

Delegated Decision Report

Application No:	26/0464	Statutory Period Expires:	28th August 2026
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Site:	<i>Land To Rear Of 31 - 33 Church Road Newport South Wales</i>		
Proposal:	<i>ROOF EXTENSION TO CREATE FIRST FLOOR ANCILLARY OFFICES TO ESTABLISHED BAKERY USE</i>		
Applicant:	<i>C Edwards</i>		
Type:	Full	Ward:	St Julians
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is located within the urban boundary and is occupied by a former bakery situated at the rear of 31 to 33 Church Road. The commercial unit fronting Church Road is currently vacant. The site is largely built out and is surrounded in all directions by neighbouring residential and commercial development which abut the site and give rise to a densely laid out area where small changes can have big impact due to proximity and lack of space. The site does not benefit from any off-street parking.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to increase the roof height of part of the building at the rear of the building. It currently has a pitched roof with a maximum height of approximately 4.2m which would be increased to 5.5m. Windows are proposed in the northern and southern gables at first floor level at 1.8m above the internal floor levels. The floor plans show offices at first floor. Materials are shown to be white plastic windows and slate roof. No details of elevation treatment are provided. The plans include limited detail.

3.2 It is stated that the use of the space is for offices ancillary to the established bakery use.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
26/0175	PARTIAL DEMOLITION/PART CONVERSION OF VACANT BAKERY TO RESIDENTIAL DWELLING TOGETHER WITH ALTERATION WORKS	REFUSED	14/05/2026
04/1163	CHANGE OF USE OF PROPERTY TO 5NO. FLATS AND ASSOCIATED EXTERNAL ALTERATIONS INCLUDING REAR FIRST FLOOR EXTENSION (RESUBMISSION)	GRANTED WITH CONDITIONS	10/09/2004

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

5.2 PLANNING POLICY WALES (EDITION 12) 2024

Policy SP1 Sustainability favours proposals which make a positive contribution to sustainable development.

Policy SP3 Flood Risk ensures development is directed away from flood risk areas.

Policy SP9 Conservation of the Natural, Historic and Built Environment protects habitats and species as well as Newport's listed buildings, conservation areas, historic parks and gardens, scheduled ancient monuments, archaeologically sensitive areas and landscape designated as being of outstanding historic interest.

Policy GP2 General Development Principles – General Amenity states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.

Policy GP4 General Development Principles – Highways and Accessibility states that development should provide appropriate access for pedestrians, cyclists and public transport along with appropriate car parking and cycle storage. Development should not be detrimental to the highway, highway capacity or pedestrian safety and should be designed to enhance sustainable forms of transport and accessibility.

Policy GP7 General Development Principles – Environmental Protection and Public Health states that development will not be permitted which would cause or result in unacceptable harm to health.

Policy T4 Parking states that development will be expected to provide appropriate levels of parking.

Policy W3 Provision for Waste Management Facilities in Development states that where appropriate, facilities for waste management will be sought on all new development.

5.4 Supplementary Planning Guidance

Parking

Flat Conversions

Wildlife and Development

Waste Storage and Collection

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales:

We have **no objection** to the proposed development as submitted and provide the following advice.

Flood risk

The planning application proposes less vulnerable development (offices). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 Sea TAN15 Defended Zone.

The application proposes an extension to an existing building at the first floor level. We consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

We provide advice on our website Natural Resources Wales / Preparing for a flood which may be useful for the developer or occupant of the proposal.

We have not reviewed the Flood Consequences Assessment (FCA) submitted in support of the application as we consider the proposal to be low risk.

Therefore, if you require technical advice on the submitted FCA to understand the flood risk to this development, please notify us and we can provide further advice on the risks and consequences of flooding. It is for the planning authority to determine whether the risks and consequences of flooding are acceptable.

