

Delegated Decision Report

Application No:	25/1029	Statutory Period Expires:	13TH March 2026
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Site:	414-416 Chepstow Road Newport NP19 8JH		
Proposal:	CERTIFICATE OF LAWFULNESS FOR PROPOSED CONVERSION OF SPACE OVER AN A1 SHOP INTO A SINGLE FLAT		
Applicant:	P Gray		
Type:	Lawful Development Proposed	Ward:	Alway
Decision:	GRANTED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is a large prominent corner unit with Chepstow Road to the front and Warwick Road running to the side. The building is currently in commercial use as a furniture store. To the front the property is two storeys in height reducing to single storey to the rear where there are roller doors for a small area of off-street parking for deliveries. To the rear the building is off set from the pavement with the site partially enclosed by a low boundary wall.

2.2 The property is located within the Beechwood District Centre.

3. RELEVANT SITE HISTORY

05/1499	ERECTION OF SINGLE STOREY REAR EXTENSION AND NEW FENCING AND GATES TO REAR PARKING AREA	REFUSED
06/0099		GRANTED WITH CONDITIONS
19/0913	ERECTION OF SINGLE STOREY REAR EXTENSION AND SECURITY FENCING (RESUBMISSION)	GRANTED WITH CONDITIONS
20/0464	CHANGE OF USE OF PART OF FIRST FLOOR TO 2NO. BEDROOM FLAT AND ASSOCIATED EXTERNAL ALTERATIONS	SUBJECT TO SECTION 106 LEGAL AGREEMENT
25/0975		GRANTED WITH CONDITIONS
25/0974	PROPOSED CHANGE OF USE OF PART OF GROUND FLOOR RETAIL SHOP TO ONE BED FLAT (RESUBMISSION)	CURRENTLY UNDETERMINED
	S73 APPLICATION TO EXTEND THE TIME PERIOD FOR THE COMMENCEMENT OF DEVELOPMENT IN RELATION TO 19/0913 CHANGE OF USE OF FIRST FLOOR TO 2NO. BEDROOM FLAT AND ASSOCIATED EXTERNAL ALTERATIONS	CURRENTLY UNDETERMINED
	S73 APPLICATION TO EXTEND THE TIME PERIOD FOR THE COMMENCEMENT OF DEVELOPMENT IN RELATION TO 20/0464 PROPOSED CHANGE OF USE OF PART OF GROUND FLOOR RETAIL SHOP TO ONE BED FLAT (RESUBMISSION)	

4. ASSESSMENT

- 4.1 This application seeks a Lawful Development Certificate made under Section 192 of the Town and Country Planning Act 1990 (as amended), to establish the lawfulness of the proposed conversion of space over an A1 shop into a single flat. The Town and Country Planning (General Permitted Development) Order 1995 is relevant to the proposals. Part 3 Class G states the following is permitted development:

G. Development consisting of a change of the use of a building—

(a) to a use for any purpose within Class A1 (shops) of the Schedule to the Use Classes Order from a mixed use for any purpose within Class A1 of that Schedule and as a single flat;

(b) to a use for any purpose within Class A2 (financial and professional services) of the Schedule to the Use Classes Order from a mixed use for any purpose within Class A2 of that Schedule and as a single flat;

(c) where that building has a display window at ground floor level, to a use for any purpose within Class A1 (shops) of the Schedule to the Use Classes Order from a mixed use for any purpose within Class A2 (financial and professional services) of that Schedule and as a single flat.

It is subject to the following condition:

Development not permitted

G.1 Development is not permitted by Class G unless the part of the building used as a single flat was immediately prior to being so used for any purpose within Class A1 or Class A2 of the Schedule to the Use Classes Order.

- 4.2 A floor plan has been submitted with the application which shows the intended use with approximately one half of the upper floor area in use as a flat with an open plan living/kitchen area, one bedroom, a bathroom and a home office. The applicant confirms the space proposed for conversion is currently part of the A1 unit and is not separate. No changes to the exterior of the building are proposed. None of the ground floor is proposed to be incorporated into the conversion. The remainder of the upper floor space is shown to be in use as an office.
- 4.3 An application for planning permission for the conversion of the upper floor of the property to 2 no flats was granted in 2020 and there is a S.73 application currently with the Authority to extend the time period for commencement. It was confirmed as part of this application that the ground floor was in retail use and the upper floor was in use as display area for the retail store and the LPA has no grounds to reach a different view in respect of this.
- 4.4 It is considered that a proposed change from A1 to A1 with flat above is lawful in accordance with Section 192 of the Town and Country Planning Act 1990 (as amended), Section 192 (1) (a) of the Town and Country Planning Act 1990 and The Town and Country Planning General Permitted Development Order 1995 (as amended), Part 3, Class G.

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 A change from A1 to A1 with flat above is lawful in accordance with The Town and Country General Permitted Development) Order 1995 (Part 3, Class G of (as amended).
- 10.2 The application is granted.

11. DECISION

GRANTED

01 A change from A1 to A1 with flat above is lawful in accordance with Part 3, Class G of the Town and Country Planning (General Permitted Development) Order 1995.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Supporting statement November 2025, AL(90)01, AL(00)05A, AL(00)01B.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No Policies 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.