

Delegated Decision Report

Application No:	25/0646	Statutory Period Expires:	25 th November 2025
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Site:	16-18 Cambrian Road Newport NP20 4AB		
Proposal:	CHANGE OF USE OF FIRST AND SECOND FLOORS FROM RETAIL (CLASS A1 USE) TO 2 NO. ONE BEDROOM FLATS		
Applicant:	S Nicholson		
Type:	Full	Ward:	Stow Hill
Decision:	GRANTED WITH CONDITIONS SUBJECT TO S106 WITH DELEGATED POWERS AND DISCRETION TO REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED WITHIN THREE MONTHS OF THE COUNCIL'S RESOLUTION TO GRANT PLANNING PERMISSION		

1. BACKGROUND

1.1 24/0384: CHANGE OF USE OF FIRST AND SECOND FLOORS FROM RETAIL (CLASS A1 USE) TO 2 NO. 2 BED FLATS was refused on the following reasons:

1. *The proposal would provide a poor level of amenity for future occupiers of the proposed flats. The air conditioning units / plant at the rear of the building would be in very close proximity to bedroom windows resulting in a need for future occupiers to keep their windows closed to minimise noise. This would provide future occupiers with a poor level of amenity due to lack of natural ventilation and result in a risk of overheating. The windows at the rear of the property would provide a poor outlook and result in a degree of intervisibility with neighbouring windows. The proposals are currently contrary to Policy GP2 of the Newport's Local Development Plan 2011-2026 (Adopted January 2015).*
2. *The development would have a significant adverse impact upon interests of acknowledged importance, namely lack of cycle storage. Insufficient information has therefore been provided to mitigate this objection contrary to Policy GP4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).*
3. *The development would have a significant adverse impact upon interests of acknowledged importance, namely the absence of a waste storage area. Insufficient information has therefore been provided to mitigate this objection contrary to Policy W3 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).*
4. *The proposed development will have a significant adverse impact upon interests of acknowledged importance, namely affordable housing. No signed legal agreement has been provided for the commuted sum contribution to assist the Council in meeting its on-going requirement for affordable housing. This is contrary to Policy H4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).*
5. *The proposed development will have a significant adverse impact upon interests of acknowledged importance, namely impact upon the appearance and character of the City Centre Conservation Area. Insufficient information has been provided relating to the proposed external alterations to mitigate this concern. The proposals are currently contrary to Policy CE7 of the Council's Local*

2. SITE LOCATION AND CONTEXT

2.1 The application site is located within Newport City Centre on Cambrian Road. It is also located within the Town Centre Conservation Area and the Town Centre Archaeologically Sensitive Area. The application site is within a terraced street with commercial units on the ground floor and some residential/office use of the upper floors. There are varied facades on Cambrian Road with some upper floors containing traditional frontages, whilst others contain more modern red brick aspects along the street. The host property contains more of a traditional emphasis on the upper floors by reason of its stonework.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application is a resubmission following refusal 24/0384 for change of use of first and second floors from retail (class A1 use) to 2 no. one bedroom flats. The flats include a bathroom, a galley kitchen, a dining/living space and a bedroom. The flats are also serviced by mechanical ventilation. The application also seeks to alter the windows to the front and rear elevation. Changes include 8no. replacement windows with double glazed Accoya timber sliding sash windows on the first and second floor on the front elevation. Within the rear courtyard, there are 2no. high level upvc windows proposed, 1no. window to serve each flat within the galley kitchen. There are also Solar Panels proposed which will be provided on the south facing roof slopes. An internal bike storage unit is also proposed on the ground floor within the existing hair salon for the flats. No changes are proposed to the shopfront.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision
24/0384	CHANGE OF USE OF FIRST AND SECOND FLOORS FROM RETAIL (CLASS A1 USE) TO 2 NO. 2 BED FLATS	REFUSED
02/1097	DISPLAY OF ILLUMINATED FASCIA SIGN AND PROJECTING SIGN	GRANTED WITH CONDITIONS
99/0002	INSTALLATION OF INTERNALLY ILLUMINATED FASCIA SIGN AND TWO EXTERNALLY ILLUMINATED PROJECTING SIGNS	GRANTED WITH CONDITIONS
97/0858	RETENTION OF ILLUMINATED SHOP FASCIA SIGN	REFUSED
90/1185	PART ILLUMINATED PART PROJECTING SHOP FASCIA SIGN	GRANTED WITH CONDITIONS
90/1040	REAR EXTENSION TO SHOP PREMISES AND ALTERATIONS TO SHOP FRONT	GRANTED WITH CONDITIONS

90/0626	REPLACEMENT OF EXISTING SHOPFRONT	GRANTED WITH CONDITIONS
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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 6 – Town Centre First

