

Delegated Decision Report

Application No:	26/0331	Statutory Period Expires:	3rd July 2026
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Site:	36 Church Road Newport NP19 7EL		
Proposal:	CHANGE OF USE FROM RETAIL (USE CLASS A1) TO A SMALL COFFEE SHOP (USE CLASS A3)		
Applicant:	A Kouroupis		
Type:	Full	Ward:	St Julians
Decision:	Granted with Conditions		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site comprises of a mid terraced A1 unit, formerly known as Beth's Bakes, located within the St Julians ward. There appears to be a residential unit above, and the area itself generally comprises of mixed residential and commercial uses. The site is located within Flood Zone 3 and Parking Zone 3.

3. DESCRIPTION OF DEVELOPMENT

3.1 The application seeks consent for the change of use of an A1 unit to A3 use, to be used as a café. The café will have a seating area for 10no. customers, with opening hours proposed as 07:30-15:30 Monday – Saturday. No external alterations are proposed as a part of the development.

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 6 – Town Centre First

Policy 9 - Resilient Ecological Networks and Green Infrastructure

Policy 33 - National Growth Area – Cardiff, Newport and the Valleys

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.

4.1.35 New development must provide appropriate levels of secure, integrated, convenient and accessible cycle parking and changing facilities. As well as providing cycle parking near destinations and public transport interchanges, consideration must also be given to where people will leave their bike at home. Guidance on cycle parking is contained within

the Active Travel Act Guidance. Planning authorities may alternatively wish to adopt locally specific minimum cycle parking standards and guidance.

4.1.38 Planning authorities must ensure the layout, density and mix of uses of new development support the use of public transport and maximises accessibility potential. In particular, higher densities and mixed-use development should be encouraged in areas highly accessible by public transport.

4.1.50 Car parking provision is a major influence on how people choose to travel and the pattern of development. Where and how cars are parked can in turn be a major factor in the quality of a place.

4.1.51 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Planning authorities must support schemes which keep parking levels down, especially off-street parking, when well designed.

4.3.1 Retail and commercial centres are hubs of social and economic activity and the focal point for a diverse range of services which support the needs of local communities. They are highly accessible to different modes of transport and are the most sustainable locations for new development.

4.3.2 Retail and commercial centres should be identified in development plans and include established city, town, district, local, village and neighbourhood centres, which provide a range of shopping, commercial and leisure opportunities as well as places of employment, education, civic identity and social interaction. Opportunities to live in these centres, combined with their good public transport links, make them the most sustainable places.

6.4.3 The planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Recognising that development needs to take place and some biodiversity may be impacted, the planning system should ensure that overall there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced well-being.

6.4.5 Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems.

5.3 TECHNICAL ADVICE NOTES

5.3.1 Technical Advice Note (TAN) 4: Retail and Commercial Development, Technical Advice Note (TAN) 5: Nature Conservation and Planning, Technical Advice Note (TAN) 11: Noise, , Technical Advice Note (TAN) 18: transport, Technical Advice Note, (TAN) 21: Waste, Technical advice note (TAN) 23: economic development

5.5 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

5.5.1 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies CE6 (Archaeology), GP2 (General Amenity), GP4 (Highways and Accessibility), GP5 (Natural Environment), GP6 (Quality of Design), SP1 (Sustainability), SP2 (Health), SP13 (Planning Obligations), SP18 (Urban Regeneration), T4 (Parking), and W3 (Provision for Waste Management Facilities in Development) are relevant to the determination of this application.

5.5 SUPPLEMENTARY PLANNING GUIDANCE

5.5.1 The Council's Supplementary Planning Guidance on Sustainable Travel (Adopted July 2020), Waste Storage and Collection (Adopted January 2020), Parking Standards (Adopted

August 2015) are also relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 **Drainage:** No response received.

6.2 **Environmental Health:** No objection.

6.3 **Waste Manager:** No response received.

6.4 **Highways:** No objection. The proposed use would be no more onerous in terms of parking and servicing than the existing use. Staff cycle stores should be available for the café. There are therefore no highway related objections offered, subject to conditions.

6.5 **Natural Resources Wales:** We have no objection to the proposed development as submitted and provide the following advice.

Flood risk

The planning application proposes less vulnerable development (commercial). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 Sea and a TAN 15 Defended Zone.

The application proposes a change of use to retain a less vulnerable use as defined in Technical Advice Note (TAN) 15: Development, flooding and coastal erosion (2025). As such we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

Guidance on resilient design can be found in Chapter 13 of TAN 15 which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

6.6 **Dwr Cymru Welsh Water:** No objection.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 08.05.2026, Site Notice was put up on 15.05.2026.

7.1 **NEIGHBOURS:** 149no. neighbours were consulted. No representations were received.

7.2 **COUNCILLORS:** Cllr Hourahine, Cllr Townsend and Cllr Bright were consulted. No representations were received.

8.1 Principle of Development

8.1.1 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. This is an out of centre location and the proposed use is one best located within a defined centre. However, in this case, the site has an established A1 use, also a use best located in a centre. Consequently, no need or sequential test assessments are justified in this case. The property is located within an area having a mixed commercial/residential character. There is no objection in principle to a commercial operation in this location as the ground floor is well established for such purpose, however in a mixed residential/commercial setting, A3 uses can give rise to different effects and these must be considered in turn.

8.2 Character and Appearance

8.2.1 There are no external alterations proposed as a part of the development, and as such there would be no impact on the visual amenity of the area.

