

Delegated Decision Report

Application No:	25/0831	Statutory Period Expires:	24th April 2026
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Site:	<i>Land And Buildings Encompassing 130 To 132 Corporation Road Newport NP19 0BH</i>		
Proposal:	<i>PROPOSED CHANGE OF USE OF PART OF GROUND FLOOR FROM A1 USE CLASS TO A3 USE CLASS</i>		
Applicant:	<i>N Ahmed</i>		
Type:	Full	Ward:	Victoria
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is 132 Corporation Road, in the Victoria ward.

2.2 No.132 currently forms part of an existing ground floor retail unit selling homeware that encompasses 132-134 Corporation Road. These units are part of a much larger three storey commercial building that comprises of other ground floor uses such as a Grocery & Butchers and an MOT Centre. The use at first and second floor is unclear but appears to be of a commercial nature.

2.3 The site fronts onto a wide stretch of pavement directly adjacent to Corporation Road, a busy arterial route linking with Chepstow Road and giving access to the City Centre. Directly opposite the site to the north of the highway the site faces a car sales and service centre and residential properties. The rear (south) of the building is off street car parking and service space, with Maindee Primary School laying beyond a gated boundary. To the east and west, the mid terrace unit adjoins retail uses.

2.4 The site is within the urban boundary as per the Newport Local Development Plan 2011-2026 (adopted January 2015), however is not allocated within a defined centre. It is located within Flood Zone 2 and 3 (Rivers) (Defended).

3. DESCRIPTION OF DEVELOPMENT

3.1 The proposal is seeking planning permission to create a new A3 unit with plans showing it to be used as a café by subdividing the existing retail unit.

3.2 The café would measure 160sqm and would comprise of a central serving area, customer seating and w/c. The existing front double door would be replaced and would lead to an internal ramped access with cycle parking. At the rear, an existing window opening would be enlarged to create a rear entrance.

3.3 The application forms advise that the development would employ 2no. full time staff and 8no. part time staff. Operating hours are proposed as 07:30 – 23:00 7 days a week (including holidays).

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 6 – Town Centre First

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 TECHNICAL ADVICE NOTES

TAN 4 – Retail and Commercial Development.

5.3 PLANNING POLICY WALES (EDITION 12) 2024

5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Strategic Policies:

- SP1 Sustainability
- SP3 Flood Risk
- SP19 Assessment of Retail Need

General Policies:

- GP1 General Development Principles – Climate Change
- GP2 General Development Principles – General Amenity
- GP4 General Development Principles – Highways and Accessibility
- GP5 General Development Principles – Natural Environment
- GP6 General Development Principles – Quality of Design
- GP7 General Development Principles – Environmental Protection and Public Health

Other Policies:

- R8 Small Scale Retail Proposals
- T4 Parking
- W3 Provision for Waste Management Facilities in Development

5.4 SUPPLEMENTARY PLANNING GUIDANCE

PARKING STANDARDS;
SUSTAINABLE TRAVEL;
WASTE STORAGE AND COLLECTION.

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales: No objection.

6.2 Welsh Water Dwr Cymru: No objection.

6.3 Local Highways Authority: No objection.

The café use is less onerous in terms of parking and servicing than the retail use. There are therefore no unacceptable impacts anticipated. The proposals include a cycle/pram store which is welcomed.

6.4 Waste: No objection.

6.5 Environmental Health: No response.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 3rd November 2025 and a Site Notice was put up on 12th November 2025.

7.1 NEIGHBOURS: All properties within 50m of the application site were consulted (32no). No responses have been received.

7.2 COUNCILLORS HUSSAIN/HORTON: No response.

8. **ASSESSMENT**

8.1 **Principle of Development:**

8.1.1 The proposal utilises an existing building that is located within the urban boundary and in a location that is considered to be sustainable. As such, in principle it is acceptable subject to all other material planning considerations being acceptable.

8.1.2 Future Wales: The National Plan 2040

8.2 **Retail Policy:**

8.2.1 The site is currently a retail unit, which is a use best located within the City Centre or a defined centre. This is consistent with the aims of Policy 6 of Future Wales: The National Plan 2040, PPW 12 and NLDP 2011-2026 (adopted January 2015).

8.2.2 This local and national planning policy promotes a hierarchical approach to the consideration of retail, and other uses best associated with a retail centre location. Policy SP19 is the overarching retail policy of the NLDP and states 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. Development will be located according to the following hierarchy of retail centres:

1. Newport city centre
2. District centres
3. Local Centres
4. Out of Centre Retail Sites

8.2.3 Planning Policy Wales notes that the sequential approach applies to retail and all other uses complementary to retail and commercial centres. It goes on to note that planning authorities should be flexible in their approach where it is necessary and that the nature of a proposed use is likely to determine what type of centre is most appropriate as a starting point for the sequential approach process.

8.2.4 Policy R8 Small Scale Retail Proposals is applicable in this instance given that the site is located outside of the City and District Centres. 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.