- 6.2 Local Highways Authority: **Highway recommendation:**
Further information/clarification sought, but objection likely at this stage.
Highway Comments:
The proposal appears to be to retain and extend a bakery to the rear of a terraced property. The bakery is understood to have supplied a shop fronting Church Rd. The current proposal appears to be a separate business and presumably supply other shops. This would have implications in terms of parking and servicing needs.
We would seek clarification, but at this stage it appears that the business would not have appropriate means of servicing or have any parking. An in-house bakery for a small shop is not considered to be the same as an independent and additional unit.
- 6.3 Landscape officer: Given the nature of the site and small scale of the proposal there is no scope for planting to meet LDP GP5 vi for 'an appropriate landscape scheme'.
- 6.4 Environmental Health: Having reviewed the submitted documents regarding the proposed development and due to its small scale, no significant Environmental Protection concerns will be anticipated as such I confirm I have no objections to the proposal.
- 6.5 Senior Scientific officer: I have no comments in terms of air quality or contaminated land in respect of the below planning application.
- 6.6 Ecology officer: I have considered this application in relation to section 7.0, Figure 4 - 'Checklist for protected/priority Species Surveys' set out in the Wildlife and Development SPG, which sets out the criteria we use for deciding when a bat survey is needed. The nature and location of these buildings and the works proposed to them do not suggest that there is a reasonable likelihood of an impact upon roosting bats, so I would not ask for a bat survey on this occasion. Instead, we should attach an advisory note alerting the applicant to the fact that there is a low risk that bats may be present and advising them of what to do if bats are found during works.

Specifically, the roofing material of the existing building seems to consist of single-skin corrugated metal or asbestos cement sheets which are generally not suitable for roosting bats, as they get too hot in summer and too cold in winter. There is a known bat roost nearby in Duckpool Road, but this is in a taller, older building with a tiled roof and gaps in masonry.

The scope for enhancing green infrastructure at this site is limited, so unless our Landscaping Advisors recommend any soft landscape planting, I would accept the GI Statement as submitted.

- 6.7 Dwr Cymru – Welsh Water: We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. We recommend that the existing private drainage on site should be utilised to avoid any new direct connection to the public sewerage system.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the **Conditions** and **Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Condition

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Advisory Notes

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

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.

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.

- 6.8 SAB Drainage: Having reviewed the submitted information, a SAB application may not be required but if there are any external works exceeding 100square metres then we would encourage the applicant to visit the website for further information, or contact the SAB team sab@newport.gov.uk for further discussions.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 7th July 2026.

- 7.1 NEIGHBOURS: 2no responses have been received. 1no objection summarised as follows:

- The proposals will result in overlooking, loss of sunlight and impact privacy;
- The proposals will exacerbate the existing parking demand in the area;
- The proposals will result in noise pollution;
- The proposals will result in property devaluation.

1no neutral response received stating that a Party Wall agreement is required.

8. ASSESSMENT

8.1 Principle of Development:

Located within the urban boundary there is a presumption in favour of development in principle. However, the site is constrained, surrounded by existing development with no off-street parking provision. Potential impact to neighbouring occupiers and parking are key considerations, as well as flood risk.

- 8.2 As noted above, the use of the space is stated to be for offices ancillary to the bakery use. However, the red line site location plan does not include the bakery shop to the front on the site and so it is unclear whether the applicant wishes to establish a separate planning unit. The bakery and associated shop are currently vacant and, in any case, it is unclear why the offices are required, particularly as the building already includes expansive storage areas at the rear of the site and it is also unclear how the offices would operate in association with the bakery or shop. The supporting information is very limited and offers no further details in this regard. The application does not appear to be well thought out.

8.3 Visual Amenity/ Character and Appearance;

The area has a mixed residential/commercial character, and the proposed residential use is considered to be acceptable in terms of the character of the area.

- 8.4 When considering visual impact, given that the site is surrounded by existing development and therefore the building's visibility is limited, the proposals are not considered to result in an adverse impact on visual amenity.

8.5 Residential Amenity:

As previously noted, the site is surrounded by existing development, some of which is in residential use. No.48 Dean Street is situated to the north of the site and is a two-storey end of terrace property sited side-on the application site. The existing building proposed to be extended is within 5m of the side boundary of this property and this part of the application property is currently single storey with a pitched roof having a height of 4.2m. No. 48 Dean Street is served by a very small rear garden which is 'hemmed in' by existing neighbouring development to the east and south. The proposals would result in an increase in the scale of the commercial building within close proximity to the side boundary of this property. The application building can be seen in the image below as indicated by the arrow. The image shows the cramped relationship between the application site and neighbouring properties:



- 8.6 Whilst the drawings show first floor windows in the gable end orientated towards this property would be above 1.8m floor level and thus overlooking can be prevented, it is considered that by reason of its scale and proximity to this neighbour, the proposals would result in an overbearing and oppressive impact to the detriment of their enjoyment of the sole amenity space benefitting the property. Furthermore, the application building is sited to the south of this neighbouring dwelling and is likely to result in a greater degree of solar shading as a result of the increase in the height of building, no assessment of this impact has been provided.

