

Delegated Decision Report

Application No:	26/0052	Statutory Period Expires:	15th September 2026
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Site:	32 Church Road Newport NP19 7EL		
Proposal:	CONVERSION OF SHOP (A1) TO A FIRST FLOOR FLAT (C3) AND RETENTION OF THE EXISTING USE (A1 SHOP) ON THE GROUND FLOOR		
Applicant:	C Coleson		
Type:	Full	Ward:	St Julians
Decision:	GRANTED WITH CONDITIONS SUBJECT TO S106		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 32 Church Road is a two storey mid-terrace property located in the St Julians ward. The property benefits from an existing A1 use.

3. DESCRIPTION OF DEVELOPMENT

3.1 The proposed development comprises the change of use of the first floor from an office to residential accommodation, while retaining the existing ground floor retail use. The first floor currently comprises a kitchen, bathroom and an office space. The development would convert the existing office space into 1no bedroom and living room, to provide a 52sqm 1 bedroom apartment. At ground floor level, 58sqm of retail space would be retained, which represents a loss of 9sqm at ground floor level. To accommodate access to the first floor flat, a partition wall is proposed to create an isolated hallway to the exiting stairs. As part of the development, on street bins would be provided.

3.2 Externally, a 500mm width of wall would be erected between the personnel door on the front elevation and the shop floor window. An entrance door would be installed on the opposite side of the front elevation to provide a customer entrance to the ground floor shop. 1no high level window is also proposed in the northeast facing side elevation of the rear extension to serve the kitchen. The rear elevation would remain unchanged.

3.3 The application is accompanied by a Green Infrastructure Statement which provides details of a biodiversity enhancement scheme. A bird box is proposed beneath the eaves at FFL on the front elevation and planters along the windowsills at FFL.

4. RELEVANT SITE HISTORY

None.

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)

- GP2 (General Amenity)
- GP4 (Highways and Accessibility)
- GP6 (Quality of Design)
- GP7 (Environmental Protection and Public Health)
- SP1 (Sustainability)
- SP3 (Flood Risk)
- SP13 (Planning Obligations)
- SP18 (Urban Regeneration)
- H8 (Self Contained Accommodation and Houses in Multiple Occupation)
- T4 (Parking)
- W3 (Provision for Waste Management Facilities in Development)

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Flat Conversion SPG
- Parking Standards SPG
- PLANNING OBLIGATIONS SPG

6. CONSULTATION RESPONSES

6.1 NATURAL RESOURCES WALES / CYFOETH NATURIOL CYMRU

We have no objection to the proposed development as submitted and provide the following advice.

Flood risk

The planning application proposes highly vulnerable development (residential). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 Sea and TAN 15 defended zone.

The proposal will result in a highly vulnerable use being introduced into an area of flood risk. However, this will be on the upper floors, elevated above the flood risk, and there is no change in the vulnerability use at the ground floor level. As such we do not require a Flood Consequences Assessment (FCA) to advise you on the consequences of flooding to and from the new residential property.

To assist your Authority in your decision making, we provide the following advice on the FCA by PHG Consulting Engineers, dated February 2026. The FCA confirms no alterations to the footprint of the existing development. Therefore, there would be no increase in flood risk elsewhere. The FCA contains flood data which appears to be from the Environment Agency Coastal Design Sea Levels dataset. The site is at tidal flood risk associated with the River Usk rather than the coastal tidal events. As such, we cannot confirm the data used is appropriate for this location. Therefore, we are unable to provide advice on the predicted flood levels. The FCA does not include a breach scenario assessment or justification for not providing this information.

Notwithstanding the above, as the proposed highly vulnerable use is located on the upper floors we are satisfied it is elevated above the flood risk, and the less vulnerable use is being maintained on the ground floor. Therefore, we do not consider an updated FCA is needed for this application. Therefore, we have no objection to the proposed development as submitted.

