

Notice of Decision



K Dorrington
K W Dorrington Architectural Associates
116 Aberthaw Circle
Newport
NP19 9QJ

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0428**

Application Type: **Full**

Proposal: **CHANGE OF USE OF GROUND FLOOR FROM B1 TO D1 AND FIRST FLOOR FROM B1 TO 7NO. BEDROOM HMO (PART RETROSPECTIVE)**

Site/Location: **Ty Derwen, Church Road, Newport, South Wales, NP19 7EJ**

Decision Date: **2nd October 2025**

In pursuance of its powers under the above Act the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 5th June 2025. The application has been:-

Refused

Reason(s) for refusal:

1. The proposed development will have a significant adverse effect on interests of acknowledged importance, namely residential amenity, owing to the shared access between the commercial and residential uses and the lack of outdoor amenity space for occupants of the House in Multiple Occupation. No information has been submitted that mitigates this objection, contrary to Policy GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and the adopted Houses in Multiple Occupation SPG.
2. The proposed development will have a significant adverse effect on interests of acknowledged importance, namely safety and residential amenity by reason of flood risk arising from an intensification of highly vulnerable residential accommodation on site. No information has been submitted that mitigates this objection, contrary to policy SP3 and GP2 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and Technical Advice Note 15: Development, Flooding and Coastal Erosion. (March 2025).
3. The proposed development will have a significant adverse effect on interests of acknowledged importance, namely highway safety and neighbouring residential amenity arising from an intensification of use of the existing substandard vehicular access at more frequent and dispersed times when residents are likely to expect a quieter environment. No information has been submitted that mitigates this objection, contrary to policy GP2 and GP4 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and the Parking Standards SPG.
4. The proposed development fails to provide separate and adequate refuse and recycling storage for the proposed ground floor commercial use and first floor residential use. This is contrary to Policy SP1 and W3 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and the adopted Waste Storage and Collection SPG.
5. The development will have a significant adverse impact upon interests of acknowledged importance, namely affordable housing. No

signed legal agreement has been provided for the commuted sum contribution to assist the Council in meeting its on-going requirement for affordable housing. This is contrary to Policy H4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

NOTE TO APPLICANT

This decision notice is issued in respect of Planning Permission only and does not convey any decision which may be required under any other legislation or provisions, such as the Building Regulations.

The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.

1. This decision relates to plan Nos: KD1995 1 - Existing Ground Floor Plan and Site Plan; KD995 2 - Existing/Proposed First Floor Plan; Supporting Letter from Agent (23.09.2025); Flood Consequences Assessment (May 2025); Site Location Plan;
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP3, SP12, SP13, SP18, GP2, GP4, GP5, GP7, H8, T4, W3 were relevant to the determination of this application.
3. 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.

Signed on behalf of the Council



Newport City Council
Regeneration and Economic Development
Civic Centre
Newport
South Wales
NP20 4UR

Tracey Brooks Bsc Hons Dip TP MRTPI ILM
Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development
Cyngor Dinas Casnewydd / Newport City Council

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IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM

Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
 - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
 - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
 - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework (gov.wales) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email PEDW.Casework@gov.wales

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).