

PLANNING STATEMENT

Section 73 Application

The Crown Building, 11 Chepstow Road, Newport, NP19 8BQ

Planning Permission Ref: 18/0802

1. Introduction

This Planning Statement has been prepared in support of an application under Section 73 of the Town and Country Planning Act 1990 seeking to vary the approved plans associated with Planning Permission 18/0802 at The Crown Building, Newport.

The application seeks approval for:

- Relocation of the waste management area.
- Relocation of the cycle storage area.
- Relocation of the motorcycle storage area.
- Clarification and regularisation of the approved roof garden arrangement.

The proposed amendments do not alter the approved number of residential units, the scale of development, the approved use of the building or the overall objectives of the original planning permission.

The amendments have arisen from operational issues identified following completion of the development and subsequent reviews undertaken by Newport City Council Planning Officers, Building Control and the Fire Service.

2. Background and Planning History

Planning Permission 18/0802 granted consent for the conversion of The Crown Building from office accommodation to 56 residential apartments together with associated ancillary facilities including waste management provision, cycle storage, motorcycle storage and communal roof garden amenity space.

Subsequently, an application was submitted to discharge a number of planning conditions.

Whilst several conditions were successfully discharged, Newport City Council refused the discharge of:

- Condition 3 – Waste Management Plan.
- Condition 10 – Secure Motorcycle Storage.
- Condition 11 – Provision of Roof Garden.

The Decision Notice concluded that the submitted details were considered insufficient, inconsistent and/or unsatisfactory.

Since the original planning permission was granted, Building Control and Fire Service has independently reviewed the completed development as part of the construction and occupation process.

Following inspections and meetings with the project team, Building Control identified a number of fire safety concerns relating to the location of waste storage, bicycle storage and motorcycle/scooter parking beneath or immediately adjacent to the building structure (please see Appendix B1 which is the contents of the email from Building Control)

This Section 73 application has therefore been prepared to address both:

1. The reasons why Conditions 3, 10 and 11 were not discharged.
2. The operational and fire safety concerns subsequently identified through the Building Control process.

3. Fire Safety and Building Control Considerations

During the final stages of construction and pre-occupation inspections, Building Control reviewed the approved arrangements in conjunction with wider fire safety considerations.

In correspondence dated 09 September 2026 (please see appendix B1), Huw Williams, Building Control Manager, advised:

"The bin store and motorbike/scooter parking to be located externally from building due to potential fire risk - in addition to cycles concerns were raised around e-bike battery packs and potential for combustion and the agreement this storage facility should be located externally."

Building Control further advised:

"The proposed layout (incl. bins/parking) is to be provided for Fire Service consultation."

The comments identify concerns relating to:

- The storage of bulk waste within or immediately adjacent to the building.
- The storage of motorcycles and scooters beneath or adjacent to the building.
- The storage of bicycles and e-bikes within the building structure, particularly in light of concerns regarding lithium-ion battery packs and the potential risk of combustion.

These comments highlight concerns regarding the storage of potentially combustible materials and equipment within, beneath or immediately adjacent to the building.

Whilst the approved planning arrangements were considered acceptable at the time planning permission was granted, the completed development has subsequently been reviewed through the Building Control process and opportunities have been identified to further improve the overall safety of the building.

In addition to the concerns raised by Building Control regarding the storage of waste, motorcycles, scooters and e-bikes within the building, the approved cycle storage area is located adjacent to the building's plant room. This area accommodates key building infrastructure, including electrical equipment, water supply infrastructure, sprinkler equipment and associated mechanical plant serving the development. The proposed relocation of the cycle storage area therefore provides additional separation between cycle and e-bike storage and critical building services equipment.

The amendments proposed as part of this Section 73 application therefore seek to respond positively to the advice provided by Building Control and the Fire Service by relocating the waste management area, cycle storage and motorcycle storage to locations external to the building, whilst maintaining the level of provision required to serve the development.

The proposed amendments improve the overall fire safety of the completed development whilst maintaining all necessary facilities and amenities for residents.

4. Waste Management Relocation

Existing Approved Arrangement

The approved development includes an internal ground floor waste store located within the building.

During consideration of the Condition 3 discharge application, Newport City Council's Waste Team advised that the development requires provision for:

- 6 no. 1100 litre recycling bins.
- 6 no. 1100 litre general waste bins.
- 3 no. 660 litre glass recycling bins.
- 3 no. 240 litre food waste bins.

The Waste Team further advised that the storage area should be sufficiently sized to accommodate the required bins whilst maintaining appropriate manoeuvring space.

Reason Condition 3 Was Not Discharged

Condition 3 was refused because the approved waste store was unable to demonstrate adequate provision for the required number of waste containers.

The Local Planning Authority identified concerns regarding:

- Capacity for the required bins.
- Manoeuvring space.
- Operational functionality.
- The width of the access door serving the approved waste store.
- Practical movement of bins into and out of the approved store.

