

Delegated Decision Report

Application No:	25/0714	Statutory Period Expires:	28th October 2025
-----------------	---------	---------------------------	-------------------

Site:	3 Commercial Road Newport NP20 2PA		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE FOR THE PROPOSED CHANGE OF USE OF GROUND FLOOR PREMISES FROM USE CLASS A3 TO USE CLASS A1		
Applicant:	G Mujtaba		
Type:	Lawful Development Proposed	Ward:	Stow Hill
Decision:	Granted		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site consists of a mid-terraced property situated at the start of Commercial Road. The terrace features a mix of commercial uses at ground floor level, with residential accommodation above. Aerial imagery and site visit observations indicate that the site has been in A3 use since approximately 2017. Prior to that, the property was used for A1 purposes before undergoing a change of use to A3 around that time.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks to confirm that the change of use of the ground floor premises of 3 Commercial Road from use class A3 to A1 is lawful. The property will be used as a hairdresser. No external changes are proposed as part of the application.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
17/0899	CHANGE OF USE OF GROUND FLOOR FROM HAIRDRESSERS (A1) TO CAFE/BAR (CLASS A3)	Granted with Conditions	02.11.2017

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 TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (WALES) ORDER 2013

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

7.1 None.

8. ASSESSMENT

5.1 This application seeks confirmation that the proposed use of the Ground floor side unit of 3 Commercial Road from A3 to A1 is lawful.

5.2 The planning history shows that a change of use was granted consent from A1 to A3 use in 2017 (17/0899). From Aerial footage, it is evident that this consent was implemented, with the most recent use was as a Café/Bar, which is categorised by use class A3 by the Town and Country Planning (Use Classes) Order 1987.

5.3 The applicant has confirmed the main focus of the business will be a hairdressers, which is categorised by A1 use.

5.4 Schedule 2, Part 3, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 permits "Development consisting of a change of the use of a building to a use falling within Class A1 (shops) of the Schedule to the Use Classes Order from a use falling within Class A3 (food and drink) of that Schedule or from a use for the sale, or display for sale, of motor vehicles."

5.5 The proposal would meet the above aforementioned permitted development parameters and permitted development rights have not been removed from the application site. As such, it is considered that the proposed extension constitutes permitted development under Schedule 2, Part 3, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

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.

7. **CONCLUSION**

7.1 It is concluded that the proposed development would be in accordance with Schedule Part 3, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and the Lawful Development Certificate can be issued.

8. **DECISION**

GRANTED

Reason: The proposed development would be in accordance with Schedule Part 3, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and the Lawful Development Certificate can be issued.

NOTE TO APPLICANT

01 This decision relates to plan Nos:Existing Floor Plan and Site Layout, 2025.531-Planning Statement, 2025.531 PL01 - Site Location Plan

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies 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.

04 This decision relates to the change of use only. A separate Advertisement Consent will be required for any amendments to the signage.