

Delegated Decision Report

Application No:	25/0125	Statutory Period Expires:	1st May 2025
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Site:	<i>The Friars Christchurch Road Newport NP18 1JJ</i>		
Proposal:	<i>VARIATION OF CONDITION 01 (APPROVED PLANS) OF PLANNING PERMISSION 24/0379 FOR NEW VEHICULAR ACCESS, HARD STANDING AND CONSTRUCTION OF GARAGE WITH SOLAR PANELS FOR PROPOSED CHANGES TO DRIVEWAY</i>		
Applicant:	<i>P Meletti</i>		
Type:	Renewals and Variation of Conditions	Ward:	Caerleon
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 Planning permission was recently granted for a new vehicular access, hardstanding and construction of a garage at the property. This section 73 application has subsequently been submitted as applicant wishes to reduce the area of hardstanding which was approved.

2. SITE LOCATION AND CONTEXT

- 2.1 The property is a Grade II listed building which adjoins Church House. The site is located to the South of the Holy Trinity Church in Christchurch. The property does not currently have any off street parking within its curtilage and the occupants park to the front in the vicinity of the war memorial. Pedestrian access to the property is very limited and is via a pathway which in part comprises steep highway verge with no pavement.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The proposals include the creation of a new vehicular access, hard standing/driveway, and erection of a detached garage. There is a stone wall along the boundary of the site and part of this would be removed to create a new vehicle access. Brick piers are proposed either side of the new access. The applicant advises that the wall has previously been partially repaired due to collapse into the highway and is in need of further repair. Notwithstanding this, the stone wall represents a pleasant feature in the street scene. The garage would measure 6000mm in length, 4000mm in width and 3760mm in height with a centrally pitched roof. Timber doors are proposed to the western elevation. An electric vehicle charging point is proposed. Solar panels are proposed on both roof pitches.
- 3.2 The proposals include the erection of a stone-faced garage utilising the stone removed from the existing wall to create the access. The garage would be sited to the east of the site adjacent to the intervening boundary with the neighbouring property High Trees. There would be a distance of approximately 29m between the rear elevation of the property and the front elevation of the garage. An area of hardstanding is proposed to the front of the garage leading up to the access having a permeable surface constructed from paving stones. A soakaway is shown the front of the garage and an Aco drain is shown adjacent to the highway. Solar panels are proposed on the roof of the garage.
- 3.3 As noted above, this application is being submitted as the applicant wishes to reduce the size of the area of hardstanding that was approved. No other changes are proposed.

4. RELEVANT SITE HISTORY

19/0635	EXTERNAL MASONRY POINTING REPAIRS TO HISTORIC FABRIC. REMOVAL OF FAILING CEMENT RICH RENDER FROM SOUTH GABLE ELEVATION, APPLICATION OF LIME RENDER TO SOUTH GABLE ELEVATION, DISMANTLE & REBUILD SOUTH CHIMNEY STACK INCORPORATING LEADWORK	Granted with Conditions
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	AND INSTALL NEW RAINWATER GOODS	
24/0379	NEW VEHICULAR ACCESS, HARDSTANDING AND CONSTRUCTION OF GARAGE WITH SOLAR PANELS	GRANTED WITH CONDITIONS
24/0380	LISTED BUILDING CONSENT FOR NEW VEHICULAR ACCESS, HARDSTANDING AND CONSTRUCTION OF GARAGE WITH SOLAR PANELS	GRANTED WITH CONDITIONS
24/0811	NON MATERIAL AMENDMENT TO PLANNING PERMISSION 24/0379 FOR NEW VEHICULAR ACCESS, HARDSTANDING AND , CONSTRUCTION OF GARAGE WITH SOLAR PANELS. AMENDMENTS INCLUDE CHANGES TO DRIVEWAY LAYOUT	REFUSED

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 favours proposals which make a positive contribution to sustainable development.

Policy SP9 Conservation of the Natural, Historic and Built Environment protects habitats and species as well as Newport's listed buildings, conservation areas, historic parks and gardens, scheduled ancient monuments, archaeologically sensitive areas and landscape designated as being of outstanding historic interest.

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.

Policy T4 Parking states that development will be expected to provide appropriate levels of parking.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

TREES, WOODLAND, HEDGEROW AND DEVELOPMENT SITES
PARKING
WILDLIFE AND DEVELOPMENT

6. CONSULTATION RESPONSES

6.1 Local Highways Authority: I can confirm that I'm content to remove any objections and rely on that drawing to be conditioned now.

6.2 Heritage officer: Thank you for consulting me on this application. I have no objections.

7. PUBLIC REPRESENTATIONS

Neighbour and notification letters were sent on 4/4/25, Site Notice was put up on 8/4/25.

7.1 NEIGHBOURS: No responses have been received.

8. ASSESSMENT

8.1 Principle of Development:

The principle of development has already been established and as noted above, this application is being submitted as the applicant wishes to reduce the size of the area of hardstanding that was approved. No other changes are proposed, and it is not necessary to re-visit some of the considerations of the original permission. This assessment focusses on the following matters:

8.2 Visual Amenity/ Character and Appearance;

The proposals have been sensitively designed with the garage building located as far away from the dwelling as possible and the opening for the access also kept as small as possible bearing in mind the visibility requirements. As previously noted, the stone wall is a pleasant feature in the street scene. However, the proposal are considered to have significant value in terms of highway and pedestrian safety and to ensure the long-term occupation of the property and this weighs heavily in favour of the proposals. The garage itself is of modest scale and has been sensitively designed with the associated this application seeking to reduce the size of the hard standing. It is considered that the visual amenity of the area would be preserved.

