

Delegated Decision Report

Application No:	25/0417	Statutory Period Expires:	26th July 2026
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Site:	232 Flat Over Corporation Road Newport NP19 0DZ		
Proposal:	RETENTION OF FIRST FLOOR FLAT (C3 USE)		
Applicant:	A Hossain		
Type:	Full	Ward:	Victoria
Decision:	GRANTED WITH CONDITIONS SUBJECT TO S106		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is a two-storey terraced property located on Corporation Road. The site is within the settlement boundary, Corporation Road district centre and flood zone 3 defended.

3. DESCRIPTION OF DEVELOPMENT

3.1 Planning permission is sought for the retention of a 3no bedroom flat on the first floor of 232 Corporation Road. A commercial use would remain at ground floor (and is not subject to this application). The flat contains a living room, kitchen, bathroom and 3no bedrooms

4. RELEVANT SITE HISTORY

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)

- GP2 (General Amenity)
- GP4 (Highways and Accessibility)
- GP7 (Environmental Protection and Public Health)
- SP1 (Sustainability)
- SP3 (Flood Risk)
- SP13 (Planning Obligations)
- SP18 (Urban Regeneration)
- H8 (Self Contained Accommodation and Houses in Multiple Occupation)

- T4 (Parking)
- W3 (Provision for Waste Management Facilities in Development)

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Flat Conversion SPG
- Parking Standards SPG
- PLANNING OBLIGATIONS SPG

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 - The planning application proposes retention of first floor flat on the first floor which is defined as highly vulnerable development in Technical Advice Note 15: Development, flooding and coastal erosion (TAN15), dated 2025. The Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding within Flood Zone 3 – Sea and TAN 15 Defended Zone. As the highly vulnerable element of the scheme is located above ground level, we are satisfied it is elevated from any flood risk. A less vulnerable use is being maintained on the ground floor. However, it is for planning authorities to determine whether the risks and consequences of flooding are acceptable. Therefore you should be satisfied that the proposal has fully considered access requirements, including evacuation routes used in an emergency flood event. As such you may require the applicant to submit a flood consequences assessment (FCA) which covers appropriate access/evacuation routes from the proposed development (see Figure 2 in TAN15 – Technical requirements of an FCA). Therefore, we have reviewed the following additional information submitted in support of the application: - Flood Consequence Assessment, 232 Corporation Road, Newport, NP19 0DZ, prepared by KRS Enviro, dated February 2026. The FCA states: - The Site minimum ground level is 7.31metres Above Ordnance Datum (mAOD). Figure 5 and 6 TAN15. Minimum ground floor levels in the FCA are given as 7.31m AOD. Whilst the FCA does provide flood levels for the site, it is established that the development is at the first floor level and will remain flood free during the 0.5% (1 in 200 year) plus climate change and 0.1% (1 in 1000 year) plus climate change flood events. Therefore, the proposed development is compliant with Figure 5 & 6 of TAN15. Overtopping and/or breach assessment. The FCA states “separate breach assessment is not considered proportionate given the nature and scale of development and the absence of any ground level residential accommodation.” We feel that this justification is reasonable given the nature and scale of the development.

Further advice

Increase in flood risk elsewhere - There are no third-party impacts associated with the development site as the footprint of the existing building will not be altered.

Proposed access to the site - An emergency route is provided in the FCA, via Corporation Road to the northwest, along Wharf Road to the south and then along Conway Road to the southeast. We would expect the LPA to be consulted and review any emergency plans for the development site.

- 6.2 Local Highways Authority: No objection, subject to conditions. We note that bin and cycle storage is proposed but not detailed. The access to them is not appropriate so they cannot be fully supported but should be secured by way of condition.
- 6.3 Environmental Health: No objection to the proposed development from an Environmental Protection perspective.
- 6.4 SAB: Having reviewed the submitted information, a SAB application may not be required but if there are any external works exceeding 100square metres then we would encourage the applicant to contact the SAB team sab@newport.gov.uk for further discussions.
- 6.5 Waste: We would anticipate the property receive a single 120l bin for kerbside collection with recycling bags, boxes for kerbside collection.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 03/06/25. No comments were received.