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 Technical Advice Note

Technical advice note (TAN) 11: noise

Technical advice note (TAN) 21: waste

Technical advice note (TAN) 24: the historic environment

5.4 The Historic Environment Act 2023

5.5 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- Policy SP1 Sustainability favours proposals which make a positive contribution to sustainable development.
- Policy SP18 Urban regeneration Proposals will be favoured which assist the regeneration of the urban area.
- 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- Highways And Accessibility- Provide appropriate access for pedestrians, cyclists and public transport and make adequate provision for car parking and cycle storage
- Policy GP5 Natural Environment- the proposals are designed and managed to

protect and encourage biodiversity and ecological connectivity, including through the incorporation of new features on or off site to further the UK, Welsh and/or Newport biodiversity action plans.

- 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.
- Policy GP7 General Development Principles – Environmental Protection and Public Health states that development will not be permitted which would cause or result in unacceptable harm to health.
- Policy T4 Parking states that development will be expected to provide appropriate levels of parking.
- SP13 Planning Obligations- enables contributions to be sought from developers that will help deliver infrastructure which is necessary to support development.
- H2 Housing Standards- residential development should be built to high standards of environmental and sustainable design, taking into account the whole life of the dwelling.
- H4 Affordable Housing- sets out the affordable housing targets for the four submarket areas within Newport. For new housing sites of fewer than 10 dwellings within the settlement boundary, and fewer than 3 dwellings within the village boundaries, a commuted sum will be sought.
- Policy H8 Self Contained Accommodation and Houses in Multiple Occupation
- W3 – Provision for Waste Management Facilities in Development- states that where appropriate, facilities for waste management will be sought on all new development.
- CE6 Archaeology- Development proposals will normally be required to undertake an archaeological impact assessment before the proposal is determined.
- CE7 Conservation Area- Be designed to preserve or enhance the character or appearance of the Conservation Area.
- 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.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- FLAT CONVERSIONS SPG
- PLANNING OBLIGATIONS SPG
- WASTE STORAGE AND COLLECTIONS SPG
- SUSTAINABLE TRAVEL SPG

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales:

We have reviewed the planning consultation. From the information provided we consider the proposed development does not affect a matter listed on our Consultation Topics: Natural Resources Wales / When to consult Natural Resources Wales about a planning application. We therefore do not have any comment to make on the proposed development.

6.2 Local Highways Authority:

The cycle store is not of suitable dimensions and the rack proposed is not secure enough. It would be too difficult to get a single bike into the proposed rack and not possible to get it out if there was another one in the room. It should be noted that this provision is shared between two households. They must be able to secure their own bike without being obstructed by another person's bike. Guidance can be found via the link below. It is not a Newport policy document but gives useful information on sizes and swept paths of cycles (being pushed). There is also useful information regarding rack types. <https://www.cambridge.gov.uk/media/6771/cycle-parking-guide-for-new-residential-developments.pdf> Highways cannot support the development unless secure and practical cycle storage is provided.

6.3 Waste Officer:

We would anticipate the property be serviced with a city centre bag collection for both residual waste and recycling

Bags for collections are chargeable.

6.4 Heritage Officer:

It has now been confirmed that replacement windows to the front elevation will be white, with 'slimline' Double-glazed units, with white perimeter seals/spacers to match the finish of the frames, to reduce their visibility. Detailed drawings have been supplied.

The shop front is not proposed to change.

Upon this basis, it is considered that the character and appearance of the Town Centre CA will be preserved.

6.5 Welsh Water: The application appears to rely on existing sewer connections and no new connections are to be made with the public sewerage system.

6.6 HENEB: The proposed works are within the Conservation Area of Newport Town Centre and Archaeologically Sensitive Area (ASA) of Newport. A review of the 1st – 4th Edition (1883; 1902; 1920; 1937) historic Ordnance Survey maps show the footprint of the property. The proposal includes a change of use with internal alterations. The works are small in scale and the property has undergone changes throughout its history. With our understanding of the historic environment, it is unlikely that existing features will be disturbed. Therefore, the potential impact is considered low. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

6.7 Drainage Manager: No comments received

6.8 Environmental Health Officer: I refer to the above application passed to the Environmental Protection Team for comment.

Have reviewed the submitted noise impact assessment report and based on the details provided, the internal noise levels are acceptable. Therefore, I have no objections to the proposed development.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 29/08/2025, Site Notice was put up on 05/09/2025.

7.1 13no. neighbours were consulted.

3no. neighbouring comments were submitted.

