

Delegated Decision Report

Application No:	25/1031	Statutory Expires:	Period	13th March 2026
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Site:	63 George Street Newport NP20 2AA		
Proposal:	PROPOSED SUBDIVISION OF 1 NO. DWELLING TO CREATE 2 NO. RESIDENTIAL UNITS		
Applicant:	H Beaumont		
Type:	Full	Ward:	Pillgwenlly
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site consists of an end of terrace property located within the Pillgwenlly ward of Newport. The site is situated within the settlement boundary as defined by the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) (LDP). It is not subject to any designations on either the Proposals or Constraints Maps contained within the LDP. The site is however located opposite the Lower Dock Street Conservation Area, which is approximately 20 metres away at its closest point. The Natural Resources Wales (NRW) Flood Map for Planning (FMfP) identifies the site as being located within Flood Zones 2 and 3 (Sea).

3. DESCRIPTION OF DEVELOPMENT

3.1 The application proposes the subdivision of 1no. dwelling to create 2no. residential units. The works would take place within the footprint of the existing building, with no extensions or external alterations proposed.

3.2 Access into both units would be gained via an external door on the side elevation of the building, off New Ruperra Street. Unit 1 would be located entirely on the ground floor of the building and would consist of an entrance hallway, three bedrooms, a living room, kitchen and bathroom. Unit 2 would be located at first floor level, consisting of the same. Both units would be provided with direct access into a rear outdoor amenity area, from the ground floor flat via the kitchen and from the first floor flat via a rear external staircase.

3.3 The submitted Proposed Block Plan shows that bin storage and lockable cycle storage would be contained within the rear outdoor amenity area, however specific details of these elements of the proposal have not been supplied.

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 8 – Flooding

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.

Technical Advice Note (TAN) 15: Development, Flooding and Coastal Erosion

5.3 Newport Local Development Plan (2011-2026):

SP1 (Sustainability)

SP3 (Flood Risk)

SP18 (Urban Regeneration)

GP2 (General Amenity)

GP4 (Highways and Accessibility)

GP5 (Natural Environment)

GP6 (Quality of Design)

GP7 (Environmental Protection and Public Health)

T4 (Parking)

W3 (Provision for Waste Management Facilities in Development)

H8 (Self Contained Accommodation and Houses in Multiple Occupation)

5.4 Supplementary Planning Guidance:

Flat Conversions Supplementary Planning Guidance (Updated October 2021)

Parking Standards Supplementary Planning Guidance (Adopted August 2015)

6. CONSULTATION RESPONSES

6.1 Local Highways Authority:

1st Response:

Request further information, but likely objection.

The split results in the parking SPG requirements doubling from 3 to 6 spaces and there is no in curtilage parking provision. It appears that existing parking stresses on the adjacent roads are high and there's no capacity for additional demand.

Whilst areas have been identified for bins and bikes access to them is poor and they do not appear to be large enough. Cycle parking will be shared between two separate households so will need to be easily accessible for both parties independently but remain secure and inclusive. We would welcome additional information to show how this could be achieved, but do not consider there to be adequate space.

In summary, highways consider the proposals raise issues with respect to parking, cycle parking and refuse storage. Further information to address these concerns and avoid objection is requested.

2nd Response: No objection, subject to a condition requiring cycle storage facilities.

6.2 Environmental Health Officer:

No response received.

6.3 Senior Scientific Officer:

No response received.

6.4 Waste Officer:

No response received.

6.5 Drainage:

No response received.

6.6 Principal Heritage Officer:

The building in question has a prominent corner location, outside of (but within the George Street enclave which projects into) Lower Dock Street Conservation Area.

Supplied drawings show no external alterations proposed to the building as part of this application. Proposed bin and cycle stores will be to the rear yard, unseen from the public realm.

Upon this basis, there will be no impact upon the Setting of Lower Dock Street Conservation Area, nor that of its associated listed assets.

6.7 Natural Resources Wales:

1st Response:

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding flood risk. If this information is not provided, we would object to this planning application. Further details are provided below.

Flood Risk

The planning application proposes highly vulnerable development (residential). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zones 2 and 3 (Sea).

We refer you to Section 10 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025 (TAN15) for advice on how you should consider this application in line with current planning policy.

