

Delegated Decision Report

Application No:	25/1038	Statutory Period Expires:	26th January 2026
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Site:	22 Exeter Street Newport NP19 8DE		
Proposal:	CHANGE OF USE FROM CLASS B8 TO CLASS B2 (VEHICLE SERVICING) (RESUBMISSION) (RETROSPECTIVE)		
Applicant:	D Clayton		
Type:	Full	Ward:	Victoria
Decision:	REFUSED		

1. BACKGROUND

- 1.1 Planning permission was recently refused for the change of use of the unit from storage and distribution to vehicle repairs. The application was refused for the following reasons:

01 The development has a significant adverse impact upon interests of acknowledged importance, namely residential and general amenity, by reason of very close proximity to residential dwellings with associated increased noise, impact upon air quality, disturbance, and unneighbourly effect. No information has been provided to mitigate this objection. This is contrary to Policies SP1, SP2, GP7 and GP2 of the Newport Local Development Plan, 2011-2026 (Adopted January 2015).

02 The development gives rise to an increased demand for parking that cannot be accommodated on site and intensification of unsafe and unneighbourly vehicle movements. This is to the significant detriment of highway and pedestrian safety, the free flow of traffic and residential amenity and is contrary to Policies SP1, SP2, GP7, T4, GP2 and GP4 of the adopted Newport Local Development Plan 2011-2026.

03 The development has a significant adverse impact upon interests of acknowledged importance, namely air quality, by reason of intensification of vehicle trips within the air quality management buffer. No information has been provided to mitigate this objection. This is contrary to Policies SP1, SP2, GP7 and GP2 of the Newport Local Development Plan, 2011-2026 (Adopted January 2015) and the Council's Air Quality SPG.

- 1.2 The site is subject to an Enforcement Notice (although currently not yet within the compliance period) due to the use of the site for vehicle repairs without planning permission. Despite the Notice, neighbours and a ward Councillor continue to report the unit being used intensely for vehicle repairs with multiple vehicles present at any one time, often spilling onto the street. The unit is reported to be in use seven days a week and late into the evening.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is located at the end of Exeter Street where it meets Merriots Place. It is a single storey building finished in render with a corrugated steel roof. Openings are primarily to the north (front) elevation facing Exeter Street and are of various sizes having roller shutter doors. The unit directly abuts no.20 Exeter Street which is a residential property. To the rear of the unit there is a community sports pitch. The building occupies the whole of the site and does not benefit from a forecourt or off-road parking. It is prominently sited in the street at the junction of Merriots Place. Merriots Place and Exeter Street are characteristically residential.
- 2.2 Some commercial uses are located nearby in the Maindee District Centre and typically constituting A1/A3 type uses.
- 2.3 It is stated that the premises is currently used for storage/distribution purposes (B8), however the B2 use has commenced and this application is retrospective.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 No external alterations are proposed to the building. It is stated that the intended use of the building is for low intensity Class B2 for occasional servicing and maintenance of the applicant's taxi fleet. The activity will take place one weekday per week only, for a maximum six-hour daytime period, and will be restricted to vehicles operated by a taxi firm. The supporting information states that all servicing activity will occur indoors with the roller shutter door closed when tools or powered equipment are in use. It is stated that the company operates a small fleet of eight vehicles and requires access to a modest workspace to undertake occasional light maintenance tasks that do not justify engagement with full-service commercial garages. The availability of a nearby unit for infrequent, low-level servicing is therefore an important functional asset for the business.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0712	CHANGE OF USE FROM EXISTING B8 STORAGE AND DISTRIBUTION TO B2 CAR REPAIRS (RETROSPECTIVE)	REFUSED	23.10.2025

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.

- 5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP1 General Development Principles – Climate Change states that development should be designed to withstand predicted climate change and reduce the risks and consequences of flooding, minimise energy requirements, reuse/recycle construction material and meet the relevant BREEAM or Code for Sustainable Homes Level.

Policy SP1 Sustainability favours proposals which make a positive contribution to sustainable development.

Policy SP2 Health promotes development which has a positive contribution to health and well-being by being in a sustainable location, close to walking/cycling routes and green infrastructure.

Policy SP3 Flood Risk ensures development is directed away from flood risk areas.

