

APPLICATION DETAILS

No: 26/0112 **Ward:** Liswerry

Type: Full

Expiry Date: 8th July 2026

Applicant: T Newberry

Site: 100 Somerton Road Newport South Wales NP19 0JX

Proposal: **PROPOSED CHANGE OF USE TO CHILDREN'S DAY NURSERY (D1)
(RESUBMISSION)**

Recommendation: REFUSED

1. INTRODUCTION

- 1.1 Planning permission was refused in 2025 for the change of use of the property to a children's nursery. The reasons for refusal relate to neighbouring amenity, flood risk and parking and can be seen in full below:

01 By reason of its location, use and proximity to neighbouring residential dwellings, the development will result in increased noise and disturbance to the significant detriment of residential amenity. No information has been submitted that would mitigate this objection. This is contrary to policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

02 The proposal will have a significant adverse effect on interests of acknowledged importance, namely safety, by introducing a highly vulnerable use in a flood risk area. No information has been submitted that mitigates this objection, contrary to policy SP3 of the Newport Local Development Plan 2011-2026 (Adopted January 2015), Planning Policy Wales edition 12, Policy 8 of Future Wales and Technical Advice Note 15: Development, Flooding and Coastal Erosion (March 2025).

03 The proposal will result in an increased demand for parking that cannot be accommodated on site to the detriment of highway and pedestrian safety and neighbouring amenity. This is contrary to policies GP2 and GP4 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) and the adopted Parking SPG.

- 1.2 This application is very similar in nature to that which was previously refused and is being presented to Planning Committee at the request of Councillor Peterson. The request can be seen in full under section 6.2 of this report.
- 1.3 The site is located on a corner plot on Somerton Road, at the junction with Kittyhawk Drive. The site is occupied by a two storey, end of terrace property. It is adjoined to the east by a residential property; 102 Somerton Road. The site was previously used as a post office and shop with residential accommodation above. More recently the property has been used as a hair salon with beauty salon at first floor. It is currently vacant.
- 1.4 Neither the number or staff or children has been confirmed with this application although it is stated that staff ratios are - 1 adult to 8 children for 3 years old plus and 1 adult to 4 children for under 3-year-olds. The floor plans appear to show four distinct areas (two for age 3 plus downstairs and two for age under 3 upstairs) and so it is reasonable to assume that there would be at least four staff members.

2. RELEVANT SITE HISTORY

00/0260	RETENTION OF EXTERNAL ROLLER SHUTTERS	REFUSED
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00/0741	INSTALLATION OF ROLLER SHUTTERS TO WINDOWS AND DOORWAY (RESUBMISSION)	GRANTED WITH CONDITIONS
01/1105	RETENTION OF ROLLER SHUTTER	GRANTED
18/0527	CHANGE OF USE OF FIRST FLOOR RESIDENTIAL TO BEAUTY THERAPIST	GRANTED WITH CONDITIONS
21/0814	PROPOSED CHANGE OF USE OF THE GROUND FLOOR FROM HAIRDRESSERS (A1) TO COFFEE SHOP (A3) AND CHANGE OF USE OF THE FIRST FLOOR FROM A BEAUTY SALON (SUI GENERIS) TO MIXED USE HAIRDRESSERS (A1) AND BEAUTY SALON (SUI GENERIS)	GRANTED WITH CONDITIONS
25/0864	PROPOSED CHANGE OF USE FROM HAIRDRESSING SALON (A1) TO CHILDREN'S DAY NURSERY (D1)	REFUSED

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 8 - Flooding

Policy 9 - Resilient Ecological Networks and Green Infrastructure

3.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- SP1 – Sustainability
- SP2 – Health
- SP3 – Flood Risk
- SP12 – Community Facilities
- GP1 – Climate Change
- GP2 – General Amenity
- GP4 – Highways and Accessibility
- GP5 – Natural Environment
- GP6 – Quality of Design
- T4 – Parking
- W3 – Provision for Waste Management Facilities in Development

3.4 SUPPLEMENTARY PLANNING GUIDANCE

- Sustainable Travel
- Wildlife and Development
- Waste Storage and Collection
- Parking Standards

4. CONSULTATIONS

4.1 Natural Resources Wales: We continue to have **concerns** with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding **flood risk**. If this information is not provided, we would object to this planning application. Further details are provided below.