22 Cambrian Road

There are concerns over potential future noise complaints and unsuitability for residential dwellings. Cambrian Road and High Street are the pub/nightclub and music venue quarter of Newport, and there are constant events and music gigs going on, often til the early hours. We have a self imposed curfew of 11pm. Newport Council is supporting and promoting the music sector in Newport, which is growing rapidly. Having seen music venues and clubs being closed all over the country - look at the issues in Womanby Street Cardiff over new residential homes and noise complaints - we cannot risk this happening in Cambrian Road. There are plenty of residential areas in Newport Centre - indeed, Pobl and NCH/Hedyn are prominent in improving and renovating buildings for social housing. However, the music and entertainment quarters of Newport are not suitable for residential letting.

Music Venue Trust

Music Venue Trust is a UK registered charity that acts to protect, secure, and improve the UK's grassroots music venue circuit. We provide advice to the government, the cultural sector and the music industry on issues impacting the network of over 800 venues we represent, the Music Venue Alliance.

We are writing to you today in representation of one of those grassroots music venues - The Cab.

- Concerns over excessive noise complaints, and subsequent risk of closure to grassroots music venues.
- In 2024, the Music Venue Trust Emergency Response Service saw a significant increase in emergency cases, and recognised a correlation between areas of redevelopment or change of use and spikes of noise complaints.

To avoid the increased risk of closure of this grassroots music venue, this application must be refused allowing these concerns to be addressed: -

The application 25/0646 is in close proximity to the existing grassroots music venue The Cab, despite this the Design and Access Statement for the application does not recognise The Cab as a constraint to the proposed conversion, so this application cannot give assurances that The Cab has been accurately mapped and accounted for in the environment the proposed design seeks to change.

The noise impact assessment NALPR170524.01 dated 04/06/2024 by Noise Assessments Limited makes no mention of The Cab grassroots music venue.

Within the NIA, measurement and subjective impressions of music noise have not been noted, and no assessment of risk of low frequency music noise has been conducted.

The NIA cannot therefore be regarded as an accurate data picture, and the design plans derived from it cannot be said to be suitable to mitigate against the noise and vibrations of the existing environment.

If the development were to proceed without adequate consideration and mitigation of disturbance caused by music noise, this risks complaint by future occupiers, which would be a clear failure to uphold the Agent of Change principle enshrined in the National Planning Policy Wales.

NATIONAL POLICY has been outlined within the objection and can be seen in Annex 1

The Cab is providing a valuable service which aligns with and contributes to much of the cultural and economic strategy of Newport.

The council must ensure that proposed developments do not have an adverse impact on existing cultural spaces and that the impact of development on existing venues is adequately managed, as such the application is unfit for purpose for these key points:

By nature of its proximity to a GMV, this application runs contrary to local and national planning policy commitment to Agent of Change.

The Design and Access Statement for the application does not recognise The Cab as a constraint to the proposed conversion.

The Noise Impact Assessment commissioned makes no mention of The Cab grassroots music venue, and no assessment of risk of low frequency music noise has been conducted.

It cannot therefore be said with confidence that necessary protections are at all robust in order to mitigate the noise created by the venue's important cultural work and any future residents of the planned development. The GMV would face an increased risk of noise complaints which would impact upon its ongoing viability.

Music Venue Trust has serious concerns over the planning application in its current form, and it is of the utmost importance that the developer takes into account the scope and breadth of the musical output of the venue. Planning Policy Wales specifically says that "it will be necessary to identify the nature of the soundscape which exists in an area and the characteristics of the place, or specific activities, which have shaped it,". The planning application 25/0646 does not do this.

The proposed planning application would actively undermine the Agent of Change principle that Planning Policy Wales is committed to. On this basis, the application should clearly be refused.

Chairman of Pubwatch

We'd like to object due to potential noise pollution issues with people living in flats in the future on a street historic for music etc. I fear it may affect The Cab, Hogarths, Wetherspoons, Fire&Ice, Rootys, Legacy, Patty&Brew, Mojos, The Arcade etc.

If there's something within the build application that says they are responsible for sound proofing and all future sound complaints from here will be rejected and be a condition of their landlord to address with extra sound proofing or something, then that would be perfectly acceptable by us and we would withdraw the objection.

7.2 Councillor Miqdad Alnuaimi and Councillor Kate Thomas: No comments received.

8. ASSESSMENT

8.1 Principle of Development

The application site is within the defined settlement boundary as shown on the proposals map that accompany the Newport City Council Local Development Plan, accordingly there is a presumption in favour of development, and the efficient use of land is encouraged in line with Policy SP18.

