

Delegated Decision Report

Application No:	26/0315	Statutory Period Expires:	17th July 2026
Site:	112 Cambrian Inn, Managers Accommodation Commercial Road Newport NP20 2GW		
Proposal:	CHANGE OF USE OF UPPER FLOORS FROM MANAGERS ACCOMMODATION TO A3 USE AS A RESTAURANT AND INSTALL NEW SHOP FRONT IN EXISTING OPENINGS		
Applicant:	M Ocak		
Type:	Full	Ward:	Pillgwenlly
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 The proposal seeks to overcome the 3no. previous reasons for refusal under application 26/0091 which were:

- Insufficient information has been submitted in relation to extraction and any associated flue/ducting (including its siting, external appearance and route). In the absence of this information, it has not been demonstrated that the proposed A3 use can be satisfactorily served, nor that the required equipment would avoid unacceptable harm to the character and appearance of the building and the surrounding area, contrary to Policies GP2 and GP6 of the Newport Local Development Plan (2011-2026).
- The proposed works would result in the loss of the existing historic frontage, including its traditional detailing. The replacement frontage of aluminium and glass would result in demonstratable harm by virtue of its design and materials. The proposal fails to respect the architectural character and detailing of the Victorian building, resulting in an incongruous and visually harmful alteration that would significantly harm the character and appearance of the host building and the wider streetscape. The proposal is therefore contrary to Technical Advice Note 24: The Historic Environment and Policies SP9, GP2 and GP6 of the Newport Local Development Plan (2011-2026).
- Insufficient information has been submitted to demonstrate that the site can be suitably served by adequate waste and recycling storage or waste management contrary to the aims of Policy W3 of the Newport Local Development Plan (2011-2026).

2. SITE LOCATION AND CONTEXT

2.1 The site is located adjacent Commercial Road which is a mixed-use area of commercial and residential. The existing property fills the whole plot and therefore does not benefit from any outdoor space. The rear of the property links to Courtybella Gardens. The building itself forms part of a prominent corner plot which retains many period features, most notably the window arrangements and roof form. The existing frontage is symmetrical and retains the existing cornices. The feature banding and window accents add further visual interest benefitting the wider character and appearance of the area. On street parking is limited to one hour Monday to Saturdays 0800 – 1800 hours. Directly opposite the application site lies a residential area which carry through the feature brick banding and window surrounds.

3. DESCRIPTION OF DEVELOPMENT

3.1 Change of use of the upper floors managers accommodation of former public house to A3 (restaurant) and installation of new shopfront fenestration to existing openings.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
26/0091	CHANGE OF USE OF UPPER FLOORS FROM MANAGERS ACCOMMODATION TO A3 USE AS A RESTAURANT, ALONG WITH REPLACEMENT SHOP FRONT	Refused	19.03.2026
24/0987	LAWFUL DEVELOPMENT CERTIFICATE (EXISTING) FOR USE OF PART OF THE FIRST FLOOR AND THE SECOND FLOOR AS RESIDENTIAL ACCOMMODATION	Refused	13.06.2025
22/0578	CHANGE OF USE FROM PUBLIC HOUSE TO EDUCATION AND TRAINING	Refused	17.11.2022
17/0114	CHANGE OF USE FROM PUBLIC HOUSE TO EDUCATION AND TRAINING CENTRE D1 ACROSS BASEMENT, GROUND FLOOR AND FIRST FLOOR	Granted with conditions	20.04.2017

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

5.3 Technical Advice Note 15: Development, Flooding and Coastal Erosion Technical Advice Note 24: The Historic Environment

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- SP1 – Sustainability
- SP3 – Flood Risk
- SP18 – Urban Regeneration
- GP2 – General Amenity
- GP4 – Highways and Accessibility
- GP5 - Natural Environment
- GP6 – Quality of Design
- GP7 – Environmental Health and Public Protection
- T4 – Parking
- W3 – Provision for Waste Management Facilities in Development

5.5 SUPPLEMENTARY PLANNING GUIDANCE

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

6. CONSULTATION RESPONSES

6.1 Principal Heritage Officer:

1. Legislation, Policy, and Guidance

Paragraph 6.1.6 of **Planning Policy Wales** (2024) states that: “The Welsh Government’s specific objectives for the historic environment seek to...safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved...”

