

Delegated Decision Report

Application No:	26/0267	Statutory Period Expires:	10th August 2026
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Site:	30 - 32 Clarence Place Newport South Wales NP19 0AG		
Proposal:	CHANGE OF USE TO A1/A2 AND INTERNAL WORKS TO REINSTATE 2NO. SEPARATE UNITS		
Applicant:	Mirani		
Type:	Full	Ward:	Victoria
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 Listed Building Consent (25/0849) has been granted for the internal works to facilitate the proposed subdivision and change of use of 30 and 32 Clarence Place as sought through this application.
- 1.2 The two units were most recently used as an Arts and Crafts Workshop, however they have been vacant for a number of years since approximately early 2016.

2. SITE LOCATION AND CONTEXT

- 2.1 30-32 Clarence Place forms part of the Grade II Listed group for Clarence Place, in the Victoria Ward.
- 2.2 The site comprises of 2no. mid terrace units with the principal elevations fronting Clarence Place, and consist of red brick with bath stone pilasters and window surrounds. Each individual property has three windows to each floor, the first floor being more ornate. The ground floor sees a modern shopfront. There are contemporary extensions to the rear which are irregular in design.
- 2.3 The site is located within the Urban Boundary as per the NLDP 2011-2026 (adopted January 2015) and is located within an area where this is a mix of commercial and residential uses. It is Flood Zone 3 (Sea)(Defended).

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks planning permission for the change of use to 2no. A1/A2 units at 30-32 Clarence Place, in the Victoria Ward.
- 3.2 No external alterations or operational development is proposed that require planning permission, and the application is seeking the subdivision and change of use of No. 30 and 32 to A1 (Retail) or A2 (Financial and Professional Services).

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
00/0616	RETENTION OF SHOP FRONT	GRANTED WITH CONDITIONS	21.07.2000
04/1740	INTERNAL REMODELLING AND REFURBISHMENT	GRANTED	11.03.2005
04/1741	LBC FOR INTERNAL REMODELLING AND REFURBISHMENT	GRANTED	16.05.2005
11/1243	CHANGE OF USE FROM CLASS A3 (RESTAURANT) TO ARTS AND CRAFTS WORKSHOP	GRANTED WITH CONDITIONS	19.01.2012
11/1249	LISTED BUILDING CONSENT FOR PROPOSED ALTERATIONS TO SHOPFRONT	GRANTED WITH CONDITIONS	16.02.2012
25/0199	LISTED BUILDING CONSENT FOR INTERNAL RENOVATIONS AND REMODELLING	GRANTED WITH CONDITIONS	22.05.2025

25/0759	PARTIAL DISCHARGE OF CONDITION 2 (JOINERY DETAILS) OF 25/0199 LISTED BUILDING CONSENT FOR INTERNAL RENOVATIONS AND REMODELLING	APPROVED	12.02.2026
25/0848	SUBDIVISION AND CHANGE OF USE OF GROUND FLOOR UNIT TO CREATE 2NO A1/A2 UNITS	INVALID	N/A
25/1069	LISTED BUILDING CONSENT FOR THE REPLACEMENT OF EXISTING WINDOWS TO THE REAR ELEVATION OF THE BUILDING WITH NEW WINDOWS	GRANTED WITH CONDITIONS	05.03.2026
25/0849	LISTED BUILDING CONSENT FOR INTERNAL WORKS TO FACILITATE SUBDIVISION AND CHANGE OF USE OF GROUND FLOOR UNIT TO CREATE 2NO A1/A2 UNITS	GRANTED WITH CONDITIONS	05.03.2026

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.

6.1.6 Safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved.

6.1.9 Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place.

6.1.10 There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest, which it possesses.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

SP1 Sustainability

SP3 Flood Risk

SP9 Conservation of the Natural, Historic and Built Environment

SP18 Urban Regeneration

SP19 Assessment of Retail Need

GP2 General Amenity

GP4 Highways and Accessibility

GP5 Natural Environment
GP7 Environmental and Public Health
R8 Small Scale Retail Proposals
W3 Waste
T4 Parking

5.4 SUPPLEMENTARY PLANNING GUIDANCE

PARKING STANDARDS
SUSTAINABLE TRAVEL

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales: No objection.

6.2 Highways: No objection, but requests a condition for cycle storage.

6.3 Principal Heritage Officer: Nos.20-34 Clarence Place (evens) all fall under one Grade II listing (Cadw Ref: 26253). LBC matters for these proposed works have already been considered and approved under 25/0849.

In planning (FULL) terms, I have no concerns regarding impact of these proposed internal works upon the setting of adjacent listed assets.