8.2.3 The proposal is for the creation of a new A3 unit, which is a use that is complementary to retail use and best located within a defined centre. However, it is accepted that the current use of the site is also best located within a centre, so there is no difference in that regard, albeit there would be a net gain of one out of centre unit. However, it could be argued that the reduction in size of a large retail unit outside of a defined centre would be of benefit to the viability and vitality of a defined centre, as there would be a reduction in out of centre retail floor space.

8.2.4 Criterion i) is not applicable in this instance, Criterion ii) and iii) are generally considered to be acceptable and Criterion iv) will be considered separately.

8.3 **Residential Amenity:**

8.3.1 Policy GP2 (General Amenity) states;

Development will be permitted where, as applicable:

- i) *There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality;*
- ii) *The proposed use and form of development will not be detrimental to the visual amenities of nearby occupiers or the character or appearance of the surrounding area;*
- iii) *The proposal seeks to design out the opportunity for crime and anti-social behaviour;*
- iv) *The proposal promotes inclusive design both for the built development and access within and around the development;*
- v) *Adequate amenity for future occupiers.*

8.3.2 Policy GP7 (Environmental Protection and Public Health) states;

Development will not be permitted which would cause or result in unacceptable harm to health because of land contamination, dust, instability or subsidence, air, heat, noise or light pollution, flooding, water pollution, or any other identified risk to environment, local amenity or public health and safety

8.3.3 The site is located along a busy main road and within an area that contains a mix of residential and commercial uses. As such, the change of use from A1 to A3 is not considered to result in any significant impact to surrounding residential amenity in principle or on the character of the area through noise and disturbance, subject to consideration of how the proposal is to operate.

8.3.4 No details of extraction equipment have been provided, and a café would typically be expected to provide preparation and/or cooking of hot food, particularly when considering the proposed level of seating provided. There would be scope to provide extraction equipment to the rear of the property and this would be out of public sight and the presence of existing equipment is established here. As such, it would not be necessary to request details up front and a planning condition would be required to secure details of such equipment prior to the preparation and/or cooking of hot food within the café.

8.3.5 The hours of operation on the application forms advice of 07:30am to 23:00 seven days a week. This is not typical of a café use, where hours of operation would typically be aligned more to day time hours. There are several residential properties within close proximity of the site, including directly opposite and to the north east of the wider building along Corporation Road. Whilst there are commercial uses in operation within the vicinity of the site, this is not a defined centre location, and given the nature of these uses it is anticipated their operation is confined to day time hours. Examples of such uses include;

- Homestyle Properties and Furnishing (Advertised Mon – Fri 0930 – 1800; Sat 1000 – 1700; Sun Closed);
- Scott's MOT Centre (Advertised Mon – Fri 0830 to 1730);
- EJ Herbert & Son Memorials (Advertised Mon, Weds, Thurs 1000-1630; Tues, Friday, Saturday Appointment only);
- LC Motors Car Dealership (Advertised Mon-Fri 08:30-17:30; Sat 0900-1230);
- ATS Euromaster (Advertised Mon-Fri 0830-1730; Sat 0800-1700).

8.3.6 There is no objection to the proposed opening time of 07:30. However, extending the hours of operation late into the evening, as requested, would lead to increased movements and associated activity. This would materially alter the established character of this part of Corporation Road, which is predominantly a mix of commercial and residential, but with the

commercial aspect being more daytime orientated. Such a change late into the evening would give rise to higher levels of noise and disturbance, resulting in an unacceptable impact on residential amenity. If the site was located within a defined centre where there are a range of uses with varying opening times, then perhaps such a late night use might be more acceptable. However for the reasons discussed above, this is not the case in this instance and this would be contrary to Policy GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).

8.3.7 It is considered that restricting the use into the evening would prevent the impact on residential amenity that has been established, but would not curtail the operation of the proposed A3 use to such an extent that would be onerous. Taking into account the existing mixed use character of the area and the hours of operation of existing commercial uses, of which the latest advertised closing is a retail use at 1800 hours, then operational hours of 0730 to 2100 hours would be reasonable and proportionate in this location. It has not been considered necessary to restrict the A3 use, such as preventing a hot food takeaway as the harm is considered to be the later hours of operation rather than the operation itself.

8.3.8 Based on the conditions discussed, the proposal would comply with Policy GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).

8.4 **Design and Visual Amenity:**

8.4.1 To facilitate the change of use, there are some small scale external alterations that are proposed. This includes replacement of the existing double doors with a new set and glazed panel above. The existing and proposed elevations submitted show this replacement fenestration is of the same size and design, albeit the glazing above the door is split into two horizontal units instead of the previous single pane. To the rear of the building an existing window is proposed to be opened up and replaced by a fire door, with recessed steps within the building's footprint.

8.4.2 The design changes are minimal and are acceptable, in line with Policy GP6 of the NLDP 2011-2026 (adopted January 2015).