According to **Policy GP2** (General Development Principles – General Amenity) of the NEWPORT LOCAL DEVELOPMENT PLAN (2011-26):

DEVELOPMENT WILL BE PERMITTED WHERE, AS APPLICABLE:

- i) THERE WILL NOT BE A SIGNIFICANT ADVERSE EFFECT ON LOCAL AMENITY, INCLUDING IN TERMS OF NOISE, DISTURBANCE, PRIVACY, OVERBEARING, LIGHT, ODOURS AND AIR QUALITY;*
- ii) THE PROPOSED USE AND FORM OF DEVELOPMENT WILL NOT BE DETRIMENTAL TO THE VISUAL AMENITIES OF NEARBY OCCUPIERS OR THE CHARACTER OR APPEARANCE OF THE SURROUNDING AREA;*
- iii) THE PROPOSAL SEEKS TO DESIGN OUT THE OPPORTUNITY FOR CRIME AND ANTI-SOCIAL BEHAVIOUR;*
- iv) THE PROPOSAL PROMOTES INCLUSIVE DESIGN BOTH FOR THE BUILT DEVELOPMENT AND ACCESS WITHIN AND AROUND THE DEVELOPMENT;*
- v) ADEQUATE AMENITY FOR FUTURE OCCUPIERS.*

In particular:

3.11 The amenity enjoyed by people in their local environment should not be significantly harmed as a result of development. All development proposals should therefore be appropriate for the immediate location, and also for the wider setting/context. The scale, nature and siting of a proposal must be appropriate to the location and must not undermine the character of either the site or the locality.

According to **Policy GP6** (General Development Principles – Quality of Design) of the NEWPORT LOCAL DEVELOPMENT PLAN (2011-26):

GOOD QUALITY DESIGN WILL BE SOUGHT IN ALL FORMS OF DEVELOPMENT. THE AIM IS TO CREATE A SAFE, ACCESSIBLE, ATTRACTIVE AND CONVENIENT ENVIRONMENT. IN CONSIDERING DEVELOPMENT PROPOSALS THE FOLLOWING FUNDAMENTAL DESIGN PRINCIPLES SHOULD BE ADDRESSED:

- i) CONTEXT OF THE SITE: ALL DEVELOPMENT SHOULD BE SENSITIVE TO THE UNIQUE QUALITIES OF THE SITE AND RESPOND POSITIVELY TO THE CHARACTER OF THE AREA;*
- ii) ACCESS, PERMEABILITY AND LAYOUT: ALL DEVELOPMENT SHOULD MAINTAIN A HIGH LEVEL OF PEDESTRIAN ACCESS, CONNECTIVITY AND LAID OUT SO AS TO MINIMISE NOISE POLLUTION;*
- iii) PRESERVATION AND ENHANCEMENT: WHERE POSSIBLE DEVELOPMENT SHOULD REFLECT THE CHARACTER OF THE LOCALITY BUT AVOID THE INAPPROPRIATE REPLICATION OF NEIGHBOURING ARCHITECTURAL STYLES. THE DESIGNER IS ENCOURAGED TO DISPLAY CREATIVITY AND INNOVATION IN DESIGN;*
- iv) SCALE AND FORM OF DEVELOPMENT: NEW DEVELOPMENT SHOULD APPROPRIATELY REFLECT THE SCALE OF ADJACENT TOWNSCAPE. CARE SHOULD BE TAKEN TO AVOID OVER-SCALED DEVELOPMENT;*
- v) MATERIALS AND DETAILING: HIGH QUALITY, DURABLE AND PREFERABLY RENEWABLE MATERIALS SHOULD BE USED TO COMPLEMENT THE SITE CONTEXT. DETAILING SHOULD BE INCORPORATED AS AN INTEGRAL PART OF THE DESIGN AT AN EARLY STAGE;*
- vi) SUSTAINABILITY: NEW DEVELOPMENT SHOULD BE INHERENTLY ROBUST, ENERGY AND WATER EFFICIENT, FLOOD RESILIENT AND ADAPTABLE, THEREBY FACILITATING THE FLEXIBLE RE[1]USE OF THE BUILDING. WHERE EXISTING BUILDINGS ARE PRESENT, IMAGINATIVE AND SENSITIVE SOLUTIONS SHOULD BE SOUGHT TO ACHIEVE THE RE-USE OF THE BUILDINGS.*

In particular:

3.42 Retail areas are a vital element of our townscape, and the vibrancy of commercial areas is encouraged. Newport has a variety of retail frontages which serve a range of shopping requirements. It is important that these should be of high quality and that new shopfronts should relate well to the building of which they form part, including maintaining existing access to upper floors, as well as relating well to the frontage as a whole. New shopfronts should respect their context and seek to add interest and variety to the street scene. Additional advice will be made available in Supplementary Planning Guidance concerning: Security Measures for Shopfronts and Commercial Premises and City Centre Shopfront Policy.