8. ASSESSMENT

8.1 Principle of Development

The application site is located within a settlement boundary as shown on the proposals maps that accompany the Newport Local Development Plan 2011 – 2026 (Adopted January 2015), where there is a presumption in favour of development and the efficient use of land is encouraged. The property is located within an area having a mixed commercial/residential character therefore the proposed use is considered to be compatible with the surrounding uses, accordingly, there is no objection in principle to the retention of the first floor as a residential use subject to other material planning considerations.

8.2 Residential Amenity:

A converted flat should offer its occupants reasonable levels/amounts of natural light, perceived space, privacy, ventilation, peace and quiet, noise attenuation, outdoor amenity space, parking, cycle storage and bin/recycling storage. The flat conversions SPG states that a flat conversion should meet the relevant desired standard for gross internal floor space which for a 3no bedroom flat would be 74sqm. The flat would have a gross internal floor space of approximately 74.5sqm, in line with the SPG. All rooms are served by a window, providing adequate light and ventilation. The SPG states that outdoor amenity space, whether a back garden or a patio, should be made available to the occupants of a converted flat wherever the opportunity exists. It also states that dustbins and recycling boxes should be provided outside the flat, but within the curtilage of the property, in the least conspicuous location possible. There is an area to the rear that is accessed by an external staircase and provides adequate space for secure bike storage and external bin storage as shown on the plans, as well as a small area of outdoor amenity space. Initially officers raised concerns with how the bin storage would be accessed as it would have required the occupier of the flat to take the bin up the internal staircase, through the flat and down the external staircase to the rear bin storage area. This is not practicable. The applicant submitted an amended plan showing that the bins could be moved through the ground floor of the property to the rear which is considered to be acceptable. Whilst it cannot be guaranteed that occupiers will use the rear yard for bin storage (there is evidence at present of wheelie bins stored on pavement to front of property) the plans show this can be done and a waste management plan further clarifies how both the residential and commercial operations will deal with waste. There is 1no extraction flue to the rear of the property associated with the ground floor commercial use that sits above a single storey rear extension. This is a common feature associated with A3 uses. The flue extends above the eaves, dispersing any odours away from first floor windows. The flue does extend partially in front of the first-floor window serving the bathroom of the flat. Adequate light and ventilation would remain to be afforded to the bathroom and as it is not a habitable room, there are no concerns over visual impact. On matters of noise and odour, no objection is raised by NCC Environmental Health and separate regulatory powers will deal with any internal noise mitigation measures required between floors or between units. There is no need to duplicate these powers. Upper storey flatted accommodation above commercial units is a common feature of retail centres. Overall, it is considered that adequate residential amenity for neighbouring and future occupiers would be provided.

8.3 Character and Appearance;

There are no external changes proposed to the property. As such, it is considered that the proposal would not result in a harmful impact on visual amenity or the character and appearance of both the property and wider streetscape.

8.4 Movement:

A sustainability appraisal was submitted in support of the application and the Council's Highways Officer accepts that the site is within a sustainable area. The Officer offers no objection to the application subject to the bin and cycle storage being secured by condition.

8.4 Flooding:

The application proposes retention of a flat on the first floor which is defined as highly vulnerable development in Technical Advice Note 15: Development, flooding and coastal

erosion (TAN15), dated 2025. The Flood Map for Planning identifies the application site to be at risk of flooding within Flood Zone 3 – Sea and TAN15 Defended Zone.

As the highly vulnerable element of the scheme is located above ground level, NRW are satisfied that it is elevated from any flood risk. A less vulnerable use is being maintained on the ground floor.