We are unable to give you technical advice on the acceptability of flooding consequences as no Flood Consequences Assessment (FCA) has been submitted. The advice in paragraph 10.24 of TAN15 is clear *'In zones 2, 3 and TAN 15 defended zone developers must undertake a flood consequences assessment proportionate to the nature and scale of the proposal. Before granting planning permission, decision makers should be satisfied the scheme is justifiable in accordance with the principles set out in section 8, where they are not satisfied, planning permission should be refused.'* Therefore, in accordance with paragraph 15.4, we advise you to use your powers to request further information.

TAN15 advises that the FCA should be proportionate to the nature and scale of the proposal. Developers should refer to all relevant sections of the TAN to determine the scope of the FCA that is required for this particular proposal. Further guidance is also available on our website.

We acknowledge that the existing use is highly vulnerable development (residential) and the proposed use is also highly vulnerable development (residential). Whilst we recognise there is no change in vulnerability and there are existing ground floor bedrooms we note the proposal is for the change of use from one dwelling to two self-contained units, one at ground floor and the other at first floor and as such there is a likely increased risk to people as the proposal includes a self-contained unit at ground floor level. This may create more pressure on emergency services should evacuation be required. We advise that the applicant may wish to amend the proposed layout such that no self-contained units are situated on the ground floor.

Furthermore, should you be minded to go against our advice, you should inform us at the earliest opportunity prior to granting consent and allow sufficient time for us to make further representations.

Please note, if an FCA is not submitted or any subsequent FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we are likely to object to the application.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development.

2nd Response:

The planning application proposes highly vulnerable development (residential). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zones 2 and 3 (Sea).

We refer you to Section 10 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025 (TAN15) for advice on how you should consider this application in line with current planning policy. Our role is to provide you with detailed advice on the findings and conclusions of the Flood Consequences Assessment (FCA) in relation to flooding from rivers and/or the sea, including the impact on flooding elsewhere. For advice on flood risk from surface water and/or small watercourses you should consult with your Lead Local Flood Authority.

Therefore, we have reviewed the FCA undertaken by MCA dated 16.01.2025. Our advice to you is that the FCA fails to demonstrate that the potential risks and consequences of flooding are manageable for the reasons explained below.

The proposed plans show a self-contained ground floor flat with no apparent access to a communal area/refuge. We note that this appears to be the current situation, although this does not benefit from formal planning permission.

The FCA states '*All occupants have access to first-floor safe refuge managed by the Landlords*'. However, this is not apparent on the submitted plans.

The proposed plans illustrate the inclusion of a new internal stair leading directly into the hallway of the first floor flat. However, plans show a ground floor door enclosing this stair for use of occupants of the first floor flat and therefore no apparent access to this stair and first floor by ground floor flat occupants.

We also note the existence of an external staircase and short first floor landing which is currently the only entrance to/exit from the first floor flat. It is proposed to change the external first floor flat door direction so that it opens outward onto the landing. However, it is not clear if this stair is intended for use by residents of the ground floor flat and whether your Authority considers this offers appropriate refuge for them in the event of a flood.

With regard to an assessment of flood risk, the FCA does not contain any technical flood risk data in terms of site levels, flood levels, depths, velocity and hazard rating. As such we are unable to provide you with any technical advice on flood risk.

We acknowledge that the existing use is highly vulnerable development (residential) and the proposed use is also highly vulnerable development (residential). However, whilst we recognise there is no change in vulnerability and there are existing ground floor bedrooms we note the proposal is for the change of use from one dwelling to two self-contained units, and as such there is a likely increased risk to people from flooding as the proposal includes a self-contained unit at ground floor level. This may create more pressure on emergency services should evacuation be required.

We therefore advise an updated FCA that is informed by technical flood risk data is submitted demonstrating that TAN 15 criteria are met; or amended plans are submitted showing no self-contained units situated on the ground floor; or amended plans are submitted confirming the provision of an upstairs communal area that the occupants of the ground floor unit could use in the event of a flood.

Paragraph 15.4 of TAN15 is clear that where insufficient information is provided, the planning authority should use its powers to request further information. Furthermore, should you be minded to go against our advice, you should inform us at the earliest opportunity prior to granting consent and allow reasonable time for us to make further representations.

Please note, if an amended FCA is not submitted or any subsequent amended FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime

of the development, or amended plans as advised above, then we may object to the application.

Other Matters

The advice in this letter relates to matters which are included on our consultation topics list. We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

If you have any queries about the above, please do not hesitate to contact us.

6.8 Dwr Cymru Welsh Water:

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We would request that if you are minded to grant Planning Consent for the above development that the Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

We note that no external works are proposed and as such, it is not anticipated that there will be an increase in surface water flows entering the public sewerage network.

