

APPLICATION DETAILS

No: 25/0058 **Ward:** Liswerry

Type: Full

Expiry Date: 4th July 2025

Applicant: H Nijjar

Site: Unit 3A To 3B Nash Mead Newport South Wales NP19 4SU

Proposal: RECONSTRUCTION OF A FIRE DAMAGED PORTAL FRAMED BUILDING (RETROSPECTIVE)

Recommendation: GRANTED WITH CONDITIONS

1. INTRODUCTION

- 1.1 This application seeks planning permission for the construction of a new building to replace the existing fire damaged building at Unit 3a to 3b Nash Mead, in the Lliswerry ward. The development has taken place and the application is predominantly retrospective, however the landscaping shown on plans is proposed.
- 1.2 The site is located west of Nash Mead within a cluster of commercial buildings and associated yards. It comprises of a large broadly rectangular building located along the western boundary of the site with parking and yard space contained to the north and east. South of the site is a small area of green space with a reën that runs along the southern boundary adjacent to the highway.
- 1.3 The site has been used by BP Rolls historically for the B2 use for motor vehicle service, repairs and MOT testing centre, with planning applications dating back to 2001. It is advised that in August 2023 the facility was damaged by a fire and following inspection, it was established that the frame to the building was damaged beyond repair. The applicant, BP Rolls, also operate out of Unit 1 Nash Mead to the east of the site.
- 1.4 The application is reported to Planning Committee as the floor space being constructed is in excess of 1,000sqm and constitutes major development.

2. RELEVANT SITE HISTORY

91/0641	ERECTION OF WAREHOUSE, ASSOCIATED CAR PARKING AND SECURITY FENCING	GRANTED WITH CONDITIONS	18.06.1991
96/0004	ERECTION OF SERVICE ROOMS TO SUPPLY NEW DEVELOPMENT OF 2,000SQM (UNIT 3A & 3B)	GRANTED WITH CONDITIONS	04.01.1996
01/0906	ERECTION OF 2.4M HIGH SECURITY FENCE AND GATES AND EXTERNAL ALTERATION TO MAIN BUILDING	GRANTED	10.08.2001
06/0640	RETENTION OF PORTACABIN FOR A TEMPORARY PERIOD OF 3 YEARS	GRANTED WITH CONDITIONS	05.05.2006

3. POLICY CONTEXT

- 3.1 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

3.2 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.

3.3 NEWPORT LOCAL DEVELOPMENT PLAN 2011-2026 (ADOPTED JANUARY 2015)

SP1 (Sustainability)

SP3 (Flood Risk)

GP1 (Climate Change)

GP2 (General Amenity)

GP4 (Highways and Accessibility)

GP5 (Natural Environment)

GP6 (Quality of Design)

GP7 (Environmental Protection and Public Health)

CE6 (Archaeology)

T4 (Parking)

3.4 SUPPLEMENTARY PLANNING GUIDANCE

Parking Standards SPG;

Waste SPG.

4. CONSULTATIONS

4.1 NATURAL RESOURCES WALES: No objection.

4.2 GLAMORGAN GWENT ARCHAEOLOGICAL TRUST: No objection.

4.3 WELSH WATER DWR CYMRU: No objection.

5. INTERNAL COUNCIL ADVICE

5.1 HIGHWAYS: No objection.

5.2 ENVIRONMENTAL HEALTH: No response.

5.3 SENIOR SCIENTIFIC OFFICER: No response.

5.4 LANDSCAPE:

Original Comments – No appropriate scheme of landscaping proposed, so the proposal does not meet requirements of Policy GP5.

Reconsultation

Planting proposals are now shown on the Proposed Site Plan by Steven Morgan Associates, refer extract below. This would meet LDP GP5 for an appropriate landscape scheme.

There are two queries:

1. The planting schedule shows plants for H1, H2 and H3 but the locations are not shown on the plan and there is no obvious translation (H2 has four times the planting numbers of the others).

2. I am not clear whether hedge planting to the south-east corner at the road junction would affect the visibility splay and suggest a referral to highways. There appears to be sufficient room to accommodate a hedge outside any agreed splay.
Existing trees are now shown south of the re-en, so the re-en would act as a tree protection barrier eg to storage of materials etc.

A SAB application is likely to be required and I would be happy to leave above ground SUDs elements until then.

5.5 ECOLOGY: No response.

5.6 DRAINAGE: No objection.

5.7 WASTE: No objection.

6. REPRESENTATIONS

6.1 NEIGHBOURS: All properties sharing a common boundary and opposite the application site were consulted (14no. properties), a site notice displayed on 21st February 2025, and a press notice published in South Wales Argus on 8th March 2025.

6.2 COUNCILLORS MORRIS/STERRY/PETERSON/HOWELLS: No responses received.

7. ASSESSMENT

7.1 The Proposal

7.1.1 The main body of the building measures 72.19 metres in length by 26.30 metres in depth and has a height of 6.71 metres to the eaves and 8.06 metres to the roof ridge. A smaller addition projects from the north western elevation at a width of 8.06 metres and a height of 5.57 metres. The building is constructed of a steel frame and external walls and roof covering are completed in steel cladding. The principal elevation is the north east elevation and comprises of seven roller shutter openings, as well as pedestrian doors. The other secondary elevations contains windows and pedestrian doors at various locations.

