

Delegated Decision Report

Application No:	25/0393	Statutory Period Expires:	29th August 2025
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Site:	6 Clytha Park Road Newport South Wales NP20 4NZ		
Proposal:	RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF GROUND FLOOR UNIT TO A1.		
Applicant:	V Anthony		
Type:	Full	Ward:	Stow Hill
Decision:	Granted with Conditions		

1. BACKGROUND

- 1.1 Application 17/1052 granted consent for the change of use of the unit from A1 (Hairdressers) to Coffee House (mixed use A1/A3). A condition was attached to the permission stating:

The property shall only be used for combined mixed use of Use Classes A1/A3 as a coffee house, and shall not at any time be used for purposes solely within Use Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason: To preserve the vitality and viability of the local centre, in the interests of highway safety and local residential amenity.

As the proposal is seeking to operate as A1 only, planning permission is required. A site visit confirms that the change of use has already taken place.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is a mid terraced property situated on Clytha Park Road in the Allt-yr-Yn ward. The site is one of 15 properties situated within the Clytha Park Road Local Centre. The application site is situated within parking zone 2. The location of the application site is highly sustainable, as its located approximately 165m from Newport Train Station. The most recent use of the unit was A3, operating as a café/takeaway. The row comprises of a mixture of A1 and A1/A3 units including Tesco Express, a pharmacy, a coffee shop, two small bars and a bridal wear shop.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks retrospective consent for the change of use of the unit to A1, to be used in conjunction with the adjoining bridal wear store. Physical alterations include a change to the shopfront.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
17/0428	LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) FOR A COFFEE HOUSE	REFUSED	30.06.2017
17/1052	RETENTION OF CHANGE OF USE FROM HAIRDRESSERS (A1) TO COFFEE HOUSE (MIXED USE A1/A3)	GRANTED WITH CONDITIONS	05.01.2018

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.

4.3.1 Retail and commercial centres are hubs of social and economic activity and the focal point for a diverse range of services which support the needs of local communities. They are highly accessible to different modes of transport and are the most sustainable locations for new development.

4.3.2 Retail and commercial centres should be identified in development plans and include established city, town, district, local, village and neighbourhood centres, which provide a range of shopping, commercial and leisure opportunities as well as places of employment, education, civic identity and social interaction. Opportunities to live in these centres, combined with their good public transport links, make them the most sustainable places.

5.3.1 TECHNICAL ADVICE NOTES

5.3.2 Technical advice note (TAN) 4: retail and commercial development, Technical advice note (TAN) 5: nature conservation and planning

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

5.4.1 Policies SP1 (Sustainability), SP18 (Urban Regeneration), SP19 (Assessment of Retail Need), GP2 (General Amenity), GP4 (Highways and Accessibility), GP5 (Natural Environment), GP6 (Quality of Design), R8 (Small Scale Retail Proposals), T4 (Parking) of the Newport Local Development Plan (2011-2026) are relevant to the determination of this application.

5.5 SUPPLEMENTARY PLANNING GUIDANCE

5.5.1 The Parking standards supplementary planning guidance (adopted 2020) is also relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 ***Drainage Manager:*** No comments received

6.2 ***Environmental Health:*** No comments received

6.3 ***Senior Scientific Officer:*** No comments received

6.4 ***Waste Manager:*** No comments received

6.5 ***Highways:*** No objection.

6.6 ***Dwr Cymru Welsh 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 Conditions and 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.

Conditions

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Advisory Notes

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 notification letters were sent on 07.07.2025.

7.1 NEIGHBOURS: 20no. neighbours were consulted. No representations were received.

8. ASSESSMENT

8.1 Principle of Development

8.1.1 The application site forms part of the Clytha Park Road Local Centre, as defined by the proposals map that accompanies the LDP. Due to the nature and location of the proposal LDP Policies SP19 and R8 are applicable in establishing the principle of development.

8.1.2 Policy SP19 (Assessment of Retail Need) states:

Development should be of a scale appropriate to the retail centre within which they are located, and should contribute to or sustain the vitality and attractiveness of that retail centre within the hierarchy. Smaller scale retail, leisure and other uses such as branch offices and cafés may be more appropriately located in District or Local Centres.

8.1.3 Accordingly, the A1 use is located within the Local Centre. The previously approved use included an A1 element and as such is considered acceptable in this location.