Therefore, we have no objection to the proposal subject to the inclusion of the following advisory notes.

Advisory Notes

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections.

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.

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.

7. PUBLIC REPRESENTATIONS

7.1 NEIGHBOURS: Neighbour notification letters were sent to those sharing a common boundary with the site, as well as those opposite. No responses were received.

7.2 COUNCILLORS: Councillor Saeed Adan and Councillor Debbie Jenkins were notified of the proposal directly. No responses were received.

8. ASSESSMENT

8.1 **Principle of Development:**

- 8.1.1 The site is regarded as previously developed land within the settlement boundary. The building appears to be currently vacant and Policy SP18 supports the reuse of vacant land for residential purposes in the urban area. The proposal would therefore be consistent with this policy and the general brownfield strategy within the Local Development Plan.
- 8.1.2 It is noted that the submitted Existing Floor Plans appear to already show a configuration of two flats rather than one dwelling, with one independent unit on the ground floor accessed off New Ruperra Street and another at first floor level, accessed from a rear external staircase. The Existing Floor Plans do not appear to show internal circulation between the ground and first floors. The Applicant has been advised that if the property is currently in use as two flats and has been for four years or more, it would be appropriate to submit an application for a Lawful Development Certificate for an Existing Use. A search of the planning history of the site does not show that any applications to use the property as two flats has been previously submitted to the Council and so the current application assumes that the existing use of the property is one dwelling, as stated by the Applicant in the description of the proposal. This application has been submitted to the Local Planning Authority for consideration as proposed and has progressed in that manner, in the absence of a LDC or overriding evidence to support that the land is lawfully developed as 2 residential units the assessment has been made on the basis of the information provided.
- 8.1.3 Policy H8 (Self Contained Accommodation and Houses in Multiple Occupation) is relevant to the application and states:

Within the defined settlement boundaries, proposals to subdivide a property into self-contained accommodation, bedsits or a house in multiple occupation will only be permitted if:

- i. the scale and intensity of use does not harm the character of the building and locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on street parking problems;*
- ii. the proposal does not create an over concentration of houses in multiple occupation in any one area of the city which would change the character of the neighbourhood or create an imbalance in the housing stock;*
- iii. adequate noise insulation is provided;*
- iv. adequate amenity for future occupiers.'*

- 8.1.4 Based, on the above, the general principal of the use of the building as two separate flats is acceptable, subject to the proposal meeting the relevant criteria, and other material considerations, which will be assessed further below.

8.2 Character and Appearance:

- 8.2.1 In terms of criteria i) of Policy H8, this part of the streetscape is characterised by mainly traditional residential properties and there are also some commercial uses in the local area. Residential properties within the vicinity do not generally benefit from off street car parking provision, with residents parking their vehicles on the surrounding streets. The proposal seeks to retain a residential use for the property, which would be largely compatible with the local area. It is not therefore considered that the use alone would adversely impact the character of the building or that of the locality.
- 8.2.2 There would be no changes proposed to the external elevations of the property, with the change of use taking place within the footprint of the existing building. The proposal does however include physical alterations to the interior, however it is not considered that the changes would adversely impact upon the character and appearance of the building or that of the local area.

8.3 Residential Amenity:

- 8.3.1 Policies GP2, H8 and the Flat Conversions SPG require no adverse impact on local amenity in terms of noise, disturbance, privacy, overbearing, light, odours and air quality. There should also be acceptable living standards for future occupants with particular regard to internal floor space, outdoor amenity space, parking, bin storage, bicycle storage and noise.

