

Notice of Decision



I Williams
AFA Architects & Planners Limited
Abacus House
Caxton Place
Cardiff
CF23 8HA

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **24/0862**

Application Type: **Full**

Proposal: **PROPOSED NEW SHOP FRONT, CONVERSION OF FIRST FLOOR OFFICES AND ROOF SPACES TO CREATE 5 NO. FLATS, CONVERSION OF PART GROUND FLOOR TO PROVIDE A CLASS A3 UNIT, CAR PARK ALTERATIONS AND ASSOCIATED WORKS**

Site/Location: **170 - 172 Commercial Road, Newport, South Wales, NP20 2PL**

Decision Date: **12th June 2025**

In pursuance of its powers under the above Act the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 29th October 2024. The application has been:-

Granted with Conditions

STANDARD CONDITIONS

The development must begin not later than the expiration of FIVE YEARS from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990

ADDITIONAL CONDITIONS

1. The development shall be implemented in accordance with the following plans and documents:
 - Site Location Plan 1907 PL-101
 - Proposed Block Plan 1907 PL-201 A
 - Proposed Site Plan 1907 PL-202 E
 - Proposed Ground Floor Plan 1907 PL-203
 - Proposed First Floor Plan 1907 PL-204
 - Proposed Second Floor Plan 1907 PL-205
 - Proposed Roof Plan 1907 PL-206
 - Proposed Elevations 1907 PL-207 A
 - Proposed Waste and Cycle Stores 1907 PL-208 A
 - Proposed Waste Stores 1907-209
 - Details of External Materials
 - Construction Environmental Management Plan (AFA Planners and Architects Revision V1.3 29 January 2025)
 - Noise Impact Assessment (Acoustic and Noise Limited, 13 January 2017)
 - Bat Survey (Ecological Services Limited, Version V2.0, October 2024)
 - Green Infrastructure and Biodiversity Enhancement Statement (Mango Planning and Development Limited, October 2024)
- 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-Occupation Conditions

2. A Landscape Management Plan, including management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the approved flats. The Landscape Management Plan shall be carried out as approved.
Reason: To ensure the site is landscaped in an acceptable manner.
3. Prior to the beneficial use of Flats 1 and 5 standard thermal glazing shall be installed for the windows serving the bedrooms of Flats 1 and 5 in accordance with the Noise Impact Assessment (Acoustic and Noise Limited, January 2017) and details first submitted to and approved in writing by the Local Planning Authority. The details shall provide laboratory test data to show the windows (including frames/seals) meet the octave band sound reduction performance set out in the noise impact assessment. The windows shall be retained as such thereafter.
Reason: In the interests of residential amenity.
4. Prior to the first beneficial use of either Flats 1 or 5, mechanical ventilation for the bedrooms of these flats shall have been installed in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The mechanical ventilation shall be retained for the lifetime of development.
Reason: In the interests of residential amenity.
5. Prior to the beneficial occupation of any part of the development hereby approved, the car parking areas hereby approved for the development shall be provided and marked out on site in accordance with the approved plans; they shall be hard paved and constructed of porous or permeable materials; and retained as such thereafter.
Reason: To ensure the provision of adequate parking and to prevent surface water runoff in the interest of highway safety.
6. Prior to the beneficial occupation of any part of the development hereby approved, the cycle stores shall be provided on site in accordance with the approved plans and retained as such thereafter.
Reason: To ensure the provision of adequate cycle storage within the application site.
7. The biodiversity enhancement scheme shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved and retained as such for the lifetime of the development.
Reason: In the interest of protected species, in accordance with Policy 9 of Future Wales and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).
8. Prior to first beneficial use, a Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and thereafter retained for the duration of the approved use.
Reason: In the interests of residential amenity, in accordance with Policy GP2 of the Newport Local Development Plan.
9. Prior to first beneficial use, a Service Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and thereafter retained for the duration of the approved use.
Reason: In the interests of residential amenity, in accordance with Policy GP2 of the Newport Local Development Plan.

General conditions

10. There shall be no arrival, departure, loading or unloading of vehicles outside of the hours of 07:30 and 18:30 on any day.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
11. The total floor space of the building to be used within Use Class A3 of the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order shall be restricted to that shown on the approved plans.
Reason: To safeguard the retail function and character of the Commercial Road District Centre.

NOTE TO APPLICANT

The development shall be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this permission.

This decision notice is issued in respect of Planning Permission only and does not convey any approval which may be required under any other legislation or provisions, such as, but not limited to, Highways and Building Regulations. For advice on the requirements of the Building Regulations and allied legislation, and/or whether there is a need for a Building Regulations submission, please contact the Council's Building Control Section on 01633 656656 or email building.control@newport.gov.uk. For advice on obtaining relevant permissions from the Highway Authority, please contact highway.planning@newport.gov.uk

Where there are conditions which require details to be approved prior to the commencement of development, failure to submit these details prior to commencement of development may result in the permission being invalidated.

The Local Planning Authority has a target to determine Discharge of Condition applications within 8 weeks of receipt of the details, and so you are advised to programme any work accordingly.

The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.

1. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP9, SP13, SP18, SP19, GP2, GP4, GP5, GP6, GP7, CE7, R6, T4, W3 were relevant to the determination of this application.
2. 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.

3. The applicant is alerted to their responsibilities under the amended Wildlife and Countryside Act 1981 should any bats or their roosts be discovered during any demolition and/or construction works.

Signed on behalf of the Council



Newport City Council
Regeneration and Economic Development
Civic Centre
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NP20 4UR

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Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development
Cyngor Dinas Casnewydd / Newport City Council

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IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM

Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
 - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
 - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
 - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework (gov.wales) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email PEDW.Casework@gov.wales

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).