- 8.1.4 Policy R8 states that proposals for new local retail facilities, extension of floorspace of existing retail outlets or the change of use of existing buildings to retailing outside the city and district centres, will be permitted only where:
- i) new residential development would be served or the provision would cater for under-provision in the area;
 - ii) the proposal is of a scale appropriate to the locality;
 - iii) there would be no adverse effects on the viability and vitality of any defined centre;
 - iv) there would be no unacceptable effect on the local residential amenities or the general character of the area in terms of noise and disturbance or extra traffic generated.

- 8.1.5 The proposal would result in a small increase in retail space which would be linked with the adjacent bridal wear shop. As such it is considered that the proposal would serve its purpose as providing for the local community, promoting the vitality of the local centre. This combined with no adverse impact on highway safety or residential amenity, which are addressed below, the proposal would comply with policy R8.

8.2 Character and Appearance

- 8.2.1 The proposed development does not include any physical alterations, therefore, no detrimental visual impact will arise from the proposal.
- 8.2.2 In terms of the change of use the proposal has the potential to impact upon the character of the area, as this is not limited to the built environment but also encompasses how a place functions. It is noted that the previous use was a mixed use including A1 and as such is considered that the use is acceptable. Given the location of the site within a local centre, it is considered that the proposal would be a welcome addition and would not have an unacceptable impact upon the function of the area.

8.3 Residential Amenity

- 8.3.1 Criterion (iv) of Policy R8 requires the development to not adversely affect local residential amenity. There are residential properties in the upper floors, above the application site and the upper floors of buildings along Clytha Park Road.
- 8.3.2 The applicant has confirmed that the hours of operation will align with those of the adjacent business at No. 7 Clytha Park Road. While the premises will be open on Sundays, this is not unusual for a retail (A1) use and reflects typical trading hours. The proposed hours—9:30am to 5:30pm Monday to Saturday, and 11:00am to 5:00pm on Sundays—are consistent with standard retail operations. Given the nature of the business, it is not considered that the proposed use would result in a significant impact on residential amenity in comparison with the previous use.
- 8.4.3 In view of the above, and the distance to residential units, it is considered that the use would not result in an unacceptable impact on the amenity of surrounding residents. As such, the scheme would be compliant with policy R8 as well as GP2 and GP6.

8.5 Highways

- 8.5.1 Criterion (iv) of policy R8 requires the development to have no adverse impact upon highways or additional traffic. The property is well located in close proximity to both the main bus and train stations and is considered to be highly accessible by a variety of modes of transport. There is also short term parking options on the street.
- 8.5.2 There is no off street parking provision but due to its central and sustainable location along with the proposed use, the Highways Authority has not raised any objections to the proposal. It is not anticipated that the use would not result in a level of traffic that would unacceptably impact on the highway network. The proposal accord with policy R9 and T4.

8.6 Biodiversity

- 8.6.1 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological

networks and features of importance for biodiversity. However, the scale and nature of the development is considered to be minor, having no impact upon biodiversity interests. It is considered disproportionate to require a biodiversity enhancement scheme in this instance.

8.7 **Waste**

- 8.7.1 The application site was formerly occupied by an A3 use. While it is acknowledged that the use class on site will change and the nature of the waste may therefore differ, it is not anticipated that the waste generated will be any more intensive than that produced by the previous use. The applicant has confirmed that the adjoining business, with which the new business will operate in conjunction, has an existing waste management contract with the Council. The cardboard, glass, and general waste bins are located in the car park behind the shops (adjacent to number 6), and the new business intends to utilise the same waste arrangement.

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 proposed change of use is considered acceptable in respect to the principle of development, visual impact, impact upon residential amenity and impact upon the highway network. The proposed development would therefore comply with the aforementioned policies.

**11. DECISION
GRANTED WITH CONDITIONS**

01 The development shall be implemented in accordance with the following plans and documents: Site Location Plan, Revised Proposed Floor Plan, Revised Existing Floor Plan, Proposed Floor Plan, Planning Statement, Email detailing waste arrangement and opening hours (received 07/08/2025)

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) Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987, or any Order revoking or re-enacting that Order, the use shall only be used for A1) of the schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order.

Reason: To ensure the uses are maintained in accordance with the proposals to ensure the LPA can control any changes to the alternative uses that could potentially impact the viability of the town centre and central shopping area, complying with R8 of the Adopted LDP 2011-2026

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP18, SP19, GP2, GP4, GP5, GP6, R8, T4 of the Newport Local Development Plan (2011-2026) are 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.