8.2.2 In terms of the change of use the proposal has the potential to impact amenity. The change of use from retail will have a different impact in respect of the character of the area as character is not limited to the built environment but also encompasses how a place is used/functions. The unit it is not part of any protected shopping frontages and as such would not have an adverse impact on the shopping/retail function of the area or its character. The use is daytime focussed, proposing to operate as a coffee shop with limited

opening hours. Previously, the unit operated as a bakery, selling cakes and similar but is now vacant. It adjoins commercial premises on both sides. The re-use is welcomed and whilst the proposal is a different use class, its emphasis on daytime trading is welcomed. Overall the proposals accord with policy GP6.

8.3 Residential Amenity

8.3.3 The site is located along a busy main road and within an area that contains a mix of residential and commercial uses. As such, the change of use from A1 to A3 is not considered to result in any significant impact to surrounding residential amenity in principle or on the character of the area through noise and disturbance, subject to consideration of how the proposal is to operate.

8.3.5 The hours of operation stated within the application form advise of 07:30am to 15:30 Monday-Saturday. There is no objection to these opening times and it is not considered that it would materially alter the established character of the area, which is a mix of commercial and residential. In order to protect the amenity of neighbouring occupiers, the hours will be conditioned to those typical of daytime commercial uses and thereby preventing use during more anti social hours and having regard to the presence of noise sensitive uses at first floor. The submission states that no extraction or ventilation is proposed, and as such there would not be an impact on neighbouring occupiers in terms of noise or odours. Overall, it is considered that there would be limited disturbance to neighbouring occupiers, and the proposals are considered to accord with policy GP2.

8.5 Highways

8.5.1 The site is located within Parking Zone 3 as per the Council's adopted Parking Standards. It has an existing retail use that the Highways Officer has advised would generate a parking demand that is comparable to the proposed A3 use. There is no on site parking, however, the site is set within a sustainable location and is well served by public transport. There is also unrestricted on road parking located close to the premises. This has been given significant weight in the assessment of this application and accords with the policy and guidance within both Planning Policy Wales 12 and Future Wales: The National Plan 2040 which advocate for lower levels of parking in sustainable locations. The shortfall in parking would not be a reason to withhold consent. The Highways Officer has offered no objection to the scheme in relation to parking.

8.5.2 The Highways Officer has requested that a condition be added for the provision for cycle storage. It is acknowledged that the site is restricted, with limited outdoor space available for cycle storage. The application is sited within a highly sustainable location, with a bus stop located immediately outside the application site. On this basis, it is not considered reasonable to refuse the application on the grounds of lack of cycle parking.

8.6 Biodiversity

8.6.1 Chapter 6 'Distinctive and Natural Placemaking and Well-Being' of Planning Policy Wales (PPW) Edition 12 (updated February 2024) states that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long term benefit. PPW 12 also advises that a Green Infrastructure Statement (GIS) 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. PPW 12 states that having worked iteratively, in line with Figure 12 through the stages of The Stepwise Approach, and providing a GIS that the step wise approach has been followed, a scheme of enhancements must be provided to ensure a net benefit for biodiversity. The application has not been supported by a GIS, however the proposed development is for a change of use of part of an existing building. The LPA have not requested a GIS since it would be considered academic given there is no Green Infrastructure relating to the application site and a planning condition could be used to secure proportionate biodiversity enhancement, such as a bird box or sparrow terrace. The proposal complies with Policy GP5 of the NLDP 2011-2026 (adopted January 2015).

8.7 Waste

8.7.1 In respect of waste associated with the use, no dedicated storage provision has been

proposed within the submission. There is a small outdoor area, however it is not clear if the site benefits from use of the outdoor space and there is no clear opportunity internally to accommodate waste storage. As such, it would not be reasonable to impose a condition requiring details of waste storage, as it is would unlikely be possible to comply given the site constraints. It is noted that there is a fallback position for a lawful A1 use, where it is understood that waste would typically be presented on the street for collection. The proposed use is not anticipated to generate a significantly greater volume of waste than the lawful use and other business within the area have a similar arrangement. On balance, it is not considered reasonable to add a condition or request storage details in this instance.

8.8 Flood Risk

8.8.1 The site is located in Flood Zone 3 (Rivers and Sea) and within the TAN 15 Defended Zone. It is currently in a less vulnerable use in flood risk terms. The proposed development is for a change of use with no built development that would impact on flood risk, and the use will remain less vulnerable in flood risk terms.

8.8.2 No Flood Consequences Assessment (FCA) has been submitted, however a brief Supporting Flood Statement has been issued. NRW have been consulted and advise that given the nature of the proposed development being less vulnerable to less vulnerable they consider the proposal could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. An informative will be added to any permission with a link to NRW website for advice. The proposal complies with Policy SP3 of the NLDP 2011-2026 (adopted January 2015).

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 change of use is considered to comply with the relevant policies of the Newport Local Development Plan 2011-2026 (adopted January 2015), subject to conditions.

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: Existing Front Elevations, Existing/Proposed Floor Plans, Shop floor plan, Site Location Plan, Supporting Flood Statement.

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 No part of the development shall be brought into first use until a bird box or sparrow terrace has been installed. The measures shall thereafter be retained for the lifetime of the development.

Reason: To secure net biodiversity enhancement in accordance with Planning Policy Wales (Edition 12) and Policy G5 of the NLDP 2011–2026 (adopted January 2015).

03 The hours of operation shall be restricted to 07:00 to 16:30, Monday- Saturday. Outside of these hours the premises shall be closed to and vacated by the public.

Reason: In the interests of protecting the residential amenity of neighbouring properties in accordance with Policy GP2 and GP7 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos: Existing Front Elevations, Existing/Proposed Floor Plans, Shop floor plan, Site Location Plan, Supporting Flood Statement.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP19, GP1, GP2, GP4, GP5, GP6, GP7, R8, T4 and W3 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.

04 Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience. NRW provide advice on their website <https://naturalresourceswales.gov.uk/flooding/preparing-for-a-flood/?lang=en> which may be useful for the developer or occupant of the proposal.