

Delegated Decision Report

Application No:	26/0505	Statutory Period Expires:	31st August 2026
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Site:	1 St Julians Avenue Newport South Wales NP19 7JT		
Proposal:	CHANGE OF USE FROM DWELLING TO MIXED USE DWELLING AND CHILD MINDING FOR UP TO 8 CHILDREN		
Applicant:	Z Nurmohamed		
Type:	Full	Ward:	St Julians
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site comprises no.1 St Julians Avenue which is a semi detached property in the St Julians ward. The property is located adjacent to St Julians Methodist Church and forms a pair of semi detached bay fronted dwellings with no.3 St Julians Avenue. The dwelling includes a front and rear garden both with vehicular access to offroad parking.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks full planning permission for the change of use of the existing dwelling from residential (C3 use) to mixed use residential (C3 use) and child minding for up to 8 children (Sui Generis).

3.2 The property's primary use is as a dwellinghouse, however the property would also be used as a child minding business for the care of up to 8no. children. The mixed use of a property to care for up to 6 children can be undertaken without planning permission, however the applicant wishes to care for up to 8 children and this would constitute a material change of use in planning terms, planning permission is therefore required for the proposal.

3.3 There are no alterations proposed to the property, either internally or externally. The property benefits from generous internal space in the form of 2no. living room areas a dining room, a kitchen and a w/c on the ground floor and 4no. bedrooms, a bathroom and shower room on the first floor and a large pool room and storage on the second floor. The property also benefits from a garden area to the rear of the dwelling with approximately 35sqm of useable play space. The proposal would consist of caring for up to 8 children and would operate between the hours of 07:00-18:00 Monday-Friday. The applicant and her daughter who are both registered child minders would operate the business.

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.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policies GP2 (General Amenity), GP4 (Highways and Accessibility) and T4 (Car Parking) of the Newport Local Development Plan 2011-2026 (Adopted January 2015) are relevant to the determination of this application.

5.4 Supplementary Planning Guidance

- Sustainable Travel
- Waste Storage and Collection
- Parking Standards

6. CONSULTATION RESPONSES

6.1 DRAINAGE: No response.

6.2 ENVIRONMENTAL HEALTH OFFICER: I confirm I have no objections to the proposals.

6.3 HIGHWAYS OFFICER: A parking survey appears to have been undertaken by the applicant. The methodology and evidence may therefore be lacking; however, it is supported by photos and taken at face value. There appears to be sufficient parking available at the proposed pick-up and drop off times. The numbers are restricted to eight children and the staff to family members. On that basis there is no requirement for cycle parking or likely staff parking issues. The above is based on the operation being daytime and a maximum number of patrons. The operations should therefore be restricted in these respects via conditions.

6.4 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. We recommend that the existing private drainage on site should be utilised to avoid any new direct connection to the public sewerage system.

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.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 17/07/2026 Site Notice was put up on 24/07/2026.

7.1 NEIGHBOURS: Neighbours with a common boundary and opposite were consulted (7no. properties) and 3 objections were received to the proposal regarding concerns with parking and traffic congestion.

8. ASSESSMENT

Principle of the Proposed Development

- 8.1 The site is situated in a sustainable location within the settlement boundary. The proposal would operate from an existing building during day time hours only. On this basis the principle of the proposed development is considered acceptable in accordance with policy SP1 subject to the other material planning considerations outlined below.

Design and Amenity

- 8.2 In terms of design, as outlined above there are no internal or external changes to the property proposed. The property benefits from separate lounge and dining areas together with an enclosed outdoor space. It is considered that there is ample room to accommodate 8no. children.
- 8.3 With regards to amenity, the application site forms one of a pair of semi-detached dwellings, with the neighbouring property located to the north of the subject dwelling. To the south is St Julians Methodist Church. The surrounding area comprises a mix of residential dwellings and commercial uses along Caerleon Road. Due to the nature of the proposal it has the potential to increase noise and disturbance in the immediate context and in particular in relation to the neighbouring property (no. 3 St Julians Avenue). Childminding is commonplace in dwellings and residential settings and the care of children on a commercial basis at small scale does not ordinarily comprise a material change of use. Some element of child care/minding is therefore a realistic fallback. In addition, the site is located immediately adjacent to an existing Church and Caerleon Road district centre and therefore the neighbouring property and others in the immediate surrounding area are already likely to experience a level of noise disturbance during day time hours. The applicant has submitted a Noise Management Plan which outlines a number of measures to limit noise and disturbance including:
- Taking the children off site to enjoy activities such as playing in the local park, attending the library, soft play, cafes etc during the morning hours.
 - Designated 'quiet periods' from 12-2pm where the children will have nap time.
 - Dividing the children into two groups of four to support a calmer environment.
 - The children will be taught to use an "inside voice" and will learn that different environments have different expectations. Both childminders will model and reinforce calm communication and appropriate behaviour.
 - The children will use the downstairs toilet only and will not have access to the upstairs areas of the house. This will avoid unnecessary movement between floors and help minimise additional noise within the property.
 - The second living room which is adjacent to the neighbouring property will only be used as a quiet/sleep room to be used for sleeping, resting, reading, storytelling and other quiet activities.
 - The garden may be used between approximately 9:30am and 4:30pm, subject to weather and seasonal conditions. However, the children will not be outside continuously during these hours. As most mornings will be spent away from the property, garden use will generally take place during appropriate periods later in the day for approximately 60–90 minutes in the morning and 60–90 minutes in the afternoon.