I would, however, take this opportunity to highlight that any proposed material alteration of the ground floor fronts of these Grade II Listed assets would require all the necessary consents.

6.4 Environmental Health: No response.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 5th May 2026.

7.1 NEIGHBOURS: 33no. properties sharing a common boundary and located opposite the application site were consulted and no responses have been received.

8. ASSESSMENT

8.1 Principle of Development:

8.1.1 The proposal is for the change of use and subdivision of the ground floor of an existing building to 2no. A1/A2 use class units within the urban boundary and in a location that is considered as being highly sustainable. Most recently, the ground floor of 30 and 32 have been used as one unit, and the proposal would reinstate the original two separate units.

8.1.2 There is no objection in principle to the proposed change of use, however all other material planning considerations will need to be suitably addressed.

8.2 Retail Policy:

8.2.1 The application site is located within the Clarence Place Local Centre, as defined through Policy R8 of the NLDP 2011-2026 (adopted January 2015).

8.2.2 Policy SP19 states that retail and associated uses best located in a City Centre will be subject to an assessment of need if not within a defined centre, and application of the sequential test if not within the City Centre. PPW 12 is clear in promoting a hierarchical approach to the consideration of retail, leisure proposals and other uses associated with a town centre location. An A1 (Retail) or A2 (Professional Services) use is a use that is consistent with this and is considered best located within a defined centre.

8.2.3 As the site is located within a defined local centre, no assessment of retail need is required however a Sequential Test should be submitted. In this instance, the applicant has not

submitted a Sequential Test for consideration and is therefore not wholly compliant with Policy SP19.

8.2.4 Policy R8 states;

PROPOSALS FOR NEW LOCAL RETAIL FACILITIES, EXTENSION OF FLOORSPACE OF EXISTING RETAIL OUTLETS OR THE CHANGE OF USE OF EXISTING BUILDINGS TO RETAILING OUTSIDE THE CITY AND DISTRICT CENTRES, WILL BE PERMITTED ONLY WHERE:

- i) NEW RESIDENTIAL DEVELOPMENT WOULD BE SERVED OR THE PROVISION WOULD CATER FOR UNDER-PROVISION IN THE AREA;*
- ii) THE PROPOSAL IS OF A SCALE APPROPRIATE TO THE LOCALITY;*
- iii) THERE WOULD BE NO ADVERSE EFFECTS ON THE VIABILITY AND VITALITY OF ANY DEFINED CENTRE;*
- iv) THERE WOULD BE NO UNACCEPTABLE EFFECT ON THE LOCAL RESIDENTIAL AMENITIES OR THE GENERAL CHARACTER OF THE AREA IN TERMS OF NOISE AND DISTURBANCE OR EXTRA TRAFFIC GENERATED.*

8.2.5 Given the small scale of the two proposed A1/A2 units, it is considered likely that they would serve the location area and are of an appropriate scale. Given the existing use of the site as a fallback and the scale and nature of the units, it is not considered that there would be any adverse effects on the viability or vitality of any defined centre and as will be considered within the following assessment of the application there is no unacceptable effect on local residential amenity and character, or on matters relating to highway safety/traffic generation.

8.2.6 As such, the proposal is considered to comply with Policy SP19 and R8 of the NLDP 2011-2026 (adopted January 2015).

8.3 **Residential Amenity:**

8.3.1 Located above the ground floor premises are residential units, and as such these would be sensitive to such a use(s) that would generate noise and disturbance. The ground floor uses sought are A1 (Retail) and/or A2 (Professional Services) and therefore it would not be anticipated that an unacceptable level of general disturbance or noise generation is likely, or that there would be any need for mitigation. Furthermore, the upper floor residential use is existing and there is the fallback of the existing use at ground floor in any case.

8.3.2 Subsequently, the proposed development is not considered to result in any significant disturbance or harm to residential amenity and the proposal complies with the aims of Policy GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).

8.4 **Heritage:**

8.4.1 Section 96(2) of the Historic Environment (Wales) Act 2023 requires the Local Planning Authority in considering applications for Listed Building Consent to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.4.2 The building is a Grade II listed building and the works proposed internally are limited to the closing up of an existing internal access between 30 and 32 Clarence Place, which has been granted Listed Building Consent under application reference 25/0849 and were considered a minor enhancement to the special asset.

8.4.2 As such, on consultation with the Principal Heritage Officer, they have raised no objection to the proposed application.

