

Delegated Decision Report

Application No:	25/0834	Statutory Period Expires:	28th November 2025
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Site:	499 Malpas Road Newport NP20 6NA		
Proposal:	CREATION OF NEW VEHICULAR CROSSOVER AND DRIVEWAY PARKING AREA		
Applicant:	L Lewis		
Type:	Full	Ward:	Malpas
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 499 Malpas Road is a detached bungalow style dwelling located in the Malpas Ward. The site occupies a corner plot between Malpas Road (a classified A road – A4051) and Westfield Gardens. The property currently does not benefit from a vehicular access.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to create a new vehicular access to the property from Malpas Road and associated parking area in the front garden. The parking area would include a turning area to allow access/egress onto Malpas Road (A4051) in a forward gear. The proposed driveway parking area will be surfaced in a porous/permeable paving system to allow surface water drainage. To accommodate the access, a 3m section of the existing brick dwarf wall along the front boundary would be removed.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
20/0145	SINGLE STOREY EXTENSION TO REAR WITH RAISED PATIO AND CREATION OF PARKING SPACES TO FRONT GARDEN	PART GRANTED/PART REFUSED	02.04.2020
06/0895	FORMATION OF VEHICULAR ACCESS AND DRIVEWAY INCLUDING WORKS TO EXISTING BOUNDARY WALL AND INSTALLATION OF ENTRANCE GATES	WITHDRAWN	26.10.2006

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 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 – Highways and Accessibility states that Development proposals should: i) provide appropriate access for pedestrians, cyclists and public transport in accordance with national guidance; ii) be accessible by a choice of means of transport; iii) be designed to avoid or reduce transport severance, noise and air pollution; iv) make adequate provision for car parking and cycle storage; v) provide suitable and safe access arrangements; vi) design and build new roads within private development in accordance with the highway authority's design guide and relevant national guidance; vii) ensure that development would not be detrimental to highway or pedestrian safety or result in traffic generation exceeding the capacity of the highway network.

Policy GP5 – 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 – 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 THE HOUSE EXTENSIONS AND DOMESTIC OUTBUILDINGS SUPPLEMENTARY PLANNING GUIDANCE

6. CONSULTATION RESPONSES

6.1 HIGHWAYS OFFICER

No objection

The proposals reflect the discussions with the applicant during the pre-application process. There are no objections subject to the following conditions.

6.2 TREE TEAM

Initial response

We would object to the above due to no tree information, there are 3rd party trees in close proximity to the proposed development. A BS5837 Survey with advice regarding construction methodology to not harm the trees is required. Until this is satisfied, we would object.

Final response

I have reviewed the supplied documents from Tree Check and am satisfied with the information and suggestions enclosed within their report.

Therefore, I am happy to consent to the application with the following conditions.

- 1) Works must be compliant with the instructions enclosed within the method statement and impact assessment.
- 2) A pre commencement site meeting must happen between the Arboricultural officer NCC, appointed tree consultant and the builder prior to any works on site that impact the trees.
- 3) Arboricultural supervision from the tree consultant for the installation of the cellular confinement system.
- 4) Arboricultural watching brief to be undertaken on a basis to be agreed by the NCC tree

officer but at least monthly with a report submitted to the NCC Tree officer. To ensure compliance with the above conditions.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 09.10.2025, Site Notice was put up on 17.10.2025.

7.1 NEIGHBOURS: 4no neighbours were consulted. 1no response received to date.

501a Malpas Road

We have no objections with the proposal of new vehicle crossover and driveway to the above property; however, we respectfully request that our application for a crossover to serve our property to be considered favourably, particularly in light of the precedent set by adjacent properties with existing access onto Malpas road. While a previous application (ref :17/0033) for 501 A Malpas Road was refused in January 2017 on the grounds that the proposed access was too close to the corner of Westfield Gardens, it is important to note that a Highways Officer who visited the site at the time indicated that he foresaw no significant issues with the proposal given that neighbouring properties already benefit from similar vehicular access. We believe that this demonstrates inconsistency in the application of policy and suggest that our proposal is both reasonable and in keeping with the established character and access arrangements of the area. We therefore ask that the application be assessed with due regard to both the current highway context and the supportive feedback previously received from the highway representative.

8. ASSESSMENT

8.1 Highways Safety;

Malpas Road is a classified A road (A4051), as such, all vehicles must enter/exit in a forward gear to prevent an unacceptable reversing manoeuvre onto the highway. The proposed parking area includes a turning area, and a swept path analysis has been provided which demonstrates a vehicle could enter/egress the driveway in a forward gear. The application is also accompanied by visibility splays which demonstrate that the access can achieve pedestrian visibility splays of 2m x 2m in addition to the specification of the hard surfacing which is to be a porous/permeable paving system. The above information is sufficient in terms of highways safety. As such, the Council's Highways Officer has not raised an objection, subject to various conditions which will be added to any consent given.

