

Delegated Decision Report

Application No:	26/0239	Statutory Period Expires:	18th June 2026
------------------------	----------------	----------------------------------	-----------------------

Site:	<i>The Tom Toya Lewis 108 - 110 Commercial Street Newport South Wales NP20 1LW</i>		
Proposal:	PARTIAL DISCHARGE OF CONDITION 3 (WASTE STORAGE & RECYCLING) AND CONDITION 4 (LONG STAY CYCLE PARKING) OF 19/1233 PROPOSED CONVERSION OF 108-110 COMMERCIAL STREET TO 8 NO.2 BEDROOM FLATS AND RETENTION OF A3 PUBLIC HOUSE AT GROUND FLOOR		
Applicant:	<i>M Sidhu</i>		
Type:	Discharge Conditions	Ward:	Stow Hill
Decision:	APPROVED		

1. BACKGROUND

- 1.1 Application 19/1233 was granted with conditions for PROPOSED CONVERSION OF 108-110 COMMERCIAL STREET TO 8 NO.2 BEDROOM FLATS AND RETENTION OF A3 PUBLIC HOUSE AT GROUND FLOOR.

2. SITE LOCATION AND CONTEXT

- 2.1 The area is characterised by commercial units at the ground floor within a historical three to four storey buildings fronting the road. The application site itself has a detailed brickwork and fenestration fronting the road at first, second and third floor. The site is beyond the secondary retail frontage of the city centre and is notable due to its corner location and adjoining St. Pauls Church which is listed. Additionally, the site is beyond The Town Centre Conservation Area.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks the partial discharge of condition 03 and condition 04 of 19/1233.

03 Prior to first beneficial use, a scheme for the provision of waste storage and recycling for the residential uses shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first beneficial use and thereafter maintained for the duration of the use.

Reason: In the interests of amenity, in accord with Policies W3 and GP2 of the LDP.

04 Prior to the beneficial use of the development, details of the 16 no. long stay cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. The cycle parking shall be carried out in accordance with the approved details before any part of the development is occupied, and it shall be retained for the parking of bicycles at all times.

Reason: To provide residents a choice of means of travel and to promote sustainable travel, in accord with Policy SP1 of the LDP.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
90/0623	RETAIN EXISTING RETAIL AREA CHANGE OF PART YMCA ACCOMMODATION TO RETAIL: CHANGE OF USE OF BASEMENT TO CELLAR RESTAURANT BAR. NEW RETAIL AREA TO GALLERY TO G.F. GYMNASIUM. RETAIN OFFICE SPACE & REFURB GENERALLY.	GRANTED WITH CONDITIONS	07.12.1990

90/1085	CHANGE OF USE OF YMCA CLUB TO RETAIL USE	GRANTED WITH CONDITIONS	07.12.1990
91/0269	USE OF PART OF PREMISES AS WINE BAR /HIGH CLASS RESTAURANT	REFUSED	05.07.1991
91/1067	CHANGE OF USE OF FIRST FLOOR TO CRECHE/ ADVENTURE PLAY FACILITY	GRANTED WITH CONDITIONS	15.11.1991
94/0937	CREATION OF SHORT TERM REFUGE AND HOSTEL ACCOMMODATION CRAFT WORKSHOP AND DINING FACILITIES AT FIRST SECOND AND THIRD FLOOR LEVELS	GRANTED WITH CONDITIONS	19.12.1994
00/1100	CHANGE OF USE TO PUBLIC BAR AND RESTAURANT (A3 USE)	GRANTED WITH CONDITIONS	14.02.2001
00/1320	INTERNAL AND EXTERNAL REFURBISHMENT WORKS AND NEW REAR EXTENSION IN CONNECTION WITH THE USE OF THE BASEMENT, GROUND & FIRST FLOOR AS A CLASS A3 PUBLIC BAR AND RESTAURANT	GRANTED WITH CONDITIONS	07.03.2001
01/0975	DISPLAY OF ILLUMINATED FASCIA AND HANGING BANNER SIGNS	GRANTED WITH CONDITIONS	19.10.2001
02/0156	PARTIAL DISCHARGE OF CONDITION 01 (DETAILS OF FUME EXTRACTION, AIR CONDITIONING AND REFRIGERATION) RELATING TO PLANNING PERMISSIONS 00/1100 & 00/1320 FOR CHANGE OF USE TO PUBLIC BAR AND RESTAURANT	APPROVED	03.05.2002
05/1447	VARIATION OF CONDITION 02 (OPENING HOURS) OF PLANNING PERMISSION 00/1320 TO EXTEND OPENING HOURS OF PUBLIC HOUSE AND RESTAURANT TO 7.00AM - 1.30AM SUNDAY TO THURSDAY AND 7.00AM - 2.00AM FRIDAY TO SATURDAY	GRANTED WITH CONDITIONS	02.02.2006
07/0844	VARIATION OF CONDITION 03 (OPENING HOURS) OF PLANNING PERMISSION 05/1447 TO EXTEND OPENING HOURS OF PUBLIC HOUSE AND RESTAURANT ON A PERMANENT BASIS TO 7.00 AM TO 1.30 AM SUNDAY TO THURSDAY AND 7.00 AM TO 02.00 AM FRIDAY TO SATURDAY	GRANTED WITH CONDITONS	05.09.2007
19/1233	PROPOSED CONVERSION OF 108-110 COMMERCIAL STREET TO 8 NO.2 BEDROOM FLATS AND RETENTION OF A3 PUBLIC HOUSE AT GROUND FLOOR	GRANTED WITH CONDITIONS	25.03.2021
25/0527	PARTIAL DISCHARGE OF CONDITION 5 (ECOLOGICAL MITIGATION ENHANCEMENT) OF 19/1233 PROPOSED CONVERSION OF 108-110 COMMERCIAL STREET TO 8 NO.2	APPROVED	18.08.2025

