

Delegated Decision Report

Application No:	26/0594	Statutory Expires:	Period	25th September 2026
Site:	Land North Of White Hart House West Market Street Newport South Wales			
Proposal:	CHANGE OF USE FROM OFFICE (CLASS B1) TO COMMUNITY CENTRE (CLASS D1) TO PROVIDE EDUCATIONAL MENTORING AND COMMUNITY WELFARE SERVICES			
Applicant:	A Jalil			
Type:	Full	Ward:	Pillgwenlly	
Decision:	GRANTED WITH CONDITIONS			

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site consists of a former office building (currently vacant) located within the Pillgwenlly ward of Newport. The site is located within the settlement boundary as defined by the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) (LDP). The Proposals Map contained within the LDP identifies the site as being within the Lower Dock Street Conservation Area. In addition, the site lies within Flood Zone 3 Rivers and Sea and Flood Zone 3 Surface Water and Small Watercourses of the Natural Resources Wales (NRW) Flood Map for Planning (FMfP).

3. DESCRIPTION OF DEVELOPMENT

3.1 Full planning permission is sought for the change of use from office space (Use Class B1) to a Community Centre (Use Class D1). The Community Centre would primarily provide educational mentoring and community welfare services.

3.2 The submitted plans show that the change of use would involve some minor internal alterations, which would mainly consist of the removal/creation of partition walls and the rearrangement of rooms. There are no external alterations proposed as part of this application.

4. RELEVANT SITE HISTORY

4.1 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.

4.4 – Community Facilities

5.3 Technical Advice Notes:

Technical Advice Note (TAN) 11: Noise
Technical Advice Note (TAN) 12: Design
Technical Advice Note (TAN) 15: Development, Flooding and Coastal Erosion
Technical Advice Note (TAN) 21: Waste
Technical Advice Note (TAN) 23: Economic Development
Technical Advice Note (TAN) 24: The Historic Environment

5.4 HISTORIC ENVIRONMENT ACT (WALES) 2023

5.5 Newport Local Development Plan (2011-2026) (NLDP):

SP1 (Sustainability)
SP3 (Flood Risk)
SP9 (Conservation of the Natural, Historic and Built Environment)
SP12 (Community Facilities)
SP18 (Urban Regeneration)
GP2 (General Amenity)
GP4 (Highways and Accessibility)
GP5 (Natural Environment)
GP6 (Quality of Design)
GP7 (Environmental Protection and Public Health)
CE7 (Conservation Areas)
T4 (Parking)
EM3 (Alternative uses of Employment Land)
W3 (Provision for Waste Management Facilities in Development)

5.6 Supplementary Planning Guidance:

Parking Standards Supplementary Planning Guidance (Adopted August 2015)
Waste Storage and Collection Supplementary Planning Guidance (Adopted January 2020)
Wildlife and Development Supplementary Planning Guidance (Adopted December 2025)

6. CONSULTATION RESPONSES

6.1 Local Highways Authority:

No objections subject to conditions.

The Proposals include indoor cycle storage with Sheffield style racks. It is suggested that this accommodates four cycles. This is not practical unless a wider door is fitted. At most two cycles could be accommodated. There should be provision for staff and visitors.

Bin storage is accessed via the cycle parking, accentuating the issues. To encourage cycle use these should be separated.

The bins are stored inside, but there is no collection area identified. Assuming that the intention is to present bins on the footway we would seek a refuse management condition. Refuse and cycle issues should be addressed by way of condition.

In terms of parking both the existing and proposed uses require only space for a commercial vehicle within zone 1. The site is at the edge of zone 1 adjacent to commercial and residential properties. There is parking behind the building which does not appear to be allocated and ownership is unknown. There are also some areas of kerbside parking available, but there is high demand for these.

Advice to patrons includes encouraging them to park in the Asda car park. This is private and cannot be relied upon as its management can change at any time but currently allows 3-hour stays.

The proposals include marshalling of parking along the frontage, and we would request this is secured by way of condition, at least at times of child drop-off and pick-up. Notwithstanding the Parking Standards SPG, we would expect some parking impacts.