Flood Risk

The planning application proposes a change of use from a less vulnerable (Hair and Beauty Salon) to a highly vulnerable use for a Children's Day Nursery. The Flood Map for Planning

identifies the application site to be at risk of flooding and entirely within Flood Zones 2 and 3 (Rivers and Sea) and the TAN15 Defended Zone.

We refer you to Section 10 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025 (TAN15) for advice on how you should consider this application in line with current planning policy. Our role is to provide you with detailed advice on the findings and conclusions of the Flood Consequences Assessment (FCA) in relation to flooding from rivers and/or the sea, including the impact on flooding elsewhere. For advice on flood risk from surface water and or small watercourses you should consult with your Lead Local Flood Authority.

We have reviewed the Flood Consequences Technical Note prepared by Flume Consulting Engineers, dated 12 May 2026, reference 1738. Our advice to you is that the FCA is incomplete.

Therefore, in accordance with paragraph 15.4 of TAN15, we advise you to use your powers to request further information. In its current form, the assessment does not consider the necessary technical requirements or acceptability criteria as set out in the TAN15.

In particular, to assess the acceptability of consequences the FCA should be prepared in accordance with:

- Section 6 of the TAN – Technical Requirements of a FCA (Figure 2)
- Section 11 of the TAN – Acceptability Criteria (Figures 5 and 6)

A revised FCA addressing the above requirements will be necessary before further assessment of flood risks and consequences for this proposal can progress.

Should you be minded to go against our advice, you should inform us at the earliest opportunity prior to granting consent and allow sufficient time for us to make further representations.

Please note, if an amended FCA is not submitted or any subsequent amended FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we are likely to **object** to the application.

TAN15 advises that the FCA should be proportionate to the nature and scale of the proposal. Developers should refer to all relevant sections of the TAN to determine the scope of the FCA that is required for this particular proposal. Further guidance is also available on our website.

4.2 Dwr Cymru – Welsh Water: No objection.

5. INTERNAL COUNCIL ADVICE

5.1 Local Highways Authority: **Highway recommendation:**

Not policy compliant.

Highway Comments:

The proposals include two Sheffield style racks for cycle storage. This is not appropriate and should be enclosed for security and weatherproofing to provide “long stay” provision.

The SPG requires 1 space per full time employee and there are 5 employees proposed. The application suggests they can park on site but there are only two spaces on site, so there are potentially 3 staff parking on highway, along with parents/carers.

It should be noted however that this does not provide for drop off /collection. We would estimate that an additional two (on street) spaces are needed for this.

We also note that the property has a history of commercial use. The real impact therefore is the difference between use as a nursery and use as a hairdressing salon.

There is no specific parking standard for salons, and we have no information regarding scale of the previous use. We cannot therefore provide a reliable assessment of existing parking demand for comparison.

The concern for Highways would be vehicles stopping on the junction raising safety issues, however this is protected by “No waiting” restrictions.

In conclusion there is no formal objection, but it appears there is inadequate in curtilage parking for the existing or proposed uses.

5.2 Environmental Health: No response.

5.3 Waste Manager: No response.

6. REPRESENTATIONS

6.1 NEIGHBOURS: All properties within 50m were consulted (72 properties), a site notice displayed. 6no responses received in support of the proposals, summarised below:

- A nursery would be good for the area, creating jobs and much needed childcare spaces;
- This would be a great asset to the area and would reduce congestion by Lliswerry Primary School;
- It would be good to see the premises operating as a commercial business again with benefit to the local community;
- After seeing constant vape shops, barbers, and kebab shops everywhere the nursery is a welcome new business that will be appreciated by the community.

6.2 COUNCILLOR JAMES PETERSON: I would like to support this application (26/0112) as it is perfectly located for school drop offs to Lliswerry Primary School as it is a short walk under 300m to the school gates with no roads to cross. In addition to this Lliswerry has seen growth in population in the area and is in need of child-minding services for working parents.