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

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

6. CONSULTATION RESPONSES

6.1 Local Highways Authority: *I can confirm that we would recommend partial discharge for Cond 4 in so far as the scheme is approved but remains to be provided and retained.*

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 The application seeks the partial discharge of condition 03 (waste storage) of 19/1233:

03 Prior to first beneficial use, a scheme for the provision of waste storage and recycling for the residential uses shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first beneficial use and thereafter maintained for the duration of the use.

Reason: In the interests of amenity, in accord with Policies W3 and GP2 of the LDP.

8.1.2 The applicant has provided details stating that a dedicated bin store is provided within the development to serve the 8 residential units.

8.1.3 The bin store has an area of approximately 20.55m² and accommodates 4 no. 1100L Eurobins for general waste, dry recycling and food waste, which is sufficient for the scale of development. The store is enclosed and accessed internally by residents from the communal area. On collection day, bins can be collected via the double doors to rear of pavement area, allowing convenient access for collection operatives. The bin store is designed to minimise visual and amenity impacts and will be retained for the lifetime of the development.

8.1.4 The waste officer has not provided comments, however it is considered that the details provided are satisfactory to partially discharge.

8.2 The application also seeks the partial discharge of condition 04 (long stay cycle parking) of 19/1233:

04 Prior to the beneficial use of the development, details of the 16 no. long stay cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. The

cycle parking shall be carried out in accordance with the approved details before any part of the development is occupied, and it shall be retained for the parking of bicycles at all times. Reason: To provide residents a choice of means of travel and to promote sustainable travel, in accord with Policy SP1 of the LDP.

8.2.1 The applicant has provided details of 16 no long stay cycle parking. The applicant has stated that cycle parking to the rear yard is provided via a combination of semi-vertical mountain racks and Sheffield cycle stands. 10 no. semi-vertical cycle spaces are installed at 305mm centres to maximise space efficiency. Each space includes an integrated locking loop to allow secure locking of the bicycle frame and wheels using a D-lock. In addition, 3 no. Sheffield cycle stands are provided, accommodating 6 no. cycle spaces. The semi-vertical cycle parking area is provided with a minimum 1500mm clear aisle width to improve accessibility and manoeuvrability. The cycle store is accessed via a secure door with keypad entry for residents only and is fully enclosed and covered, providing secure long-stay cycle parking. The shelter is fully enclosed and accessed via a secure door with keypad entry for residents only.

8.2.2 The highways officer has no formal objections; therefore, these details are satisfactory to partially discharge condition 4.

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 Overall, sufficient information has been provided to partially discharge condition 03 and 04 of 19/1233.

**11. DECISION
APPROVED**

NOTE TO APPLICANT

01 This decision relates to plan Nos: Ground Floor Plan showing bin storage and cycle parking details for discharge of condition 3&4.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies 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.