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*'. To accommodate the access/parking area, a 3m section of the brick dwarf wall along the front boundary would be removed, as well as a moderate section of the grassed area in the front garden. The front garden is currently a grassed area with some moderate shrubbery. The grass would be replaced by block paviours to accommodate the driveway and turning area. Details in respect of the finish of the hard surfaced area have been provided and are considered acceptable. Although part of the grassed area/front dwarf wall would be removed to accommodate the development a large portion of the front wall and a moderate area of grass would remain. Given the above, the proposed driveway is acceptable on the terms that the applicant is not removing the front garden entirely.

8.3 A number of driveways of a similar ilk can be observed along this stretch of Malpas Road however existing records show that a number of these are historic and do not act as precedent. Nevertheless, given the context, scale and design of the works it is considered that the proposed works would not result in a harmful impact on visual amenity and would not detract from the character and appearance of the property and wider streetscape.

Residential Amenity:

8.4 Given the nature and scale of the proposed development, it is not likely that there would be a significant impact on neighbouring occupiers as a result of the development.

8.5 Landscaping/ Trees:

There are third party trees along the southern boundary which run along Westfield Gardens, contributing a pleasant amenity. The application is accompanied by a BS5837 Tree Survey which provides construction methodology to prevent harm to the trees and RPAs. The Council's Tree Team has reviewed the supplied documents from Tree Check and are satisfied with the information and suggestions enclosed within their report. It is recommended that conditions be added to any permission given to safeguard the trees during the development.

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. No ecological enhancement is proposed as part of the development, however given the scale of development there is no reason why this could not be achieved through a suitably worded planning condition. As such the proposal is compliant with the aims of Policy GP5 of the NLDP 2011-2026.

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 would not result in a harmful impact on visual amenity, residential amenity, highway safety nor landscaping and accords with the forementioned policies.

11. DECISION

GRANTED WITH CONDITIONS

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

- Plan 25-730-SK04
- Plan 25-730-TR03
- Plan - 25-730-SK03
- BS5837 Tree Survey and Categorisation Tree Check 2025,
- 25168 Tree Constraints Plan - Tree Check 2025
- 25168 Tree Constraints Plan - Tree Check 2025
- Combined AIA and Method Statement Tree Check 2025
- 25168 Tree Protection Plan A1 Tree Check 2025
- 25168 Tree Protection Plan - Tree Check 2025.

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 part of the development hereby approved shall be used until the visibility splays defined on Drawing No. 25-730-SK03 rev - are cleared of all obstructions to visibility exceeding 600mm in height above footway 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.

03 Before the access is used for vehicular purposes, that part of the access extending from the nearside edge of the highway boundary of Malpas Rd for a minimum distance of 5 metres into the site shall be appropriately paved in a bound permeable material such as block pavements. No other material shall be used unless first approved in writing by the Local Planning Authority. The development shall be retained in this state for lifetime of development.

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.

04 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.

05 The turning facility shown on the approved plans shall be undertaken prior to first beneficial use of the approved development and shall be kept free of all obstructions and available for use at all times.

Reason: In the interests of road safety as vehicles reversing into the highway cause a hazard to other road users.

06 Prior to the commencement of development, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved. The location and details of these must be shown on relevant plans.

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

07 No development shall commence until the Tree Protection Details as shown in '25168 Tree Protection Plan A1 Tree Check 2025' and '25168 Tree Protection Plan - Tree Check 2025' have been implemented. Once the protective fencing is erected, the fencing shall remain in situ for the duration of the works and shall only be removed upon completion of the development.

Reason: To protect important landscape features within the site in accordance with Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

08 No development shall commence until an Arboriculturalist 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) Supervision and monitoring of the approved Tree Protection Plan;
- (c) Supervision of the alteration or temporary removal of any Barrier Fencing;
- (d) Oversee working within any Root Protection Area;
- (e) Reporting to the Local Planning Authority;
- (f) 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 in accordance with Policy GP5.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Plan 25-730-SK04, Plan 25-730-TR03, Plan - 25-730-SK03, BS5837 Tree Survey and Categorisation Tree Check 2025, 25168 Tree Constraints Plan - Tree Check 2025, 25168 Tree Constraints Plan - Tree Check 2025, Combined AIA and Method Statement Tree Check 2025, 25168 Tree Protection Plan A1 Tree Check 2025, 25168 Tree Protection Plan - Tree Check 2025.

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.

04 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.