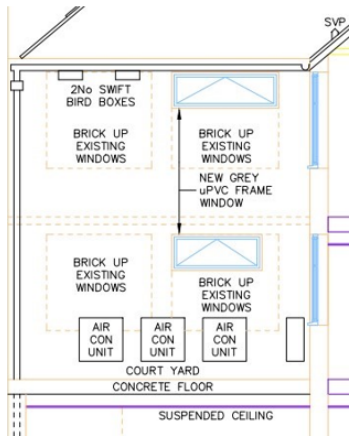
8.2 Given the application is a resubmission, the previous reasons for refusal under 24/0384 should be overcome in totality. This is assessed below. Firstly reason 01:

8.2.1 *01 The proposal would provide a poor level of amenity for future occupiers of the proposed flats. The air conditioning units / plant at the rear of the building would be in very close proximity to bedroom windows resulting in a need for future occupiers to keep their windows closed to minimise noise. This would provide future occupiers with a poor level of amenity due to lack of natural ventilation and result in a risk of overheating. The windows at the rear of the property would provide a poor outlook and result in a degree of intervisibility with neighbouring windows. The proposals are currently contrary to Policy GP2 of the Newport's Local Development Plan 2011-2026 (Adopted January 2015).*

8.2.2 The applicant has provided the same noise assessment as under 24/0384, however, it is noted that the flats arrangement has been changed under this submission. The flats are now 1no.bedroom flats, and the bedrooms have been moved to the front of the property overlooking Cambrian Road and a galley kitchen and bathroom inserted to the rear around the light well. The property is located within the city centre and located above a hair salon. The commercial unit below is currently a hairdressers and open Monday to Friday 8am-8pm, Saturday, 9am-5pm and Sunday 10am-4pm., although this is open within the daytime, these are voluntary opening hours and cannot be controlled by the Local Planning Authority. This suggests the use could be open later into the evenings creating some degree of noise disturbance to upper floor residents however given the lawful use of the unit any impact is not considered to be of an unacceptable level. Noise insulation should be provided in line with building regulations, this falls outside the remit of the T&CPA therefore will not be conditioned as part of any planning consent.

- 8.2.3 When assessing the changes, it should be considered the previous reason for refusal states that there are air conditioning units to the rear were within very close proximity to bedroom windows and occupants would have to keep their windows closed to minimise noise. It is now noted the bedrooms have been moved away from the rear of the property and now overlook Cambrian Road. When assessing this change, from the noise assessment, it is considered there would still be an unacceptable level of noise present from Cambrian Road to the bedrooms and living areas with windows open given its nighttime economy, and location within the City Centre. The assessment concludes that appropriate window glazing, and trickle ventilation would bring the noise level down to a desirable level, and windows can then be relied upon for purge ventilation. Moreover, prospective tenants will know of the flats locations within a City Centre area and would expect louder nighttime uses within the area. The siting of the galley kitchen and bathroom to the rear would be better suited here given the use of the rooms and noise from the AC units. This would not create demonstrable living conditions to residents. Environmental Health provided comments on the application, and state they have no objections to this.
- 8.2.4 Moreover, it should be considered that the noise assessment concludes the flat is still at a 'medium' risk of overheating. The noise assessment provides mitigation measures, including need for ventilation without the reliance of open windows given the noise impact. It is considered within the design and access statement that air conditioning is provided within the apartments, and windows can then be used for purge ventilation. Given there are no objections from Environmental Health with this altered arrangement, the scheme in this regard is deemed acceptable.
- 8.2.5 Finally, the last part of Reason 01 stated that *"the windows at the rear of the property would provide a poor outlook and result in a degree of intervisibility with neighbouring windows."* It is noted that the bedrooms have been repositioned away from the rear to the front of the property, and now a galley kitchen with high-level windows, together with a bathroom featuring obscure glazing, have been introduced to the rear. This eliminates the direct overlooking into no.14 Cambrian Road as previously raised. This revised arrangement is also considered satisfactory, as it ensures an acceptable level of natural light into the rear of the property. Furthermore, there is adequate outlook from the living/dining area and the bedroom overlooking Cambrian Road, thereby maintaining appropriate levels of amenity. Accordingly, Reason 01 is no longer applicable and falls away. It is considered that there is also a hallway window overlooking into the light well and the views can be seen from the image below. This window in both flats should contain obscure glazing to the bottom of the window to protect residential amenity to no.14 and will be secured via condition. No objections have been raised by Environmental Health.

Proposed changes to rear elevation of host site: No14's windows facing toward host site:



8.3 Secondly, when assessing reason number two it states,

8.3.1 *02 The development would have a significant adverse impact upon interests of acknowledged importance, namely lack of cycle storage. Insufficient information has therefore been provided to mitigate this objection contrary to Policy GP4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).*

8.3.2 The applicant has provided a small room which is proposed to cut part of the hair salon on the ground floor with Sheffield bike racks located inside. The Highways Officer originally had concerns over the spacing of the racks within the room, however, this has since been revised by the applicant in line with guidelines for spacing, and through later correspondence, the highways officer has no objections to this, and this is deemed acceptable. Reason 02 falls away.