NCC's SHOPFRONT DESIGN SUPPLEMENTARY PLANNING GUIDANCE (October 2021) states the following:

4. General Design Principles

4.1. *The established principles of successful shopfront design have their foundations in Victorian and Edwardian architecture, which make up the majority of the City Centre, but can be applied successfully to any type of building. A well-designed shopfront should be in keeping with the style and character of the building which frames it, as well as the historic character of the area in which it is located.*

4.3. *The following design principles apply to changes to all existing and new shopfronts, and forms the structure to this guidance document:*

- a. Respond to the context Create unity and cohesion in the street scene by creating shopfronts that sit within the building - maintaining the scale, proportion, and rhythm of the building above.*
- b. Conserving and enhancing character Enhancement of original architectural features, rather than hide or detract from them. Developments in the Conservation Area should pay particular attention to preserving and enhancing the character and appearance of the area.*

5. Responding to Context

5.1. *Over time, alterations to shop fronts can undermine the character and quality of an area. Good shopfront design will demonstrate an understanding of the context by relating well both to the building of which it is part and the streetscape it forms part of.*

5.2. *The shopfront is an important part of the overall building design and should not be considered in isolation. It is important to harmonise with the age and character of a building as a whole and be in proportion with the rest of the building.*

5.3. *When altering shop fronts, efforts should be made to reinstate the horizontal and vertical lines and the proportions of the parent building, as well as uncovering and reinstating lost architectural features where possible.*

5.4. *When considering vertical rhythm, it is important that both traditional and contemporary shopfronts sit within the structural opening defined by the original building framework, with structural columns or pilasters connecting the ground floor to the building above. Shopfronts that straddle separate buildings should acknowledge the architectural divisions above in their design. It is important to create the impression that the shopfront is the 'base' of the building above.*

The same document also notes that:

Alterations to shop fronts that remove original details such as pilasters, stallrisers, and original fascias undermining the street scene and pedestrian experience.

Design Note 4 within the same states that:

If a property has a good example of an original shopfront there shall be a presumption in favour of its restoration and enhancement rather than replacement, particularly when the building is Listed or forms part of a Conservation area.

Regarding Pilasters and Vertical elements, the same document states that:

9.3.1 Pilasters are the vertical columns at each side of the shop front, providing a visual division between shopfronts.

9.3.2 Pilasters should always follow the same rhythm and style as the building above. By doing this, the pattern of the building above is consistent from its base, up to the eaves.

9.3.3 Whatever the building, pilasters and capitals or structural columns are a component part of a successful shopfront and should always be present as they help to define one unit from another and create structure and order in the streetscape.

9.3.4 Historical research, particularly from old photographs is encouraged to provide the opportunity to reinstate hidden or absent historic architectural pilaster features in the same style. In the City Centre, a decorative masonry pilaster is often present yet covered or half covered with timber.

9.3.5 The materials used for the development of a new pilaster should be compatible with the rest of the building design and the street scene.

Design Note 17: Original pilasters and associated features should not be altered or removed and if necessary reinstated.

Design Note 18: The pilasters must be treated in the same way creating an identical frame, on both sides of the shop front.

Design Note 19: A traditional pilaster is made up of a base, shaft and capital. Together these features should be proportionate creating a detailed feature of the shop front.

Regarding Windows, the same document states that:

9.4.1 Glazing bars, transoms or mullions are sometimes appropriate to allow recessed doorways, frame entrance ways and create a more intimate scale.

9.4.2 The method of subdivision of the shopfront glass should suit the character of the shopfront as well as the design of the building, including the position, size and proportions of the first floor.

9.4.3 Traditional style windows and glazing types should be encouraged on historic buildings. Where traditional details are discovered, they should be preserved and repaired, restoring the historic shop front to its original design and quality.

9.4.4 Treatments to glazing, such as panelling, etching, reflective or tinted glass, which is used to provide signage or restrict the view into a shop, should be kept to the very minimum necessary. However, glazing types which include etched effect graphics can supplement the main signage of the unit and should be encouraged provided it is proportional to the windows, the shopfront and the building as a whole.

Design Note 20: Divisions of glazing through the use of moulded transoms and mullions are encouraged and should reflect the proportions of upper floors.