- 8.3.2 The immediate area generally consists of residential properties, those being mainly either single dwellings or flats. As such, it is considered that the proposed development would be compatible with surrounding land use.
- 8.3.3 In terms of the impact on the privacy of surrounding residential properties, no external works or extensions are proposed and the proposal would utilise existing window openings. The building has historically contained residential accommodation and it is not considered that the residential use would significantly intensify as a result of the proposal. Overall, it is considered that the change of use would result in an acceptable impact upon the residential amenities of neighbours.
- 8.3.4 In terms of the amenity of future occupiers, the Flat Conversions SPG makes recommendations on internal space standards for new residential accommodation. It recommends a minimum of 74m² for the internal floor space of 3 bed flats. Whilst calculations of the internal spaces have not been provided, it is estimated that the floor space of both flats would fall slightly short of this recommendation, being in the region of 70m² each. Some discretion can be applied regarding this figure and the floor space proposed would not be significantly less than the guidance. It is also considered that the flats would contain usable space, which would allow for storage, cooking and preparing food, as well as for sitting. As such, it is not considered that this alone would warrant the refusal of the application.
- 8.3.5 It is recognised that all flats would have access to an external refuse storage area within the confines of the site and there is also space for cycle parking as required by the Council's Highways Department. It is acknowledged that the flats would also be provided with a small amount of outdoor amenity space, whilst it is also noted that the site is located within a sustainable location, in close proximity to the Newport City Centre.
- 8.3.6 It is considered that the habitable rooms of both flats would benefit from outward facing windows, with levels of outlook unchanged from the existing situation, whilst also ensuring privacy for future occupiers of the development. In addition, the windows would allow adequate natural daylight to enter the rooms, as well as provide adequate ventilation. In terms of noise, a Noise Report which would assess the impact of external noise on the internal ambient noise of the proposed flats has not been included with this application. Notwithstanding this, the area is largely residential and so noise levels within the proposed flats would not be dissimilar from those experienced by surrounding neighbours. As such, a lack of Noise Report is not considered to warrant the refusal of the application.
- 8.4 **Flood Risk:**
- 8.4.1 The Natural Resources Wales (NRW) Flood Map for Planning (FMfP) is the starting point for consideration of flood risk in the Welsh planning system. The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zones 2 and 3 (Sea).
- 8.4.2 Within TAN 15 of PPW, the existing use of the site is considered to be highly vulnerable development, with the proposed use also highly vulnerable development. The application would therefore not result in any change in the vulnerabilities of the site, however by splitting the property into two separate units of accommodation, the intensity of the highly vulnerable use would increase.
- 8.4.3 TAN 15 indicates that planning applications in Zone 2 require careful consideration and must be consistent with the acceptability considerations set out in Section 11 of the TAN. They must also be accompanied by a Flood Consequences Assessment (FCA) which clearly describes the flood risk and the risks must be acceptable. Where proposals for redevelopment include residential use, local authorities should ensure that such uses do not occur at ground floor level, they will also need to be compatible with the tolerable conditions set out in Section 11 of the TAN and exhibit resilient flood design as described in Section 13 of the TAN.
- 8.4.4 Further to the above, planning applications in Zone 3 require the strongest justification. Proposals on brownfield land will only be appropriate if they are essential to the Development Plan Strategy to regenerate an existing settlement or achieve key economic or environmental objectives. In addition, any redevelopment proposal must be consistent with the acceptability

considerations in Section 11 of the TAN. As within Zone 2, proposals which include residential development must ensure that such uses do not occur at ground floor level.

- 8.4.5 Consultation with NRW has been undertaken and it is considered that the FCA fails to demonstrate that the potential risks and consequences of flooding are manageable. Firstly, contrary to TAN 15, the proposed plans show a self-contained ground floor flat with no apparent access to a communal area/refuge. Whilst it is noted that this appears to be the current situation, planning permission to split the property into two has not been obtained nor has this position been established via an LDC therefore the LPA have based this assessment on the fact that the development is seeking consent for the subdivision of 1 dwellinghouse into 2 flats. Furthermore, the FCA states '*All occupants have access to first-floor safe refuge managed by the Landlords*'. However, this is not apparent on the submitted plans. The proposed plans illustrate the inclusion of a new internal stair leading directly into the hallway of the first floor flat as well as an external staircase leading to the first floor landing. Notwithstanding if this were the case it is not considered that this would provide an appropriate refuge for occupants of the ground floor, along with their personal possessions in the event of a flood nor would it provide a suitable means of refuge for those less mobile or disabled who may occupy the ground floor.
- 8.4.6 With regard to an assessment of flood risk, the FCA does not contain any technical flood risk data in terms of site levels, flood levels, depths, velocity and hazard rating. As such NRW have been unable to provide the Local Planning Authority with any technical advice on flood risk.
- 8.4.7 Based on the above, it is not considered that the application demonstrates that the consequences of flooding can be acceptably managed over the lifetime of the development and the proposal is therefore contrary to the planning policy outlined above, nor is it considered that the proposal is acceptable in accordance with the requirements of the TAN relating to highly vulnerable development within Flood Zones 2 and 3.
- 8.5 **Biodiversity:**
- 8.5.1 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.
- 8.5.2 It is noted that the application has not been accompanied by a Green Infrastructure Statement or details of any scheme of biodiversity enhancement. Notwithstanding this, given the scale and type of the development, it is considered that it would be acceptable to secure a proportionate biodiversity scheme via condition should the application be considered favourably. As such the proposal could be compliant with the aims of Policy GP5 of the NLDP 2011-2026 (adopted January 2015), subject to further details which could be submitted at a later date should planning permission be granted.
- 8.6 **Heritage:**
- 8.6.1 The application site is located approximately 20 metres away from the Lower Dock Street Conservation Area. Whilst the residential use of the site would intensify as a result of the proposal, there would be no external alterations, and the site would remain in residential use. No objections have been received from the Council's Principal Heritage Officer and it is considered that the proposal would preserve the character and appearance of the Conservation Area in accordance with Policy CE7 of the Newport Local Development Plan and Section 160 of the Historic Environment (Wales) Act 2023.
- 8.7 **Waste:**
- 8.7.1 An area for the storage of waste and recycling has been set aside within the confines of the site to serve the proposed development. It is considered that adequate bin storage could be contained in this area and bins could be collected from an appropriate location. Specific details of waste storage could be secured by way of condition should permission be granted.
- 8.8 **Section 106 Planning Obligation Matters:**