8.2.3 Thirdly, when assessing reason 03 it states,

8.4.1 *03 The development would have a significant adverse impact upon interests of acknowledged importance, namely the absence of a waste storage area. Insufficient information has therefore been provided to mitigate this objection contrary to Policy W3 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).*

8.4.2 The application site is defined within a Conservation Area, and therefore, special regard should be paid attention to waste storage, as bins should not be left out on the street. Given there is no access to the rear of the property, there is no external storage proposed. The waste officer has suggested that the applicant should sign up for the city centre waste collections. The applicant has expressed that the occupants of both of the flats will subscribe to the chargeable city centre bag collection service, for residual waste and recycling. Therefore, this is deemed acceptable and will overcome issues of waste being left on the street. Therefore, reason 03 is overcome.

8.5.1 When assessing reason 04 it states,

8.5.1 *04 The proposed development will have a significant adverse impact upon interests of acknowledged importance, namely affordable housing. No signed legal agreement has been provided for the commuted sum contribution to assist the Council in meeting its on-going requirement for affordable housing. This is contrary to Policy H4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).*

8.5.2 The applicant has agreed to the s106 Heads of Terms and is discussed in section 8.11. Reason 04 falls away.

8.6 When assessing reason 05 it states,

8.6.1 *05 The proposed development will have a significant adverse impact upon interests of acknowledged importance, namely impact upon the appearance and character of the City Centre Conservation Area. Insufficient information has been provided relating to the proposed external alterations to mitigate this concern. The proposals are currently contrary to Policy CE7 of the Council's Local Development Plan, 2011-2026 (Adopted January 2015) and Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990.*

8.6.2 When assessing the external alterations to the unit, the property is located within the Town Centre Conservation Area. On the rear elevation, windows are proposed in upvc, and it is proposed to block up an existing window to the rear which serves the galley kitchen, and preserve one window opening, however, this is now high level. Moreover, it is proposed to change the bathroom window to frosted glass on the first and second floor. Furthermore, Solar Panels will be provided on the south facing roof slopes. The Heritage Officer states that they have no concerns regarding the proposed alterations to the rear of the building, or the proposed PV array to the south-facing roof slope. Due to the density of the urban block and the narrow width of Cambrian Road, neither will be seen from the public realm.

8.6.3 To the front elevation, it is proposed to replace the 8no. windows with double glazed Accoya timber sliding sash windows. Sections have been provided of these windows. The replacement windows to the front elevation will be white, with 'slimline' Double-glazed units, with white perimeter seals/spacers to match the finish of the frames, to reduce their visibility. The shop front is not proposed to change. The Heritage Officer has reviewed the information and states, upon this basis, it is considered that the character and appearance of the Town Centre CA will be preserved.

8.6.4 Moreover, it is proposed to upgrade the external appearance of the building. Smooth render finish is proposed on existing deteriorating bath stone and there is proposed repairs to the brick parapet on front elevation, to match the existing. There have been no objections from the Heritage Officer and therefore, the scheme now accords with s160 of the Historic Environment Act 2023.

8.6.5 Therefore, reason 05 falls away.

8.6.6 A full consideration of other material considerations are discussed below.

8.7 Residential Amenity

- 8.7.1 The property is located within an area having a mixed commercial/residential character and there is no objection in principle to the conversion. The Council's Flat Conversion SPG specifies desired standard for internal floorspace:

Beds/bedrooms	Flat type			
	<i>Studio</i>	<i>Converted</i>	<i>New</i>	
			<i>Common Access²</i>	<i>Walk Up³</i>
1	32	45	46	50
2	n/a	58	59	65
3	n/a	74	84	90
4	n/a	86	93	99

Figure 1: Desired standards for gross internal floor space (square metres)

- 8.7.2 The first floor would hold approximately 67m² for conversion into residential space, comprising of a 1no. bedroom apartment and a living / dining space with kitchen. The second floor will be converted into another 1 no. Bedroom apartment and a living / dining space with kitchen occupying 70.5m². Therefore, it appears both flats would meet the space standards required for a 2no. bed converted flat.
- 8.7.3 It is also concluded that extraction equipment will be provided within the galley kitchens, and the windows will be openable for ventilation if needed. Environmental Health have not objected to this.
- 8.7.4 Amenity space

The SPG suggests, *outdoor amenity space, whether a back garden or a patio, should be made available to the occupants of a converted flat wherever the opportunity exists.* The property does not benefit from outdoor amenity space, however, due to the property's location within the City Centre and the services and benefits it provides, this may be deemed acceptable. There is accessible transport to amenity areas such as Belle Vue Park situated along Cardiff Road and the City Centre along the Usk River.

