

Delegated Decision Report

Application No:	25/0873	Statutory Period Expires:	11th December 2025
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Site:	60 Bassaleg Road Newport NP20 3PY		
Proposal:	PROPOSED RAISED CAR PARKING SPACES		
Applicant:	R Yendle		
Type:	Full	Ward:	Allt-yr-Yn
Decision:	REFUSED		

1. BACKGROUND

- 1.1 This application has been submitted as a result of enforcement case E25/0210, the application is therefore submitted on a retrospective basis.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site comprises of a 2-storey semi detached dwelling located in the Allt-yr-Yn ward, on Bassaleg Road, a classified highway (R343) connecting Bassaleg to Stow Hill. The site is located within the defined settlement boundary and benefits from off street parking to the front and a private rear amenity space. Due to the topography of the area the property is located at a lower level than the road.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks to retain an already completed development comprising of the creation of 2 raised level areas of hardstanding to the front of the dwelling. The area adjacent to the road is proposed to be used for carparking, the lower level is for ancillary residential uses. Additionally, a further area has been hard surfaced immediately to the front of the dwelling at the same level as the dwellinghouse. The parking area has been completed in porous tarmac and the lower level in tile.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
10/0112	ERECTION OF TWO STOREY SIDE EXTENSION	GC	09.04.2021

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.

4.1.45 Manual for Streets and the Active Travel Design Guidance provide advice on reducing the speed and volume of motor vehicles. This includes creating connected and permeable road networks, with filtered permeability to prioritise walking and cycling, and careful consideration of issues such as street layout and dimensions, and the design and location of footways (including use of continuous footways at side streets), crossings, parking, trees, planters and surface materials.

4.1.50 Car parking provision is a major influence on how people choose to travel and the pattern of development. Where and how cars are parked can in turn be a major factor in the quality of a place.

4.1.51 - Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Planning authorities must support schemes which keep parking levels down, especially off-street parking, when well designed. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Planning authorities must support schemes which keep parking levels down, especially off-street parking, when well designed. The needs of disabled people must be recognised and adequate parking provided for them.

4.1.52 Planning authorities must require good standards of car parking design, which do not allow vehicles to dominate the street or inconvenience people walking and cycling. This includes preventing pavement parking through the design of the street. Car parking should be overlooked by surrounding properties to provide natural surveillance.

5.3 Technical Advice Notes:

Technical advice note (TAN) 5: nature conservation and planning

Technical advice note (TAN) 12: design

Technical advice note (TAN) 18: transport

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

GP2 - General amenity. There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality

GP4 - General Development Principles. Highways and Accessibility states that development shall only be permitted if it is not detrimental to highway or pedestrian safety or result in traffic generation exceeding the capacity of the highway network

GP6 - Quality of design. Good quality design will be sought in all forms of development. the aim is to create a safe, accessible, attractive and convenient environment.

GP7 General Development Principles – Environmental Protection and Public Health

T3 – Road Hierarchy. As a general principle, the provision for on-street parking, new frontage access and turning movements will be restricted in the interests of road safety and the efficient movement of traffic.

T4 – Parking. Development will be required to provide appropriate levels of parking, within defined parking zones, in accordance with adopted parking standards.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

5.4.1 The Newport City Council Parking Standards Supplementary Planning Guidance (adopted August 2015) and The 'House Extensions and Domestic Outbuildings' Supplementary Planning Guidance (SPG) (Adopted January 2020) are relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 Local Authority Structural Engineer:

There are no detailed design drawings or calculations for the retaining walls submitted with the application. This application cannot be approved structurally until the design and calcs are submitted.

6.2 Local Highways Authority:

The new drive has been added without closing off the original drive it is not a replacement. This results in three spaces and the need for extensive footway crossing which has not been installed (based on June 25 Google image).

It is not clear how deep the drive is, but it appears to be intended for a caravan. Whilst this raises no objection in principle, additional length is needed.

Again, the image shows the caravan unlawfully overhanging footway. Cones do not negate this but add to the obstruction offence and hazard to other road users.

Without a crossing (dropped kerbs) it is unlawful to cross the footway under highway law. The temporary ramps are also unlawful and cannot be placed in highway. Highway will not support such a wide crossing due to the loss of parking and impact on disabled road users.

To garner highways' support it would be necessary to close the existing drive or narrow the new drive to leave only a double width drive. This would have to be permanent and could be a simple dwarf wall at the boundary. A footway crossing must then be installed (see below). If it is intended to use it for a caravan it will have to be deeper.

In conclusion the development results in multiple highway offences, so cannot be supported and could result in highway authority enforcement action, which is separate and independent of planning enforcement.

7. PUBLIC REPRESENTATIONS

7.1 Neighbour and Ward member notification letters were sent on 17.10.2025. No representations have been received.

8. ASSESSMENT

8.1 Principle of Development:

8.1.1 The application site comprises of an existing residential dwelling within the defined settlement boundary where there is a presumption in favour of development and the efficient use of land is encouraged. As the property is existing there is a presumption in favour of development incidental to the enjoyment of the dwellinghouse, accordingly, no objection is raised to the principle of the development.