- 8.7 Adjoining land users to the east are in commercial use with the nearest residential dwelling in this direction being several doors down; no. 34 Church Street. The proposed extension would be sited within 2m of the side boundary of the rear garden serving this property, and the increase in the height of the application property is considered to result in an

unneighbourly form of development, to the detriment of the amenity of the occupants of this property also.

- 8.8 The gable ends of two neighbouring properties are in close proximity to the part of the building which is proposed to be extended. These properties are commercial and not in residential use, and in any case they do not have windows in these gables. Consequently, the impact to these commercial properties is considered to be acceptable. However, for reasons outlined above, the proposals are considered to result in an adverse impact to the amenity of the occupants of no.48 Dean Street and no.34 Church Street and in particular their enjoyment of their gardens.

8.9 **Movement:**

The site does not benefit from any off-street parking. As previously noted, the supporting information with the application is very limited and whilst the additional space is stated to be for office use, it is unclear how this will function and what the associated parking demand is likely to be. A previous application for change of use of part of the building to a dwelling did not raise any concerns in relation to parking, however this was on the basis that the parking demand for the former use and proposed use were similar. In this instance additional office space is proposed and there is a likelihood that it will generate an additional demand for parking which cannot be accommodated within the site. Given the limited availability of off-street parking within the vicinity reliance for on-street parking is likely to be very high and in the absence of information to demonstrate otherwise it is considered that the proposals would result in an adverse highways impact due to additional parking demand.

8.10 **Drainage/ Flooding:**

The site is located within Flood Zone 3 (Sea) and TAN15 Defended Zone. The planning application proposes less vulnerable development (offices). The application is accompanied by an FCA which NRW have reviewed. They advise that they consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. NRW would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

- 8.11 Given the low vulnerability of the nature of the proposed use the proposals are considered to be acceptable from a flood risk perspective.

8.12 **Biodiversity:**

The application is accompanied by a Green Infrastructure statement which explains that given the urban nature of the site there is limited opportunity for green infrastructure. In terms of biodiversity enhancement, the applicant proposes to install a bird box at the property and introduce planting within the amenity area. Such enhancement is considered to be proportionate to the proposals if planning permission were forthcoming and would satisfy biodiversity enhancement requirements. The Council's Ecology officer confirms the building has low potential to house bats and no objections are offered on that basis.

8.13 **Waste:**

The plans show that there would be sufficient space for refuse storage within the site and the proposals are considered to be acceptable in this regard.

8.14 **Other Issues**

It should be noted that neighbouring concerns relating to property value are not material planning considerations. Party wall concerns have been raised and this too is not a material planning consideration and is dealt with by a separate legislative body.

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 By reason of scale, siting and design, the proposed extension would result in an overbearing impact to the rear amenity space of no. 48 Dean Street and 34 Church Road to the detriment of their enjoyment of their amenity space.

10.3 Furthermore, the proposals would result in an increased parking demand which cannot be accommodated within the site and greater pressure for on street parking within the vicinity.

10.4 The application is refused.

11. DECISION

REFUSED

01 The proposed development will have a significant adverse impact upon interests of acknowledged importance, namely residential amenity by reason of proximity to neighbouring amenity space serving no.48 Dean Street and 34 Church Road and overbearing impact, loss of privacy and unneighbourly effect. This is contrary to Policies

GP2 and GP6 of the Newport Local Development Plan 2011-26 Adopted Plan January 2015. No information has been submitted to mitigate this objection.

02 The proposal will result in an increased demand for parking that cannot be accommodated on site in an area where on street parking is at high demand, to the detriment of highway and pedestrian safety and neighbouring amenity. No information has been provided to mitigate this objection. This 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: Existing and Proposed plans, site location plan, FCA, GIS, DAS,

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP9, GP1, GP2, GP4, GP7, and T4 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.