Policy SP18 Urban Regeneration supports development which assists the regeneration of the urban area, particularly the city centre and the reuse of vacant, underused or derelict land.

Policy GP2 General Development Principles – General Amenity states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out

crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.

Policy GP4 General Development Principles – Highways and Accessibility states that development should provide appropriate access for pedestrians, cyclists and public transport along with appropriate car parking and cycle storage. Development should not be detrimental to the highway, highway capacity or pedestrian safety and should be designed to enhance sustainable forms of transport and accessibility.

Policy GP5 General Development Principles – Natural Environment states that proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.

Policy GP6 General Development Principles – Quality of Design states that good quality design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability.

Policy GP7 General Development Principles – Environmental Protection and Public Health states that development will not be permitted which would cause or result in unacceptable

Policy T4 Parking states that development will be expected to provide appropriate levels of parking.

Policy W3 Provision for Waste Management Facilities in Development states that where appropriate, facilities for waste management will be sought on all new development.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

Parking Standards

Wildlife and Development

Air Quality

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales: **We have no objection to the proposed development as submitted and provide the following advice.**

Flood Risk

The planning application proposes the retention of less vulnerable development. The Flood Map for Planning identifies the application site to be at risk of flooding and is within Flood Zone 2 and 3 (Sea) and the TAN 15 Defended Zone.

Given the scale and nature of the proposed development (and in the absence of a flood consequences assessment) 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 Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, 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.

6.2 Local Highways Authority: **Highway recommendation:**

Objection on highway safety grounds.

Highway Comments:

We note that the proposals now include limited use in terms of times and days, but these are not considered reasonable conditions or enforceable in practice.

It is also noted that the applicant compares the use with domestic movements and suggests only two movements per week. However, the proposals incorporate two vehicle lifts and even simple maintenance (that doesn't require lifts) is not limited to only one car a week and is not even entirely predictable. Two lifts means at least two cars at a time.

The position of the lifts would not allow vehicles to turn within the building, so they would be required to reverse in/out, increasing the risks to pedestrians, especially children who

cannot be seen behind typical cars.

Regardless of scale / frequency the basic concern is visibility. We note that the applicant suggests this can be played down based on the lack of collision evidence provided by MfS. However, MfS does not support providing zero visibility of pedestrians and sets out ways of improving accesses in residential settings that are not practical here.

All vehicles exiting the premises do so blindly across a footway whether forwards or backwards. The entrance doesn't meet the requirements of a residential drive, let alone a commercial operation. We would therefore maintain the objection regardless of suggested frequency.

Furthermore, it is unlawful to cross the footway without a footway crossing (dropped kerbs) which do not appear to have been installed and would require licensing from Highways. This is separate to and independent of planning but is needed for lawful access. It is unlikely to be forthcoming given that the visibility cannot be provided.

Having passed over the footway unlawfully vehicles emerge behind parked cars into the middle of a junction. Whilst MfS suggests that drivers can creep out in some situations, this is not one of them.

In addition, any shutter would need to be set back at least 5m to allow drivers to stop clear of the highway when entering and this is a requirement for pedestrian and vehicular safety as well as to prevent obstruction of other road users. This is not a practical amendment as there would not be sufficient space for vehicles within the premises.

In summary the access is not suitable for any safe vehicular movement, and we do not consider the conditions would adequately prevent much greater use than has been claimed. We would therefore maintain the objection on highway safety grounds.

6.3 Environmental Health: No response.

6.4 Waste Manager: No response.

7. **PUBLIC REPRESENTATIONS**

Neighbour and Ward member notification letters were sent on 3/12/25, Site Notice was put up on 12/12/2025.

7.1 NEIGHBOURS: 20no comments received (15 objections and 5 in support). Objections are summarised below:

-I commented on the first application for a garage, changing to new planning for servicing vehicles is basically the same thing, I asked for council representatives to come to the street to see firsthand the issues in the area, I have recently witnessed a fire engine have to reverse all the way up a narrow street as the business vehicles were parked outside and on the corners, the refuse collection vehicle had to change their route due to access because of parking, the street is already used as an overflow for the car park when customers don't want to pay, I can't park my own car in the street as it is;

- I object to this application, for the same reasons I have previously objected. The premises itself is not suitable for use as a motor services garage. The street is not suitable for the additional flow of large vehicles (tow trucks), nor the additional parking requirements for his customers. The noise is still a major disruption. Additionally, the applicant has continued to operate his business from the premises despite not having the necessary permission to do so; it is clear that he will not follow the rules should he be granted any permission to operate whatsoever.