8.2 Visual Amenity/ Character and Appearance:

8.2.1 The subject of this application is the construction of raised platforms to the front of the dwelling house comprising of a car parking area and other raised platform/patio. Due to its position on the front of the dwellinghouse it is readily visible within the public realm. The properties on the northern side of Bassaleg Road typically feature landscaped front gardens that slope downward to ground level of the associated dwelling. The majority of these properties include driveways and garden space in their frontage; however, the driveways generally follow the existing ground levels opposed to creating level platforms. It is noted that the 'existing' elevations on the plans submitted show an element of terracing within the front garden area however this is of a significantly lesser extent, and the impact and useability of the previous terraced areas does not give rise to the same level of impact as the development that is subject of this application.

8.2.2 The development has resulted in a raised car parking space that is of considerable bulk and mass on the frontage of the dwelling. This change significantly alters the character and amenity of the area compared to the previous frontage. The impact is further emphasised by parked vehicles on the new parking area, consequently, it is considered to result in a significantly different impact that is harmful to the character of the area. PPW12 4.1.50

identifies that “*Car parking provision is a major influence on how people choose to travel and the pattern of development. Where and how cars are parked can in turn be a major factor in the quality of a place*”, in this instance the development is considered to be a significant detractor in respect of the quality of place and is at odds with the placemaking objectives supported by Local and National Planning Policies. Furthermore, PPW12 4.1.52 states that “*Planning authorities must require good standards of car parking design, which do not allow vehicles to dominate the street or inconvenience people walking and cycling*”, this sentiment is echoed within TAN 12 5.11.7. In this case the proposed development is considered to directly conflict with this requirement by dominating the entire frontage of the property to the detriment of pedestrians (this is explored further in an later section of this report).

8.2.3 A retrospective application was refused by Newport Council for a similar type of development at no. 50 Bassaleg road in 2022. Reasons for the refusal include the nature of the development resulting in an environment that conflicts with the open nature of Bassaleg Road and highway safety issues. However, the structure was not removed after the decision and has remained for there more than 4 years, therefore making the development immune from enforcement action.

8.2.4 The assessment of this application is considered to accord with the recent appeal decision at 528 Caerleon Road, Newport which refused consent for “ENGINEERING WORKS TO DIG OUT EXISTING STEEP DRIVEWAY AND CONSTRUCTION OF RETAINING WALLS FOR PARKING”. Whilst the constraints of the site are not exactly the same there are comparable elements namely the entire frontage of the site being occupied by carparking on a main throughfare. In the aforementioned appeal the inspector concluded that “*It would create a discontinuation and visual break in the landscaped/vegetated appearance of the front boundaries at dwellings on the southern side of the road which would significantly harm the character and appearance of the area*” this sentiment was echoed within appeal decision: APP/G6935/D/18/3206110. The sentiments contained within the appeal decisions are considered to apply to the site subject of this application.

8.2.5 The development results in a visually incongruous feature at odds with the established pattern of development within the area detracting from the amenity and character of the area contrary to LDP policy GP6 and the requirements of PPW12.

8.3 Residential Amenity

8.3.1 The proposed patio and new raised driveway results in the formalisation of the front garden of the dwelling resulting in the area being able to be used more intensively and for longer periods of time and due to its height and relationship with the adjoining property has created vantage points allowing a greater amount of overlooking into the neighbouring property. Consequently, the development creates an unacceptable degree of overlooking into the neighbouring property primary living space, adversely affecting the living conditions of the adjacent property contrary to LDP policy GP7.

8.3.2 Additionally, the proposal was tested against the 45 degree daylight test specified in the House Extensions and Domestic Outbuildings SPG. It was found that the development passes at both the elevation and plan view. Therefore, it is not anticipated that there would be a detrimental impact on the daylight afforded to the habitable windows of the neighbouring property nor would the outlook be prejudiced to an unacceptable level. However, notwithstanding the aforementioned tests, it is considered that the development results in an unneighbourly impact that is overbearing to neighbouring occupiers by reason of its scale and overly engineered form which is a significantly worse impact than the previous sloped grassed garden area.

8.4 Highway/Pedestrian Safety:

8.4.1 Bassaleg Road is a main throughfare with residential dwellings on both sides and where on street/kerb parking regularly occurs on both sides of the road. The Local Authority’s Highways Authority (LHA) has objected to planning consent being granted due to its impact upon on-street parking and as the development would prejudice disabled road users. The pre-existing driveway has been retained and the development has resulted in the entire width of the property being arranged as parking provision, however, the vehicular crossing has not been extended and instead ramps have been provided to allow for vehicles to cross

the footpath. The use of such ramps is not supported by the LHA who advise that the current crossing of the footpath is unlawful. This issue remains to be pursued by the LHA separately to any possible future planning consent/enforcement action.