- 8.8.1 In accordance with Policy SP13 of the adopted Newport Local Development Plan 2011 – 2026 and the adopted Planning Obligations Supplementary Planning Guidance, development will be required to help deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in proportion to its scale and the sustainability of the location. In this case, section 106 planning obligations are required to mitigate the impact of the development in accordance with the table below.

Service Area that requires Planning Obligation	Purpose of Planning Obligation	Planning Obligation initially sought by Planning Authority	Summary Heads of Terms agreed by applicant(s)?	Viability Issues?
Regeneration, Investment and Housing	To provide affordable housing.	A commuted sum of £1649 in accordance with Policy H4 of the LDP and the formulae in the adopted Affordable Housing SPG.	The Heads of Terms have not been sought as the application is recommended for refusal.	N/A

- 8.8.2 As the application is recommended for refusal, the Heads of Terms have not been sent to the Applicant. This would ordinarily be dealt with by a Section 106 Legal Agreement if planning permission were forthcoming. However, 'Chief Planning Officer letter of December 2018' advised that LPAs should consider including the lack of an obligation as a reason for refusal in order to avoid appellants seeking an award of costs on the grounds that the LPA has introduced a new reason for refusal at the appeal stage.

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 development fails to satisfy the requirements of the Newport Local Development Plan as it would fail to ensure future occupiers of the ground floor flat would be safe in the event of a flood. In addition, no signed legal agreement has been provided for the commuted sum contribution to assist the Council in meeting its on-going requirement for affordable housing.

11. DECISION

REFUSED, FOR THE FOLLOWING REASONS:

- (01) The proposal would have a significant adverse effect on interests of acknowledged importance, namely safety and residential amenity by reason of flooding and the presence of ground floor flat with no provision of acceptable first floor refuge for residents and their personal possessions. No information has been submitted that mitigates this objection, contrary to Policy SP3 of the Newport Local Development Plan 2011-2026 (Adopted January 2015) and Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004).
- (02) The proposed development would have a significant adverse impact upon interests of acknowledged importance, namely affordable housing. No signed legal agreement has been provided for the commuted sum contribution to assist the Council in meeting its on-going requirement for affordable housing. This is contrary to Policy H4 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to Plan Nos: Site Location Plan (MCA2025/163/101 REV A), Existing Block Plan (MCA2025/163/102 REV A), Proposed Block Plan (MCA2025/163/103 REV A), Existing Floor Plans (MCA2025/163/104 REV A), Proposed Floor Plans (MCA2025/163/105 REV A), Existing and Proposed Elevations (MCA2025/163/106 REV A), Flood Evacuation Plan (MCA2025/163/115) REV A and Flood Consequences Assessment.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1 (Sustainability), SP9 (Conservation of the Natural, Historic and Built Environment), SP13 (Planning Obligations), SP18 (Urban Regeneration), GP2 (General Amenity), GP4 (Highways and Accessibility), GP5 (Natural Environment), GP6 (Quality of Design), GP7 (Environmental Protection and Public Health), H4 (Affordable Housing), H8 (Self Contained Accommodation and Houses in Multiple Occupation), T4 (Parking) and W3 (Provision for Waste Management Facilities in Development) are relevant to the determination of this application.

03 Newport City Council Parking Standards, Waste Storage and Collection and Flat Conversions Supplementary Planning Guidance are relevant to the determination of this application.

04 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.