In summary there are no highway objections, subject to the following conditions.

Except for site clearance and remediation no development shall take place until a scheme for the provision of cycle parking in accordance with the Council's current standards has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

Prior to first occupation of the development hereby permitted a servicing and waste management strategy shall be submitted to, and approved in writing by, the Council as Local Planning Authority. For the avoidance of doubt the strategy shall include details of operational proposals for servicing and the storage, transfer and collection of waste ensuring that appropriate arrangements are made and that logistical requirements are appropriately considered and addressed. The strategy should also include management and marshalling of parking and drop-off activities. The strategy shall be subsequently implemented in accordance with the approved details.

Reason: To ensure that adequate on-site provision is made for servicing and waste management collection including allowance for the storage, transfer and collection of waste to reduce impact on residential amenity and the general amenity of surrounding occupiers.

6.2 Drainage:
No response received.

6.3 Environmental Health Officer:
I refer to the above application passed to the Environmental Protection Team for comment. I confirm I have no objections to the proposals; however the following condition should be attached to any permission granted:

Noise Insulation

Prior to first occupation, a scheme of sound insulation works to the (floor/ceiling)*/(party wall)* structure between rooms shall be implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

6.4 Waste Officer:
No response received.

6.5 Principal Heritage Officer:
The building in question is located within Lower Dock Street Conservation Area. Though the existing external shutters to this building are very unsightly (and the building would certainly benefit from their removal), they have been in situ for a long period of time.

Therefore, provided that no external alterations are proposed (as indicated within the supplied drawings), the character and appearance of Lower Dock Street conservation area will be preserved as a result of these works.

6.6 Natural Resources Wales:
The planning application proposes less vulnerable development (community centre). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 Sea.

The application proposes a change of use to a less vulnerable use as defined in Technical Advice Note 15: Development, flooding and coastal erosion (TAN15), dated 2025. As such we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

Guidance on resilient design can be found in Chapter 13 of TAN15 which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

6.7 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.

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.

Condition

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system. 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

7.1 NEIGHBOURS: The application was advertised by direct neighbour notification letter and a site notice was displayed. No responses were received.

7.2 COUNCILLORS: Councillor Saeed Adan and Councillor Debbie Jenkins were notified of the application directly. No responses were received.

8. ASSESSMENT

8.1 Principle of Development:

8.1.1 The application seeks full planning permission for the change of use of a vacant office building falling within a B1 use class to a community facility falling within a D1 use class.

8.1.2 The application site consists of a vacant, detached building in a location consisting mainly of residential and commercial uses. The site is regarded as previously developed land and is located within the settlement boundary as defined by the LDP. Policies SP1 and SP18 support the re-use of vacant brownfield land within the settlement boundary.

Policy EM3 is of relevance to this proposal, which relates to the alternative use of employment land. This policy is provided below along with an assessment of each of the criteria:

DEVELOPMENT PROPOSALS PROMOTING ALTERNATIVE USES ON EXISTING EMPLOYMENT SITES WILL BE RESISTED UNLESS:

- i) **THE SITE HAS BEEN MARKETING UNSUCCESSFULLY FOR EMPLOYMENT PURPOSES FOR A MINIMUM OF 12 MONTHS;**
No information has been provided to show that the site has been marketed for a period of 12 months or more, however it is understood that the building has been vacant for some time.
- ii) **THERE REMAINS A SUFFICIENT RANGE AND CHOICE OF EMPLOYMENT LAND AND PREMISES TO MEET LDP REQUIREMENTS AND LOCAL DEMAND;**
The latest Employment Land Survey undertaken by the Council occurred in 2020. The Local Development Plan (LDP) Annual Monitoring Report 2024 indicates that the available employment land supply is just under 11 years, whilst the LDP monitoring target is to ensure a five year supply of land for employment purposes is maintained throughout the Plan period. As such, there is currently a general over supply of employment land within Newport.
- iii) **THE DEVELOPMENT HAS NO ADVERSE IMPACT ON EXISTING OR ALLOCATED EMPLOYMENT SITES;**
The site includes a detached building, which is not located within a wider or allocated employment site and is modest in scale. It is not considered that the loss of the unit for employment purposes would have any adverse impact upon existing or allocated employment sites.
- iv) **THE DEVELOPMENT HAS NO ADVERSE IMPACT ON AMENITY OR THE ENVIRONMENT.**
The application site is located within a mixed use area, whereby it is not considered that the proposed use would cause significant adverse impacts upon amenity or the environment. Notwithstanding this, the consideration of residential amenity is explored in more detail below.