Section 11 of TAN15 sets out the Acceptability of flood consequences criteria and are requirements that must be in place for any development that is permitted to be located in flood risk areas. As such, the following conditions should be met:

- No increase in flooding elsewhere
- Occupiers aware of flood risk
- Escape/evacuation routes present
- Flood emergency plans and procedures agreed and in place
- Flood resistant and resilient design
- Acceptable consequences for type of use

A Flood Consequence Assessment has been submitted and is considered proportional to the development. An emergency route has been provided in the FCA via Corporation Road to the northwest, along Wharf Road to the south and then along Conway Road to the southeast. The FCA confirms that a flood warning and evacuation plan outlining the precautions and actions you should take when a flood event is anticipated to help reduce the impact and damage flooding may cause will be developed. Minimum ground floor levels in the FCA are given as 7.31m AOD. Whilst the FCA does provide flood levels for the site, it is established that the development is at the first-floor level and will remain flood free during the 0.5% (1 in 200 year) plus climate change and 0.1% (1 in 1000 year) plus climate change flood events. Therefore, the proposed development is compliant with Figure 5 & 6 of TAN15. The FCA states that 'separate breach assessment is not considered proportionate given the nature and scale of development and the absence of any ground level residential accommodation.' NRW have advised that this justification is reasonable given the nature and scale of the development. As the highly vulnerable element of the scheme is located above ground level, NRW are satisfied it is elevated from any flood risk. A less vulnerable use is being maintained on the ground floor. There are no third-party impacts associated with the development site as the footprint of the existing building will not be altered. Overall, it is considered that the proposed redevelopment of the site is acceptable in terms of flooding in accordance with Technical Advice Note 15.

8.6 **Biodiversity:**

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 LDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. The applicant has stated in their Green Infrastructure Statement that a bird nesting box will be attached to the boundary. It is considered reasonable and necessary in this instance to secure the scheme of biodiversity enhancement measures by condition to ensure that a net benefit is provided to biodiversity as part of this application.

8.7 **Section 106 Planning Obligation matters**

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	Viability Issues?
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			applicant(s)	
Regeneration and Economic Development	To mitigate the impact of the development	The site lies within the Housing Target Area of Newport East. Newport East requires the delivery of 20% affordable housing on new development. The equivalent commuted sum generated is £667	Agreed	No

The applicant has agreed to the Heads of Terms, however, no legal agreement has been signed to date.

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 As outlined above, it is considered that the retention of the 3no bedroom flat is acceptable and it is recommended that planning permission is granted subject to the conditions outlined below.

11. DECISION

GRANTED WITH CONDITIONS SUBJECT TO S106 WITH DELEGATED POWERS AND DISCRETION TO REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED WITHIN THREE MONTHS OF THE COUNCIL'S RESOLUTION TO GRANT PLANNING PERMISSION

01 The development shall be implemented in accordance with the following plans and documents: Floor Plans as Proposed Drawing No.PL02A

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 Within three months of the date of this permission, the bin and cycle storage, including the ground floor access to the area, shall be implemented in accordance with 'Floor Plans as Proposed Drawing No.PL02A' and retained for the lifetime of development.

Reason: To ensure suitable waste and recycling storage provision in accordance with Policy W3 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

03 Within three months of the date of this permission, the ecological enhancements shown in the 'Green Infrastructure Statement' shall be implemented in full and shall be retained as such in perpetuity.

Reason: To ensure the development provides ecological net benefit as required in Planning Policy Wales Edition 12.

04 The external areas associated with the development as hereby approved shall be kept free of obstruction and available for outdoor amenity space, bin storage and cycle storage at all times in accordance with the approved plans.

Reason: To ensure there is adequate parking and bin storage in accordance with Policies GP4 and W3 of the NLDP.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Floor Plans as Existing Drawing No.PL01, Floor Plans as Proposed Drawing No.PL02A, Sustainability Appraisal, Planning Statement, Green Infrastructure Statement, Waste Management Plan and Flood Consequence Assessment KRS.0904.001.R.001.B February 2026.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, GP2 and GP4 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.