

Delegated Decision Report

Application No:	25/0207	Statutory Period Expires:	20th May 2025
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Site:	130 Property Known As Office At Commercial Road Newport NP20 2GW		
Proposal:	CHANGE OF USE OF GROUND FLOOR ONLY TO TAXI OFFICE		
Applicant:	Z Iqbal		
Type:	Full	Ward:	Pillgwenlly
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

- 1.1 Application 23/0897: CHANGE OF USE TO TAXI DISPATCH OFFICE was granted at the application site subject to the conditions set out below:

01 The development shall be implemented in accordance with the following plans and documents: Site location plan, Floor plan, Correspondence with applicant regarding operations and payment.

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 use of the property shall be as a taxi dispatch booking/call office only. The taxi dispatch call office shall at no time incorporate customer or driver waiting or welfare areas. All bookings and payments associated with booking a taxi shall be performed remotely at all times.

Reason: In the interests of highway and pedestrian safety and to protect residential neighbours from noise and disturbance in accordance with policies GP2, GP4 and T4.

03 The hours of operation of the taxi dispatch call office hereby permitted shall be restricted to 08:00 to 16:00 Monday to Fridays.

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

04 The applicant shall keep a detailed log of all bookings taken and dispatched from the office hereby approved. This log shall include taxi vehicle details/registration, date and time of dispatch and details of the booking. This log shall be available for inspection by Planning Officers upon request.

Reason: In the interests of amenity, parking and highway safety and in accordance with policies GP2, GP4 and T4.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is defined within the council's urban boundary and situated on Commercial Road. The site sits just outside of Commercial Road District Centre. Commercial Road holds a mix of commercial and residential properties. The ground floor currently holds permission for a taxi dispatch office. The upper floors appear to contain flats.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application is seeking approval for a taxi dispatch office. This application seeks planning permission to operate as a full taxi office. The proposed office will act as an administrative base for a private hire vehicle (PHV) business, operating 24 hours a day, 7 days a week. The office will function solely as a remote booking and dispatch hub, with all bookings managed by phone and online. It will not be open to the public, and no on-site waiting area or customer facilities will be provided. Drivers will not congregate at or operate from the premises; they will use their own vehicles and operate remotely. Staffing and Hours of Operation:
Shift 1: 7:00 AM – 4:00 PM
Shift 2: 4:00 PM – 12:00 AM
Shift 3: 12:00 AM – 7:00 AM.

One staff member will be present per shift. There will be no shift overlap, and staff will arrive and leave quietly. All staff are instructed to avoid loud conversations outside or engine idling during sensitive hours.

- 3.2 Office Equipment has been detailed below as:

2 x Desktop computers

2 x VOIP telephones (set to low volume from 4 PM to 8 AM)

1 x Broadband router/modem 1 x Laser printer/scanner (low frequency use)

All equipment is standard low-noise office hardware suitable for quiet, residential environments.

Noise Levels and Mitigation:

Expected indoor noise levels:

Daytime: 40–45 dB(A)

Night-time: below 40 dB(A)

Mitigation measures include:

Keeping doors and windows closed during operation

Carpeted floors and soft furnishings to absorb sound

Noise reduction wall panels

No external speakers or sound-emitting devices

Clear internal noise policy for staff



4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
23/0897	CHANGE OF USE TO TAXI DISPATCH OFFICE	GC	01.12.2023

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.

6.2.12 A green infrastructure statement 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. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy GP2 (General Amenity)

Policy GP4 (Highways and Accessibility)

Policy GP5 (Natural Environment)

Policy GP6 (Quality of Design)

Policy SP19 (Assessment of Retail Need)

Policy R8 (Small Scale retail proposals)

Policy T4 (Parking)

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales:

We have no objection to the proposed development as submitted and provide the following advice.

Flood Risk

Our Flood Risk Map confirms the application site lies entirely within Zone C2 of the Development Advice Maps (DAM) as contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zone 2 and 3 Sea. Given the scale and nature of the proposed development (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development. In areas at risk of flooding, we recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels. We refer the applicant to our website for further advice and guidance is available. Additional guidance including the leaflet "Prepare your Property for flooding" can be found here. The developer can also access advice and information on protection from flooding from the ODPM publication 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties', can be found here.