8.1.3 Policy SP12 Community Facilities encourages the development of new community facilities in sustainable locations, noting that the re-use of existing buildings is preferable to new build facilities. Paragraph 4.41 of PPW (Edition 12, February 2024) notes that '*Community buildings and spaces provide an important focus for sustaining communities and their well-being.....Community facilities contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places.*' The LDP seeks to achieve this aim.

8.1.4 Based on the above, it is considered that the principle of the proposal is acceptable, subject to the material considerations below.

8.2 Visual Amenity/Character and Appearance:

8.2.1 There are no changes proposed to the external elevations of the property as part of this application, with the change of use taking place within the footprint of the existing building. It is considered that the proposal would not adversely impact upon the character and appearance of the application or surrounding area and is in accordance with Policy GP6 of the LDP.

8.3 Residential Amenity:

8.3.1 The proposal does not include the provision of any built form of development or alterations to existing window or door openings. As such, the separation distances, outlook and levels of daylight and sunlight afforded to existing properties would not be altered as a result of the change of use of the building.

8.3.2 The existing last known use of the site was as offices. In terms of noise, the proposed use is likely to result in higher levels of noise when compared to an office use. However, it is

considered that the resultant noise level would not be to a degree that would result in an adverse effect upon the wider amenity of neighbouring properties, particularly given the nature of the activities proposed in the building, as set out by the Planning Statement as well as the detached nature of the building and mixed use of the area, where a degree of noise is to be expected. It is noted that the Council's Environmental Health Officer has requested a condition seeking a scheme of sound insulation works between rooms, however this is not considered necessary. The Applicant has requested opening hours of between 09:00 hours and 22:00 hours; given the nature of the proposed use this is considered acceptable.

8.4 Highway Safety:

- 8.4.1 The proposal does not involve any alterations to existing vehicle accesses onto the highway, as such highway safety in this regard is not considered to be affected by the scheme.
- 8.4.2 In terms of parking, the site is located within Parking Zone 1. The Local Highways Authority have confirmed that both the existing and proposed uses require only space for a commercial vehicle. Therefore, there would be no difference in parking demand as a result of the change of use. There is no opportunity to provide off street car parking on site and whilst it is noted that a car park is located to the rear of the building, this falls outside of the site location boundary and cannot be relied upon for any parking provision relating to the proposed use. Whilst the proposal does not provide for any off street car parking provision, this is not considered to result in harm that would justify withholding planning permission.
- 8.4.3 It is noted that the proposals include indoor cycle storage with Sheffield style racks. It is suggested that this accommodates four cycles. The Local Highways Authority have advised that the proposed arrangement is not practical unless a wider door is fitted. At most two cycles could be accommodated and there should be provision for staff and visitors. This issue could be addressed by way of condition.
- 8.4.4 In terms of bin storage, this is accessed via the cycle parking and should be separate. It is noted that the bins would be stored inside, but there is no collection area identified. Assuming that the intention is to present bins on the footway, the Local Highways Authority have requested a refuse management condition. This is considered acceptable.