The proposal will only generate small amounts of domestic type waste which will be disposed of via the existing waste collection arrangements at the property including a dedicated hygiene collection. The Councils Environmental Health Officer has been consulted on the application and has no objections to the proposal. The above measures are considered appropriate and proportionate in terms of limiting noise impact. The garden will only be used for periods of 60-90 minutes during the morning and afternoon and this will be weather dependant in any case. The children will be encouraged to keep noise to a reasonable level within the home environment with opportunities for more vocal play in public parks and at dedicated play groups. Keeping noise from children at "reasonable levels" is not enforceable and many of the elements cited in the Noise Management Plan, whilst neighbourly practice, are not realistically enforceable from a planning perspective. Restrictions on the extent of usage of the house are welcomed so that the childminding will occur at ground floor and a living space at the party wall will be specifically dedicated for

quieter activities. Notwithstanding, the number of children is not considerable having regard to the size of property and garden and we are told that one of the 8 is a relative and would likely frequent the house in any case. A house of this nature would ordinarily expect to have a family occupying who may have 2 or 3 children and associated visitors and friends. The number of children to be minded is not so significantly different to normal day to day family occupation as to be demonstrably harmful. Therefore, on balance, the proposal is considered acceptable in accordance with policy GP2.

Highways and Parking

- 8.3 In terms of car parking, the proposed development is likely to lead to a small increase in car parking demand in the vicinity of the site during the drop off and pick up hours of 7-8am and 5-6pm. A number of local residents have raised concerns regarding parking congestion at peak times. Notwithstanding this, St Julians Avenue is a wide road with enough room to accommodate two way traffic movement with parking on both sides of the road. In addition, there are no on street parking restrictions for the majority of its length and there is a layby on the opposite side of the road to the application site which provides additional off-street parking opportunities. The applicant has submitted a parking survey including photographs taken at peak drop off and pick up times which shows ample parking availability. Officers have also visited site and observed capacity on street within the vicinity. Furthermore, the applicant has advised that drop off times will be staggered in 5-10 minute intervals to minimise parking at peak times. The dwelling itself has enough room to accommodate 3no. cars (2no. on the front driveway and 1no. at the rear) but these are only realistically useful for staff, of which there will be 2. The site is located in Parking Zone 3 which requires that 3 parking spaces are provided for the existing use as a 3-bedroom dwelling. Newport Council's Parking SPG requires that 1 space per 2 full time staff members is provided for the child minding business. The application form states that the applicant and her daughter will operate the business which equates to 2 staff requiring 1 parking space. The applicant resides on site and therefore will occupy this space, her daughter will walk to the site each day. With the applicant's car taking up one of these spaces there would still be enough room to accommodate 2no. additional cars at peak times. In addition, it is likely that the children using the service would be from the local area and may walk to the site, it is also accessible by sustainable means with bus stops located within 100m to the south on Caerleon Road. The Highways Officer has reviewed the Parking Survey and has no objection to the proposals subject to conditions in respect of operating hours and the number of children to be cared for. On this basis, in light of the availability of on site parking for 2no. cars as well as on street parking in the immediate vicinity and the sustainable location it is considered that on balance the proposed development is acceptable and in accordance with policies GP4 and T4.

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 proposal is considered acceptable in accordance with policies GP2, GP4, GP6 and T4 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and the adopted Parking Standards 2015 supplementary planning guidance.

11. **DECISION**

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents:

Ground/First/Second Floor Plans (received 06/07/2026)
Site Plan (received 06/07/2026)
Parking and Drop off Policy (received 06/07/2026)
Planning Statement (received 06/07/2026)
Traffic Management Plan (received 06/07/2026)
Vehicle Movements and Highway Considerations (received 06/07/2026)
Waste Management Plan (received 06/07/2026)
Noise Management Plan (received 21/08/2026)

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 childminding use hereby approved shall provide care for a maximum of 8 children not otherwise resident on site at any one time and in accordance with the Noise management Plan, Parking and Drop Off Policy and Planning Statement hereby approved.

Reason: To protect residential neighbours from noise and disturbance in accordance with policies GP2, GP4 and T4.

03 The hours of operation of the childminding business shall be restricted to 07:00 to 18:30 Monday to Friday, and at no times on Saturdays, Sundays, Bank or Public Holidays. Outside of these hours the premises shall be used solely as a residential dwelling.

Reason: To protect residential neighbours from noise and disturbance in accordance with policies GP2, GP4 and T4.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

Site Location Plan (received 06/07/2026)
Ground/First/Second Floor Plans (received 06/07/2026)
Site Plan (received 06/07/2026)
Parking and Drop off Policy (received 06/07/2026)
Parking Survey (received 06/07/2026)
Planning Statement (received 06/07/2026)
Traffic Management Plan (received 06/07/2026)
Vehicle Movements and Highway Considerations (received 06/07/2026)
Waste Management Plan (received 06/07/2026)
Photographs - Friday 19th June 5pm
Noise Management Plan (received 21/08/2026)

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP6 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.