

Notice of Decision



C Erskine
Fitness Fusion Ltd
740 Corporation Road
Newport
NP19 4AF

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **24/0694**
Application Type: **Full**
Proposal: **CHANGE OF USE OF THE TOP FLOOR OF THE BUILDING TO MIXED USE OFFICE, PRIVATE PERSONAL TRAINING STUDIO , 1 THERAPY ROOM AND 1 PODCAST STUDIO**
Site/Location: **The Old Dairy , Rudry Street, Newport, NP19 7AN**
Decision Date: **16th January 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 10th January 2025. 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: FP-1A.
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.
2. Pre- first use conditions
Prior to the first occupation of the development as hereby approved, biodiversity enhancement shall be implemented in accordance with the details that shall have first been submitted to the and written approval received from the Local Planning Authority. Thereafter the biodiversity enhancements shall be permanently retained.
Reason: In the interest of protected species, in accordance with Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).
3. General Conditions
Noise emitted from plant and equipment located at the site shall be controlled such that the rating level, calculated in accordance with BS4142:2014+A1:2019, does not exceed a level of 5dB below the existing background level, with no tonal element to the plant, measured at the nearest noise sensitive property.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policies GP7 and R7 of the NLDP.

4. The hours of opening of the premises as hereby approved shall be restricted to 0700 to 2100 hours Mondays to Fridays and between 0700 to 1900 hours on Saturdays and 0900 to 1900 hours on Sundays, Bank and Public Holidays. Outside of these times the premises shall be closed to the public.
Reason: In the interests of the amenities of occupiers of neighbouring properties and in accordance with Policy GP2 of the NLDP.
5. There shall be no amplified music at the premises before 8am or after 7.30pm on any day.
Reason: In the interests of the amenities of occupiers of neighbouring properties and in accordance with Policy GP2 of the NLDP.
6. The use of the premises as hereby approved shall be used by a maximum of five personal trainers for one to one personal exercise training with associated office, therapy and podcast studio at any on time and shall at no time be used for group exercise classes.
Reason: In the interests of the amenities of occupiers of neighbouring properties and to parking in accordance with Policies GP2 and GP4 of the NLDP.

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. This decision relates to plan Nos: FP-1A, site location plan.
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP2, SP3, SP19, GP2, GP4, GP5, GP7 and EM3 were relevant to the determination of this application.
3. 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.

Signed on behalf of the Council



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

Tracey Brooks Bsc Hons Dip TP MRTPI ILM
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).