

Delegated Decision Report

Application No:	25/0993	Statutory Period Expires:	20th March 2026
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Site:	47 Duckpool Road Newport NP19 8FL		
Proposal:	CONVERSION OF THE FIRST FLOOR TO CREATE TWO FLATS (C3 USE)		
Applicant:	K A Johnon		
Type:	Full	Ward:	Victoria
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

- 2.1 The site is a two-storey end of terrace property located on the corner of Duckpool Road and Bristol Street. The surrounding area is predominantly residential in character and is characterised by rows of terraced properties. Duckpool Road itself is quite a busy road as it acts as a link between Church Road and Albert Avenue and is often used by road users as a cut through.
- 2.2 The site has most recently been used as a resource centre for Hafal, a Welsh mental health charity. Planning history indicates that Hafal use the ground floor as a resource centre, with a flat at first floor.
- 2.3 The site is located within the urban boundary and is within Flood Zone 2 and 3 (Sea) (Defended) as per the Flood Maps for Planning (FMfP).

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks planning permission for the conversion of the first floor to create 2no. two bedroom flats are 47 Duckpool Road in the Victoria ward.
- 3.2 Each flat would have their own access off Bristol Street onto a ground floor lobby with cycle and refuse storage and a staircase leading to a first floor layout comprising of 2no. bedrooms, bathroom and an open plan kitchen/living area. No external amenity space is proposed.
- 3.4 No external alterations are proposed with all existing openings being retained. No off street parking is provided, and each residential unit would rely on street parking, as per the existing commercial use of the property.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
10/0337	CHANGE OF USE TO A RESOURCE CENTRE FOR REGISTERED CHARITY "HAFAL" WITH EXISTING FLAT RETAINED ON FIRST FLOOR	GRANTED WITH CONDITIONS	21.05.2010
10/0650	VARIATION OF CONDITION 01 (HOURS OF USE) OF PLANNING PERMISSION 10/0337	GRANTED WITH CONDITIONS	12.08.2010
23/0217	PROPOSED CONVERSION OF EXISTING BUILDING TO 1NO. TWO BEDROOM FLAT AND 3NO. ONE BEDROOM FLATS WITH ASSOCIATED EXTERNAL ALTERATIONS	REFUSED	14.09.2023

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)

Strategic Policies:

- SP1 Sustainability
- SP3 Flood Risk
- SP13 Planning Obligations
- SP18 Urban Regeneration
- SP19 Assessment of Retail Need

General Policies:

- GP1 General Development Principles – Climate Change
- GP2 General Development Principles – General Amenity
- GP4 General Development Principles – Highways and Accessibility
- GP5 General Development Principles – Natural Environment
- GP7 General Development Principles – Environmental Protection and Public Health

Housing Policies

- H4 Affordable Housing
- H8 Self Contained Accommodation and Houses in Multiple Occupation

Other Policies:

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

5.4 SUPPLEMENTARY PLANNING GUIDANCE

FLAT CONVERSIONS

SUSTAINABLE TRAVEL

WASTE STORAGE AND COLLECTION

PARKING STANDARDS

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales: No objection.

6.2 Dwr Cymru Welsh Water: No objection.

6.3 Highways: No objection.

- 6.4 Environmental Health: No response.
- 6.5 Waste: No response.
- 6.6 Planning Contributions Manager:

Final Response (Upon Receipt of Viability Information)

1. Introduction

Based upon a net development of 1 x 2 bed 'market' apartments, the following S106 planning obligations would normally be required to mitigate the impact of the development.

2. Affordable Housing

Committed sum payments for affordable housing will normally be sought on developments of one to two dwellings anywhere within Newport. 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 committed sum generated is £667.

This payment would be index linked to the Retail Price Index and paid prior to occupation

3. Fees

Administration Fee

In accordance with the Planning Obligations SPG (2025), a £300 administration fee is charged for monitoring the S106 agreement. This is to be paid upon signing of the legal agreement.

Legal Fees

Planning Obligations can be contained in Unilateral Undertakings or s.106 Agreements. Unilateral Undertakings are usually drafted by the developer's solicitors, whereas s.106 Agreements are usually drafted by the Council's in-house solicitors (but there is no general objection to developers arranging for their own solicitors to draft the s.106 Agreement with prior agreement). Either way the developers will be responsible for the Council's legal costs incurred in relation to the process of drafting, approving and completing the s.106 Agreement and Unilateral Undertakings, including costs of title investigation which is necessary to ensure the correct parties enter into the Deed. There is a minimum contribution to legal costs of £700, although more time-consuming and complex documents would require an increased contribution to legal costs.

4. Financial Viability

S106 planning obligations are normally required to either carry out works or contribute financially towards measures that mitigate the impact of the development i.e. to make an unacceptable proposal acceptable in land use planning terms. However, economic viability is an important material planning consideration on the potential scope and scale of planning obligations.

Developer profit will normally be a range between 15% and 20%, depending on risk and market conditions. The Applicants profit falls below 15% (even without S106 contributions). An 'open book' viability appraisal was undertaken. It concludes that, *"Given the information provided and the data from comparable evidence it is clear the scheme is unviable in terms of making a contribution to the section 106 payments"*.