It is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN 15. You must be satisfied the development is acceptable in terms of flood risk, particularly with regard to access and egress considerations and emergency planning purposes. To aid your decision making, you may ask the applicant to submit a Flood Consequences Assessment (FCA), or the applicant may decide to undertake a FCA for their own benefit, for example, for awareness raising, to inform an evacuation plan, the provision of flood resistance and/or resilience measures. We cannot advise you on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not conduct these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

Protected Species

We recommend you seek the advice of your in-house ecologist to determine if there is a reasonable likelihood of bats, a European Protected Species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2) a bat survey may be required. The survey should be carried out in accordance with 'Bat Surveys; Good Practice Guidelines 3rd Edition' published by the Bat Conservation Trust 2016. We therefore have no comments to make on the application, as submitted. Please consult us again if any survey undertaken finds that bats are present at the site, and you require further advice from us.

Advice for the Developer

Pollution Prevention

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to Guidance for Pollution Prevention 5: Works and maintenance in or near water, and Pollution Prevention Guidelines 6: Working at construction and demolition sites, which are available on the NetRegs website.

6.2 Local Highways Authority:

It is understood that the proposal is to extend the hours of operation as opposed to change the use. The office is to have no public or driver access/facilities. On this basis there would be no discernible impact, however we would request suitably worded conditions to ensure there is no activity outside of the building. All bookings are to be by telephone/internet and no drivers are to attend the premises.

6.3 Environmental Health:

No objection to the proposed development from an Environmental Protection perspective

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 26/03/2025.

7.1 15no. neighbours were consulted. One comment received.

90 Commercial Road:

This new change of use for a Taxi Office is this going to be a taxi office for members of the public to attend and wait for their service or is it still going to be an office just used as a phone line ?

If it is for the members of the public to attend and wait for their taxi's where are these taxi's parking as there are no parking spaces on Commercial Road at all by this property. There is one space outside my house - 90 Commercial Road, but this is for an hour only, and we already have a vast number of taxi's parking there for longer than 1 hour. The public would need to know what type of Taxi Office the owners are applying for before being able to object/support?

8. ASSESSMENT

8.1 Principle of Development

The application is seeking a change of use to a taxi office. Whilst the application seeks a change of use, it is considered the host site holds previous consent 23/0897 for the use of the ground floor as a taxi dispatch office and appears to have been implemented and some weight will be given to the fall back use. The main change under this application is that the applicant is looking to extend the opening hours from 08:00 to 16:00 Monday to Fridays to a 24-hour operation 7 days a week. Given that the application submitted is a full application, it will be assessed accordingly.

Visual Amenity

8.2 The property does not entail any internal building works or external alterations to the property. The office will situate a lounge to the front of the property, with two offices and a kitchen and bathroom to the rear. As there are no external changes proposed to the

property, it is considered that the proposal would not result in a detrimental impact on the character and appearance of the host property or wider street scene, therefore it is in accordance with policies GP2 and GP6.

Residential Amenity

- 8.3 It is noted that the office will be for the use of office staff only and the lounge will also be used by office staff only and not open to customers. The generation of noise disturbance over the increased opening hours to 24hours, 7 days a week should be assessed. The area is characterised by a mix of residential and commercial properties. It is confirmed by the applicant that only one member of staff will man the premises at one time and the office is not open to the public. A shift pattern has been submitted to demonstrate this. Moreover, the applicant has provided mitigation measures including, keeping doors and windows closed during operation, carpeted floors and soft furnishings to absorb sound, noise reduction wall panels, no external speakers or sound-emitting devices, and clear internal noise policy for staff. Given the workings of the facility as detailed within section 3, and limited people entering the facility, this would be deemed reasonable. Whilst Environmental Health (EH) do not hold objections to the application, if there is undue noise disturbance generated from the property, EH can be contacted to investigate the matter further.
- 8.4 The applicant has confirmed that in terms of the management of the payment system for the taxi drivers, the drivers will receive their pickup contact remotely, and drivers will keep a record on how many days they have driven to school pickups and will get paid the days they have worked. The applicant will send an invoice with the amount of days and the contract number to the Newport council/Licensing department (for school services) and the applicant will be paid into their Business account and then this will be available for taxi drivers to collect from the office. Drivers may also sign compliance documents for passenger transport and discuss any issues in the office face-to-face if deemed necessary. It was clarified by the applicant that no more than one driver will collect their payments or visit the office at one time and should last around 10 minutes. It was confirmed that they would park appropriately and safely. At no time is the dispatch office used as a taxi rank.

Parking

- 8.5 In terms of parking, the office will solely be used as a taxi dispatch office where drivers are contacted remotely and no parking is proposed in conjunction with the business. Parking on the public highway cannot be controlled by the Planning Authority. However, the applicant has confirmed that no other taxis/vehicles will be parked at the application site and will not be used as a taxi rank. There are parking restrictions immediately outside the application site. Parking demand would not significantly increase at the application site or surrounding area as no taxis would be required to be parked or stored at the application site, and there would be no notable increase in traffic movements. It is not considered that the proposal would have a detrimental impact on highway safety or amenity. It therefore accords with Policies GP4 and T4.