- I object to this application. Over recent weeks and months, the situation has escalated to a level that is causing significant disruption to residents and negatively affecting the quality of life in the neighbourhood. The garage appears to be operating without the proper licences or permissions. As a result, it has created several persistent issues, including:

- Unnecessary traffic congestion caused by a constant flow of vehicles arriving and leaving the premises. This has made it difficult for residents to access their own homes safely and has increased the risk of accidents.

- Obstruction of parking spaces, with vehicles associated with the garage frequently taking over residential parking areas and blocking driveways.

- Excessive noise, often at inappropriate hours, due to mechanical work, revving engines, and general activity around the premises. This has become a major disturbance, particularly for families, elderly residents, and those who work from home.

These issues are ongoing and have not improved despite the clear impact on the

community. I respectfully request that the appropriate authorities investigate this matter, verify the licensing status of the garage, and take any necessary action to ensure compliance with local regulations.

-The premises is still being used as a garage to repair cars even after being turned down last time so a total disregard for the rules it seems and they'll no doubt do what they wish if they do get permission! Adding to the parking problems in an already small street and there is more than enough garages locally to not require on in this location;

-Once again, I strongly object to the change of a class B8 to class B2. The proposed business premises is situated in a densely populated residential area on an extremely narrow, and often impassable, due to Roman taxi vehicles continuously parked within 2 foot of a blind corner, of which is Exeter street and Merriots place.

The business, even after being refused planning permission, has continued to illegally trade, often outside of normal business hours.

This business shows a total disrespect of any kind of local planning laws, and I believe only put in a planning application the first time after residents complained.

Applicant proposes only one day a week trading to service a fleet of only 8 taxis. How is this a viable business? Taxis, I'm assuming, due to their nature of use, would need to be serviced every 6 months? So as residents we are basically being told the garage will only be operational for 16 weeks out of 52? This, in my opinion, is a smokescreen to hoodwink the council into agreeing to change of use. Even with constraints in place, from previous and ongoing behaviour no constraints will be adhered to.

There are also numerous health and safety factors involved too. There are no fire exit or windows within the unit, and seeing in the proposal it states all work will take place with shutters down. When using hazardous and flammable materials (used within a car service) and revving of car engines,

adequate ventilation is paramount. There is also the driving/reversing in/out of vehicles across a public highway, which could put pedestrians in danger.

I noticed a comment from 99a Chepstow Road is supporting this application? For reference this proposal will in no way benefit local businesses or residents. In the application it clearly states "for a fleet of 8 taxis only". In fact, it'll be more of a hindrance than a benefit! 99a Chepstow Road also happens to be the address of Roman taxis office!

A business of this type has no right to be in a built-up residential area, and is basically, potentially dangerous.

- My objection stands as per the previous planning application. I agree with the objections below that this business is not fitting for this residential area due to excessive car parking, disruption and noise pollution.

- I wish to raise concerns regarding vehicles associated with the premises being parked on the public pavement on more than one occasion. This obstructs the pavement, restricts pedestrian movement, and poses a safety risk, particularly for vulnerable users such as children, elderly people, and those with mobility impairments.

I am concerned that the continuation or intensification of the proposed use could increase vehicle activity and worsen this issue. I respectfully request that the impact on pedestrian safety and public access be carefully considered when assessing this application.

-I am shocked they have sought a new proposal from class B8 to class B2.

This change will not make any difference to the issues previously raised from the first application. I have had several situations with limited access into Merriott Place due parked vehicles stopping my progress and no urgency to move them while I was waiting. Nearly hit by a car reversing out of the building.

Its hindering access to Merriott Place and onto Chepstow Road they need to accept the location is not in a suitable position for its type of work.

Strongly object to this application.

-My objections to this planning application are as follows, that this illegal commercial garage shows a total disregard for the planning process, Given the residents' concerns about this commercial garage in a residential area and next to a children's MUGA (multi use games area) which this business constantly blocks the public footpath access to this area with their vehicles and the children and pedestrians that use this route are forced to walk onto a busy main road. On his last failed attempt to get planning he tried blaming vehicles that attend the mosque for this illegal parking, which is absurd because they never use this area to park their vehicles.