5. Conclusion

Taking into account the above information, it is concluded that the S106 obligations should be waived

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 21st November 2025 and a Site Notice was put up on 28th November 2025.

- 7.1 NEIGHBOURS: 11no. neighbouring properties sharing a common boundary and located opposite the application site were consulted. No responses have been received.

8. ASSESSMENT

8.1 Principle of Development:

- 8.1.1 The proposal is for the residential redevelopment of the first floor of an existing and vacant building that is located within the urban boundary and within a highly sustainable location. The site meets the requirements to be considered brownfield/previously developed in accordance with the definition contained within Planning Policy Wales 12.

- 8.1.2 As such, the proposal is compliant with Policy SP1 and is acceptable in principle, subject to all other material planning considerations, most notably flood risk, being suitably addressed.

8.2 Residential Amenity:

- 8.2.1 Policy GP2 (General Amenity) states;

Development will be permitted where, as applicable:

- i) There will not be a significant adverse effect on local amenity, including in terms of noise, disturbance, privacy, overbearing, light, odours and air quality;*
- ii) The proposed use and form of development will not be detrimental to the visual amenities of nearby occupiers or the character or appearance of the surrounding area;*
- iii) The proposal seeks to design out the opportunity for crime and anti-social behaviour;*
- iv) The proposal promotes inclusive design both for the built development and access within and around the development;*
- v) Adequate amenity for future occupiers.*

- 8.2.2 Policy H8 (Self Contained Accommodation and Houses in Multiple Occupation) states

“Within the defined settlement boundaries, proposals to subdivide a property into self contained, 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.”*

- 8.2.3 The Flat Conversions SPG (updated October 2021) is also of relevance and its purpose is to ensure that occupants of converted flats have reasonable living conditions, that converted flats do not deprive persons in existing dwellings of reasonable living conditions and to protect the character and appearance of the built environment.

Future Amenity

- 8.2.4 The proposed development should meet the following standards in order to achieve acceptable levels of residential amenity for both future and neighbouring occupiers:

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.

- 8.2.5 A flat conversion should meet the relevant desired standard for gross internal floor space, and the below table compares the proposal with the SPG desired standard:

Flat No.	No. Bedrooms	Desired GIA (sqm)	Proposed GIA (sqm)	+/-
1	2	65	64.36	+ 0.64
2	2	65	73.8	+ 8.80

Figure 1 – Table Comparing Proposed & Desired GIA

- 8.2.6 Flat 1 is marginally short of the desired standard as per the SPG. However, when looking at the general layout and positions of windows serving the rooms it is generally considered that this proposed flat would provide residents with acceptable perceived space, natural light, ventilation and privacy. Private cycle and refuse space within the unit, but away from the living accommodation is provided and this is considered to be acceptable and of merit. On balance, despite the minor shortfall against the desired gross internal floor space standards it is considered that the internal layout of the property and size provides an acceptable level of amenity.
- 8.2.7 Flat 2 exceeds the desired standards by some margin and contains large rooms that are laid out appropriately. Owing to the internal reconfiguration of the first floor and the provision of a landing space, the open plan kitchen and living room is slightly obscure in its shape and the window location serving the room within the ‘front’ elevation is slightly awkward. However a second window serves the room in the ‘rear’ elevation and will provide additional light, outlook and ventilation. As such, the layout and provision of openings for this room is considered to be acceptable. All other rooms are acceptably served by openings of a suitable size to provide good amenity. The overall internal layout of the property and its size will provide an acceptable level of amenity.
- 8.2.8 The Flat Conversions SPG does advise that where the opportunity exists, outdoor amenity space should be made available for occupants of a converted flat. In this instance, unfortunately it is not possible for these first floor units to be served by outdoor amenity space and this is not uncommon within conversions within an inner city/urban location. The scheme has provided secure cycle and refuse storage, which would have been one of the benefits of having access to external amenity space so this is of merit. The site is situated in a sustainable location with convenient access to a range of local amenities. The nearest area of public open space is Brecon Park, located approximately 600 metres away (around an 11-minute walk). While this nearby provision does not, on its own, justify the absence of private outdoor amenity space, it does help to illustrate the wider context and the accessibility of local facilities available to future occupants.

Neighbouring Amenity

- 8.2.9 The first floor is currently in a mix of residential and commercial use, and the proposed change of use to solely residential within an area that is predominantly characterised by residential uses is wholly appropriate. As such, there is no issue in principle with the proposal from a residential amenity perspective.
- 8.2.10 There is no operational development or external alterations proposed that would result in any impact on the residential amenity of neighbouring properties. The only matter to be considered is whether the first floor window openings of ‘Flat 2’ that face towards 46 Duckpool Road would be used in such a different way that would lead to any intensification of overlooking. Having reviewed the existing plans, all three windows that face the rear garden of no.46 currently serve the residential unit (bedroom, bathroom and kitchen) and as a result of the proposal, this would not change. As such, there is considered to be no material worsening of the existing situation as a result of the development, and no adverse impact on neighbouring amenity. Oblique views from Bedroom 2 of ‘Flat 1’ would be available towards the rear of the garden of no.46, however the window is set in, is existing (as an office) and is not considered to result in any demonstrable harm from overlooking/loss of privacy given the existing arrangement.