- 8.6 The highways officer suggests there is no discernible impact given that the unit is to extend the hours only as the unit is already used as a taxi dispatch office. The highways officer also states the office is to have no public or driver access/facilities and they would request suitably worded conditions to ensure there is no activity outside of the building. All bookings are to be by telephone/internet and no drivers are to attend the premises. The scheduling/workings of the premises shall be controlled via condition in line with GP2.
- 8.7 Whilst officer consideration is based upon the above information, it is clear that these types of offices can cause problems in terms of congestion and parking along with general activities potentially detrimental to amenity. Conditions are therefore essential to control and limit the use as proposed.
- 8.8 In terms of Policy SP19, there is a test relating to retail need. 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. It is considered that the unit already has a fall-back use to a taxi dispatch office under 23/0897 and therefore, the location for the proposal is deemed acceptable.
- 8.9 Policy R8 also looks at small scale retail proposals. The proposal is deemed to serve the locality and the proposal is of a scale appropriate to the locality. There would not be a demonstrable adverse effect created on the viability and vitality of any defined centre, given the proposals small scale and that the scheme does not allow for customers to enter the unit detracting from the Centres vitality. Finally, the scheme would not have an unacceptable impact on residential amenity experienced given the measures to be implemented by the applicant and the limited persons use of the office. Therefore, the scheme is in accordance with Policy R8.

Flooding

- 8.10 NRW have suggested that Our Flood Risk Map confirms the application site lies entirely within Zone C2 of the Development Advice Maps (DAM) as contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zone 3 Sea. Given the scale and nature of the proposed development (and in the absence of a flood consequences assessment) NRW consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development. In areas at risk of flooding, we recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development.
- 8.11 Paragraph 6.2 in TAN15 suggests, '*New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B*'. Under TAN 15 the use of a taxi dispatch office is classed as less vulnerable development. '*Less vulnerable development describes development where the ability of occupants to decide on whether they wish to accept such risks is greater than that in the highly vulnerable*

category. The vulnerability attributed to a mixed-use proposal will be defined by the most vulnerable use.'

- 8.12 Flood-proofing measures would need to be considered as part of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels. Additional information is available at Natural Resource Wales.

8.13 **Ecology**

NRW states to seek the advice of your in-house ecologist to determine if there is a reasonable likelihood of bats, a European Protected Species. Given that no internal changes are proposed and the current use, this is not needed.

- 8.14 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect, and enhance ecological networks and features of importance for biodiversity. No ecological enhancements are proposed as part of the development. However, in this instance it is considered that given the scale of changes proposed in terms of opening hours, and the fall-back use, an ecological enhancement is not required.

- 8.15 PPW12 para 6.2.12 states, *A green infrastructure statement 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. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.* Given the nature and scale of the development a GI statement is not needed in this instance.

Other comments

- 8.16 Concerns were raised from neighbouring objections over how the office would be used and the number of people visiting the site. This is confirmed in section 3 of the report. Concerns were raised on parking concerns, and this has also been addressed above.

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 change in opening hours to 24hours a day would be deemed acceptable given the scale of development. The applicant has given a schedule of the number of staff, timings, mitigation, and how the office will operate. This information will be conditioned to be in compliance with Policy GP2 and Policy GP4. Any further undue noise disturbance can be dealt with via environmental health. Therefore, the application is granted with conditions.

11. DECISION

GRANTED WITH CONDITIONS

The development shall be implemented in accordance with the following plans and documents: Supporting info taxi payments; Floor Plan; Site Location Plan; 130 Commercial Road , Floor Plan-1; Application Form; Operations and mitigation.

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 use of the development hereby approved shall be implemented in accordance with the document '*Operations and mitigation*'. The property shall be used as a taxi dispatch booking/call office only. The taxi dispatch call office shall at no time incorporate customer or driver waiting or welfare areas. All bookings and payments associated with booking a taxi shall be performed remotely at all times and shall be retained for the lifetime of development.

Reason: In the interests of highway and pedestrian safety and to protect residential neighbours from noise and disturbance in accordance with policies GP2, GP4 and T4.

03 The applicant shall keep a detailed log of all bookings taken and dispatched from the office hereby approved. This log shall include taxi vehicle details/registration, date and time of dispatch and details of the booking. This log shall be available for inspection by Planning Officers upon request.

Reason: In the interests of amenity, parking and highway safety and in accordance with policies GP2, GP4 and T4.

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5, GP6, SP18, R8, T4 were relevant to the determination of this application.

02 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.