I believe this application will actually reduce risk outside Lliswerry Primary school during drop off/ pick up times as the current situation is working parents with multiple children will park close to the school to drop them off then drive to the childcare facilities to drop off the younger children. Whereas with the proposed application parents will park on Kitty Hawk Drive and walk to the school easing the pressure directly outside the school.

I'm sure working with the applicant to resolve issues with flood risks can be overcome by having a flood emergency plan in place as I mentioned earlier the school which is less than 300m walk away and even less as the crow fly's is on the same AOD level and they cater for 600 plus children with a much large ratio of children to staff.

Again, with other concerns like noise and parking I'm sure these can be mitigated by having sound damping measures such as acoustic fencing out the garden or soundproof foam on internal party walls. As for the parking I believe parents will be encouraged to park on Kittyhawk Drive if the entrance for pick up and drop off is through the rear garden.

If you are of a mind to refuse, I would like to call this application to committee and I would request to speak at that meeting.

7. ASSESSMENT

7.1 As noted above, planning permission has recently been refused for the change of use with reasons for refusal relating to parking, impact on neighbouring amenity and flood risk. This submission is as per the previous submission with the proposed floor plans showing childcare is to be provided over both the ground and first floor with provision for ages three plus on the ground floor and under threes on the first floor. The plans also show toilet facilities and a food preparation area although it is stated that main meals are not prepared on site and local caterers will deliver the food. The business will operate from 07.30 until 17.00. No external alterations are proposed to the building.

7.2 The character of the area is predominantly residential with a scattering of commercial uses on Somerton Road and a greater number of commercial uses on Cromwell Road to the north-west. It is not within a defined centre.

7.3 Principle of Development:

Located within the urban boundary there is a presumption in favour of development in principle. The immediate area has a predominantly residential character and so residential amenity is a key consideration. The site is not within a centre and the proposal is for a change of use to D1 which is a use best located within a centre. However, given the current A1 use is also a use best located in-centre according to PPW, the proposals do not prejudice centres-first policies.

7.4 The proposal is for a nursery and does have merit when considered as a community facility. The applicant advises that there is local demand for an early years nursery.

7.5 The site is within a flood risk area and the proposals represent a change from low vulnerability to highly vulnerable development and this is another key consideration. This matter is discussed further under the flooding section of this report.

7.6 Visual Amenity/ Character and Appearance;

The proposals do not include any external alterations to the building and so would not result in an adverse impact to the visual amenity of the building or wider area. Similarly, given the existing commercial use of the premises, the proposal will not result in the addition of a commercial activity close to residential properties, however the nature of the proposed use differs to the previous and lawful uses and will rely upon space both inside and outside the building to enable the use to function acceptably. Notably, unlike previous or neighbouring uses, the use of the rear amenity space will intensify and comings and goings will peak at certain times of day when drop offs and pick ups will occur. Similarly, the interior will now provide care for children as the primary use with associated changes to the noise and potential disturbance generated, particularly to nearest residential neighbours. In visual amenity terms, the proposal is neutral. General amenity is considered further below.

7.7 Residential Amenity:

As noted above, the immediate area has a predominantly residential character and the building directly adjoins no.102 Somerton Road that appears to be a residential dwelling. Whilst the building has a lawful commercial use having been used as a shop and a hairdressers, and neighbouring residents will therefore be used to a degree of noise and disturbance/comings and goings associated with a commercial premises, it is considered that the use of the building as a children's nursery has potential to result in a significantly greater degree of noise and disturbance as a result of children playing and being cared for /entertained and during drop off and pick up times with a high volume of people going to and from the property. The number of children to be cared for at the facility has not been confirmed and given the size of the building it may be considered self-limiting. Nonetheless the floor plans show both floors in use for childcare with children's play spaces abutting the internal party wall at ground floor. The building has a large curtilage which extends to the rear of the garden serving no.102 and it is anticipated that the outside area would be utilised for learning and play with associated noise and disturbance uncontained by the building envelope. Whilst the operating hours do not include anti social hours, the lack of information on child numbers and the close proximity of the proposed use to the existing residence gives cause for concern that is not mitigated by supporting information accompanying the submission. Given the close proximity of the building to neighbouring residential dwellings and in particular no. 102 Somerton Road, the proposals are considered to result in an adverse impact to neighbouring amenity with no information to mitigate this objection.