8.3 Residential Amenity:

The reduction in the size of the hardstanding is not considered to result in an increased impact to neighbouring amenity.

8.4 Movement:

As noted above, the applicant wishes to reduce the size of the area of hardstanding that was approved. The area of driveway as approved is shown below:

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 reduction in the size of the hardstanding is not considered to result in an adverse impact in terms of heritage, movement or amenity considerations and subject to conditions to require further details of some aspects of the development, the proposals are considered to preserve the character of the listed building and its setting, whilst improving vehicular and pedestrian safety and helping to ensure the long-term use of the property as a dwelling.

- 10.2 The application is granted subject to the following conditions.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Ecological Report by Pure Ecology Ltd dated 30th April 2024, TCP-TPP, PM-0002, PM-0004 (PROPOSED GARAGE ELEVATIONS ONLY), PM-0003A, PM-####.

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

Pre- commencement conditions

02 Prior to the commencement of works, further details of the new piers shall be submitted to and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the details agreed.

Reason: In the interest of safeguarding the special character of the Listed Building in accordance with policy SP9 of the LDP and section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

03 Prior to the construction of the garage, a sample of roof tile shall be provided on site and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the details agreed.

Reason: In the interest of safeguarding the special character of the Listed Building in accordance with policy SP9 of the LDP and section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

04 Prior to the construction of the garage, a sample panel of stone cladding shall be provided on site and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the details agreed.

Reason: In the interest of safeguarding the special character of the Listed Building in accordance with policy SP9 of the LDP and section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

05 Prior to their installation, cross sections of the solar panels shown at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the details agreed.

Reason: In the interest of safeguarding the special character of the Listed Building in accordance with policy SP9 of the LDP and section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

06 Prior to the commencement of works, further details of the paving stones shall be submitted to and approved in writing by the Local Planning Authority. This shall include samples. The work shall be completed in accordance with the details agreed.

Reason: In the interest of safeguarding the special character of the Listed Building in accordance with policy SP9 of the LDP and section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

07 No development, to include demolition, shall commence until the accurate Tree Protection Plan (in accordance with BS 5837:2012) by Treecare Consulting 1 July 2024 has been implemented and the security fence as shown in the Tree Protection Plan has been installed. This fencing shall be retained for the duration of construction activity.

The development shall be carried out in accordance with the approved Tree Protection Plan.

Reason: To protect important landscape features within the site.

08 No operations of any description (this includes all forms of development, tree felling, tree pruning, temporary access construction, soil moving, temporary access construction and operations involving the use of motorised vehicles or construction machinery), shall commence on site in connection with the development until the Root Protection Barrier fencing has been installed in accordance with Treecare Consulting 1 July 2024. No excavation for services, storage of materials or machinery, parking of vehicles, deposits or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the Root Protection Area. All weather notices shall be erected on Heras fencing, 1 per 10 panels, stating 'CONSTRUCTION EXCLUSION ZONE NO ACCESS' or as submitted tree protection sign Treecare Consulting 1 July 2024. The fencing shall be retained for the full duration of the development and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To protect important landscape features within the site.

09 No development, to include demolition, shall commence until an Arboriculturist has been appointed, as first agreed in writing by the Local Planning Authority, to oversee the project (to perform a Watching Brief) for the duration of the development and who shall be responsible for –

(a) Once the barrier fencing is erected, the approved Arboricultural Consultant must inspect and "sign off" in writing and submit a copy of this to the Local Planning Authority stating that the protective fencing is in the correct location and is fit for purpose.

(b) This will form the first report of the Arboricultural Watching Brief.

(c) Oversee working within any Root Protection Area including excavating the holes in the root protection area Hand excavation method for fence post holes within tree rooting areas/under tree canopies as Treecare Consulting method statement submitted 1 July 2024

(d) Reporting to the Local Planning Authority;

(e) The Arboricultural Consultant will provide site progress reports to the Council's Tree Officer at intervals to be agreed by the Council's Tree Officer.

Reason: To protect important landscape features within the site.

Pre –first use conditions

10 No part of the development hereby approved shall be brought into use until the visibility splays defined on Drawing No. PM-#### are cleared of all obstructions to visibility to footway/verge level/all obstructions to visibility exceeding 600mm in height above footway/verge level. The visibility splays shall subsequently be maintained free of any visual obstruction thereafter.

Reason: To ensure adequate visibility at the street junction or site access in the interests of road safety.

11 The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for parking and servicing have been surfaced, drained and constructed in accordance with the details and specifications shown in drawing number PM-####. The parking and servicing areas shall be retained as such thereafter.

Reason: To ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking, and that hard-surfaced areas have a satisfactory appearance.

General conditions

12 The development shall be carried out in accordance with the ecological enhancement measures set out in Annex 2 of the Ecological Report by Pure Ecology Ltd dated 30th April 2024.

Reason: In the interests of ecology and to ensure ecological enhancement measures are provided.

NOTE TO APPLICANT

01 This decision relates to plan Nos: PM-0001, Ecological Report by Pure Ecology Ltd dated 30th April 2024, TCP-TPP, PM-0002, PM-0004 (PROPOSED GARAGE ELEVATIONS ONLY), PM-0005A, PM-####.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP9, GP2, GP4, GP5 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.

04 Section 16(2) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 was relevant to the determination of this application.

05 It is an offence to carry out any works within the public highway without permission of the Highway Authority. This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980 the Highway Authority must specify the works to be carried out and only the Highway Authority or contractor approved by the Highway Authority can carry out the works. Therefore prior to commencing any works that affect the access you must contact the Council's Highway Maintenance Team for further details.