The narrow one-way system on the corner of Merriotts place adjacent to this business are often blocked for large and emergency vehicles by this businesses vehicles, which would stop / block a fire engine / ambulance getting access to respond to an emergency call out in

this area.

There is no planning permission to use this unit as a commercial garage, yet this individual is blatantly working from this unit day and night, even after the application was refused and an enforcement notice was served and with this current new application still not approved. the noise pollution you can hear from these premises are horrendous for the residents of Exeter Road and Exeter Street which goes on at all times of day and night recently they were working on vehicles to 23:00 hours.

The first application for change of use was refused planning permission to be used as a garage and yet they have continued to use these premises as a commercial garage even after being served with an enforcement notice by Newport city council, and they continue to trade now with this new application still undecided, this illegal business obviously do not care about the planning laws or the residents that these streets are suffering due to the disturbance and the noise levels and the double parking of vehicles and illegal parking on pavements and in permit holders only spaces,

The proprietor has shown utter disrespect for the planning process and to the residents in the surrounding area. This street used to be a safe and quiet area which is not the case now due to this illegal commercial business trading in a residential area. after the first planning application was refused, the occupier installed a 5ft x 4ft sign outside the garage advertising mot repairs and servicing which is still on show now and with no planning permission to have said sign. Then he ignored the enforcement notice and is still repairing vehicles whilst this new application is undecided, how on earth is this occupier getting away with this when it is a criminal offence that can lead to prosecution and substantial fines for ignoring an enforcement notice.

-If this planning application is granted it will have a negative and overbearing impact on residential amenity and for highway and pedestrian safety. this is why I strongly object.

-Continue to object on two principal grounds: (1) Demand for on-street parking is high, and is reflected in that there are parking controls in place in Exeter Street and surrounding roads such as Duckpool Road. (2) This is a densely built residential area and noise and movement has a wider adverse impact. Neighbour amenity must be considered.

-I would like to object to the plan of changing number 22 Exeter Street to a service centre for 8 taxi's. It already does repairs on vans and cars at most days mostly late evening when it's dark and making that confined area dangerous to drive past as the road is very narrow. Most people have to walk in the road when passing this place. Noise and the number of cars has got worse since the garage reopened

-I strongly object to the proposal of changing the use of 22 Exeter Street from storage and distribution to servicing of Vehicles. Planning for change to vehicle repair garage was refused and now they propose to try servicing instead! This amounts to the same thing. Nothing has changed apart from stating that servicing would only be done 1 day a week, This I certainly can't believe as his past history doesn't support this claim.

Since opening in July/August they have blatantly flouted the rules by operating as a repair garage and advertising the fact by hanging a big sign on said garage promoting it even without planning or when refused and Enforcement notice issued. I can't see them complying with any type of restrictions.

The building and confined area is just not suited to this kind of activity, permit parking, narrow road and a one-way system which is regularly ignored and not forgetting the walking in the road between cars when the pavement is full.

-This is the second time of objecting to those premises my view hasn't changed this residential street and the location of this building is not fit for a car workshop of any discretion weather it is a repair or service garage there is no difference as cars will be serviced and if they need a repair of some sort can't leave the building until repaired as it would be against the law to put a faulty vehicle on the highway, also this street has a busy use by the public going the children's play area that backs on to these premises also people from the area using the local shops its on a sharp bend that large council and other vehicles find it hard to drive through, plus there is residential parking in this street notice issues plus distress for the residents with the constant opening and closing of the roller shutter doors this application was refused in October and nothing has changed since so I strongly object to this new application.

-I wish to formally object to the planning application for the change of use of 22 Exeter Street to allow for car repair and servicing operations. My objections are based on the following critical points, relating to compliance, highway safety, and the protection of residential amenity.

1. Unauthorised Use and Enforcement Action

Firstly, it has come to my attention that the premises are already operating as a car repair business without the necessary planning permission. This pre-existing, unauthorised commercial use raises serious concerns about the applicant's respect for the planning process and whether appropriate due diligence can be guaranteed in the assessment of this application.

