

Delegated Decision Report

Application No:	25/0501	Statutory Period Expires:	19th August 2025
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Site:	29 Grove Park Drive Newport NP20 6YE		
Proposal:	RETROSPECTIVE PLANNING APPLICATION FOR A FENCE BUILT ALONG THE SIDE AND FRONT BOUNDARY		
Applicant:	J Kendall		
Type:	Full	Ward:	Malpas
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 29 Grove Park Drive is a two-storey detached dwelling located within the Malpas ward, Newport. The site is within the defined settlement boundary as identified in the Newport Local Development Plan 2011 – 2026 and as shown on the associated proposals map. The surrounding area is predominantly characterised by residential dwellings.

2.2 The property benefits from a generous front garden which wraps around the side of the dwelling and connects to the rear garden. To the west of the dwelling, there is embanked area of dense vegetation. Externally, the property is finished in red brick at ground level and white render at first floor level.

3. DESCRIPTION OF DEVELOPMENT

3.1 Retrospective permission is sought for a part 1.9m, part 870mm tall feather board fence, measuring 43m in width along the western and northern boundaries of the curtilage. The section of the fence adjacent to the front elevation of the dwelling would measure 870mm for a width of 9m and the remainder of the fence would be 1.9m in height.

3.2 Prior to the erection of the fence, the boundary fronting the highway was occupied by dense vegetation. No vegetation has been removed as a result of development.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
01/1331	ERECTION OF SINGLE STOREY REAR EXTENSION AND REPLACEMENT PORCH	GRANTED WITH CONDITIONS	18.01.2002

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 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.

6. CONSULTATION RESPONSES

6.1 HIGHWAYS OFFICER

No objection

The fence/boundary line does not impinge on highway visibility splays and Highways would support the reasoning that it is easier to keep the footway clear with the fence as opposed to vegetation.

There are therefore no objections on highway related grounds.

6.2 LANDSCAPE OFFICER

No objection

The character of the estate is open lawn with front gardens being open to view and not enclosed.

It is accepted the plot is more exposed to views as a corner plot.

The fence height at 1900mm is slightly higher than the usual 1800mm but is timber and will visually weather in over time.

The mature garden vegetation has been retained behind and will soften up the fence line as it grows back.

The fence line is shown on the submitted plan ending at the lamp post, I assume it does not return onto the neighbouring drive as highlighted below.

Otherwise, no objection and no further comments

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 27/06/2025.

- 7.1 NEIGHBOURS: 3no neighbours were consulted. No representation received to date.

8. ASSESSMENT

8.1 Visual Amenity/ Character and Appearance;

No.29 Grove Park Drive occupies a corner plot, making the feather board fence highly visible when viewed from the highway. A feather board fence is typically not an uncommon feature for a residential curtilage and several wooden/fenced boundary treatments of a similar ilk can be observed throughout Grove Park Drive.

- 8.2 The property benefits from a pleasant dense area of vegetation along the western boundary and part of the northern boundary. The proposal has not resulted in the loss of any vegetation although has obscured the view of the previous planted boundary treatment by introducing a fence which currently has a bland and sterile appearance. Nevertheless, it is acknowledged that there is a feather board fence to the east of the property, as you descend Grove Park Drive at no.15. The fence at no.15 is approximately 1.8m in height and runs for approximately 30m along the boundary which abuts the highway, making it highly visible from the street scene. The fence is painted brown which reduces its visual impact. A similar fence can be observed at an adjacent property (no.37 Grove Park Drive) however painted in a dark green shade to minimise the visual impact. It is considered that the dark brown/green colour of these fences reduces their visual impact on the street scene, and this should be applied to the proposed fence. Following discussions with the applicant, it has been agreed that the proposed fence shall be painted a dark green colour to match the surrounding within three months of the permission and this will be secured via a suitably worded planning condition.

8.3 Residential Amenity:

It is not anticipated that the fence would impact neighbouring amenity by means of an overbearing effect, nor loss of light, given that the fence is situated in front of a dense area of vegetation which is larger in height and scale.

- 8.4 Moreover, it is not anticipated that the fence would impact neighbouring properties by means of a loss of privacy. Therefore, the proposal accords with Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015)

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 development does not harm the visual or residential amenity of Grove Park Drive. A condition will be added to ensure the fence is painted dark green within 3 months of the permission to ensure it is compatible with similar means of enclosure in the local area. The proposal is in accordance with Policies GP2 and GP6 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

11. **DECISION**

GRANTED WITH CONDITIONS

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

- 2424-PL10A - LOCATION AND SITE PLANS
- Correspondence RE: Paint Condition (email 12th August 2025 from applicant)

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 The fencing hereby permitted shall be completely removed from the site within 6 months of the date of failure to meet any one of the requirements set out below:

i) within 3 months of the date of this decision the entirety of the outward/public face of the fence hereby approved shall be painted dark green in shade RAL 6005, RAL 6028 or RAL 6035.

ii) if an appeal is made in pursuance of (i) above, that appeal shall have been finally determined and the submitted appeal shall have been approved by the Welsh Ministers.

The fencing shall be maintained as approved for the lifetime of development.

Reason: In the interests of safeguarding visual amenity, in accordance with LDP Policy GP2 and GP6.

NOTE TO APPLICANT

01 This decision relates to plan Nos: 2424-PL10A - LOCATION AND SITE PLANS, Correspondence RE: Paint Condition (email 12th August 2025 from applicant).

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