8.4.3 The proposal complies with Policy SP9 of the NLDP 2011-2026 (adopted January 2015).

8.5 **Highways Safety and Parking:**

- 8.5.1 The site is located within a highly sustainable area and it is not considered that the subdivision of the larger unit to provide two smaller A1/A2 units is likely to result in any significantly different parking demand. No parking is currently provided on site to serve the existing use and neither would any be proposed.
- 8.5.2 The Council's Highways Officer has offered no objection to the proposal from a highway safety or parking perspective, however they have requested that a scheme of cycle parking is secured by planning condition.
- 8.5.3 Whilst the merit in providing cycle parking is acknowledged, this would solely be for staff given that access to the units is directly off a public footway. A cycle stand could be provided to the rear of the site within the red line boundary and submission of details to secure this would need to be controlled via a planning condition.
- 8.5.4 Overall, the proposal complies with Policy GP4 of the NLDP 2011-2026 (adopted January 2015).
- 8.6 **Waste:**
- 8.6.1 Similarly to the cycle parking, the storage of refuse can take place to the rear of the building within the red line boundary of the application site. A planning condition is required to identify the location and details of storage in order to secure implementation and retention.
- 8.6.2 The proposal complies with Policy W3 of the NLDP 2011-2026 (adopted January 2015).
- 8.7 **Biodiversity/Green Infrastructure:**
- 8.7.1 Chapter 6 'Distinctive and Natural Placemaking and Well-Being' of Planning Policy Wales (PPW) Edition 12 (updated February 2024) states that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long term benefit. PPW 12 also advises that a Green Infrastructure Statement (GIS) should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. PPW 12 states that having worked iteratively, in line with Figure 12 through the stages of The Stepwise Approach, and providing a GIS that the step wise approach has been followed, a scheme of enhancements must be provided to ensure a net benefit for biodiversity.
- 8.7.2 The application is not supported by a GIS and there is not any biodiversity enhancement proposed, and this does weigh against the proposal. However, it is acknowledged that the proposal is for the straight change of use and subdivision of the existing building with no associated operational development and where there is no existing GI on site due to the urban location. For a scheme of this scale, installation of a bird box would typically be deemed proportionate and acceptable. However, it is acknowledged that the site is a Grade II Listed Building and the installation of such a feature would require works to the fabric of the building that also would require Listed Building Consent separately.
- 8.7.3 On balance, as the scheme is proposing to bring a prominently located and vacant Grade II Listed Building back into an acceptable use, then it is considered that not requiring the installation of a proportionate biodiversity measure such as a bird box would not be robust grounds to refuse planning permission and this is not to be pursued. The proposal is compliant with Policy GP5 of the NLDP 2011-2026 (adopted January 2015).
- 8.8 **Flooding:**
- 8.8.1 The site is located within Flood Zone 3 (Sea) (Defended) as per the Flood Maps for Planning (FMfP). The existing ground floor use is less vulnerable in flood risk terms and so would be the proposed use, albeit reverting back to two separate units from one.

- 8.8.2 A statement in relation to flood risk has been submitted with the application, albeit it does not make a site specific technical assessment for the development. Natural Resources Wales have been consulted and have responded confirming that they have no objection to the application as the proposal maintains a less vulnerable use in flood risk terms.
- 8.8.3 There is considered to be no over intensification of the less vulnerable ground floor use as a result of the development and it is considered that the proposal complies with Policy SP3 of the NLDP 2011-2026 (adopted January 2015).

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 Overall, it is considered that the proposed development has demonstrated compliance with the relevant policies of the NLDP 2011-2026 (adopted January 2015).

10.2 Planning permission is granted with conditions.

11. DECISION

GRANTED WITH CONDITIONS

Approved Plans and Documents

01 The development shall be implemented in accordance with the following plans and documents: 2321-B345B - Revised Proposed Ground Floor 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.

Pre –occupation conditions

Cycle Parking

02 A cycle stand for up to two cycles shall be installed and made available for use prior to the first use of the associated unit hereby approved and retained thereafter for the lifetime of development.

Reason: To encourage active travel and to promote a sustainable form of development at the site in accordance with Policy SP1 and GP4 of the NLDP 2011-2026 (adopted January 2015).

Refuse Storage

03 Refuse/recycling storage facilities shall be installed and made available for use prior to the first use of the associated unit hereby approved and retained thereafter for the lifetime of development.

Reason: To provide acceptable waste storage on site in accordance with Policy SP1 and W3 of the NLDP 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: 2321-101 location plan; 2321-B344 existing G.F plan; Flood Consequence Assessment.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP9, SP18, SP19, GP2, GP4, GP5, GP7, R8, W3 and T4 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.