Crucially, following the initial refusal of planning permission, I understand that an Enforcement Notice has been officially served on the property due to the continuation of this unauthorised operation. The council must consider that granting permission now would effectively reward the applicant for breaching planning control and ignoring a statutory notice.

2. Highway Safety and Parking Congestion

Parking is already a significant and ongoing issue on Exeter Street. The introduction of a formal car repair business will undoubtedly exacerbate these existing problems and compromise highway safety for all users.

I have personally witnessed vehicles associated with the company, displaying its logo, parking on the narrow pavement at the corner of the street. Such parking renders the footpath impassable for pedestrians, particularly those using wheelchairs, pushchairs, or those with mobility issues, posing a clear safety hazard and an obstruction to public access. Furthermore, the narrow nature of the road itself makes it unsuitable for the regular access and manoeuvring of larger vehicles, such as recovery trucks or car transporters, which are integral to the operation of a car repair business. This will inevitably lead to increased congestion and potential hazards for other road users and residents.

3. Breach of Existing Planning Limitations

Finally, it is my understanding that this building has long-standing planning limitations restricting its use for car repairs or storage. I strongly believe that these existing limitations were put in place for valid reasons pertaining to the local environment and amenity, and that these reasons remain pertinent today.

I respectfully request that the current limitation of use be maintained to protect the residential character of the street and prevent a detriment to local amenity.

I trust that the council will give due consideration to these serious points particularly the fact that an enforcement notice is active when reviewing the application

Supporting comments are summarised below:

- I am writing to express my support for the proposed change of use from Class B8 (storage and distribution) to Class B2 (general industrial) as outlined in the recent planning application. The initiative aligns perfectly with their goal of keeping business activities local. The transition will facilitate vehicle maintenance to the highest standards, directly contributing to public safety. Additionally, the implementation of a strict '1 in 1 out' policy will ensure that there is no on-street parking congestion, enhancing convenience and safety in the vicinity.

Moreover, given that the location is merely 200 metres from their current Taxi booking office, this change will significantly reduce emissions and promote environmental sustainability.

I am confident that working within the specified time frame detailed in the application demonstrates a commitment to minimal disruption and efficient progress.

In light of these considerations, I see no issues arising from this proposed change and believe it would be highly beneficial for both local businesses and community wellbeing.

- There is room for up to 5 vehicles in the garage.

- I drive down Exeter Street in the day and night and do not see Roman Taxis parked on the road by the premises.

- I don't see any pollution or noise from the premises.

- Members of the mosque from Hereford Street park their vehicles outside the premises and surrounding area on Friday prayer times.

- I have had the pleasure of engaging with the business on numerous occasions and have consistently been impressed by their commitment to quality, service and community involvement.

- Roman Auto Centre is a cornerstone of our local economy and gathering place that fosters a sense of community.

- Small businesses like Roman Auto Centre are essential to the character and economic health of our neighbourhoods. They create jobs, provide unique goods and services and reinvest in the local community in way that large corporations often do not.

- Roman auto centre have taken on maintenance of the Santa sleigh. This is a massive help

to a local charity.

- 7.2 COUNCILLOR FARZINA HUSSAIN: I am writing to object to the resubmitted planning application for change of use from class B8 to class B2 Vehicle Servicing at 22 Exeter Street now proposing to operate one day a week for servicing. My original objection remains fully valid, and I wish to reiterate and expand on the concerns raised previously due to the ongoing and persistent issues experienced by residents.

This situation has been extremely troubling from the start, the garage began operating without any planning permission and chose to continue operating illegally while submitting their first application. That application was refused, yet the illegal operation continued regardless.

An enforcement notice has since been issued, but the garage continues to operate daily, although they have until February to respond to the notice, the fact remains that they have operated unlawfully throughout the entire process.

The resubmission that the garage intends to limit itself too “servicing one day a week” is simply not credible considering their action to date. They have repeatedly ignored planning rules, carried on business after refusal and continued even after formal enforcement action, nothing in their conduct suggests they would suddenly comply with any new conditions if planning permission were granted.

Residents are still experiencing disruption, a neighbour directly next door has reported cars being worked on as late as 11pm, which is wholly unacceptable and severely impacts their quality of life.

