

Delegated Decision Report

Application No:	26/0150	Statutory Period Expires:	8th May 2026
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Site:	202 Brynglas Road Newport NP20 5QU		
Proposal:	PROPOSED ACCESS, HARDSTANDING AND RETAINING WALLS		
Applicant:	R Bonsall		
Type:	Full	Ward:	Shaftesbury
Decision:	Refused		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site comprises a two-storey semi-detached dwelling located within the Shaftesbury ward. It is sited on a prominent corner plot on Brynglas Road, which slopes from north to south. Properties on the eastern side of the street, including the application site, are characterised by generously sized front gardens that fall westwards towards the highway, with stepped access to the dwellings. Prior to the commencement of works at the site, these front gardens had largely remained undeveloped, contributing positively to an attractive, verdant and consistent street scene of very pleasant amenity. The application property front garden is expansive and forms a significant part of the wider streetscene, particularly when approaching this area from the south. Many properties on the western side of Brynglas Road close the application site, have the benefit of off road parking level to the street and the character of these properties on the eastern side are notably different to those on the western side of the road. On street parking is unrestricted. Brynglas Road is accessed off Malpas Road and serves a large number of properties. In the area of the application site, it has a distinctive residential character.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks planning permission for the formation of a new access, hardstanding, and associated retaining walls. The proposed driveway would be excavated into the front garden and enclosed by retaining walls. It would measure approximately 5.8 m in depth and 5.2 m in width, with the retaining walls reaching a maximum height of 1.5 m. A planter is proposed towards the rear of the front garden, with a maximum height of 0.75 m. The area of lawn to the north of the site would be retained, along with a portion of the lawn adjacent to the driveway. The driveway would be surfaced in tarmac, and the planter finished with a sand and cement render. A site visit has confirmed that some of the proposed works have already commenced.

4. RELEVANT SITE HISTORY

4.1 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.

4.1.51 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. 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.

6.4.3 The planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Recognising that development needs to take place and some biodiversity may be impacted, the planning system should ensure that overall there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced well-being.

6.4.5 Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

5.3.2 Policies GP2 (General Amenity), GP4 (Highways and Accessibility), GP5 (Natural Environment) and GP6 (Quality of Design) 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 Parking Standards Supplementary Planning Guidance (Adopted January 2020) is also relevant.

6. CONSULTATION RESPONSES

6.1 **Highways:** No objection, subject to conditions.

The location is too close to the junction to meet desirable standards, however on balance this may be the best location given other constraints in this instance.

The parking slightly exceeds minimum sizes and is acceptable. The plans do not give sufficient detail to check drainage and pedestrian visibility splays, but these can be addressed via conditions.

Pedestrian visibility of 2m x 2m at 600mm is needed for pedestrian safety and this may impact the height of the wall along the frontage in the vicinity of the drive. N

No surface water should discharge into the highway. Porous surfacing and a cut-off (ACO) drain with soakaway are likely to be needed.

Given the extent of works it is considered appropriate that at least passive provision is made for electric vehicle charging. A condition is therefore requested.

It should be noted that lawful use of the parking requires a footway crossing (as proposed) but this is subject to separate licensing and independent of planning permission.

7. PUBLIC REPRESENTATIONS

7.1 NEIGHBOURS: Neighbour letters were sent on 11.03.2026. 5no. neighbours were consulted. No representations were 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. The main issues in this case are the effect of the development on the character and appearance of the area and highway safety.