Regarding Doors, the same document states that:

9.5.2 The style and character of the shopfront and building should be reflected by the design of the doorway.

Regarding Stall Risers, the same document states that:

9.7.1 Stall risers form the 'base' of the building, and form an important part of the shop front. Traditionally the stallriser was used to make the shopfront more secure, to protect from accidental knocks, and to create a display area closer to the eye.

9.7.2 It is a feature of the shopfront that serves a functional and visual purpose. In Conservation Areas and on Listed buildings a stallriser will be required. For contemporary shopfronts, designs should incorporate a stallriser in most instances.

9.7.3 Existing stall risers with decorative features of quality should be retained.

9.7.4 Materials used should always respect and enhance the materials of the whole building and shop front. The stall riser should be finished in a quality hard wearing material which is easy to clean. Historic tiling, where present should be retained and enhanced.

9.7.5 Stall risers should not exceed 25% of the total shop front. Those that do exceed this height appear to dominate the shopfront, this is unlikely to be accepted. The stall riser should typically be in proportion with the plinth supporting the pilaster. A cill detail should be included between the glazing and the stall riser.

Regarding Materials, the same document states that:

9.10.1 In historic areas the use of traditional materials is encouraged, with high quality modern design elsewhere. Materials should harmonise with the character of the building, this can be implemented by ensuring that existing materials are maintained and restored, using materials and colour sensitively, and selecting materials that are durable and attractive. Shiny, reflective material and harsh colours are discouraged.

9.10.2 Efforts should be made to preserve and repair shop fronts on older buildings where materials are original. Some of the best early examples tended to be high quality metals (often bronze) often in combination with marble. It is important that these high-quality materials should not be painted over.

2. Observations

The proposed development is not located within a Conservation Area and nor does it relate to a listed building.

However, map evidence clearly dates construction to the late-C19. It seems clear that the three premises (110-112 Commercial Road) were built in a single phase to terminate the terrace; being unified in scale, form, and materials, with the most ornate Commercial Road elevation comprising of pressed-red brick decorated with ornate stone detailing to moulded string courses, window surrounds, and pedimented gables. The acute street corner is resolved in turret form, the roof above shaped into a multi-faceted, steeply pitched structure topped with a cupola, giving the junction a vertical emphasis and signalling an important node in the streetscape. Though nos. 110-111 have lost their original timber sash windows, their uPVC replacements still reflect the original design intention for this attractive elevation. Conversely, no. 112 still retains its original timber sliding sashes, the meeting rails for which are concealed behind ornate stone transoms.

Despite the unsightly external shutters to nos. 110-112, the ground floor front of the whole is unified by a continuous entablature, comprising of dentilated cornice, with fascias interrupted by paired and fluted console brackets which support the pilasters below. The 'shopfront' to no. 112 is of particular aesthetic interest, being symmetrically arranged, with twin doorways and windows framed by pilasters, and decorative masonry stall-riser with arched barrel-drop hatch still in situ, all indicating its former historic use as a public house and hotel. Despite its somewhat dilapidated condition, the whole (and the ground floor of no. 112 in particular) is a prominent and distinctive late-Victorian historic building, of notable architectural and historic interest. In this way, it makes considerable positive contribution towards the aesthetic interest of this end of Commercial Street and makes a very positive contribution towards both the quality of the streetscape and towards local amenity.

As proposed, all the attractive shopfront elements (cornice, fascia, fluted corbels, decorative capitals, pilasters, spandrels to door and stallriser) will be retained, with doors and windows replaced in aluminium. Whilst this material will not necessarily harmonise with the age and character of a building, as shown within proposed drawings (including further details now submitted) it will introduce suitably slim-framed fixtures to the attractive facade, thus retaining existing symmetry and much of the historic character of the existing, original shopfront.

I would conclude that overall harm to the character and appearance of both the host building and the wider streetscape will be minimal, to be balanced positively against bringing this long-vacant property back into viable use.

Note:

- Though no changes appear to be proposed to the upper levels of no.112, I would also highlight that, as a non-dwellinghouse, the property does not benefit from 'permitted development rights' relating to material alteration of the building, including window replacement.
- There is a Grade II listed Edwardian single-storey public convenience situated to the Southeast of the host site, positioned at the Southeast end of Courtybella gardens, fronting onto Commercial Road (Cadw ref: 18177). New development should preserve or enhance the setting of a listed building. Given that there is an adequate separation distance between the host site and the listed building, and that the road turns the corner away from the asset, it is considered that the development would not cause

demonstrable harm to its setting, in accordance with section 96 of the Historic Environment Wales Act (2023).