7.8 Movement:

Somerton Road is a busy thoroughfare with public transport links into the city centre. The level of parking provision serving the property is unclear as whilst the supporting information refers to parking to the side of the site, and there is an area of hard standing here, this area would appear to be outside of the red line boundary and not shown to be in the ownership or control of the applicant. There are vehicular gates to the side of the property with access to the site gained from Kittyhawk Drive and aerial photos show vehicles parked within the site, but this is not referenced by the applicant in the supporting information. Given the limited parking availability, it is likely that customers travelling by car to the former shop and hairdressers would have parked on street. Neither the number of staff nor children has been confirmed with this application although it is stated that staff ratios are - 1 adult to 8 children for 3 years old plus and 1 adult to 4 children for under 3-year-olds. The floor plans appear to show four distinct areas (two for age 3 plus downstairs and two for age under 3 upstairs) and so it is reasonable to assume that there would be at least four staff members, very likely more.

7.9 Having regard to the sustainable nature of the site within close proximity of bus stops and noting the proximity to the nearby primary school mentioned in the Councillor comments, it is nonetheless anticipated that there would be an increased parking and drop off demand as a result of the proposals. Unlike the former uses, there is also likely to be a high demand for parking at opening times and closing times (proposed hours are 7.30am to 5pm Monday to Friday) and in the absence of sufficient parking provision it is likely that parents will park along Kitty Hawk Drive which has unrestricted parking. Kitty Hawk Drive is not wide enough

to allow parking on both sides, so parking/drop-off is limited and may lead to stopping on the corners. Given the age of children attending, parents will need to park in order to accompany their child into the setting and to collect them (rather than waiting in the car). Whilst it is accepted that some parents and children may walk to the facility, again due to the age of the children it is anticipated that they would walk only short distances and therefore the majority of users would arrive by car. In addition, it is stated that local caterers will deliver food to the nursery and it is not prepared on site. No details of how this servicing arrangement would be carried out has been provided and there are concerns regarding potential conflict between servicing arrangements and the use of the outside space by young children. None of this is clarified in the application submission.

7.10 It is considered that the proposed nursery would be served by an inadequate level of parking provision, resulting in parking on footways in Kitty Hawk Drive. Whilst this may be short duration stopping for drop offs and pick ups, it may in some cases be for longer. Whilst it is noted that the NCC Highways Officer raises no objection, this is based on an acknowledged lack of information and various assumptions of low staffing levels compared to previous uses. The concern for Highways is vehicles stopping on the junction raising safety issues, however “No waiting” restrictions apply. The applicant has advised that a parking survey was not provided due to the abundance of on street spaces on Kitty Hawk Drive with an obvious reliance upon this for drop offs to the proposed use. This highway already displays frequent on road parking and partly on pavement. On road parking narrows the road to single lane. It is a popular walking route. Whilst the road may have capacity for stopping on one side, the pressure to be placed upon the highway for parking is not clearly made out to enable a full and robust assessment of the consequences. It seems obvious that the section from the junction of Somerton Road to Wright Close will be most pressured during drop offs and pick-ups but as staff parking is clearly not in the applicant’s control and cannot be guaranteed off street, and neither staffing or child numbers are confirmed, the impact upon highway safety can similarly not be fully assessed.

7.11 Cycle parking is proposed although the Council’s Highways officer advises that the style is not appropriate. Details could legitimately be secured by condition if planning permission were forthcoming. However, it is considered unlikely that parents would cycle to the nursery with children given their ages.

7.12 **Drainage/ Flooding:**

The planning application proposes a change of use from low vulnerability to highly vulnerable development as a children’s nursery, as specified by TAN15 with reliance on ground floor accommodation to serve the use. NRW Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding within Flood Zone 2 and 3 – Rivers and Sea Defended.

