

Notice of Decision



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SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0978**

Application Type: **Renewals and Variation of Conditions**

Proposal: **S73 APPLICATION FOR VARIATION OF CONDITION 2 (SITE ACCESS MITIGATION WORKS) OF 24/0067 FOR MODIFICATION OF CONDITION 7 (RESTRICTION OF USE) OF PLANNING PERMISSION 00/0760 TO ENABLE THE SALE OF CONVENIENCE AND NON BULKY COMPARISON GOODS (CLASS A1) FROM UNITS 3 AND 4**

Site/Location: **Unit 2, 28 East Retail Park, Docks Way, Newport, South Wales, NP20 2NW**

Decision Date: **8th January 2026**

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 13th November 2025. The application has been:-

Granted with Conditions

Approved Documents

01 The development shall be implemented in accordance with the following plans and documents: Traffic Impact Assessment (May 2024) – Drawing No. 230603-RAP-XX-XX-DR-TP-3200.

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

Access Improvements

02 Within 6 months of occupation of Units 03 & 04, the site access mitigation works at Docks Way shall be implemented in full, as shown on approved document "Traffic Impact Assessment (May 2024) – Drawing No. 230603-RAP-XX-XX-DR-TP-3200".

Reason: In the interests of highway safety.

Restriction of Goods

03 The units identified as 02, 03, 04, 05 and 06/07, as shown on plan (20)200P, shall only be used for the sale of DIY products (including building materials, kitchen and bathroom fittings, garden materials and goods), vehicle goods and accessories, furniture, carpets and floor coverings, electrical household goods, and household furnishings, and for no other purpose whatsoever, including any other purpose set out in Class A1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987. Reason: To restrict the range of goods available from the units to protect the vitality and viability of the town centre

Unit 01

04 The unit identified as 01A and 01B on plan 703/67/5_1 of planning permission 00/0760 shall not exceed 9295 square metres of gross floorspace, including a 400 square metre ancillary café. The remainder of the floorspace including the 700 square metre garden centre shall only be used for the sale of DIY products (including building materials, kitchen and bathroom fittings, garden materials and goods), vehicle goods and accessories, furniture, carpets and floor coverings, electrical household goods, and household furnishings and the following:

- no more than 1,000 square metres of retail floorspace shall be used for the sale of adults clothing and footwear
- no more than 630 square metres of retail floorspace shall be used for the sale of children's clothing and footwear;

- no more than 196 square metres of retail floorspace shall be used for the sale of toys/sports equipment;
- no more than 740 square metres of retail floorspace shall be used for the sale of stationery, books and cards;
- no more than 740 square metres of retail floorspace shall be used for the sale of health and beauty products;
- no more than 471 square metres of retail floorspace shall be used for the sale of entertainment goods (CD's and videos), seasonal and novelty products;
- no more than 393 square metres of retail floorspace shall be used for the sale of confectionery and snacks;
- no more than 150 square metres of retail floorspace shall be used for the sale of household consumables.
- The building shall not be used for the sale of food or drink (other than confectionery and snacks).
- Reason: To restrict the range of goods available from the unit to protect the vitality and viability of the City Centre.

Plant & Equipment

05 No plant or equipment shall be installed on the roof of the building approved without the prior written permission of the Local Planning Authority.

Reason: To ensure that the appearance of the building will be satisfactory.

External Storage

06 No goods, materials, waste products or containers shall be stored outside any buildings erected pursuant to this permission without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenities

Service Vehicle Access

07 All service vehicles shall access the site via West Way Road.

Reason: In the interest of highway safety.

Car Parking Area

08 No units, caravans or vehicles displaying or selling food or other goods shall be located within the car parking area without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the parking provision within the site is safeguarded

Storage of Materials

09 No material, other than that expressly allowed by this permission, shall be tipped or stored within 7 metres of any watercourse, ditch or spring.

Reason: In order to protect the drainage system.

Unit 02 Floor Area & Goods Restriction

10 In addition to the range of goods specified at condition 02 of this permission, Unit 02 (as identified on plan reference Q01) shall be used for the sale of convenience goods with a net floor area no greater than 850sqm. Ancillary non-food retailing shall not exceed 170sqm of the net floor area of the unit.

Reason: To restrict the range of goods available from the units to protect the vitality and viability of defined commercial centres.

Unit 03/04 - Floor Area & Goods Restriction

11 In addition to the range of goods as specified in Condition 02 of this permission, the amalgamation of Unit 03 and 04 shall be used for the sale of convenience goods and no more than 20% of the net retail sales area (296 square metres) shall be used for the display and sale of comparison goods. The remaining retail area shall only be used for the sale of convenience goods (or range of goods listed in Condition 02) and for no other purpose (including any other purpose in Class A1 of the Schedule of the Town and County Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order).

Reason: To ensure that the floor space of the unit is controlled in the interest of maintaining the vitality and viability of sequentially preferable retail centres. Policies SP19 and R11.

NOTE TO APPLICANT

The development shall be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this permission.

The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

Signed on behalf of the 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).