Numerous images have been sent to the council showing vehicles connected to the garage obstructing others, taking up residents permit bays and causing general inconvenience on an already pressured residential street. These are not occasional issues they are ongoing and persistent.

I would also like to highlight again the concerns raised by the Highways Officer, their assessment clearly stated that the entrance is unsuitable for vehicle movements, there is zero visibility between cars emerging from the site and pedestrians and the footway leads directly to the nearby children’s play area. These factors create a real and ongoing danger to families and young people using the basketball courts and MUGA behind the site. Highways also advised that a lawful vehicle access would require a footway crossing that is unlikely to be approved, even if planning permission is granted. These concerns should not be overlooked or minimised.

This garage has caused continual issues for residents, has disregarded planning laws from the beginning and continues to operate in defiance of both planning refusal and enforcement action.

Allowing any form of approval now even under the claim of operating one day a week would reward non-compliance and leave the residents vulnerable to further disruption and unsafe conditions.

For these reasons, and in light of my original objection which still stands, I strongly urge Planning to refuse this application.

8. **ASSESSMENT**

8.1 **Principle of Development:**

The site is within the settlement boundary where there is a presumption in favour of sustainable development. However, the site is constrained with residential properties in close proximity, including directly adjacent. The impact on the amenity of these occupiers is a key consideration. Policy SP1 of the LDP confirms that proposals will be required to make a positive contribution to sustainable development. They will be assessed as to their potential contribution to, (amongst other things) improving facilities, services and overall social and environmental quality of existing and future communities. Policy SP2 states: development proposals should seek to maximise their positive contribution to health and well-being, and minimise any negative effects by being located in the most sustainable

locations, close to public transport links and providing efficient walking and cycling routes and other green infrastructure as part of development schemes.

8.2 Visual Amenity

Given that no alterations are proposed to the building, the proposals would not result in an adverse impact to the visual amenity of the building or wider street scene insofar as operational development is concerned.

8.3 Residential Amenity

As previously noted, the site is closely neighboured by residential properties situated adjacent to a T junction fronted by residential dwellings. These uses are noise sensitive. Given this, the potential impact of the proposed use on residential amenity is a key consideration.

8.4 The proposals will result in the introduction of a vehicle repair use within close proximity of residential dwellings. Such uses are often noisy in nature due to engine running/revving, car doors slamming, car alarms and use of vehicle repair tools and the proposed use will give rise to added noise and disturbance which is incompatible with the enjoyment of neighbouring gardens and residential spaces. Whilst there are some commercial uses in the vicinity the general character of the area is predominantly residential. The proposed introduction of vehicle repair garage in very close proximity to existing residential dwellings would be entirely at odds with this and incompatible with the residential uses, to the detriment of the general amenity of neighbouring residents. The development does not positively contribute to the locality and will represent an unneighbourly and undesirable form of development in this location. As noted above, the hours of use proposed under this application have been substantially reduced following the previous refusal and it is stated that the activity will take place one weekday per week, for a maximum six-hour daytime period between 10am and 4pm and will be restricted to vehicles operated by a taxi firm. The supporting information also states that the expected noise and activity is extremely limited and comparable to domestic-scale vehicle maintenance commonly carried out within residential streets (e.g., oil changes, basic checks), which do not amount to material harm or warrant intervention through the planning system. However, whilst the potential impact to neighbouring amenity would be reduced as a result of the revised hours, and the Local Planning Authority could legitimately control hours of use by condition, the nature of the intended use has not altered and any assurances of low intensity whilst operating are not supported by evidence of the use to date. As noted above, neighbours continue to report the unit being intensely used at unsociable hours, seven days a week with clear demand from the applicant's taxi fleet for such an intensive operation. A B2 use is sought and if planning permission is granted the LPA could not realistically restrict it to only certain aspects of the use such as oil changes as alluded to in the supporting statement and it is considered that given the proximity of neighbouring residential dwellings and the incompatibility of the proposed use, even operating one day a week would result in an unacceptable impact to neighbouring amenity, is unacceptable in this location and is the thin end of the wedge, setting an undesirable precedent for future expansion of this unneighbourly use. Noise arising from car repairs along with general activity, toing's and froing's, vehicle parking and manoeuvring will adversely impact amenity and the Authority has already confirmed in its previous decision that it considers the level of disturbance arising from this type of use in this location to be prejudicial to neighbouring residential occupiers. Whilst restricting the use to one day per week and limited daytime hours will reduce the period of such disturbance, objections relating to parking, highway safety and impact upon residential amenity will remain and the suggested restrictions from the applicant do not tip the balance in favour of this application. Whilst the harms previously identified will be for a more limited duration, they will be harmful nonetheless and any merits of this scheme do not outweigh such harm.

