

Delegated Decision Report

Application No:	26/0450	Statutory Period Expires:	24th September 2026
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Site:	528 Caerleon Road Newport NP19 7LZ		
Proposal:	RE-ENGINEERED DRIVEWAY INCLUDING NEW RETAINING WALL		
Applicant:	P Brennan		
Type:	Full	Ward:	Beechwood
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 An application for engineering works to dig out the existing driveway and the construction of retaining walls for parking was refused by Newport City Council in November 2024 under application ref.24/0699. The decision was appealed and subsequently dismissed in April 2025. This followed other decisions to refuse and associated appeal(s) on the same road for similar developments.

2. SITE LOCATION AND CONTEXT

- 2.1 The property is a detached, two-storey dwelling on the eastern side of Caerleon Road. Due to the topography of the area, the dwelling along with neighbouring properties are situated at a higher level than the highway. The area to the front of the dwelling is tiered with a vegetated bank adjacent to the footway, then a relatively flat soil covered area with steps leading to a hardstanding walkway along the front elevation. There is a steeply sloping linear driveway to the side of the dwelling leading to the rear garden.
- 2.2 The properties to the south of the street near to the site are mixed in design and appearance, with the majority having linear driveways to the side of the dwellings with grass or areas of planting/landscaping/hedgerows directly to the front of the dwellings. As a result, the vegetation and verdant qualities provide an attractive and soft element to the street scene.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 It is proposed to reduce the gradient of the existing driveway and construct a retaining wall 5.475m from the back of the pavement in order to provide one vehicle parking space. The retaining wall would be 1.4m high. The driveway would measure 3.8m in width and 5.475m in depth. Along the eastern side of the driveway, 3 courses of brickwork would be taken from the top of the side wall to improve visibility. An ACO channel drain with a 1m³ soakaway is proposed along the northern edge of the driveway where it abuts the highway. The existing grass embankment to the eastern side of the front garden would not be impacted by the development.
- 3.2 In terms of biodiversity enhancement, a Schwegler Woodstone Barcelona Open bird nest box is proposed between 2.5m and 4m high on the gable wall of the dwelling and pollinator friendly planting is proposed in the front garden.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
24/0699	ENGINEERING WORKS TO DIG OUT EXISTING STEEP DRIVEWAY AND CONSTRUCTION OF RETAINING WALLS FOR PARKING	REFUSED	08.11.2024

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 GP2 General Development Principles – 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 General Development Principles – Highways and Accessibility states that development should provide appropriate access for pedestrians, cyclists and public transport along with appropriate car parking and cycle storage. Development should not be detrimental to the highway, highway capacity or pedestrian safety and should be designed to enhance sustainable forms of transport and accessibility.

Policy GP5 General Development Principles – 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 General Development Principles – 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 SUPPLEMENTARY PLANNING GUIDANCE PARKING STANDARDS

6. CONSULTATION RESPONSES

6.1 HIGHWAYS OFFICER

No objection subject to conditions

It is not clear from the pdfs what the exact depth of the drive is. We would therefore recommend a condition to ensure sufficient depth to avoid potential to hang over the footway causing obstruction/amenity issues.

We would also consider it appropriate and proportionate to condition the provision or passive provision of electric vehicle charging.

In summary there are no objections, subject to the following conditions.

Suggested conditions:

The development shall not be implemented until the surface water drainage of the site has been designed to prevent the discharge of water on to the highway. The drainage design shall be submitted to and approved in writing by the Council as Local Planning Authority.

Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.

Before the access is used for vehicular purposes, that part of the access extending from the nearside edge of the highway boundary of Caerleon Rd for a minimum distance of 5 metres into the site shall be appropriately paved in a bound material such as tarmac, concrete, block pavements or other material approved in writing by the Council as Local Planning Authority.

Reason: To prevent loose surface material/debris from being carried on to the public highway thus causing a potential source of danger to other road users in the interests of road safety.

No gates or other means of obstruction shall be placed across the vehicular access formed as part of this development.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety.

A scheme for the provision of electric vehicle charging points, or passive provision, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of each unit and retained as such thereafter.

Reason: To ensure that appropriate provision for current and future electric and electric/hybrid vehicles and encourage more sustainable means of transport.

Notwithstanding the details shown on the approved plans parking space of 5.25m minimum depth shall be provided within the curtilage of the dwelling.

Reason: To ensure adequate secondary off-street parking space is provided/maintained, without overhanging of the footway in order to maintain unimpeded visibility for all road users and to assist pedestrian safety.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 17.06.2026, Site Notice was put up on 24.07.2026.

7.1 NEIGHBOURS: 15no neighbours were consulted. 1no response received to date.

552 Caerleon Road

I don't have any objection to the application; however my concern is that the work being proposed is very near to the pavement. The pavement here is narrow and a number of school children as well as other pedestrians regularly walk past this address. What provisions will be made for their safety? Cars regularly drive at 10-20 mph above the speed limit, and it isn't safe for them to walk in the road to avoid the construction or the work vehicles parked on the pavement.

8. ASSESSMENT

8.1 Principle of Development:

The application site is located within the urban boundary wherein the principle of development is deemed to be acceptable subject to compliance with the relevant policies contained within the Development Plan. The site is prominent, elevated and located on a primary thoroughfare leading to the M4 and Newport. Therefore, the main considerations of this application are the visual impact and highway safety. These matters are discussed further below.

