

Delegated Decision Report

Application No:	25/0762	Statutory Period Expires:	10th November 2025
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Site:	31 Charles Street Newport NP20 1JT		
Proposal:	PROPOSED CHANGE OF USE OF FIRST FLOOR FROM SALON (A1) TO 1 NO. ONE BEDROOM FLAT		
Applicant:	R Kent		
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 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is a three-storey terraced property on Charles Street located within the settlement boundary. The ground floor and first floors are currently occupied by Hair Salons. The site is situated within the Town Centre Conservation Area and an Archaeologically Sensitive Area. The area itself is predominantly characterised by commercial units at ground floor with residential use above.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks consent to change the use of the first floor from a Hair salon, A1 use to a 1 bedroom self contained flat. The flat comprises of a living room, kitchen/ diner, bathroom and bedroom. The total floor space of the flat would be approximately 48sqm.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
07/0075	CONVERSION OF FIRST FLOOR TO BEAUTY THERAPY AND SUNBED CENTRE	Granted	21.12.2001
02/0303	DISCHARGE OF CONDITION 03 (SOUNDPROOFING) RELATING TO PLANNING PERMISSION 01/1190	Approved	24.02.2002

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 TECHNICAL ADVICE NOTES

5.3.1 Technical advice note (TAN) 2: planning and affordable housing, Technical advice note (TAN) 5: nature conservation and planning, Technical advice note (TAN) 11: noise, Technical advice note (TAN) 12: design, Technical advice note, (TAN) 18: transport are relevant to the determination of this application

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

5.4.1 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1 (Sustainability), SP2 (Health), SP13 (Planning Obligations), SP18 (Urban Regeneration), GP2 (General Amenity), GP4 (Highways and Accessibility) , GP5 (Natural Environment), GP6 (Quality of Design), GP7(Environmental Protection and Public Health), H2 (Housing Standards), H8(Self Contained Accommodation and Houses in Multiple Occupation), T4(Parking), CE7 (Conservation Areas) and W3 (Provision for Waste Management Facilities in Development) are relevant to the determination of this application.

5.5 SUPPLEMENTARY PLANNING GUIDANCE

5.5.1 The Council's Supplementary Planning Guidance on New Dwellings (Adopted 2020), Sustainable Travel (Adopted July 2020), Waste Storage and collection (Adopted January 2020) and Parking Standards (Adopted August 2015) are also relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 **Environmental Health Officer:** No objections

6.2 **Highways:** There does not appear to be any access to the rear directly from the back of the property for existing or proposed units. Cycle parking is indicated as being proposed under the stairs which is not a practical solution. Bin storage is not detailed for either unit. Car parking and general deliveries are not considered any more onerous than the existing use.

To garner support from Highways the applicant should show practical solutions to both refuse management and cycle storage in line with current policies.

6.3 **Principal Heritage Officer:** 31 Charles Street is located within the Town Centre Conservation Area. I cannot see that any external alterations are proposed to the property (as supported by para. 6.7 of the accompanying planning statement) and, provided that no new services (extraction/drainage/ventilation etc) are proposed to the front (Charles Street) elevation of the building, this proposal will result in no impact upon the character and appearance of the Town Centre Conservation Area.

6.4 **Waste Manager:** We would anticipate the property be serviced with a city centre bag collection for both residual waste and recycling .

6.5 **Newport Access Group:** No comments received

6.6 **Natural Resources Wales:** No objection

6.7 **Housing Development Manager:** No comments received

6.8 **Planning Contributions Manager:**

1. Introduction

Based upon a development of 1 x 1 bed apartment, the following S106 planning obligations are required to mitigate the impact of the development.

2. Affordable Housing

Commuted sum payments for affordable housing will normally be sought on developments

of 1 to 2 dwellings anywhere in Newport. The site lies within the Housing Target Area of Newport West. Newport West requires the delivery of 30% affordable housing on new development. The equivalent commuted sum generated is £858

This sum will be paid prior to occupation and index linked to the RPI

3. Fees

Administration Fee

In accordance with the Planning Obligations SPG (2020), a £200 administration fee is charged for monitoring the S106 agreement. This is to be paid upon signing of the legal agreement.

Legal Fee

Planning Obligations can be contained in Unilateral Undertakings or s.106 Agreements. Unilateral Undertakings are usually drafted by the developer's solicitors, whereas s.106 Agreements are usually drafted by the Council's in-house solicitors (but there is no general objection to developers arranging for their own solicitors to draft the s.106 Agreement with prior agreement). Either way the developers will be responsible for the Council's legal costs incurred in relation to the process of drafting, approving and completing the s.106 Agreement and Unilateral Undertakings, including costs of title investigation which is necessary to ensure the correct parties enter into the Deed. There is a minimum contribution to legal costs of £700, although more time-consuming and complex documents would require an increased contribution to legal costs.

7. PUBLIC REPRESENTATIONS

7.1 Neighbour notification letters were sent on 19.09.2025, Site Notice was put up on 26.09.2025. No representations were received.

8. ASSESSMENT

8.1 Principle of Development

8.1.1 The application site is located within a settlement boundary as shown on the proposals maps that accompany the Newport Local Development Plan 2011 – 2026 (Adopted January 2015), where there is a presumption in favour of development and the efficient use of land is encouraged. The property is located within an area having a mixed commercial/residential character therefore the proposed use is considered to be compatible with the surrounding uses, accordingly, there is no objection in principle to the conversion of the first floor to residential use subject to other material planning considerations. It is considered proposal would positively contribute toward the provision of residential opportunities within the urban area. Therefore, the proposal is in accordance with Policy SP18.