However, it is for planning authorities to determine whether the risks and consequences of flooding are acceptable. Therefore, you should be satisfied that the proposal has fully considered access requirements, including evacuation routes used in an emergency flood event. Details of a proposed evacuation route and mitigation are included in pages 15 and 16 and Appendix D of the FCA.

6.2 WELSH WATER / DWR CYMRU

We refer to your planning consultation relating to the above site, and we can provide the

following comments in respect to the proposed development.

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

6.3 PLANNING CONTRIBUTIONS MANAGER
S106 obligations required. See Paragraph 8.9.

6.4 HIGHWAYS OFFICER
Not supported
The development has no access to the rear for bins and cycle storage. Notwithstanding the annotation on the plans there is no suitable facility for bin or cycle storage for either unit. There should be separate provision for both.
Whilst the development does not meet policy requirements, there are no highway safety implications

6.5 ENVIRONMENTAL HEALTH OFFICER
No response received to date.

6.6 WASTE MANAGER
No response received to date.

7. **PUBLIC REPRESENTATIONS**
Neighbour notification letters were sent on 05.03.2026.

7.1 NEIGHBOURS: 20no neighbours were consulted. No representation received to date.

8. **ASSESSMENT**

8.1 **Principle of Development:**
The application site is located within a settlement boundary as shown on the proposals maps that accompany the Newport Local Development Plan 2011 – 2026 (Adopted January 2015), where there is a presumption in favour of development and the efficient use of land is encouraged. The property is located within an area having a mixed commercial/residential character therefore the proposed use is considered to be compatible with the surrounding uses, accordingly, there is no objection in principle to the retention of the ground floor as a retail use and the first floor as a residential use subject to other material planning considerations.

8.2 **Residential Amenity:**
A converted flat should offer its occupants reasonable levels/amounts of natural light, perceived space, privacy, ventilation, peace and quiet, noise attenuation, outdoor amenity space, parking, cycle storage and bin/recycling storage. The flat conversions SPG states that a flat conversion should meet the relevant desired standard for gross internal floor space which for a 1no bedroom flat would be 45sqm. The flat would have a gross internal floor space of approximately 58sqm which exceeds the desired standards in the SPG. The bedroom and living room are served by existing windows and 1no high level window is proposed to serve the kitchen. The key consideration is whether the proposed residential accommodation would provide an acceptable standard of amenity for future occupiers. In this case, the proposal is considered to provide adequate light and ventilation and provide an acceptable living environment for occupiers.

8.3 The Flat Conversions SPG also outlines the requirements for outdoor amenity space. The physical constraints of the site do not allow for amenity space, and no private amenity space has been proposed within the design. The Flat Conversions SPG sets out in section

5.5.1, outdoor amenity space should be made available wherever the opportunity exists. In this case, the opportunity does not exist. It is noted that Brecon Park Play Area is situated approximately 500m away from the application site. As an urban conversion scheme, it is not unusual to have limited or nil potential for outdoor amenity space for future residents. Other factors can and should be considered such as access to facilities, public open space, scheme density and overall quality of accommodation and general scheme merits. The site is situated in a sustainable location with convenient access to a range of local amenities. The nearest area of public open space is Brecon Park, located approximately 500 metres away (around an 11-minute walk). While this nearby provision does not, on its own, justify the absence of private outdoor amenity space, it does help to illustrate the wider context and the accessibility of local facilities available to future occupants. Taking these factors into account, the lack of private outdoor space is, on balance, acceptable in this case. Consideration has been given to potential permitted development rights that may allow the conversion of the upper floor to a flat with no requirement for outdoor space.

8.4 The SPG states that in no circumstances may a flat and a non-residential unit (e.g. a shop) share a single entrance. The converted flat would benefit from an independent access to the first floor, and the ground floor shop would have a separate entrance at ground floor level.

8.5 1no high level window is proposed in the northeast side facing elevation of the rear projection. This window would be oriented toward a blank side elevation at the adjoining property (no.34 Church Road) and would not give rise to any overlooking of an unacceptable level. This window is required to provide natural light and ventilation to the kitchen, and a condition is required to ensure this is undertaken prior to occupation.

