

Notice of Decision



A Mahmood
Bright Vision Holding
13 Llangefni Place,
Llanishen
Cardiff
CF14 5JR

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0610**

Application Type: **Full**

Proposal: **CONVERSION OF UPPER FLOORS OF COMMERCIAL PREMISES INTO FOUR SELF-CONTAINED FLATS (RESUBMISSION OF 25/0120)**

Site/Location: **42C Commercial Street, Newport, NP20 1LP**

Decision Date: **25th September 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 30th July 2025. The application has been:-

Refused

Reason(s) for refusal:

1. The development would have an adverse impact upon interests of acknowledged importance, namely, upon residential amenity. The scheme would fail to provide sufficient levels of internal space for future occupiers of flat 1; the obscure glazing of windows in the main living areas of flats 1 and 2 would provide inadequate outlook, and there is a lack of information on a waste management plan for the residential flats and commercial unit and the impact on the Conservation Area. This would be contrary to the adopted Flat Conversions SPG (2021) guidance and Policy GP2, H8, W3 and CE7 of the Newport's Local Development Plan 2011-2026 (Adopted January 2015), The Waste Storage and Collection SPG (2020), Technical Advice Note 24 and The Historic Environment Act (2023).
2. The development would have an adverse impact upon interests of acknowledged importance, namely, upon residential amenity. There is no information provided on noise levels experienced by residents within the flats. No information has been provided in the form of a noise impact assessment to justify this. The proposal is contrary to Policy GP2 and H8 of the Newport's Local Development Plan 2011-2026 (Adopted January 2015) and Flat Conversions SPG (2021).
3. 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 including fenestration and vent extraction details. The proposals are currently contrary to Policy CE7 of the Council's Local Development Plan, 2011-2026 (Adopted January 2015) and Section 160 of the Historic Environment (Wales) Act 2023.
4. The development would have a significant adverse impact upon interests of acknowledged importance, namely it represents an unsustainable form of development which fails to be mitigated by contributions towards affordable housing. As such, the scheme is contrary to the Planning Obligations SPG dated January 2020 and policies SP1, SP13 and H4 of the Newport Local Development

NOTE TO APPLICANT

This decision notice is issued in respect of Planning Permission only and does not convey any decision which may be required under any other legislation or provisions, such as the Building Regulations.
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: 2502_C02_Proposed plan_Floors - Views - Sections plan; 2502 C02 - Proposed Floor Plans, Elevations and Sections Plan; 2502 C01 - Site Location Plan, Existing Floor Plans, Elevations and Sections Plan.; Green Infrastructure Statement and Net Biodiversity Benefit Statement
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP3, GP2, GP4, GP5, GP6, GP7, T4, SP13, SP18, H2, H8, W3, CE6, CE7, SP9 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.
4. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com
5. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
6. In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

Signed on behalf of the Council



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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).