

Notice of Decision



J Iwanowicz
Cakes & Cream
152A Cromwell Road
Newport
NP19 0FZ

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0906**
Application Type: **Full**
Proposal: **CHANGE OF USE FROM A1 RETAIL TO A MIXED A1 AND A3 USE**
Site/Location: **Chartist Tower, 6 Upper Dock Street, Newport, South Wales,**
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

STANDARD CONDITIONS

The development must begin not later than the expiration of FIVE YEARS from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990

ADDITIONAL CONDITIONS

1. The development shall be implemented in accordance with the following plans and documents: Site Location Plan, Proposed Layout Plan, Proposed Floor Plan, All Rendered Front Elevation
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.
2. The hours of operation shall be limited to 0700 - 1900 hours Monday to Saturday (excluding Bank Holidays), And 0900 - 1700 on Bank Holidays and Sundays.
Reason: In the interests of residential amenity in accordance with Policy GP2 of the Newport Local Development Plan 2011 - 2025 (Adopted January 2015).
3. Fumes from the food preparation areas shall be mechanically extracted and the extraction system shall be provided with de-greasing and de-odorising filters. Details of the extraction equipment (including scaled schematics, location plans, odour attenuation measures and future maintenance) shall be submitted to and approved in writing by the Local Planning Authority prior to its installation, and the equipment shall be installed in accordance with the approved details prior to the commencement of use for the cooking of food.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected and in the interests of visual amenities.

4. The extraction equipment shall be regularly maintained in order to ensure its continued satisfactory operation and the cooking process shall cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the Local Planning authority.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
5. Noise emitted from plant and equipment located at the site shall be controlled such that the rating level, calculated in accordance with BS4142:2014, does not exceed a level of 5dB below the existing background level, with no tonal.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

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.

This decision notice is issued in respect of Planning Permission only and does not convey any approval which may be required under any other legislation or provisions, such as, but not limited to, Highways and Building Regulations. For advice on the requirements of the Building Regulations and allied legislation, and/or whether there is a need for a Building Regulations submission, please contact the Council's Building Control Section on 01633 656656 or email building.control@newport.gov.uk. For advice on obtaining relevant permissions from the Highway Authority, please contact highway.planning@newport.gov.uk

Where there are conditions which require details to be approved prior to the commencement of development, failure to submit these details prior to commencement of development may result in the permission being invalidated.

The Local Planning Authority has a target to determine Discharge of Condition applications within 8 weeks of receipt of the details, and so you are advised to programme any work accordingly.

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: Site Location Plan, Proposed Layout Plan, Proposed Floor Plan, AI Rendered Front Elevation
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP3, SP9, SP17, SP19, SP20, GP2, GP4, GP5, GP6, CE5, R1 and R3 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.
4. The planning application proposes less vulnerable development. 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 a 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.

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).