7.13 TAN15 confirms that a Flood Consequences Assessment is required for any development proposal located fully or partly in Flood Zones 2 and 3. The assessment will help the planning authority determine whether the risk and consequences of flooding are acceptable and can be appropriately managed over the lifetime of development. The assessment can also be used to establish whether appropriate avoidance or mitigation measures could be incorporated within the design of the development to ensure that over its lifetime, development minimises risk to life, damage to property and disruption to people working on the site and does not increase flood risk elsewhere. The TAN also sets out the tolerable conditions (rate of water rise, speed of inundation etc) and an FCA should provide Authority’s with details of how the development would comply/compare with these. The application is not accompanied by an FCA to enable the LPA to make such an assessment. It is therefore contrary to Planning Policy Wales and TAN15 (2025). A Flood Consequences Technical Note has been provided and NRW advise this document is incomplete. NRW have reviewed this and have requested that further information is provided by the applicant. The LPA has given the applicant the opportunity to submit this information, but the applicant has declined. NRW are clear in their advice that in the absence of this information they object to the application. NRW advise that should the LPA be minded to go against their advice, NRW should be informed prior to granting consent and allowed sufficient time to make further representations. NRW is the Council’s principal specialist advisor on flood risk matters.

- 7.14 In support of the proposals and with particular regard to flood risk the applicant has submitted a note that states that the nature and scale of the proposal mean that the flood-risk considerations can be appropriately managed through an agreed flood-risk strategy, supported by clear operational procedures. It also states:
- The building's owner, all staff and all parents would be signed up to the NRW Flood warning Service.
 - The nursery would operate for limited hours, with staff always present while the nursery is open. The small staff team would be familiar with the children and their parents or carers, allowing clear communication and a controlled response if a flood warning were issued.
 - The proposed evacuation route is straightforward: approximately 340 metres from 100 Somerton Road to Somerton Bridge. If required, a motorised shuttle system could be used to assist movement to the base of the bridge.
 - All staff, parents and carers would be made aware of the flood risk and would have clear access to the flood emergency escape plan. This would be explained to parents and carers at the point of the initial care contract.
 - The response would be guided by the predicted timing and severity of any flood event, including whether the nursery is closed or open at the time of the warning.
 - If the nursery is closed, all parents and carers would be contacted and advised that the nursery will remain closed until NRW confirms that the flood risk has been removed.
 - If the nursery is open, all parents and carers would be contacted immediately. A child-by-child risk assessment would then determine the safest course of action, which may include waiting for parents or carers to collect children, evacuating via the 340 metre route to Somerton Bridge, using the first floor as a temporary refuge area, or applying a combination of these measures.
- 7.15 Whilst the applicant refers to an evacuation route on Somerton Road where safe refuge can be sought approximately 340m away on Somerton Bridge, in the absence of a comprehensive FCA the flood risks cannot be fully assessed. The application contains no details relating to such matters including the speed of inundation of flood waters, velocity and rate of rise and flooding conditions for evacuation routes. There is potential for conditions along the evacuation route to exceed tolerable limits as set out within the TAN and a likelihood that it would not be safe or appropriate for staff to travel this distance with very young children, at ratios of 1 adult to 8 children for 3 years old plus and 1 adult to 4 children for under 3-year-olds. Reference is made to a 'motorised shuttle system' and it is not clear what is meant by this but there is a likelihood that routes will not be passable even in a vehicle. In any case, it is considered inappropriate for staff and children to remain on the bridge for an undetermined length of time, and this is not considered a safe place of refuge.
- 7.16 The property is two storey and it is acknowledged that the first floor would provide a temporary refuge. However, in the absence of an FCA it is not known how long flood waters would take to recede requiring staff and children to remain at the premises. Furthermore, given the age of the children that would be cared for at the premises it is considered likely that parents would attempt to reach their children, either by foot or by car, even in the event of imminent flooding, placing them at increased risk and greater strain on the emergency services. It is noted that whilst a bathroom is shown at first floor, food preparation and 2no. other toilets including disability adapted facilities are located at ground floor and would likely be inundated during a flood event. With uncertainty about staff and child numbers, the consequences of a flood event upon this highly vulnerable use and the realistic ability to manage a flood event are not well made out.
- 7.17 The applicant has referenced other sites where planning permission has been granted by the Authority for highly vulnerable type uses in flood risk areas. However, unlike this submission, these applications were accompanied by Flood Consequence Assessments which enabled the LPA to make an informed assessment.
- 7.18 The proposal fails to comply with the aims of TAN15 and Policy SP3 of the NLDP 2011-2026 (adopted January 2015) and Planning Policy Wales 12.
- 7.19 **Biodiversity:**