8.2 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*'. The property benefits from an existing steep, sloped driveway along the western extent of the front garden. The proposed development does not enlarge the space allocated for parking purposes and would not result in the sacrifice of any green infrastructure or landscaping features.

- 8.3 A number of driveways can be observed along this stretch of Caerleon Road, with the majority having linear driveways to the side of the dwellings with grass or areas of planting/landscaping/hedgerows directly to the front of the dwellings. Whilst not in the immediate vicinity of the site and therefore not influencing the context in which the site is viewed, some properties to the east of the site have parking areas to the front of the dwellings at the same level as the road with retaining walls behind. These properties also predominantly still benefit from substantial tiered grassed areas or planting between the dwellings' front elevations and Caerleon Road which contribute to the verdant nature of the streetscene. This consideration is the same for no.528 whereby a substantial grassed area would remain, and the proposed development would not appear discordant, nor would it create a discontinuation or visual break in the landscaped/vegetated appearance of the front boundaries at dwellings on the southern side of the road. The proposal would utilise the space to the western extent of the front garden which is already allocated for parking and would introduce a 1.4m tall retaining wall for a width of 3.8m, set back 5.475m from the highway. Given the limited height and width of the retaining wall, the works do not appear overly engineered or extensive, and the existing character of the application site is largely retained. As such, it is considered that the development would not harm the character and appearance of the host dwelling nor the wider streetscape, in accordance with Policy GP6 of the Newport Local Development Plan 2011 – 2026.
- 8.4 Details in respect of the finish of the hard surfaced area have been provided and are considered acceptable. The driveway would be block pavements to match the existing with an ACO channel drain along the southern (front) edge.
- 8.5 **Residential Amenity:**
The development involves the excavation of a 3.8m x 5.475m section of ground within the applicant's ownership and the erection of a 1.4m retaining wall. The development is sited forward of the principal elevation of no.526 and is unlikely to result in any adverse impact to the amenity of the neighbouring occupier. The development is also set well-off the boundary with no.530 Caerleon Road and would not impact amenity beyond the existing. The proposal is in accordance with Policy GP2 of the Newport Local Development Plan 2011 – 2026.
- 8.6 **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. The proposed development would not remove any green infrastructure or soft landscaping from the site. In terms of biodiversity enhancements, 1no bird box is proposed between 2.5m and 4m high on the gable wall of the dwelling and pollinator friendly planting is proposed in the front garden. The implementation of this scheme will be secured through a suitably worded planning condition. As such the proposal is compliant with the aims of Policy GP5 of the NLDP 2011-2026.
- 8.7 **Highways Safety:**
Caerleon Road is a classified highway (B4596). The development would not result in an increase in the level of off-road parking at the property and the existing access would not be widened to accommodate the levelled space. As such, there would be no intensification of the existing parking situation at the property.
- 8.8 The Council's Highways Officer has noted that a minimum depth of 5.25m into the site is required to ensure sufficient depth to avoid potential to hang over the footway causing obstruction/amenity issues for pedestrians. The proposed depth is 5.475m which marginally exceeds the minimum requirement and would ensure that no vehicles would overhang the pavement. The Officer has also requested a "no gates" condition. The applicant could erect a barrier at the bottom of the existing driveway but this is unlikely due to topography and if it opened inwards it would not remove all current parking. However, with the changes proposed, any inward opening gate would prejudice the ability to park and therefore whilst it is unlikely the applicant would seek to do so, a condition restricting such a feature is warranted.

8.9 **Other Matters:**

It is acknowledged that concerns have been raised in relation to pedestrian safety and the useability of the pedestrian footpath outside of the property during construction. Notwithstanding the concerns raised, it is considered unreasonable to require a Construction Environment Management Plan, owing to the limited scope of the proposed works and given that the construction period is unlikely to last for a prolonged period. Moreover, the matters are raised are controlled through separate legislative regimes and the onus is on the developer to ensure appropriate safety measures are in place during the construction period.

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 There would not be an adverse impact on residential amenity, nor the character/appearance of the area as a result of the development. The proposal complies with the relevant design guidance set out in the House Extensions and Domestic

Outbuildings SPG. A condition will be added to secure the implementation of a biodiversity enhancement scheme.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents:

- MH-10090 Proposed Site Plan REV C
- MH-10091 Proposed Layout REV C
- Green Infrastructure Statement

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

02 No gates or other means of obstruction shall be placed across the vehicular access formed as part of this development.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety.

03 Prior to the first beneficial use of the development hereby approved, the ACO Channel Drain and associated Soakaway shall be installed, in accordance with the details provided in approved document 'MH-10091 Proposed Layout REV C' and be retained as such for the lifetime of the development.

Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users

04 Prior to the first beneficial use of development hereby approved, the biodiversity enhancement scheme shall be installed in accordance with the details as shown in approved documents 'MH-10091 Proposed Layout REV C' and 'Green Infrastructure Statement' and retained for the lifetime of development.

Reason: In the interest of biodiversity, in accordance with Policy GP5 Newport Local Development Plan 2011 -2026 (Adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: MH-10090 Proposed Site Plan REV C, MH-10091 Proposed Layout REV C, Green Infrastructure Statement, Existing Site Plan, Existing Layout.

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