



Appeal Decision

by H Davies BSc (Hons), MSc, MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 12/01/2026

Appeal reference: CAS-04434-G3S9T8

Site address: 110-111 Commercial Road, Newport NP20 2GW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant planning permission.
 - The appeal is made by Mr Diar Hassan against the decision of Newport City Council.
 - The application reference 25/0268, dated 4 April 2025, was refused by notice dated 19 June 2025.
 - The development proposed is 'Retrospective retention of shop front changes and installation of roller shutter and proposed change of use of ground floor to Grocery Store'.
 - A site visit was made on 7 January 2026.
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Decision

1. The appeal is allowed, and planning permission is granted for shop front changes, installation of roller shutters, and change of use of the ground floor to grocery store, at 110-111 Commercial Road, Newport NP20 2GW, in accordance with the terms of the application, reference 25/0268, dated 4 April 2025, and subject to the conditions set out in the attached schedule.

Procedural Matters

2. Photographs in the design and access statement (DAS) submitted with the application show that when the site was a library, the shutters were internal, but following changes to the shop front, external shutters with projecting shutter boxes, spanning the full extent of the windows, were installed. These shutters seem to have been in place at the time of the site visit for the application. However, at the time of my site visit, there were no roller shutters or shutter boxes in place. The changes that have been made to the shop front windows match those specified in the elevation plans submitted with the application. It also seems that the internal alterations related to the change of use have been implemented.
3. The application subject to this appeal includes a proposed change of use as well as operational development consisting of shop front changes and the installation of roller shutters. The refusal related only to the roller shutters.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the site and the surrounding area.

Reasons

The change of use of the ground floor to a grocery store, and the shop front changes

5. The Council assessed the proposed use and found that it complied with the relevant policies, subject to a condition to control opening hours. They also assessed the new shopfront windows and found that they were not detrimental to the character and appearance of the site or the surrounding area. On the basis of the submitted evidence and my site visit, I have no reason to reach a different conclusion.
6. I conclude that the change of use of the ground floor to a grocery store, and the shop front changes, would not cause harm to the character and appearance of the site or the surrounding area. In addition, the location is suitable for a retail use and subject to controlling opening hours, would not have an unacceptable impact on the living conditions of surrounding occupants. Consequently, the change of use and the shop front changes comply with Policies GP2 (General Amenity); GP6 (Quality of Design); R8 (Small scale retail proposals); and SP19 (Assessment of Retail Need) of the Newport Local Development Plan (2011-2026) (LDP).

The roller shutters

7. The site is located on a prominent corner. Along the site side of the road, the block is comprised predominantly of other commercial uses at ground floor with residential uses above. There is a modern housing development on the opposite side of the road.
8. The roller shutter box shown in the submitted plans would project from the elevation by 20cm and span the width of the windows. From the images in the Design and Access Statement (DAS), the shutters themselves would be solid metal shutters, in grey.
9. I note the guidance set out on roller shutters and their housing within the Security Measures for Shopfronts and Commercial Premises (2015) Supplementary Planning Guidance (SPG). However, my decision must be made on the basis of policy and in this case the most relevant is Policy GP6 (Quality Design) of the LDP. Amongst other things, this requires design to respond to and reflect the character of the locality.
10. During my site visit I noted the presence of solid roller shutters on many of the nearby shop fronts, most of which span the full width and some of which include projecting roller shutter boxes. I acknowledge the Council comment that these do not necessarily benefit from planning permission. However, it is evident that most have been in situ for some time.
11. Consequently, the presence of solid roller shutters and projecting shutter boxes at ground floor has become an established feature of this block of Commercial Road. The grey metal of the shutter housing would reflect the grey metal of the new shopfront windows. Viewed in this specific and immediate context, the installation of the proposed roller shutters at the appeal site would not significantly alter the character and appearance of the site or the area.
12. In addition, the shutters would be open at times when the shop was open. The proposed opening hours are set out in the DAS. This means the shutters would predominantly be closed only at night, which would reduce any visual impact of the solid nature of the shutters themselves during most daylight hours.
13. I conclude that given the immediate context of the site, the roller shutters would not cause significant harm to the character and appearance of the site and the surrounding area. Consequently, I find no significant conflict with Policy GP6 (Quality Design) of the LDP.

Conditions

14. In the event that I am minded to allow the appeal the Council has suggested that conditions be imposed. I have considered the need for conditions in light of the advice in Welsh Government Circular 016/2014 "The Use of Planning Conditions for Development Management". As the development has commenced, it is not necessary to impose the standard time condition. In the interest of certainty, it is necessary to specify the approved plans. To protect the living conditions of neighbouring residential occupants, it is necessary and reasonable to specify the opening hours of the shop use. Policy 9 of Future Wales requires all development to secure a net benefit in biodiversity. I therefore find a condition requiring implementation of the proposed scheme for biodiversity enhancement to be reasonable and necessary to accord with Policy 9.

Conclusion

15. For the reasons given above and taking into account the development plan as a whole and all other matters raised, I conclude that the appeal should be allowed.
16. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

H Davies

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development shall be carried out in accordance with the following approved plans and documents:
- Site Location Plan - 25-049/P/01
 - Existing Block Plan - 25-049/P/02
 - Existing Floor Plan - 25-049/P/03
 - Proposed Street Elevations - 25-049/P/04 Rev A
 - Proposed Floor Plan - 25-049/P/05 Rev A
 - Proposed Block Plan - 25-049/P/06
 - Design and Access Statement and Green Infrastructure Statement 25-049 Revision 1 - 18 April 2025

Reason: To ensure the development is carried out in accordance with the approved plans submitted with the application.

- 2) The hours of operation shall be restricted to 08:00am to 21:00pm Monday to Saturday, and 09:00am to 21:00pm on Sundays, Bank or Public Holidays. Outside of these hours the premises shall be vacated and closed to the public.

Reason: To protect residential amenity in the area, in accordance with Policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

- 3) The biodiversity enhancement scheme, as set out in the Green Infrastructure Statement (18 April 2025) shall be implemented prior to the first beneficial use of the development hereby approved and retained as such for the lifetime of the development.

Reason: In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9 and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

END OF SCHEDULE