8.5 The existing use is stated to be B8 although there is no planning history confirming this and a lawful use can only be established via an LDCE application. In any case, B8 uses are different to B2 uses with the latter generally acknowledged to be unsuited to close proximity with residential properties by reason the nature of the operations and likelihood of noise, odour and other nuisance. It is stated that the premises will be used exclusively for the

upkeep of a taxi fleet and will not operate as a general MOT centre or open garage for members of the public. However, the Council cannot control the nature of the users of the garage and a condition restricting its use by the taxi fleet only would not be enforceable and in any case the repair and maintenance of taxi vehicles would still result in noise and disturbance to neighbours, even if hours of use are limited. The Council could legitimately seek to limit noise and disturbance to neighbouring residents by controlling hours of use and limiting the use to a car repair garage and no other uses within B2. However, there appears to be evidence that the operation will struggle to keep the hours cited and is open well beyond the hours at present. Notwithstanding this, the close juxtaposition of the unit with neighbouring occupiers means that even a daytime use, one day per week, would result in a significant adverse impact to neighbouring amenity by reason of noise and general disturbance and is considered to be unacceptable. The Council's Environmental Health officers have not commented in response to this application but previously objected to the proposals in the absence of a noise assessment to demonstrate that the proposals are acceptable with regard to residential amenity and have also requested a condition to require such an assessment. However, this would need to be established predetermination as is key to understanding the acceptability or otherwise of the proposal in noise terms. The LPA will not condition this. Notwithstanding, such assessment will not realistically address other disturbance related factors such as the comings and goings of vehicles, drivers and staff and the inherent noise associated with vehicles being serviced or repaired.

8.6 Air Quality/ Soundscape:

The site is located within an air quality buffer due to the proximity to the Chepstow Road/Caerleon Road air quality management area (AQMA). The proposals have potential to result in a worsening of air quality. The Council's Air Quality SPG requires a simple air quality assessment for proposals in such locations, the purpose of which is to compare the current site's road traffic generation versus the proposed site's traffic generation and a list of all possible options that the development could include to minimise / eliminate emission producing traffic to the site. The assessment then forms the basis for an air quality mitigation plan for the development. No such information has been provided. However, with regard to these matters the applicant states that the revised proposal generates only one fleet vehicle movement per week and does not introduce any customer traffic, queuing, idling, or additional parking demand. It is contended that this low level of trip generation sits well below the thresholds at which developments can materially influence local pollutant concentrations, and the activity is comparable to routine residential car use already present within the street. Furthermore, the taxi office is located within the AQMA and the proposals do not therefore result in an increased number of vehicles within the AQMA. Taken at face value and on the basis of the uses of the building as described, the proposals are not considered to result in a worsening in terms of air quality.

8.8 Movement:

It is clear that the current unauthorised use for car repairs is subject to significant activity and at all hours including bank holidays. Noting the limited size of the building, neighbours report and evidence vehicles spilling out onto the highway, blocking footpaths and thereby extending the impact of the use into the residential street. The unit is not served by any off-street parking provision. Given the densely populated character of the area with traditional terrace properties' lacking off-street parking, on street provision is likely to be in high demand. This is evidenced by the nature of neighbouring objections. The Council's Highways officer has objected to the proposed change of use and considers conditions restricting the use in accordance with the application to be unenforceable. Having regard to the information submitted, consultee comments and site observations (including enforcement history) officers agree with this concern. The Highways officer advises that the lack of visibility at the main vehicular entrance is a significant concern. The applicant points to a lack of collision evidence provided by Manual for Streets (MfS). However, MfS does not support providing zero visibility of pedestrians and sets out ways of improving accesses in residential settings that are not practical here. The footway leads to an adjacent play area, heightening concerns for pedestrian safety. The Council's Highways officer advises that all vehicles exiting the premises do so blindly across a footway whether forwards or backwards. The entrance does not meet the requirements of a residential drive,