7.2 Internally, the main body of the building is open plan and provides space for vehicle repairs, servicing and MOTs. The northern secondary element contains ancillary office space. Externally, the yard space, parking and waste storage area is provided to the east of the site, 2no. proposed electric vehicles charging spaces and bike storage proposed to the north and to the south proposed hedging and grass mix is provided.

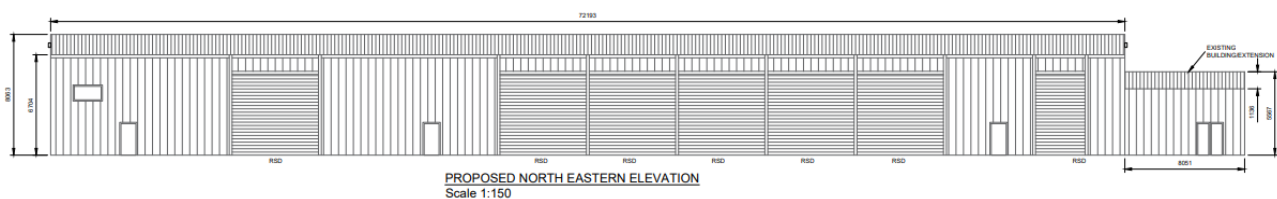


Figure 1 – North Eastern Elevation (As Proposed/Built)

7.2 Impact on Amenity

7.2.1 As previously mentioned, the site is located within a cluster of commercial uses within a cul de sac north of the main arm of Nash Mead. Directly south of the site, there is an allocation for employment use under Policy EM1(ii) of the NLDP 2012-2026 (adopted January 2015).

7.2.2 There are no residential properties or sensitive receptors located nearby, and the existing use of the site is well established prior to the fire in August 2023. It is a use that is compatible with the surrounding land uses and general character of the overall area.

7.2.3 As such, there are no concerns in terms of impact on local or residential amenity and the proposal complies with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

7.3 Design, Appearance and Visual Amenity

- 7.3.1 The building is broadly comparable in size to the building that previously occupied the site. Its design is utilitarian and functional with the large roller shutter doors required to provide access for commercial vehicles. The mix of vertical and horizontal steel cladding provides a modern and robust commercial appearance to the unit, which is in keeping with the surrounding industrial context.



Figure 2 – Previous Unit 3a & 3b

- 7.3.2 The overall scale and design of the building is appropriate to the site and its surrounding context and the proposal sits well within the existing commercial cul de sac, set away from the front boundary. The siting and size retains adequate circulation and yard space for the associated use and this is acceptable.



Figure 3 – Unit 3a & 3b as Built

- 7.3.3 Overall, the proposal is considered to comply with Policy GP6 of the NLDP 2011-2026 (adopted January 2015).

7.4 Highway Safety and Parking

- 7.4.1 The building replaces an existing building of the same use and of a very similar size, so there is not considered to be any adverse impact or notable change in parking impact or accessibility.
- 7.4.2 The building contains several large roller shutter openings in the front elevation that access directly onto the yard space that provides vehicles with adequate turning and circulation. The Council's Highways Officer has offered no objection to the proposal, and notes that the designated Electric Vehicle Charging Point parking and cycle storage shown on the proposed plans will provide betterment over and above the previous situation on site. The provision of these two will need to be secured by a planning condition.

7.4.3 As construction has taken place, there is no requirement to consider potential impact on highway safety during demolition or construction phases. As such, no Construction Environment Management Plan is necessary as you would typically expect for a development of this kind.

7.4.4 Overall, the proposal is considered to comply with Policy GP6 of the NLDP 2011-2026 (adopted January 2015).

7.5 Green Infrastructure

7.5.1 Chapter 6 'Distinctive and Natural Placemaking and Well-Being' of Planning Policy Wales (PPW) Edition 12 (updated February 2024) states that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long term benefit. PPW 12 also advises that a Green Infrastructure Statement (GIS) should be submitted with all planning applications and this will be proportionate to the scale and nature of the development proposed.

7.5.2 A Green Infrastructure Statement has been submitted for consideration, which considers the Stepwise Approach as detailed in Chapter 6 of Planning Policy Wales (PPW) Edition 12. At the time of writing this report, although reconsulted the Council's Landscape and Ecology Officers have not responded to the GIS.

7.5.3 The GIS outlines that as the building has replaced an existing building on the same concrete pad, there is no impact on the existing landscape features. This is accepted and in that case the proposal is considered to avoid and minimise impact on GI. No mitigation or compensation is required either. In order to provide biodiversity enhancement, new hedgerow and a mix of grass planting is proposed to the south and north of the site.

7.5.4 On receipt of the soft landscape details, the Council's Landscape Officer has confirmed that they are satisfied the requirements of Policy GP5 are now met. Some minor clarifications have been sought as the planting schedule does not match the submitted plan and a question has been raised regarding impact visibility. However, finalised details of location and numbers of planting proposed can be controlled by a planning condition.