8.5 **Highway Safety and Parking:**

8.5.1 The site is located within Parking Zone 4 as per the Council's adopted Parking Standards. It has an existing retail use that the Highways Officer has advised would generate a parking demand that is comparable if not higher than the proposed A3 use, based on floorspace. A parking area is provided to the rear of the site and this serves to overall building in which this site is located, and this is no different from the existing use of the site. The provision of the new rear access, which is all contained within the red line of the building, could potentially result in the loss of a parking space. This external area is outside of the control of the applicant and access would need to be agreed with the third party land owner. However, this is not a planning matter and if this could not be agreed then access is provided to the front of the site off the public highway in any case. In the event the access is provided to the rear and one parking space is lost then this would not be considered harmful to matters of highway safety.

8.5.2 Accordingly, the development is not considered to result in any unacceptable impacts with respect to parking provision or highway safety. The proposal also includes internal space for cycle and/or pram storage, which represents an improvement over the existing arrangements on the site and would support opportunities for active travel in line with local and national planning policy objectives.

8.5.3 Overall, the proposal is considered to be acceptable in accordance with Policy GP4 of the NLDP 2011-2026 (adopted January 2015).

8.6 **Green Infrastructure:**

8.6.1 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.

8.6.2 The application has not been submitted with a GIS, however the proposed development is for a change of use of part of an existing building. The LPA have not requested a GIS since it would be considered academic given there is no Green Infrastructure relating to the application site and a planning condition could be used to secure proportionate biodiversity enhancement, such as a bird box or sparrow terrace.

8.6.3 The proposal complies with Policy GP5 of the NLDP 2011-2026 (adopted January 2015).

8.7 **Waste:**

8.7.1 Waste that is generated from the proposed use would need to be dealt with in the same manner as the existing use i.e. on street or to the rear of the building. An area for refuse storage is now shown on proposed plans within the building footprint where the new rear access is formed. However, it is unclear how useable this would actually be since it is adjacent to the proposed steps. Nonetheless, refuse could also be stored within the property at the front, or on street as per the existing situation.

8.7.2 The operator would need to arrange private refuse collection, and the Council's Waste Department have raised no issues with the proposal confirming they would be able to provide a quote for this.

8.7.3 The proposal complies with Policy W3 of the NLDP 2011-2026 (adopted January 2015).

8.8 **Flood Risk:**

8.8.1 The site is located in Flood Zone 2 and 3 (Rivers) and within the TAN 15 Defended Zone. It is currently in a less vulnerable use in flood risk terms.

8.8.2 The proposed development is for a change of use with no built development that would impact on flood risk, and the use will remain less vulnerable in flood risk terms.

8.8.3 No Flood Consequences Assessment (FCA) has been submitted, however NRW have been consulted. They advise that that given the nature of the proposed development (and absence of an FCA) being less vulnerable to less vulnerable they consider the proposal could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. The LPA can attach an informative to any permission with a link to NRW website for advice.

8.8.4 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 The proposed change of use is considered to comply with the relevant policies of the Newport Local Development Plan 2011-2026 (adopted January 2015), subject to conditions.

10.2 The application is granted with conditions.

11. DECISION

GRANTED WITH CONDITIONS

Approved Plans and Conditions

01 The development shall be implemented in accordance with the following plans and documents: 02a - Existing/Proposed Ground Floor Plans; 04 - Proposed Front Elevation; 05 - Proposed Site/Block Plans' 07 – Proposed Rear Elevation.

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- commencement conditions

Details of Extraction Equipment

02 Fumes from the food preparation areas shall be mechanically extracted and the extraction system shall be provided with de-greasing and de-odourising filters. Details of the extraction equipment (including scaled schematics, location plans, odour attenuation measures and future maintenance) shall be submitted to and approved in writing by the

Local Planning Authority prior to its installation, and the equipment shall be installed in accordance with the approved details prior to the commencement of use for the cooking of food. The fume extraction shall thereafter be maintained and retained as approved for the lifetime of the development.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected and in the interests of visual amenities in accordance with Policy GP2 and GP7 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

Pre Occupation Condition

Biodiversity Enhancement

03 No part of the development shall be brought into first use until a scheme of biodiversity enhancement, together with a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in accordance with the approved timetable and shall thereafter be retained for the lifetime of the development.

Reason: To secure net biodiversity enhancement in accordance with Planning Policy Wales (Edition 12) and Policy G5 of the NLDP 2011–2026 (adopted January 2015).

General conditions

Hours of Operation

04 The hours of operation shall be restricted to 07:30 to 2100. Outside of these hours the premises shall be closed to and vacated by the public.

Reason: In the interests of protecting the residential amenity of neighbouring properties in accordance with Policy GP2 and GP7 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan; 03 - Existing Front Elevation; Flood Risk Statement;

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP19, GP1, GP2, GP4, GP5, GP6, GP7, R8, 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.

04 Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience. NRW provide advice on their website <https://naturalresourceswales.gov.uk/flooding/preparing-for-a-flood/?lang=en> which may be useful for the developer or occupant of the proposal.