. Given its location on the road frontage, the proposal would have a prominent position within the street, and introduce a high, solid feature across the full width of the plot which would appear visually at odds with surrounding boundary features.

8.2.3 The comments from the Landscape Officer are noted, however the requirement to include a replacement hedge is considered unreasonable and disproportionate to the nature of the application.

8.2.4 Based on the above, it is considered that whilst the proposed porch is in accordance with Policy G6 of the NLDP (2011 – 2025), the front boundary proposals are unacceptable as they would be harmful to visual amenity and therefore are not compliant with this policy.

8.3 Residential Amenity:

8.3.1 It is not considered that the proposals would result in a loss of privacy over and above the existing situation, neither would they be overbearing. The proposed porch would be modest in scale and located adjacent to the garage of No.15a. It is therefore considered that there would be no adverse impact on residential amenity, with the proposal regarded as being in accordance with Policy GP2 of the NLDP (2011 – 2026).

8.4 Car Parking and Highway Safety:

8.4.1 The application site sits within Parking Zone 5 of the Parking Standards SPG, which for this property, requires a maximum of 3 on-site parking spaces. The proposed would not adversely impact upon car parking provision within the confines of the site.

8.4.2 The Council's Highways Department have been consulted on the proposal and have raised an objection as the gate is not setback from the highway boundary (back of footway). The Highways Department have stated that the gate can only be supported if it is at least 5 metres behind the highway boundary (back of footway) for reasons of highway safety.

8.4.3 Whilst the application should demonstrate visibility splays of 2.4 x 25m and 2x2m at 600mm height to be compliant with current policy, some relaxation is acceptable as there would be demonstrable betterment over the existing situation. The visibility splays for traffic which are shown on the submitted plans are regarded as acceptable, however the pedestrian visibility splays are inadequate as drivers would not be able to see pedestrians using the footpath before exiting the site.

8.4.3 To conclude, the application could be supported if the if the gates were removed/relocated and the proposed wall did not exceed 600mm adjacent to the entrance. However, the current proposals for the gate would raise an objection on grounds of highway (pedestrian) safety and the proposal is not in accordance with Policy GP4 of the NLDP (2011 – 2026).

8.6 Biodiversity:

8.6.1 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. It is noted that the application has been accompanied by a Green Infrastructure Statement which outlines that a new grass verge would be created between the back of the pavement and the new wall. In addition, an area of new planting would be created adjacent to the new porch.

8.6.2 The Council's Ecology Officer has noted that the current hedge which is to be removed is a closely-clipped privet hedge which has low biodiversity value. In order to ensure a net gain in green infrastructure, if it is removed it should be replaced by suitable planting. Whilst the Ecology Officer has advised that details of replacement planting should be provided, it is considered that given the nature and scale of the development, these details could be secured by way of condition should the planning application be approved. As such the proposal could be compliant with the aims of Policy GP5 of the NLDP 2011-2026 (adopted January 2015), subject to further details which can be submitted at a later date, prior to the commencement of the development.

- 8.7 Archaeology:
- 8.7.1 The site is located on land identified as archaeologically sensitive. Policy CE6 indicates that development proposals will normally be required to undertake an Archaeological Impact Assessment.
- 8.7.2 The application is not accompanied by a Written Scheme of Investigation. Notwithstanding this, consultation has been undertaken with Heneb, who have advised that the current proposal is relatively limited in scale and on ground previously developed. Overall, it is unlikely that archaeologically significant material will be encountered during the course of the proposed works. It is considered acceptable in this instance that a Written Scheme of Investigation has not been submitted.
- 8.8 Flooding:
- 8.8.1 The application site is located wholly within Flood Zone 3 Rivers and Sea and the Wentlooge Levels TAN15 Defended Zone of NRW's Flood Map for Planning (FMfP). The use of the site is already well established, of which the proposal would be ancillary to. Given the minor nature of the development, it is not considered that the proposal would increase flood risk and NRW are not required to be consulted on the application.

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 proposed porch is considered acceptable and policy compliant, however the proposed new boundary wall, pillars and vehicle and pedestrian gates are considered to be detrimental to the visual amenities of the area and compromise highway and pedestrian safety and are therefore not in accordance with Local Plan Policy.

11. RECOMMENDATION

REFUSE, FOR THE FOLLOWING REASONS:

- 01 By reason of their height, solid appearance and positioning directly adjacent to the footpath, the proposed boundary wall, pillars and gates would result in a dominant form of boundary treatment that would be out of character with the height and more open aspect typical of front boundaries in the immediate area, to the detriment of the visual amenities of the area, contrary to Policy GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).
- 02 The proposed development, by reason of the positioning and height of the boundary wall, pillars and vehicle and pedestrian gates would result in vehicles waiting on the highway whilst the gates opened, causing obstruction in the highway and would fail to provide adequate visibility of pedestrians using the footpath, to the detriment of highway and pedestrian safety, contrary to Policy GP4 of the Newport Local Development Plan 2011-2026.

NOTE TO APPLICANT

- 01 This decision relates to the following plans: Site Location Plan AL(90)01, Existing Site Plan AL(90)02, Proposed Site Plan AL(90)10, Existing Plan and Elevations AL(0)01, Proposed Plan and Elevations AL(0)10 and Proposed Driveway Plan and Street Elevation AL(0)11, Supporting Statement, Green Infrastructure Statement, Stone and Render Details, Photograph Sheets 1 & 2, received by the Local Planning Authority on 24th February 2024.
- 02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5, GP6 and T4 were relevant to the determination of this application.
- 03 The House Extensions and Domestic Outbuildings SPG (Adopted January 2020) and Newport City Council's Parking Standards SPG (Adopted August 2015) is relevant to the determination of this application.
- 04 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.