7.5.5 Overall, the proposal is considered to comply with Policy GP5 of the NLDP 2011-2026 (adopted January 2015).

7.6 Waste

7.6.1 The proposed site plan shows the location of an allocated waste storage area to be provided. This is considered to be in a suitable location away from the building as not to impact accessibility, but close enough for ease of use. Private commercial waste collection is a requirement given the nature of the site's use. No objection has been received from the Council's Waste Manager.

7.6.2 It will need to be controlled through planning condition that this refuse area is kept clear and retained as being available for refuse storage.

7.6.3 Overall, the proposal is considered to comply with Policy W3 of the NLDP 2011-2026 (adopted January 2015).

7.7 Archaeology

7.7.1 The site is located within the Archaeologically Sensitive Area of Newport and consequently Glamorgan Gwent Archaeological Trust have been consulted on the application. GGAT

have confirmed that no mitigation is required given the previously disturbed nature of the site.

7.7.2 As such, it is considered that the proposal complies with Policy CE6 of the NLDP 2011-2026 (adopted January 2015).

7.8 Flood Risk

7.8.1 The site is located within Flood Zone 2 and 3 (Sea)(Defended) as per the Flood Maps for Planning.

7.8.2 The application was submitted and registered prior to the new TAN 15 (March 2025). The Ministerial Written Statement dated 31 March 2025, which accompanied the publication of the new TAN, confirms that there will be a transitional period for its implementation. Specifically, planning applications that were submitted and registered before the publication of the new TAN, such as the subject application, shall continue to be assessed against the previous version. It is for less vulnerable development in flood risk terms and is a reuse of the existing footprint of the building. As such, NRW are satisfied that in the absence of a Flood Consequence Assessment (FCA) the development proposal is acceptable. Even having regard to the new TAN 15 document, the proposal is redevelopment in a defended flood zone. This is considered acceptable as there is no intensification of use given the proposal is for the replacement of an existing building.

7.8.3 The proposal complies with Policy SP3 of the NLDP 2011-2026 (adopted January 2015).

8. **OTHER CONSIDERATIONS**

8.1 ***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.

8.2 ***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.

8.3 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.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage.

8.4 The above duties have 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. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.

8.6 ***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.

8.7 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.

9. CONCLUSION

9.1 Overall, it is considered that the proposed development is acceptable and has demonstrated compliance with the relevant Newport Local Development Plan 2011-2026 (adopted January 2015) policies.

9.2 As such, it is recommended that planning permission is granted with conditions.

10. RECOMMENDATION

GRANTED WITH CONDITIONS

Approved Plans and Documents

01 The development shall be implemented in accordance with the following plans and documents: GA-07 – Proposed Site Plan; GA-04 – Proposed Elevations Rev F (25.04.2025); GA.03 – Proposed Roof and Floor Plans Rev D (25.04.2025); Green Infrastructure Statement (July 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

Soft Landscaping

02 Notwithstanding the submitted details, within three months of the date of this decision, a scheme of soft landscaping shall be submitted to the Local Planning Authority for its written approval. The scheme shall include a timetable for implementation. The approved scheme shall then be carried out in its entirety in accordance with the approved details and implementation timetable. Thereafter the soft landscaping shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. The monitoring and remediation of the landscape mitigation planting during the 5 years establishment phase is to be confirmed by:

- a) A short report with photo evidence by the landscape consultant to be submitted to and approved in writing by Newport City Council immediately following the completion of the landscape scheme and showing the site before and after planting, seeding, fencing has been undertaken, and to confirm this is all in line with the approved documents e.g. plant species, plant size, planting operations etc; and
- b) A report with photo evidence by the landscape consultant to be submitted to Newport City Council by 31st July for year 2 and 5 of the five-year establishment period (and thereafter approved in writing by the Local Planning Authority) summarising any issues with planting or seeding, any replacement planting required and the timetable for replacements.

Reason: To secure the satisfactory implementation and maintenance of the soft landscape scheme in the interests of visual amenity and biodiversity/ecological enhancement having regard to Chapter 6 of Planning Policy Wales Edition 12 and Policy SP1, GP2 and GP5 of the adopted Newport Local Development Plan 2011-2026 (adopted January 2015).

EV Charging Provision

03 The 2no. parking spaces as shown on the approved plans shall be fitted with Electric Vehicle Charging Points and provided within 3 months of the date of this decision. These spaces with EV charging provision shall be retained for lifetime of development.

Reason: In the interests of sustainable development in accordance with Policy SP1 of the NLDP 2011-2026 (adopted January 2015).

Refuse Storage

04 The area marked for refuse storage as shown on the approved plans shall be made available for use within 1 month of the date of this decision and shall be retained for lifetime of development..

Reason: In the interest of providing adequate refuse storage facilities on site in accordance with Policy W3 of the NLDP 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan; PAC Report; GA-01 – Existing Elevations; GA-05 – Existing Floor and Roof Plan Rev B.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, GP1, GP2, GP4, GP5, GP6, GP7, CE6, W3, T4, were relevant to the determination of this application.

03 As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.

04 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.