8.2 Character and Appearance

8.2.1 There are no external changes proposed as a part of the application. As such, the proposals would not result in harm to the character and appearance of the area and would preserve and enhance the Town Centre Conservation Area. The Principal Heritage Officer offers no objection to the proposals. The proposals accord with policies GP6 and CE7.

8.3 Residential Amenity

8.3.1 The Supplementary Planning Guidance on Flat Conversions sets out space standards for converted flats (45sqm for 1 bedroom flats).

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

8.3.2 The proposed flat would be approximately 48sqm, which exceeds the requirement as set out in the SPG.

8.3.3 The proposed living area and kitchen benefit from adequate natural light and the windows are considered to provide a good level of outlook. The bedroom window is proportionate to the size of the room, however a site visit has confirmed that it is currently obscure glazed. A condition will therefore be added requiring this window to be replaced with clear glazing prior to the occupation of the flat, ensuring that the bedroom receives sufficient natural light and an appropriate outlook.

8.3.4 The SPG also outlines the requirements for outdoor amenity space. The physical constraints of the site do not allow for amenity space, and no private amenity space has been proposed within the design. The Flat Conversions SPG sets out in section 5.5.1, outdoor amenity space should be made available wherever the opportunity exists. In this case, the opportunity does not exist. It is noted that Clifton Park is situated approximately 250m away from the application site. As an urban conversion scheme, it is not unusual to have limited or nil potential for outdoor amenity space for future residents. Other factors can and should be considered such as access to facilities, public open space, scheme density and overall quality of accommodation and general scheme merits. While it is not ideal for the property to have no outdoor space, given that there would likely be only one or two occupants, on balance this is acceptable. Additionally, the location is close to local facilities and the city centre, providing easy access to outdoor areas and amenities. Taking these factors into account, the lack of private outdoor space is unlikely to have a significant negative impact and would be unreasonable to refuse the application on this basis.

8.3.5 The SPG advises that living rooms in new flats should not be positioned directly above or below bedrooms unless the building contains suitable acoustic insulation. Details of the second-floor flat layout have not been provided however, any development must include appropriate acoustic insulation which would be controlled via building regulations. This requirement is not within the remit of the Town and Country Planning Act and the lack of information on the above flat would not be a reason to withhold consent.

8.3.6 It is considered that adequate residential amenity for neighbouring and future occupiers would be provided as a result of the development. The proposal accords with policies H8 and GP2.

8.4 Highways

8.5.1 The Parking Standards SPG states that no parking provision is required for the flats as they are located within Parking Zone 1. The application site is within a highly sustainable location, near facilities and in the City Centre.

8.5.2 The highways officer has raised an objection due to the provision of the dedicated cycle storage being under the stairs. However, the application site is located in a sustainable area, close to local facilities and the town centre, reducing the reliance on cycling for everyday travel. Given the site constraints, there is very limited space available for additional storage. Nevertheless, the applicant has provided some cycle storage provision. On balance, it is not considered reasonable to refuse the application solely on this basis.

8.5 Biodiversity

8.5.1 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. Given the nature of works, it's considered that these details can be secured via a suitably worded condition.

8.6.2 In accordance with Chapter 6 of PPW 12 due regard has been given to the fact that the application should be accompanied by a Green Infrastructure Statement, however given the scale of the development proposed it is not considered proportionate to request one in this instance.

8.6 Archaeology

8.6.1 The application site is located within an Archaeologically Sensitive Area. Given that the change of use will not result in any ground works, it is not anticipated that there would be an impact on the Archaeological Assets in the area.

8.7 Waste

8.7.1 The Waste Storage and Collection SPG states, flats should hold external bin storage. Due to the location of the application site within the Town Centre Conservation Area, the storage of bins on Charles Street would not be appropriate. The Waste Manager has confirmed that the property can be serviced by city centre bag collection for both residual and recycling waste. Given the operation of waste collection within the city centre no objection is raised in this regard.

8.8 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 and Economic Development</i>	To provide a contribution toward off site affordable housing	A sum of £858 toward off site affordable housing	Agreed	No

The applicant has agreed to the Heads of Terms, however no legal agreement has been signed to date.

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 proposed development is considered to be acceptable. There would be no external works and subsequently minimal impact on the Town Centre Conservation Area. No harm has been identified to the amenity of neighbouring or future occupiers as a result of the proposal. The application site is located within a highly sustainable location and no highways implications arise from the proposed development. The proposals do not conflict with the aims of the aforementioned policies.

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: RK01 - Site Location Plan, RK01 - Existing/ Proposed Floor Plans, Planning 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 commencement of development, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. 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).

03 Prior to the first occupation of the flat hereby approved, the window serving the bedroom shall be fitted with an unobscured glazing and will be retained for the lifetime of the development.

Reason: In the interest of residential amenity in accordance with policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

04 Prior to the first beneficial occupation of the flat hereby approved, the cycle storage as detailed in RK01 – Existing/Proposed Floor Plans shall be fully implemented as approved and then maintained thereafter in that state.

Reason: To provide residents a choice of means of travel and to promote sustainable travel.

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5, GP6, GP7, CE6, CE7, H8, SP18, W3, were relevant to the determination of this application.

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 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

04 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.

05 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.