8.6 **Character and Appearance;**

The external changes visible from the public realm are limited to the installation of 1no door on the front elevation to provide a separate customer entrance for the ground floor A1 use. This is a common arrangement at units with a commercial use at ground floor and a number of examples can be seen along this stretch of Church Road. As such, the development would not harm the character and appearance of the property.

8.7 **Flooding:**

The application proposes the conversion of a flat on the first floor which is defined as highly vulnerable development in Technical Advice Note 15: Development, flooding and coastal erosion (TAN15), dated 2025. The Flood Map for Planning identifies the application site to be at risk of flooding within Flood Zone 2 and 3 Sea and TAN 15 defended zone.

As the highly vulnerable element of the scheme is located above ground level, NRW are satisfied that it is elevated from any flood risk. A less vulnerable use is being maintained on the ground floor.

Section 11 of TAN15 sets out the Acceptability of flood consequences criteria and are requirements that must be in place for any development that is permitted to be located in flood risk areas. As such, the following conditions should be met:

- No increase in flooding elsewhere
- Occupiers aware of flood risk
- Escape/evacuation routes present
- Flood emergency plans and procedures agreed and in place
- Flood resistant and resilient design
- Acceptable consequences for type of use

A Flood Consequence Assessment has been submitted and is considered proportional to the development. Given the lack of structural alterations, the footprint and levels retained, the development will not result in any change in flood volume during a flood event. It is therefore considered that in the event of flooding, the development will not result in an increase of flooding elsewhere. An emergency route has been provided in the FCA via Church Road to the east. The escape route is partially in Sea Flood Zone 3 and partially in Sea Flood Zone 2 and therefore has a 0.5% (1 in 200) chance of flooding from the sea in a

given year, including the effects of climate change. The FCA confirms that resilience and mitigation measures are to be introduced, i.e., raised electrics where practical, and hard surfaced flood resilient flooring within areas susceptible to flood risk. Flooding is projected to reach a level of 9.92 m AOD during the 0.1% AEP tidal event with the 95th percentile climate change allowance. This corresponds to approximately 1420 mm of flooding within the building footprint (in exceedance of the 600 mm allowable conditions threshold). Therefore, the proposed development is not compliant with Figure 5 & 6 of TAN15. NRW have advised that as the highly vulnerable element of the scheme is located above ground level, NRW are satisfied it is elevated from any flood risk. A less vulnerable use is being maintained on the ground floor. There are no third-party impacts associated with the development site as the footprint of the existing building will not be altered. Overall, it is considered that the proposed redevelopment of the site is acceptable in terms of flooding in accordance with Technical Advice Note 15.

8.8 **Waste:**

The Flat Conversions SPG advises that dustbins and recycling boxes should be provided outside the flat, but within the curtilage of the property, in the least conspicuous location possible. Initially, the provision of internal waste storage was proposed in the hallway at ground floor level however after discussion, this element has been removed from the proposal as such an arrangement is poor and will give rise to unacceptable amenity implications. Internal bin storage can result in odour, hygiene and fire safety concerns. Such arrangements can lead to an unsatisfactory living environment, particularly where the hallway serves as the primary means of access and escape for occupants. As forementioned, the flat does not benefit from access to outdoor amenity space, meaning that there is no opportunity for the provision of outdoor waste storage within the curtilage and on-street bins are proposed as part of the development. While on-street bins are typically not favoured, regard has been given to the surrounding context, whereby on-street bins are commonplace, and many neighbouring properties display bins to the front of the property. The commercial property at ground floor will have access to and external rear yard for bin and recycling storage. Whilst space exists to the rear for commercial waste storage, the LPA cannot make the occupiers use it.

8.9 **Biodiversity:**

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. The application is accompanied by a Green Infrastructure Statement which provides details of a biodiversity enhancement scheme. A bird box is proposed beneath the eaves at FFL on the front elevation and planters along the windowsills at FFL. The proposed scheme is proportionate to the development and implementation will be secured through a suitably worded planning condition. As such the proposal is compliant with the aims of Policy GP5 of the NLDP 2011-2026.