The proposals include biodiversity enhancement, in the form of bird boxes. This is proportionate and compliant with Policy 9 of Future Wales which 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. Such enhancement could be secured by condition if planning permission were forthcoming.

7.20 **Waste:**

Given the large curtilage that the property benefits from it is considered that there is sufficient space to accommodate waste and recycling and a management plan could be secured by condition if planning permission were forthcoming.

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 By reason of the proximity of the building and its curtilage to the adjoining dwelling and the nature of the intended use being a noise generator with scope to significantly increase both indoor and outdoor noise at the premises, the proposals will result in an adverse impact to neighbouring amenity, particularly to that of the occupiers of the adjoining property no.102 Somerton Road. No information has been provided to mitigate this objection.
- 9.2 The proposals fail to confirm staff and child numbers with the expectation that it will result in an increased parking demand and a significant intensification of parking demand during drop off and pick up times, which cannot be accommodated on site. The use will rely upon the highway known as Kitty Hawk Drive which appears to offer unrestricted parking opportunities but with road narrowing and pavement parking repercussions, the impact of which cannot be fully assessed due to lack of information on such demand. This is to the detriment of highway and pedestrian safety and neighbouring amenity.
- 9.3 The proposal will have a significant adverse effect on interests of acknowledged importance, flood risk and human safety/health, by reason of the introduction of a highly vulnerable use in a flood risk area including the ground floor. No Flood Consequences Assessment is provided and no information mitigates flood risk and general safety objections. This is contrary to Policy SP3 of the NLDP 2011-2026 (adopted January 2015), Planning Policy Wales and TAN15.
- 9.4 Whilst it is acknowledged that a day nursery can provide a vibrant community facility in accordance with policy SP12 of the adopted LDP and some comments suggest demand for nursery and early years provision in the locality, this does not outweigh the objections above. It is recommended that the application is refused. If members are minded to grant the application, NRW must first be notified.

10. RECOMMENDATION

REFUSED

01 By reason of its location, use and proximity to neighbouring residential dwellings, the development will result in increased noise and disturbance to the significant detriment of residential amenity. No information has been submitted that would mitigate this objection. This is contrary to policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

02 The proposal will have a significant adverse effect on interests of acknowledged importance, namely safety, by introducing a highly vulnerable use in a flood risk area. No information has been submitted that mitigates this objection, contrary to policies SP1, SP3, GP1 and GP6 of the Newport Local Development Plan 2011-2026 (Adopted January 2015), Planning Policy Wales edition 12, Policy 8 of Future Wales and Technical Advice Note 15: Development, Flooding and Coastal Erosion (March 2025).

03 The proposal will have a significant adverse effect on interests of acknowledged importance, namely highway safety and amenity, by intensifying reliance upon the highway for stopping and parking. No information has been submitted that mitigates this objection, and it is contrary to policies GP2 and GP4 of the Newport Local Development Plan 2011-2026 (Adopted January 2015), and the adopted Parking SPG.

NOTE TO APPLICANT

01 This decision relates to plan Nos: KD2028/1, site location plan, Design Statement, GIS, Supporting letter dated 13th March 2026, Supporting Statement dated 12th May 2026, Flood Consequences Technical Note 12/5/26.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP2, SP3, SP12, GP1, GP2, GP4, GP5, GP6, T4 and W3 were relevant to the determination of this application.

03 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.

04 Due to the proximity of the site to Liswerry Pill Reen, NRW advise that all works at the site must be carried out in accordance with Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website.