8.8 Highways/ Movement

- 8.8.1 No parking has been provided within the application, however, given the City Centre location, it is not unusual for properties not to benefit from off-street parking and given the sustainable location, this is deemed acceptable.
- 8.8.2 In terms of cycle storage, this has been addressed within the report above, with a space provided within the ground floor retail unit. The highways officer has no objections to this.

8.9 Biodiversity

- 8.9.1 It is noted that 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. 2no swift boxes have been provided on the rear elevation. As such the proposal is compliant with the aims of Policy GP5 of the NLDP 2011-2026 (adopted January 2015).

8.10 Other Matters

- 8.10.1 In terms of neighbouring comments, it is noted that the majority of the issues that have been submitted relate to the noise issues to flats, subsequent noise complaints, insufficient information on noise mitigation, and the security of grassroots music venues in Newport due to noise complaints.
- 8.10.2 It is noted that a noise assessment has been provided in line with the application and the applicant has provided comment to some of the issues raised. The installation of minimum 32dB sound reducing windows and glazing, in order to comply with the required internal noise levels has been included. The applicant is following this advice and replacing the existing windows to meet, or exceed this requirement, which will reduce the potential for noise complaints from the occupants of these much-needed new residential flats. The applicant states they will apply for Building Regulations approval, and this will ensure that all parts of the building fabric, floors and walls etc. comply with Approved Document E - Resistance to the Passage of Sound. The applicant states that the document requires a minimum airborne sound reduction of 43dB for residential rooms formed by material change of use, and we are confident that this will be met, and NCC Building Control will ensure that this is achieved as part of their approval.
- 8.10.3 Comments also suggest that the documents submitted in line with the application do not address the existing music context which would be contrary to PPW12. The Noise Assessment notes the Existing Context in para 1.3 as being a Commercial area with residential apartments located nearby, and a Public House and Night Club, also nearby. It also shows the Reality Theatre - the fore runner to and host to The Cab Music Venue, in para 4.1 Measurement and Location Plan - Figure 1. next door but one North of 16-18 Cambrian Rd., at 22, Cambrian Road. The applicant has provided further comment on these concerns and highlights that Appendix F of the Noise Assessment Report - BS8233:2014 Rigorous Design Calculation example shows that the Technical Calculations in the Specification Calculation Summary that Frequency, Hz of 125, 250, 500, 1k and 2k were measured, demonstrating that low frequency music noise was considered and assessed in the report. Furthermore, the applicant states that The Design Access Statement notes that the design has changed from 2 x 2 bed apartments, to 2 x 1 bed apartments. This reflects the change of the Reality Theatre to The Cab, and as an 'Agent for Change', we have reduced the occupancy of the apartments from 8 persons to 3 persons - nearly a 75% reduction. This in turn will similarly reduce the potential for complaints about noise from occupants. The apartments will be professionally managed

and the owner/applicant of 16-18 Cambrian Rd., will continue to resolve any issues, should they arise, in a neighbourly manner. Finally, Environmental Health have not objected to the scheme submitted.

8.10.4 Comments also suggest the street is not suitable for residential properties that the scheme would go against Agent of Change principle through Planning Policy Wales, Edition 12, 4.3.44 *Where new uses incorporating evening and night time activities are established in retail and commercial centres, and are located near to existing residential accommodation, planning applicants should include appropriate mitigation measures to counter potential impacts to amenity. Similarly where residential development is proposed next to or near existing evening and night time uses, such as those described, it will be necessary to consider the compatibility of uses and to incorporate mitigation measures to minimise any impact on the amenity of any future residents. The agent of change principle (see Chapter 6 for more detail) will be a guiding principle for supporting the evening economy and the development of uses sensitive to the soundscapes experienced in busy commercial centres. And in Paragraph 6.7.5 – ‘The agent of change principle says that a business or person responsible for introducing a change is responsible for managing that change. In practice, for example, this means a developer would have to ensure that solutions to address air quality or noise from nearby preexisting infrastructure, businesses or venues can be found and implemented as part of ensuring development is acceptable.’* As forementioned, the applicant has provided specific details outlined in the noise survey to ensure noise levels are acceptable and will be conditioned to ensure its done prior to the beneficial occupation. The owner of the property has ensured that they will resolve any issues, should they arise. Given the information provided, and the outcome of the noise assessment, it is considered that the addition of this noise insulation measures will be sufficient to experience adequate residential amenity within the proposed flats, and in turn, should limit noise disturbances from the surrounding streetscene. As highlighted within the report, prospect tenants will be aware of the surrounding streetscene.