8.2 **Visual Amenity/ Character and Appearance**

- 8.2.1 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. It is proposed to remove a 4.9m section of the wall along the front boundary as well as a significant section of the landscaped area in the front garden. The works on site have commenced and has resulted in the removal of the landscaped area of the garden and a small tree which contributed to a pleasant amenity. 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 also set an undesirable precedent for similar development elsewhere along this street. Although there are instances of parking areas formed at road level, notably on the western side of the street, the prevailing pattern is for the natural topography and green space forward of properties on the eastern side of the road to be preserved. This is a characteristic of this part of the street and makes a positive contribution to appearance.
- 8.2.2 When assessing the context of the site and neighbouring properties along this stretch of Brynglas Road, a strong sense of uniformity in the front gardens can be observed. Properties are typically characterised having raised front gardens. According to aerial footage, this frontage has not been altered to date, with the exception of the application site. The effect of the development would be to introduce a highly engineered and visually prominent form of frontage works that is at odds with the prevailing character of this part of Brynglas Road. This would be detrimental to the visual amenity of the streetscene and the proposal therefore conflicts with Policy GP2 (General Amenity) of the Newport Local Development Plan 2011 – 2026.
- 8.2.3 It is acknowledged that the majority of properties on the western side of Brynglas Road, opposite the application site, benefit from driveways. However, these properties are not read within the same contextual setting as those on the eastern side of the road, as they do not exhibit raised front gardens or the same degree of visual consistency that characterises this section of Brynglas Road and contributes positively to the street's visual amenity.
- ### 8.3 **Residential Amenity:**
- Given the nature and scale of the development, it is considered that there would not be a significant impact on neighbouring occupier amenity..
- ### 8.4 **Highways Safety:**
- 8.4.1 As the development includes the provision of off-road parking, the Council's Highways Officer was consulted on this application. The Highways Officer notes that pedestrian visibility of 2m x 2m is required, with the retaining wall requiring a height of 600mm. Whilst some concerns are raised, the highways officer does not object. The plans indicate that a 1m retaining wall would occupy the northwestern (side) of the driveway which exceeds the requirements for pedestrian visibility.
- 8.4.2 The access and parking arrangements provide sufficient space for vehicles to enter and leave in a controlled manner. There is no persuasive evidence that the development will materially increase the risk to pedestrians using the footway or to users of Brynglas Road. The internal dimensions of the parking spaces accord with the Newport City Council Parking Standards Supplementary Planning Guidance and traffic along this section of Brynglas Road is generally low frequency and travelling at speeds consistent with the speed limit. Visibility when manoeuvring from the site will be constrained by the 1m retaining walls and potentially by parked vehicles. However, the open frontage would alert pedestrians to potential vehicle movements, and on-street parking is likely to encourage drivers to manoeuvre with caution. In these circumstances, visibility is considered, on

balance, to be adequate. Whilst the development has created a new access, the above factors would limit any risk to highway safety such that no unacceptable harm would arise. The development provides off-street parking within the site, but will remove on road parking so is likely to have a neutral impact on parking provision. It is therefore considered that the development complies with LDP Policy GP4 but matters of drainage must be addressed.

8.4.3 The drive must be surfaced with permeable bound material and must not discharge water onto highway. The surface is tarmac and not permeable and no cut off drain and soak away has been provided or any evidence of positive and sustainable drainage. As the driveway slopes towards the highway, these details are required, and their absence weighs against the proposal in this instance. However, such details can feasibly be secured by planning condition if the LPA was minded to approve permission.

8.4.4 The applicant is advised that there is no lawful access without a footway crossing (dropped kerb). This is a requirement of the Highways Act 1980. The applicant should note that it is unlawful to undertake works on highway without the permission of the highway authority and separate licensing and regulation is needed which is independent of planning.

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. 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. Had the LPA found the development acceptable in all other respects, a condition could have been imposed to ensure that the development makes provision for biodiversity enhancements in accordance with the policy requirements of Future Wales Policy 9, Chapter 6 of Planning Policy Wales, and LDP Policies SP1 and GP5.

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 Whilst the development is considered acceptable in terms of its effects on highway safety, this does not outweigh the identified harm to character and appearance. For the reasons given above, and having regard to all other matters raised, it is concluded that the application is refused. The proposal by reasons of its location, scale, design and appearance will result in a prominent and obtrusive development that would be unsympathetic and harmful to the character and appearance and visual amenity of the streetscene.

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 and harmful to the character and appearance and visual amenity of the streetscene. It will set an undesirable precedent for similar development along this street and fails to respond positively to the site context and the adjacent townscape. This is contrary to Policies GP2 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and the adopted House Extensions and Supplementary Planning Guidance.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Drawing 06235 - 102A existing and proposed elevations, Site Location Plan, 06235 - 102 - Existing/Proposed Elevations, 06235 - 101 - Proposed Site Plan, 06235 - 100 - Existing Site Plan

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.