- 6.2 Drainage Manager: No response.
- 6.3 Environmental Health Officer: No response.
- 6.4 Waste Manager: No response.
- 6.5 Newport Access Group: No response.
- 6.6 Highways Officer: No objection subject to conditions.

Highway Comments:

The submission does not include any detail of cycle provision, which should be secured by way of condition. There appears to be limited outside area available, but staff provision should still be incorporated. There does not appear to be any satisfactory arrangement for servicing, however the restaurant would be no more onerous than the existing pub. Noting that the area is a “high street” in terms of function which is highly accessible and that there is unallocated parking at the rear we would not anticipate any significant impacts and therefore would not raise any objection, subject to the following condition.

Suggested Condition:

Except for site clearance and remediation, no development shall take place until a scheme for the provision of cycle parking in accordance with the Council’s current standards has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council. Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

- 6.7 Natural Resources Wales:
We have no objection to the proposed development as submitted and provide the following advice.

Flood risk

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

The application proposes change of use to a less vulnerable use as defined in Technical Advice Note 15: Development, flooding and coastal erosion (TAN15), dated 2025. As such 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 TAN15 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.

Other matters

The advice in this letter relates to matters which are included on our consultation topics list. We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Advice for the developer

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to 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.

6.8 Dwr Cymru/Welsh Water:

FOUL 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 **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.

Advisory Notes

The approved use should investigate an adequate grease trap to be fitted, in accordance with environmental health regulations, and maintained thereafter so as to prevent grease entering the public sewerage system.

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.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on the 24th April 2026 and a Site Notice was put up on the 1st May 2026.

7.1 NEIGHBOURS: No comments received.

7.2 COUNCILLORS:

7.2.1 Councillor Jenkins: No comments received.

7.2.2 Councillor Adan: No comments received.

8. ASSESSMENT

8.1 Principle of Development:

8.1.1 The application site is located within a settlement boundary, therefore the principle of development is acceptable in accordance with Policy SP1.

8.2 Flood Risk

8.2.1 The application site is in Flood Zone 3 (Sea) and Flood Zone 2/3 (Surface Water and Small Watercourses). The proposed change of use of the upper floors is considered as a form of *less vulnerable development* as per the definition within Technical Advice Note 15 (2025). The existing site has not been in use since at least 2008; there is general policy support for the regeneration of the city centre as outlined within Policy SP18 and the employment opportunities generated from the scheme contribute toward key economic and employment objectives. The Local Planning Authority therefore consider that the redevelopment of the site is justified in line with para. 10.23 of Technical Advice Note 15 (2025).

8.2.2 Natural Resources Wales have raised no objection to the scheme subject to the developer being made aware of the existing flood risk; the application is supported by a Flood Consequences Assessment however this references the old Technical Advice Note 15 zones and definitions. Notwithstanding that, the findings remain that the upper floors shall be flood free and the proposed use remains as *low vulnerability*. The proposal is acceptable in regard to Technical Advice Not 15 and Policy SP3.

8.3 Urban Regeneration

8.3.1 Policy SP18 supports schemes which contribute toward the regeneration of the urban area; as set out above, the site has not been in use for a considerable period. As such, the proposed use of the whole building to A3 is considered to positively contribute toward regeneration aims for the area in accordance with Policy SP18.

8.4 Impact on Amenity and Environmental Health

8.4.1 The proposed use requires an extraction scheme due to hot food being prepared and cooked on site. The scheme is supported by details of the extraction scheme and the exhaust position within the roof valley; and as such would not be visible from any public vantage point. No objection has been raised by the Environmental Health Officer, and therefore the details are considered acceptable in terms of the functions of the commercial kitchen and visual amenity. A condition is attached to ensure the equipment is installed prior to the first beneficial use and maintained in working condition for the lifetime of the use.

8.4.2 No details of a grease trap have been provided; however, this is secured by way of condition to ensure no adverse impacts arise regarding the sewerage network.

8.4.3 The proposal does not include any development extending from the existing building envelope. As such, the scheme would not alter the existing levels of daylight, sunlight or overshadowing currently experienced by neighbouring properties.

8.4.4 The provision of the new shopfront fenestration would provide greater outlook onto the adjacent highway and dwellings beyond. However given the context of the area, it is considered that the increased outlook would not result in significant harm on the amenity or privacy of residential properties.

