

# Notice of Decision



B Philip  
16 Bailey Crescent  
Newport  
NP18 2BL

## TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0447**  
Application Type: **Full**  
Proposal: **CHANGE OF USE TO SHOP (A1 USE) INCLUDING NEW SHOPFRONT AND ROLLER SHUTTER**  
Site/Location: **Building At Rear Of, The Avenue, Clytha Square, Newport, South Wales,**  
Decision Date: **14th August 2025**

In pursuance of its powers under the above Act the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 19th June 2025. The application has been:-

### Refused

Reason(s) for refusal:

1. The development would have a significant adverse impact upon interests of acknowledged importance, namely the vitality and viability of existing retail centres defined by Newport Local Development Plan. The proposal represents an unjustified form of development outside of the defined retail centres. The proposal is contrary to the aims of PPW 12, Policy 6 of Future Wales and Policies SP19 and R8 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
2. The submission contains contradictory design information for the proposed development. There is a discrepancy on the Northeast elevation on fenestration details and the overall height of the development. A full assessment cannot be carried out on the impact to the Clytha Conservation Area, and no information has been submitted to mitigate this. Internal viewing was also required to make a full and proper assessment of this application and access for the planning officer was denied. The scheme is contrary to The Historic Environment Act 2023, TCPA 1990, Planning Policy Wales (Edition 12), Policy CE7 and GP6 of Newport Local Development Plan 2011 - 2026.

## NOTE TO APPLICANT

---

This decision notice is issued in respect of Planning Permission only and does not convey any decision which may be required under any other legislation or provisions, such as the Building Regulations.  
The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.

1. This decision relates to plan Nos: 2025.509\_PL01\_A Plans Elevs Exist Proposed; LocationPlan; Blank diagram;

2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies GP2, GP4, GP5, GP6, SP19, CE7, R8, W3 were relevant to the determination of this application.
3. 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.
4. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com).
5. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
6. In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

---

Signed on behalf of the Council



Newport City Council  
Regeneration and Economic Development  
Civic Centre  
Newport  
South Wales  
NP20 4UR

**Tracey Brooks Bsc Hons Dip TP MRTPI ILM**  
**Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development**  
**Cyngor Dinas Casnewydd / Newport City Council**

**Application Number: 25/0447**

**Decision Date: 14th August 2025**

---

*IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM*

# Notes for Applicants

## TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
  - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
  - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
  - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework ([gov.wales](http://gov.wales)) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email [PEDW.Casework@gov.wales](mailto:PEDW.Casework@gov.wales)

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

### Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).