let alone a commercial operation and Highways maintain their objection regardless of suggested frequency. It appears unlikely that the doors will be closed for long periods or at all whilst operational as there appears to be frequent toing and froing at the site and as with air quality, shorter hours and days will only heighten pressure to turn repairs round quickly and intensify vehicle movements into and out of the building. The building may require openings to be ajar or fully open for ventilation purposes. Furthermore, the proposals incorporate two vehicle lifts and even simple maintenance (that doesn't require lifts) is not limited to only one car a week and is not even entirely predictable. Two lifts means at least two cars at a time. The position of the lifts would not allow vehicles to turn within the building, so they would be required to reverse in/out, increasing the risks to pedestrians, especially children who cannot be seen behind typical cars. Accumulation of vehicles waiting to go into the building or be collected could occur on street and may increase as a consequence of limitations imposed by any planning conditions controlling hours or days of use. There is little evidence that the constrained hours and days suggested by the applicant are realistic in practice or will remedy existing substantial concerns. The Planning statement confirms:

The revised application accurately reflects the true operational requirement of Roman Taxis, which operates a small fleet of eight vehicles. The business requires only occasional, light maintenance activity, and most weeks the unit is not used at all. Maintenance tasks are limited, low-intensity, and do not resemble the throughput or tool usage associated with a commercial repair garage.

8.9 However, the operators have not changed, the applicant remains the same as the previous submission and enforcement issues relate to the same operator enterprise. Evidence already shows that this is not a business that relies upon a one day per week, restricted hours operation. Any suggestion of a personal condition to allow operation only by Roman Taxis will not address current concerns for amenity and highway safety impacts.

8.10 It cannot be demonstrated that the proposals are acceptable with regard to highway or pedestrian safety with associated impacts upon residential amenity too. This is contrary to policies GP2, GP4, GP7 and GP6.

8.11 **Drainage/ Flooding:**

The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 3 Sea and TAN15 Defended Zone. NRW have been consulted and advise that they have no objection to the proposed development as submitted on the basis that 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 NRW consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences.

8.12 The proposals are not considered to result in an increased risk to life from flooding.

8.13 **Biodiversity:**

The proposals include biodiversity enhancement in the form of a nesting box to the front of the building. This is considered proportionate and is in accordance with PPW12 which requires a net benefit for biodiversity resulting from development.

8.14 **Waste**

No details of waste management have been provided, however it is considered that this could be stored adequately within the building and further details in the form of a waste management plan could be secured by condition if planning permission were forthcoming.

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 proposals will result in the introduction of a vehicle repair garage in very close proximity to residential dwellings and in a predominantly residential setting, to the significant detriment of residential amenity by reason of noise, odour, and general disturbance associated with such a use and associated traffic to and from the site. The change of use is incompatible with the quiet enjoyment of residential properties.

10.2 The proposals result in the intensification of use of a substandard access to the detriment of vehicular and pedestrian safety, free flow of traffic and neighbouring amenity. No information has been provided to mitigate this objection.

10.3 The application is refused.

11. DECISION

REFUSED

01 The development has a significant adverse impact upon interests of acknowledged importance, namely residential and general amenity, by reason of very close proximity to

residential dwellings with associated increased noise, impact upon air quality, disturbance, and unneighbourly effect. No information has been provided to mitigate this objection. This is contrary to Policies SP1, SP2, GP6, GP7 and GP2 of the Newport Local Development Plan, 2011-2026 (Adopted January 2015).

02 The development gives rise to an increased demand for parking that cannot be accommodated on site and intensification of unsafe and unneighbourly vehicle movements. This is to the significant detriment of highway and pedestrian safety, the free flow of traffic and residential amenity and is contrary to Policies SP1, SP2, GP7, T4, GP2 and GP4 of the adopted Newport Local Development Plan 2011-2026.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Planning Statement 27th November 2025
TCPA-2025-165-ROMAN-01-FUL-NWP, TCPA-2025-165, TCPA-2025-165 Application
Forms, TCPA-2025-165 Covering Letter.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP1, SP1, SP2, SP3, SP18, GP2, GP4, GP5, GP6, GP7, T4 and W3 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.