



PLANNING AND JUSTIFICATION STATEMENT

Site Address: 65 Marlborough Road, Newport, NP19 0BY

Proposal: Change of Use of a defined unit from General Industrial (Use Class B2) to Storage Warehouse (Use Class B8).

1.0 INTRODUCTION

1.1 This Planning and Justification Statement is submitted in support of a Full Planning Application for a Change of Use at 65 Marlborough Road. The applicant seeks permission to transition a specific 400.86m² unit—located within the larger existing commercial building—from its established Use Class B2 (General Industrial) to Use Class B8 (Storage or Distribution), restricted strictly to a "Storage Warehouse" function.

1.2 This statement addresses the relevant local and national planning policies and provides a robust justification for the proposal, specifically demonstrating how this passive storage use entirely resolves the highway safety and amenity concerns that led to the dismissal of a previous appeal on this site (LPA Ref: 19/0727).

2.0 SITE CONTEXT AND PLANNING HISTORY

2.1 The application site comprises a defined 400.86m² unit set within a wider commercial building in an established, predominantly residential area. **For absolute clarity, the application site (denoted by the red line boundary on the submitted Location Plan) comprises the defined 400.86m² internal unit alongside its direct highway access and loading area, resulting in a total site area of 439.72m². The remainder of the wider building under the applicant's ownership is denoted by the blue line boundary.** As highlighted on the submitted Existing Plan, the lawful use of this specific unit is General Industrial, falling within **Use Class B2**.

2.2 Under application 19/0727, a proposal was submitted for a mixed-use Warehouse (B8) and Retail (Cash and Carry). That application was refused by the Local Planning Authority and subsequently dismissed at appeal.

2.3 The Planning Inspector's dismissal was fundamentally rooted in highway safety and residential amenity. The Inspector concluded that the introduction of a retail element and a high-turnover Cash and Carry would generate unacceptable levels of customer traffic and Heavy Goods Vehicle (HGV) movements on a residential street.

2.4 This current application represents a fundamental departure from the dismissed scheme. The applicant has abandoned all retail, trade-counter, and high-turnover distribution aspirations in favour of a low-impact, passive storage facility contained entirely within the identified unit.

3.0 THE PROPOSED DEVELOPMENT: PASSIVE STORAGE (CLASS B8)

3.1 The proposal seeks a change of use for the specified unit to a **Storage Warehouse (Class B8)**.

3.2 To protect the amenity of the surrounding area and ensure highway safety, the operation will be strictly defined as "dead storage". This means:

- **No Retail or Trade Counter:** There will be no public access, no showroom, and no sales occurring from the premises.
- **No Distribution Hub:** The unit will not be used as a high-frequency parcel or courier distribution depot.
- **Low Frequency:** Goods will be brought to the site and stored for medium-to-long periods, resulting in a negligible number of daily vehicle trips.
- **Vehicle Scale:** The passive nature of the storage use means deliveries and collections will be undertaken by private cars or standard transit vans, entirely removing the need for articulated HGVs.

4.0 HIGHWAY SAFETY AND PARKING JUSTIFICATION

4.1 The primary justification for this proposal lies in its exceptionally low impact on the local highway network. The proposed B8 Storage use actually represents a **reduction** in parking demand and traffic generation when compared to the unit's lawful, unconstrained B2 General Industrial use.

4.2 **Newport City Council Parking Standards SPG (Adopted August 2015):** Policy T4 of the Local Development Plan requires development to provide appropriate parking in accordance with adopted standards. Policy GP4 requires adequate provision for car parking and cycle storage. Assessing the 400.86m² unit against the SPG mathematically demonstrates the suitability of the proposal:

- **The Lawful B2 Use:** Under the SPG for 'Industry' (Zones 2-4), a B2 unit requires 1 non-operational parking space per 120m². For this 400.86m² unit, this equates to 3.34 spaces, which rounds up to a requirement of 4 spaces. Furthermore, Note 5 requires an operational yard space of between 85m² and 100m² for units of this size.
- **The Proposed B8 Storage Use:** Under the SPG for 'Storage Warehouses' (Zones 2-4), the operational requirement is strictly 1 commercial space per 500m². Crucially, the non-operational parking requirement for staff and visitors is stated as "**Nil**".

4.3 Because the SPG requires zero staff/visitor parking spaces for a Storage Warehouse, the proposal actively removes the parking pressure that would otherwise be generated by the 4 spaces required for the lawful B2 use. The external frontage accommodates the single required transit van loading space, ensuring all loading for this unit takes place off the public highway.

4.4 Consequently, the proposal is entirely compliant with LDP Policies GP4 and T4, and the highway objections previously raised by the Planning Inspector are definitively resolved.

5.0 THE PERMITTED DEVELOPMENT 'FALLBACK' POSITION

5.1 As a highly significant material consideration, the applicant draws the Local Planning Authority's attention to the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

5.2 The GPDO permits the change of use of a building from Class B2 (General Industrial) to Class B8 (Storage and Distribution), provided the floor space subject to the change of use does not exceed 500 square metres.

5.3 The Planning Inspector acting on behalf of the Welsh Ministers in the recent appeal decision at this site (Ref: APP/G6935/C/20/3244913) explicitly acknowledged and confirmed this permitted development right at Paragraph 12 of their report.

5.4 The unit subject to this application is strictly defined as 400.86m², falling comfortably below the 500m² threshold. Therefore, the transition from B2 to a B8 storage warehouse benefits from a robust permitted development 'fallback position'.

5.5 Case law establishes that a realistic fallback position is a material planning consideration of significant weight. Because the applicant could effectively implement this passive B8 use under their permitted development rights, there are no reasonable planning or highway grounds for the Local Planning Authority to withhold full planning consent for this application.

6.0 COMPLIANCE WITH LOCAL AND NATIONAL POLICY

6.1 Newport Local Development Plan 2011-2026 (LDP):

- **Policy EM3 (Alternative Uses of Employment Land):** The LDP seeks to protect existing employment sites. By converting to B8, the unit remains in a commercial, economic use, satisfying the overarching aims of Policy EM3 whilst adapting to a format more suitable for its residential context.
- **Policy GP2 (General Amenity):** The proposed passive storage use will generate virtually zero noise, dust, or odours, ensuring absolute compatibility with the surrounding residential dwellings. It represents a significant improvement in local amenity compared to the lawful B2 industrial use.

6.2 Planning Policy Wales (PPW):

- **Sustainable Placemaking:** PPW strongly advocates for the sustainable re-use of previously developed land. This proposal secures a viable future for an existing urban commercial unit, preventing it from becoming vacant or derelict.
- **Reducing Travel Demand:** PPW states that development should be located to reduce the need to travel. A passive storage facility inherently generates negligible travel demand, aligning perfectly with national sustainability objectives.



7.0 CONCLUSION

7.1 The proposed Change of Use to a B8 Storage Warehouse presents the most logical, low-impact, and sustainable future for this specific commercial unit.

7.2 It directly and mathematically resolves the highway safety concerns of the previously dismissed appeal. By adopting a passive storage model, the requirement for parking is reduced to "Nil" under the Council's own SPG, eliminating the threat of on-street parking or HGV congestion.

7.3 Furthermore, the proposal is supported by a highly realistic permitted development fallback position, as explicitly acknowledged by the Planning Inspectorate in 2020.

7.4 The proposal complies fully with the Newport Local Development Plan and Planning Policy Wales. We therefore respectfully request that Full Planning Permission be granted.