8.10.5 HENEB have provided comments on the scheme and suggest given the works proposed and not ground works are proposed, it is unlikely that archaeological remains will be encountered. If any remains are found, HENEB should be consulted.

8.11 Section 106 Planning Obligation matters

In accordance with Policy SP13 of the adopted Newport Local Development Plan 2011-2026 and the adopted Planning Obligations Supplementary Planning Guidance, development will be required to help deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in proportion to its scale and the sustainability of the location. In this case, section 106 planning obligations are required to mitigate the impact of the development in accordance with the table below.

Service Area that requires planning obligation	Purpose of planning obligation	Planning obligation initially sought by Planning Authority	Summary Heads of Terms agreed by applicant(s)	Viability Issues?

<i>Regeneration, Investment and Housing</i>	<i>to provide on site affordable housing</i>	<i>30% affordable housing units at £1,716</i>	<i>30% affordable housing units at £1,716</i>	<i>No</i>
<i>Legal Fee</i>		<i>£700</i>	<i>£700</i>	<i>No</i>
<i>Admin Fee</i>		<i>£201</i>	<i>£201</i>	<i>No</i>

HEADS OF TERMS AGREED BY APPLICANT

Applicant agreed to the HOT on 03/09/2025.

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 Overall, it is considered that the reasons previously raised under 24/0384 have been overcome and/or addressed and mitigated. The external alterations are now at an acceptable level whilst preserving the Conservation Area, and there have been no objections from the Heritage Officer. In terms of the waste and cycle storage this has been reasonably addressed. In terms of overlooking, the reconfiguration of the rooms and the high-level windows within the galley kitchen would provide adequate amount of light into the room, with still sufficient outlook from the primary amenity spaces and eliminating direct overlooking to no.14. Whilst the same noise survey has been provided in line with this application, the reconfiguration of the flats and the addition of mechanical ventilation and appropriate glazing has now addressed concerns and Environmental Health do not hold an objection to the information now submitted. Given there is a presumption in favour of development within the City Centre, the efficient use of the land is encouraged in line with Policy SP18. Therefore, for the reasons set out above, the application is granted with conditions.

11. DECISION

GRANTED WITH CONDITIONS SUBJECT TO S106 WITH DELEGATED POWERS AND DISCRETION TO REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED WITHIN THREE MONTHS OF THE COUNCIL'S RESOLUTION TO GRANT PLANNING PERMISSION

01 The development shall be implemented in accordance with the following plans and documents: Conversion of 16 & 18 Cambrian Road - Schedule of Work - Revised Oct 2025; Cambrian Road- Neighbour comments responses; Window Schedule – 16 - 18 Cambrian Road, Newport – Revised Oct '25; Replacement Windows -Revised Oct '25; Supporting Information- Waste and External details; Solar Panel Detail; Supporting Information.; Photos of Existing 1st and 2nd Floor - Front and Rear Elevations.; Note on Noise Assessment Survey; Noise Impact Assessment; Green Infrastructure Statement; Solar Power Details; Cambrian Rd - Sash Windows - SS1 & SS2; Cambrian Rd. Window Cill Sections P11 -1.; Cambrian Road Window Head Sections P11 - 2.; Cambrian Rd. Window Jamb Sections P11 - 3.; Sheffield Bike Rack; Revised Proposed Ground floor plan 1618CR-SN-PROPGRD AMENDED; North (Side) Elevation - 'As Proposed'; Existing/Proposed Rear Elevations; P10 - Existing North Elevation; Site Location Plan; Existing Window Section. P11.; Block Plan showing First Floor Courtyard; 1618CR-SN- Proposed Sections B; 1618CR-SN- Proposed Sections A; 1618CR- Proposed Roof Plan; 1618CR-SN- Proposed Front Elevation; 1618CR-SN - Proposed Basement Plan; 1618CR-SN- Proposed Second Floor Plan; 1618CR-SN- Proposed First Floor Plan; 1618CR-SN- Existing Sections B; 1618CR-SN- Existing Sections A; 1618CR-SN- Existing

Roof Plan; 1618CR-SN- Existing Ground Floor Plan; 1618CR-SN- Existing Front Elevation; Design Access 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 Prior to the first use of the building hereby approved, the first and second floor window in the South elevation to serve the hallway in flats 1 and 2 shall be fitted with obscure glazing to a minimum of Pilkington Level 4, and shall be retained in that state thereafter.

Reason: To protect the privacy of adjoining occupiers.

03 Prior to the first beneficial use of the residential flats hereby approved, the sound insulation measures as stated within the noise assessment, and window details/fittings shall be fitted in accordance with the approved plans and documents; *Noise Impact Assessment; Note on Noise Assessment Survey; Window Schedule – 16 - 18 Cambrian Road, Newport – Revised Oct '25; Replacement Windows -Revised Oct '25; Cambrian Road- Neighbour comments responses* and retained as such in perpetuity.