The approved access door was considered insufficiently wide to accommodate the required bins and any widening of the opening would further reduce the limited storage capacity of the approved waste store.

Proposed Arrangement

The proposed waste management area is relocated externally and adjacent to the site access.

The revised arrangement:

- Accommodates all waste and recycling containers required by Newport City Council.
- Provides adequate bin storage capacity.
- Provides improved manoeuvring space.
- Enables direct access without passing through the building.
- Improves operational efficiency for residents and collection operatives.
- Provides a practical long-term solution.

The proposed waste management area is located approximately 18 metres from the building and remains readily accessible to residents.

The application is supported by a swept-path analysis demonstrating that refuse collection vehicles can safely access the site, service the waste management area and leave the site in a safe and efficient manner.

The revised arrangement also directly addresses the fire safety concerns identified by Building Control through the relocation of bulk waste storage away from the building. (please see appendix B1)

5. Cycle Storage Relocation

Existing Approved Arrangement

The approved cycle storage area is located beneath the building.

Reason for Amendment

Whilst cycle storage was not subject to refusal by the Local Planning Authority, a review was undertaken alongside the wider fire safety assessment of the development.

During construction, concerns were raised regarding the storage of bicycles, particularly e-bikes, within the building structure.

The growing use of lithium-ion battery technology introduces additional fire safety considerations that warrant a cautious approach to cycle storage arrangements.

Building Control raised concerns regarding the storage of bicycles and e-bikes within the building structure and specifically noted concerns relating to e-bike battery packs and the potential risk of combustion. Building Control advised that the cycle storage facility should be relocated externally from the building as part of the wider fire safety review undertaken during construction. (please see Appendix B1)

The approved cycle storage area is also located adjacent to the building's plant room, which accommodates critical building services infrastructure including the incoming electrical supply, water supply infrastructure, sprinkler pumps and associated mechanical and electrical equipment serving the development. Relocation of the cycle storage facility provides greater separation between cycle and e-bike storage and these essential building systems, thereby improving the overall resilience and safety of the building.

Proposed Arrangement

The cycle store is proposed to be relocated to the existing garage structures elsewhere within the site.

The revised facility:

- Increases from approximately 22m² to approximately 29m².
- Provides capacity for a minimum of 20 bicycles.
- Incorporates Sheffield-style cycle stands.
- Remains covered and enclosed.
- Retains secure resident-only access.
- Retains CCTV coverage.
- Retains site lighting and passive surveillance.

- Provides improved manoeuvrability and circulation space.

The proposal therefore improves both operational functionality and fire safety whilst maintaining the approved level of cycle parking provision.

6. Motorcycle Storage Relocation

Existing Approved Arrangement

The approved motorcycle storage area is located beneath the building.

Reason Condition 10 Was Not Discharged

Condition 10 was refused because, whilst security measures were described in the submitted statement, the Council considered that sufficient information had not been provided to demonstrate the specific details and siting of those measures. (Please see Appendix B1)

The officer's concerns related to:

- Security measures.
- Anti-theft arrangements.

Fire Safety Considerations

Building Control subsequently advised that motorcycle and scooter parking should be relocated externally due to potential fire risk arising from storage beneath the building.

Proposed Arrangement

The proposed motorcycle storage area is relocated away from the building and benefits from:

- Sheffield-style motorcycle stands.
- Ability to secure motorcycles using chains and locking devices.
- Existing site-wide CCTV coverage.
- Existing external lighting.
- Passive surveillance from surrounding areas.
- Ongoing management by the building management company.

The proposal maintains the approved level of motorcycle parking provision and provides a safer and more appropriate long-term solution.

The revised plans clearly show the motorcycle storage location and stands, thereby addressing the concerns that led to refusal of Condition 10.

7. Roof Garden Clarification

Existing Approved Arrangement

Planning Permission 18/0802 approved a communal rooftop garden for the benefit of residents.

Reason Condition 11 Was Not Discharged

Condition 11 was refused because the roof garden shown on the plan submitted during the discharge application appeared substantially smaller than the roof garden approved as part of the original planning permission.

The Council therefore concluded that the submitted drawing was inconsistent with the accompanying statement which asserted that no reduction in area was proposed.

Clarification of Proposed Arrangement

This application does not seek to reduce the approved roof garden provision.

The intention remains that the roof garden occupies the **full available roof area** excluding only:

- Smoke extraction infrastructure.
- AOV equipment.

The revised roof plan identifies approximately 233m² of residents' rooftop garden area.

Amenity Provision

The roof garden will continue to include:

- Artificial grass surface treatment.
- Three fixed benches.
- Open circulation areas.
- Existing parapet enclosure.
- Ongoing management and maintenance arrangements.

The proposal therefore clarifies the intended arrangement and resolves the discrepancy that resulted in Condition 11 not being discharged.