8.5 Drainage/ Flooding:

- 8.5.1 The application site is located within Flood Zone 3 Rivers and Sea of the Natural Resources Wales (NRW) Flood Map for Planning FMfP. NRW have confirmed that the change of use proposes less vulnerable development and have raised no objections to the application. The Applicant has submitted an Emergency Flood Plan detailing how users of the building would be safely accommodated in the event of a flood event. Notwithstanding the use of the site as less vulnerable development, it is noted that elements of education provision would take place within the building. Education is regarded as highly vulnerable development, however the plans detail that the study room would be located at first floor level, and therefore outside of the flood extent.
- 8.5.2 In addition to the above, the site is located within Flood Zone 3 Surface Water and Small Watercourses of the Natural Resources Wales (NRW) Flood Map for Planning FMfP. The proposal would not result in a change in the vulnerabilities of the application site, neither would the proposal increase flooding elsewhere as there would be no increase in floorspace or impermeable surfaces as a result of the change of use.
- 8.5.3 DCWW have been consulted on this application and raise no objection to the proposed change of use. A condition relation to surface water drainage has been requested however as this is covered by separate legislation outside the remit of the T&CPA the condition is not considered to meet the tests as contained within Welsh Government Circular (WGC 016/2014) The Use of Planning Conditions for Development Management (Oct 2014) and therefore will not be attached to any subsequent planning consent.

8.6 Biodiversity:

- 8.6.1 In accordance with Planning Policy Wales (Edition 12), all developments are required to result in a net gain in biodiversity. Furthermore, the application is not supported by a Green Infrastructure Statement. However, given the site's urban location and limited opportunities

to provide a net gain in biodiversity, it is considered appropriate to secure a scheme of biodiversity enhancement by way of condition. Acceptable biodiversity net gain could be the installation of bird boxes, for example.

8.6.2 No external works are proposed to the building, including to its roof, as such no further survey work is required to establish the presence of any protected species.

8.6.3 Subject to the attachment of a condition for biodiversity enhancement, the proposal accords with the aims of PPW (Edition 12) and Policy GP5 of the LDP.

8.7 **Heritage:**

8.7.1 As noted the application site is located within the Lower Dock Street Conservation Area. The Council's Principal Heritage Officer has confirmed that the proposal is considered to preserve the character and appearance of the Conservation Area. As such, the duty placed on the Local Planning Authority in respect of Conservation Areas by the Historic Environment (Wales) Act 2023 is considered to have been met.

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 In conclusion it is considered that the proposal complies with the relevant policies contained within the LDP and the application is therefore recommended for approval, subject to conditions.

11. DECISION

GRANTED WITH CONDITIONS

- (01) The development shall be implemented in accordance with the following plans and documents:
Site Location Plan
Existing and Proposed Elevations WS 02
Proposed Plans WS 03
Emergency Flood Plan
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) The premises shall be used for Class D1 (Non-Residential Institution) and for no other purpose (including any other purpose in Class D1 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 enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.
- (03) The use shall not be carried out outside of the following hours:
09:00 to 22:00 Monday to Sunday
Reason: To ensure that the amenities of other premises in the vicinity are protected.
- (04) Prior to any part of the development being brought into use, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved and maintained for the lifetime of the development.
Reason: In the interest of protected species, in accordance with Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).
- (05) Notwithstanding the approved plans, except for site clearance and remediation no development shall take place until a scheme for the provision of cycle parking in accordance with the Council's current standards has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council.
Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.
- (06) Notwithstanding the approved plans and prior to first occupation of the development hereby permitted a servicing and waste management strategy shall be submitted to, and approved in writing by, the Council as Local Planning Authority. For the avoidance of doubt the strategy shall include details of operational proposals for servicing and the storage, transfer and collection of waste ensuring that appropriate arrangements are made and that logistical requirements are appropriately considered and addressed. The strategy should also include management and marshalling of parking and drop-off activities. The strategy shall be subsequently implemented in accordance with the approved details.
Reason: To ensure that adequate on-site provision is made for servicing and waste management collection including allowance for the storage, transfer and collection of

waste to reduce impact on residential amenity and the general amenity of surrounding occupiers.

NOTE TO APPLICANT:

1. The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1 (Sustainability), SP3 (Flood Risk), SP9 (Conservation of the Natural, Historic and Built Environment), SP12 (Community Facilities), SP18 (Urban Regeneration), GP2 (General Amenity), GP4 (Highways and Accessibility), GP5 (Natural Environment), GP6 (Quality of Design), GP7 (Environmental Protection and Public Health), CE3 (Conservation Areas, EM3 (Alternative uses of Employment Land), T4 (Parking) and W3 (Provision for Waste Management Facilities in Development) were relevant to the determination of this application.
2. 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.