8.10 **Section 106 Planning Obligation matters**

In 2010 the Community Infrastructure Levy Regulations (2010) came into effect. Reg 122 of these regulations sets out limitations on the use of planning obligations. It sets out three tests that planning obligations need to meet. It states that planning obligations may only constitute a reason for granting planning permission if the obligation is:

In this case, the developer has provided information in relation to the viability of the planning obligations relevant to the scheme... (officers must explain what information received, what viability issues raised and our assessment of them, how has this affected the planning obligation agreed by officers)?

a) Necessary to make the development acceptable in planning terms; (the obligations of the Section 106 Agreement are necessary to ensure adequate education provision, secure affordable housing on site, provide sufficient open space and ensure its continued maintenance, monitor air quality, promote local employment benefits, secure appropriate

long-term marketing of the retail/ commercial units and to improve accessibility for vehicles and pedestrians to/ from the development to ensure policy compliance.)

b) Directly related to the development; (the obligations of the Section 106 Agreement are directly related to the development.)

and

c) Fairly and reasonably related in scale and kind to the development (the obligations as set out in the Section 106 Agreement, both in terms of scale and kind of obligations being required, are fair and reasonable to ensure the aforementioned contributions for the development of this strategic site).

In accordance with Policy SP13 of the adopted Newport Local Development Plan 2011-2026 and the adopted Planning Obligations Supplementary Planning Guidance, development will be required to help deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in proportion to its scale and the sustainability of the location. In this case, section 106 planning obligations are required to mitigate the impact of the development in accordance with the table below.

Service Area that requires planning obligation	Purpose of planning obligation	Planning obligation initially sought by Planning Authority	Summary Heads of Terms agreed by applicant(s)	Viability Issues?
Regeneration and Economic Development	To provide a contribution toward off site affordable housing	A sum of £470 toward off site affordable housing	Agreed	No

The applicant has agreed to the Heads of Terms; however no legal agreement has been signed to date.

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 converted flat would offer its occupants reasonable levels/amounts of natural light, perceived space, privacy, ventilation and general amenity. Although the development is not fully SPG compliant in relation to outdoor amenity space and waste, regard has been given to the existing context and the established layout, and it is understood why provision is not achievable in this instance. Nevertheless, the development is sustainably located in the urban boundary with sufficient access to local amenities and the use of the first floor for residential accommodation is acceptable.

11. **DECISION**

GRANTED WITH CONDITIONS SUBJECT TO S106

01 The development shall be implemented in accordance with the following plans and documents:

- SD1172 P02iv Proposed Plans and Elevations
- Flood Consequence Assessment
- SD1172 - Green Infrastructure Statement
- Correspondence RE Bin Storage
- Further Correspondence RE Bin Storage

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 Prior the first occupation of the flat hereby approved, the window serving the eastern side elevation shall be installed in accordance with the details shown in approved plan 'SD1172 P02iv Proposed Plans and Elevations' and retained as such for the lifetime of development.

Reason: To provide adequate living conditions in accordance with Policy GP2 and Policy H8 of the Newport Local Development Plan 2011 – 2026 and the Flat Conversions Supplementary Planning Guidance.

03 Prior to the first beneficial use of development hereby approved, the biodiversity enhancement scheme shall be installed in accordance with the details as shown in 'SD1172 - Green Infrastructure Statement' and 'SD1172 P02iv Proposed Plans and Elevations' and retained for the lifetime of development.

Reason: In the interest of biodiversity, in accordance with Policy GP5 Newport Local Development Plan 2011 -2026 (Adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: SD1172 P02iv Proposed Plans and Elevations, Flood Consequence Assessment, Existing Plans and Elevations, SD1172 P 01 - Site Location Plan, Existing Floor Plan and Elevations, SD1172 - Green Infrastructure Statement, Correspondence RE Bin Storage, Further Correspondence RE Bin Storage

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP6, GP7, SP1, SP3, SP13, SP18, H8, 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.