Reason: To protect the residential amenity to future occupiers and visual amenity of the streetscene.

04 The cycle storage as proposed on plans; *Sheffield Bike Rack and Revised Proposed Ground floor plan 1618CR-SN-PROPGRD AMENDED*, shall be carried out in accordance with the approved plans and retained as such in perpetuity.

Reason: To ensure the development provides cycle storage in line with policy GP4.

05 The biodiversity enhancement, 2no. swift boxes on the rear elevation, 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).

06 The proposed windows hereby approved shall be implemented in accordance with the approved plans, and maintained as such for the lifetime of development.

Reason: To protect the character and appearance of the Town Centre Conservation Area in accordance with The Historic Environment Act 2023 and Policy CE7 of the Newport Local Development Plan (2011-2026).

07 Prior to the first beneficial occupation of the residential flats hereby approved, the rear first floor window and second floor window shall be blocked up as shown on approved plans: 1618CR-SN- Proposed Second Floor Plan; 1618CR-SN- Proposed First Floor Plan and shall be retained in that state thereafter.

Reason: To protect the privacy of adjoining occupiers.

NOTE TO APPLICANT

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

02 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.

03 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Should circumstances change and the application proposes any operational development, including any new structures or increase in the roof area of the building, we must be re-consulted on this application.

04 The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. This means that any alterations to existing premises that result in the creation of additional premises or merging of existing premises must be constructed so that each of the premises is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information.

Annex 1

National Policy and Guidance Conflicts

We would like to take this opportunity to underscore national policy guidance.

At a national level, the Agent of Change principle in the Planning Policy Wales is very clear that the responsibility to effectively mitigate the impact of the proposed redevelopment on existing businesses falls to the developers who act as the 'Agent of Change'.

The agent of change principle was introduced in May 2017 by the then Cabinet Secretary for Environment and Rural Affairs, Lesley Griffiths MS. The letter to all heads of planning, entitled 'Supporting the Night Time Economy and the Agent of Change Principle' includes: "Under the agent of change principle, if new developments or uses are to be introduced near a pre-existing business, such as a live music venue, it is the responsibility of the developer to ensure solutions to address and mitigate noise are put forward as part of proposals and are capable of being implemented.'

The intention of the Agent of Change principle can best be seen in highlighting the following passages from the Planning Policy Wales, Edition 12:

Paragraph 3.55 'There may be instances where it may not be possible to develop sensitive uses on previously developed land without placing unnecessary constraints on adjacent existing businesses and activities which require that particular location. In such circumstances the agent of change principle will be a relevant consideration.'

Paragraph 4.3.44 "Where residential development is proposed next to or near existing evening and night time uses, such as those described, it will be necessary to consider the compatibility of uses and to incorporate mitigation measures to minimise any impact on the amenity of any future residents. The agent of change principle will be a guiding principle for supporting the evening economy and the development of uses sensitive to the soundscapes experienced in busy commercial centres'

Paragraph 6.7.5 – 'The agent of change principle says that a business or person responsible for introducing a change is responsible for managing that change. In practice, for example, this means a developer would have to ensure that solutions to address air quality or noise from nearby preexisting infrastructure, businesses or venues can be found and implemented as part of ensuring development is acceptable.'

Paragraph 6.7.6 – 'In proposing new development, planning authorities and developers must, therefore:

- address any implication arising as a result of its association with, or location within, air quality management areas, noise action planning priority areas or areas where there are sensitive receptors;
- not create areas of poor air quality or inappropriate soundscape; and
- seek to incorporate measures which reduce overall exposure to air and noise pollution and create appropriate soundscapes.'

Paragraph 6.7.23 'When considering the formulation of strategies or individual proposals, bearing in mind the agent of change principle, it will be necessary to identify the nature of the

soundscape which exists in an area and the characteristics of the place, or specific activities, which have shaped it.'

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Whilst the Newport Local Development Plan pre-dates both Planning Policy Wales, and the instruction to heads of planning to implement Agent of Change policy in 2017, allowing this development would still be contrary to several stated aims of that LDP. Examples include: Policy GP2 (General Development Principles - General Amenity) of the Newport Local Development Plan 2011-2026. That policy requires new development to not be 'detrimental to the visual amenities of nearby occupiers or the character and appearance of the surrounding area.'

Policy GP6 states "All development should be sensitive to the unique qualities of the site and respond positively to the character of the area."

Policy GP7 says "Development will not be permitted which would cause or result in unacceptable harm to health because of ... noise or light pollution ... or any other identified risk to environment, local amenity or public health and safety."