8.5 Highways and Parking

8.5.1 The proposal does not alter any existing vehicle access and remains to be accessible by pedestrian and vehicular traffic from Commercial Road and Courtybella Gardens. The

Highways Officer raises no objection to the scheme but recommends a condition securing bicycle storage.

8.5.2 The proposed floorplans include an area for bicycle storage; due to the limited floor space, a semi-vertical storage method is proposed which is welcomed. The installation of the cycle storage shall be secured by way of condition to achieve the aims of national policy to encourage modal shift toward active travel modes.

8.5.3 The site does not benefit from any form of off street parking given the site constraints. The proposed restaurant use has a less intensive parking demand when compared to public houses according to the Parking SPG document. Therefore, the proposals impact upon parking in the area, is considered acceptable.

8.6 **Impact on the Natural Environment**

8.6.1 The proposal is supported by a Green Infrastructure Statement which takes account of the urban context and proposes a proportionate biodiversity enhancement in the form of a bird box to the rear elevation. No works are proposed to the roof or loft areas, however should any protected species be encountered all works must cease and advice sought from Natural Resources Wales and a qualified Ecologist. A condition is attached ensuring that the bird box is installed and retained for the duration of the use.

8.7 **Impact on Character and Appearance**

8.7.1 The proposal has a significant separation distance with the Grade II listed public convenience and therefore would not have an adverse impact upon its setting.

8.7.2 The application site itself has a detailed and prominent principal elevation and forms part of the adjacent conical roofed corner building. The presence of the columns and cornices identify the coherent and pleasant period design of the building.

8.7.3 The proposal now seeks to simply replace existing ground floor fenestration retaining the columns and cornices of the building thereby retaining the period features. The fenestration framing is light gauge and therefore would not result in a bulky appearance. The proposal is considered to have positively responded to the previous reason for refusal and the character of the building is retained.

8.8 **Waste**

8.8.1 The submitted floorplans show an area located within the rear of the building for the storage of waste and recycling. The area is physically constrained therefore the future operator will need to ensure that a suitable bin size is used to ensure that it can be stored internally and then presented for waste collections through the pedestrian door onto Courtybella Gardens. The Waste Officer has raised no concerns with the arrangement. The proposal accords with Policy W3.

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 proposal has sufficiently addressed the previous reasons for refusal and is hereby granted with conditions.

**11. DECISION
GRANTED WITH CONDITIONS**

01 The development shall be implemented in accordance with the following plans and documents:

- Plans and Elevations as Proposed (Drawing ref: PL11 Rev B)
- Shopfront Details as Proposed (Drawing ref: PL12 Rev A)
- Semi Vertical Cycle Rack Details (Received: 21/05/2026)
- Plans and Elevations as Existing (Drawing ref: PL10)
- Kitchen Extraction System (Received: 22/04/2026)
- Green Infrastructure Statement (Received: 22/04/2026)

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 The hours of operation shall be limited to 0800 – 2200 hours Monday to Sunday (incl. Bank Holidays).

REASON: In the interests of residential amenity in accordance with Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

03 Prior to the first beneficial use of the building, a grease trap (or other suitable grease management system) shall be installed serving the premises in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved grease trap shall thereafter be retained, maintained and kept in effective working order for the lifetime of the use.

REASON: To prevent the discharge of fats, oils and grease into the public drainage network and to protect the integrity of the sewerage network in accordance with Policies GP3 and GP7 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

04 Prior to the first beneficial use of the building, the extraction system as detailed within the approved documents shall be installed in full and retained, maintained and kept in effective working order for the lifetime of the use.

REASON: To ensure the site is served by a suitable means of extraction and in the interests of visual amenity in accordance with Policies GP2 and GP7 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

05 Prior to the first beneficial use of the building, bicycle storage as detailed within the approved documents shall be installed and retained for the duration of the use.

REASON: To ensure the site is served by suitable means of bicycle storage in accordance with Policy T4 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

06 Prior to the first use of the building the bird box as shown within the Green Infrastructure Statement shall be installed in accordance with the approved drawings and retained for the duration of the use.

REASON: In the interests of achieving a biodiversity net gain in accordance with Planning Policy Wales (Ed.12) and Policy GP5 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

07 The storage of waste and recycling shall only occur within the area as annotated on the approved floor plans and shall at no time be stored on the pedestrian footway Courtybella Gardens.

REASON: In the interests of visual amenity and waste storage in accordance with Policies GP2 and W3 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP18, GP2, GP4, GP5, GP6, GP7, T4 and 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.