- 8.4.2 The LHA maintains that a full width crossing would not be supported as it would prejudice the levels of on street parking provision and would be unacceptably detrimental to disabled road users, the Local Planning Authority also give significant weight to the requirements of PPW12 and TAN12 requiring highway design to prioritise pedestrian movements and promote the modal shift away from journeys made by private vehicle, it is considered that the development is at odds with these objectives by increasing the number of vehicles crossing the public footpath. It is considered that this directly conflicts with the requirements of PPW 12 4.1.52. An extended vehicular crossing would be required in order to ensure the parking area could operate lawfully however given the comments of the LHA this is not acceptable in this instance, accordingly, the proposed development is considered to result in an unacceptable level of harm to highway and pedestrian safety and be unacceptably detrimental to on street parking provision. The extent of the vehicular crossing required for lawful and safe access to the parking area is contrary to the requirements of Manual for Streets, Active Travel Design Guidance and PPW12 4.1.45 which identifies crossings as a design criterion that needs to be considered to prioritise walking and cycling.
- 8.4.3 The proposal will result in an increase in off street parking spaces for the dwelling, with the proposed spaces being measured at 6.2m x 4.9m. Therefore, it is noted that the internal dimensions of the parking spaces meet the standards of the Newport City Council Parking Standards SPG. While the LHA has raised concerns relating to the space being used for the parking of a caravan as per google street view imagery, the spaces meet the Newport City Council Parking Standards SPGs space standards, therefore, it is considered to be acceptable, and no further issue is raised by the LPA. Any obstruction to the highway would need to be pursued by the appropriate section of the Highways Act.
- 8.4.5 Consideration has been given to appeal decision APP/G6935/D/18/3206110 in the assessment of this application. The appeal considered a similar development at 526 Caerleon Road, Newport with the inspector finding that the development would result in an unacceptable impact upon highway and pedestrian safety as *“the creation of the parking area facilitates an increase in the number of cars that could be parked at the property. This has the potential to lead to a significant increase in potentially hazardous reversing manoeuvres”*. It is acknowledged that the visibility issues aren't as prevalent within the current application site however due to the high level of on street/kerb parking that occurs on Bassaleg Road that visibility could be impacted by reason of cars parked on the kerb and this could be exacerbated by the development removing on street parking provision.
- 8.4.6 The proposed material for the extended driveway is porous tarmac matching the existing drive, therefore, it would be porous/permeable. As a result, the proposed driveway would satisfy the requirements of the General Permitted Development (Wales) Order no concern is raised in respect of surface water entering the highway.

8.5 **Biodiversity:**

- 8.5.1 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. In accordance with Chapter 6 of PPW 12 due regard has been given to the fact that the application should be accompanied by a Green Infrastructure Statement. In this case the application is not supported by the submission of a GIS nor an ecological enhancement. Therefore, in accordance with the requirements of PPW12 6.4.12 *“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 there are no other material considerations that would outweigh the need for a biodiversity enhancement to be submitted and therefore the lack of an appropriate scheme shall be used as a reason for refusal.

8.6 **Response to consultation:**

8.6.1 The Structural Engineer Officer has reviewed the application and advised that structural approval cannot be granted until the design details and calculations are submitted. However, this requirement falls under Building Control rather than Planning. Therefore, no objections are raised regarding the structural aspects of the proposal.

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 development is considered to have an unacceptable adverse effect on the character and visual amenity of the surrounding area. It would also negatively impact residential amenity due to issues of overbearing, overlooking and creates impacts upon highway and pedestrian safety. As a result, the proposal is contrary to Policy GP2, GP4 and GP6 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and is therefore refused.

11. **DECISION**

Refuse, for the following reason(s):

01 The development has a significant adverse effect on interests of acknowledged importance, owing to its scale, location and material finish, the development has an unacceptable adverse impact on the character and appearance of the wider area contrary to Planning Policy Wales 12, Technical Advice Note 12: Design and Policy GP6 of the Newport Local Development Plan 2011-2026 (adopted January 2015)

02 The development has a significant adverse effect on interests of acknowledged importance namely the impact upon the living conditions of neighbouring occupiers as the development has an unacceptable, unneighbourly overbearing impact, and allows an unacceptable level of overlooking from the raised patio into the adjoining dwelling contrary to policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015)

03 The development has a significant adverse effect on interests of acknowledged importance, namely highway and pedestrian safety and the impact upon on street parking provision contrary to Planning Policy Wales 12, Technical Advice Note 12: Design and Policy GP4 of the Newport Local Development Plan 2011-2026 (adopted January 2015)

04 The proposal does not include a Green Infrastructure Statement or an appropriate scheme for biodiversity net-benefit, contrary to Policy SP1 and GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015), Chapter 6 of Planning Policy Wales (Edition 12) and Policy 9 of Future Wales.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan 25-2405-DWG-01 and Existing/Proposed Plans and Elevations 25-2405-DWG-02

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP6, GP7 T3 and T4 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.