8. Parking Provision

The relocation of the waste management facility requires the reconfiguration of two existing parking spaces.

Notwithstanding this amendment, the development will continue to provide the approved level of parking provision required to serve the scheme and no material shortfall in parking capacity will arise.

9. Conclusion

This Section 73 application has been prepared in response to both planning and fire safety considerations.

The proposals directly address the reasons why:

- Condition 3 (Waste Management Plan) was not discharged.
- Condition 10 (Secure Motorcycle Storage) was not discharged.
- Condition 11 (Provision of Roof Garden) was not discharged.

The proposals also respond directly to the subsequent Building Control advice requesting the relocation of the bin store, bicycle storage and motorcycle/scooter parking externally due to potential fire risk.

The application:

- Improves fire safety.
- Improves operational functionality.
- Maintains residential amenity.
- Maintains approved parking provision.
- Maintains cycle and motorcycle storage provision.
- Maintains the approved rooftop garden amenity space.
- Retains the approved number of residential units.

The proposed amendments represent a practical, safety-led and operationally necessary refinement to the approved development and it is respectfully requested that planning permission be granted under Section 73 in accordance with the submitted plans and supporting information.

APPENDIX A – DRAWINGS

The following drawings/documents have been submitted as additional attachments:-

- Proposed Site Plan – Drawing No:- P563_L_003_Rev F_Site Plan as Proposed
- Proposed Ground Floor Plan – Drawing No:- P563_L_300_Rev I_GA Ground Floor Plan as Proposed
- Proposed Fifth Floor / Roof Garden Plan – Drawing No:- P563_L_305_GA Fifth Floor Plan as Proposed_Rev J
- Cycle Store & Refuse Store Elevations as proposed :- Drawing No:- P563_L_214_Cycle Store & Refuse Store Elevations as Proposed
- Refuse Vehicle Swept Path Analysis:- Waste management Swept Path Analysis 12934.05.01_REVC4

APPENDIX B – SUPPORTING EVIDENCE

B1. Building Control correspondence – Huw Williams, 10 September 2026

The following email correspondence from Huw Williams, Building Control Manager at Newport City Council, is included as supporting evidence in relation to the Building Control and fire safety advice received during the final stages of the development. The correspondence records the recommendation that the bin store, cycle storage and motorcycle/scooter parking should be located externally from the building due to potential fire risk. For completeness, the email is also included as a separate PDF attachment titled "Email from Building Control and Fire Service after final inspection of The Crown Building".

From: Williams, Huw (Building Control Manager) <Huw.Williams2@newport.gov.uk>

Sent: 10 September 2026 15:55

To: Mo Rashid; David Lloyd (EVH); Naz 4

Cc: Mann, Jason; Danny Thomas

Subject: RE: FP/2020/0497 Crown building Phase 1a Crown building pre-occupation meeting

Hi,

Updated list to include. Ebike storage

Further to yesterday's meeting please see the following points that require attention ahead of occupation

Phase 1a.

1. The AOV interface test was carried out for corridor passive smoke extract
2. Fire exit signage required at half landings common stairs and rear corridor fire escape.
3. Dry riser signage for fire outlets stair landings and floor level indicated for Fire service.
4. Fit cover over water main access adjacent main entrance ground prior to occupation
5. All areas affected in the phase to be cleaned, cleared and carpet installed to stairs and corridors Phase 1a
6. The bin store and motorbike/scooter parking to be located externally from building due to potential fire risk - in addition to cycles concerns were raised around e-bike

battery packs and potential for combustion and the agreement this storage facility should to be located externally.

The proposed layout (incl. bins/parking) is to be provided for Fire service consultation.

7. The refuse collection strategy is required ahead of occupation

8. All smoke detector dust covers to be removed from smoke detectors heads before occupation of flats, including those in cupboards..

9. Access up from floor 4 to be secured from unauthorised access.

10. All doors to unoccupied flats in other phases to be locked against unauthorised entry.

11. Access to the ground floor, ancillary, commercial accommodation to be secured from unauthorised entry.

Ahead of completion next Phase1b Fire door installer certificate & FD30S SC Fire test Certificate.

Measures are in hand to replace the existing to FF lift ahead of occupation Phase 2.

Should there be further information or anything missing please let me know;

Kind regards

Huw Williams MCIOB MCABE

Building Control Manager

Class 2F & 4

Regeneration and Economic Development

Cyngor Dinas Casnewydd /Newport City Council

Mob: 07779 345591

Huw.Williams2@Newport.gov.uk

For Inspection Requests, why not use the LABC App?

Please find a link here to submit a Building Control Application via the Planning Portal 2

<https://buildingcontrol.planningportal.co.uk/>

<http://www.guidetorenovatingyourhome.co.uk/newport>

Huw Williams MCIOB MCABE

Building Control Manager