8.2.11 Overall, it is considered that the proposal preserves the residential amenity of neighbouring occupiers and will provide adequate amenity for the future occupiers and complies with Policy GP2 and H8 of the NLDP 2011-2026 (adopted January 2015).

8.3 Highway Safety & Parking:

8.3.1 The site is located within a highly sustainable area and is within close walking distance to local amenities and services, as well as public modes of transport. The existing and proposed use relies on parking on street.

8.3.2 The existing first floor of the property is a 2no. bedroom flat and office space, and the proposal is for 2no. two bedroom flats. The Council Highways Officer has raised no objection in terms of parking or highway safety issues. It is considered that the existing and proposed parking demand is comparable and both rely solely on parking on street and the proposed development will not result in any material increase in parking demand that would result in highway safety issues.

8.3.3 Cycle parking and refuse storage is provided within the site for each flat and this is considered to be a betterment than the existing situation, whereby on street storage would be utilised. A planning condition can be used to control this is provided and retained.

8.3.4 The proposed residential conversion of the upper floor is located within a sustainable location, with links to nearby bus stops and provision of cycle parking on site. As such, it accords with the promotion of active travel and less reliance on private modes of transport as per national planning policy objectives.

8.3.5 The proposal complies with Policy GP2 of the NLDP 2011-2026 (adopted January 2015).

8.4 Waste:

8.4.1 The two proposed first floor flats are accessed via independent ground floor lobbies that includes provision of an internal bin store accessible only by the residential unit it serves. Although small, this will provide each flat with off street storage of refuse and recycling receptacles. It is likely that residents of the two first floor flats would hold recycling and waste temporarily within the flat and as and when required take it downstairs to the storage area provided, then present kerbside for the relevant collection day.

8.4.2 The existing first floor commercial space and flat did not benefit from such designated storage and would presumably rely on storage of these receptacles on street. As such, the proposal for each flat to have internal storage is a betterment to the existing situation and is considered to be acceptable. The use of a planning condition to retain these spaces as being available can be used.

8.4.3 The proposal complies with Policy W3 of the NLDP 2011-2026 (adopted January 2015).

8.5 Biodiversity and Green Infrastructure:

8.5.1 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.

- 8.5.2 The application is for the change of use of the first floor of the property and a proportionate Green Infrastructure Statement has been submitted. There is no existing biodiversity value or green infrastructure at the site, and a net gain of biodiversity enhancement can be achieved through the installation of a bat box on the south west facing elevation. This can be secured through a planning condition.
- 8.5.3 As such, the proposal complies with Policy GP5 of the NLDP 2011-2026 (adopted January 2015).

8.6 **Flood Risk:**

- 8.6.1 The proposal is for the change of use of the first floor of the building from a mix of less vulnerable use (office space) and highly vulnerable use (two bedroom flat) to a highly vulnerable use (2no. two bedroom flats). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 Sea and TAN15 Defended Zone.
- 8.6.2 In their response, NRW have offered no objection to the proposed development. However, NRW do note the proposal will result in the intensification of the highly vulnerable use on the first floor. However, this will be elevated above the flood risk.
- 8.6.3 The 2025 TAN15 confirms that a Flood Consequences Assessment is required for any development proposal located fully or partly in Flood Zone 2 and 3. The assessment will help the planning authority determine whether the risk and consequences of flooding are acceptable and can be appropriately managed over the lifetime of development. The assessment can also be used to establish whether appropriate avoidance or mitigation measures could be incorporated within the design of the development to ensure that over its lifetime, development minimises risk to life, damage to property and disruption to people living and working on the site, and does not increase flood risk elsewhere. The TAN also sets out the tolerable conditions (rate of water rise, speed of inundation etc) and an FCA should provide Authority's with details of how the development would comply/compare with these.
- 8.6.4 The site is previously developed land within the urban boundary, and for the purposes of the TAN this is classed as 'redevelopment'. In defended flood zones, TAN 15 advises that on brownfield sites redevelopment proposals should not over intensify use neither should they reduce the area's ability to absorb flood water nor cause problems with flooding elsewhere. All applications should consider opportunities to incorporate flood resilient design as appropriate and any proposal involving highly vulnerable development must be compliant with the tolerable conditions set out in section 11.
- 8.6.5 An FCA has been submitted and the following section of this report will undertake the technical assessment in line with Section 11 of TAN 15, using the comments received from NRW as guidance.

8.6.6 **No Increase in Flooding Elsewhere**

The proposal is for the straight change of use of the first floor. As such, there will be no impact on flood storage capacity or flow paths.

8.6.7 **Occupiers' Awareness of Flood Risk**

The FCA recommends that the developer shall provide future occupiers with information on the flood risk encourages future occupants to sign up for NRW Flood Warnings to prevent any access and egress issues during times of flooding.

8.6.8 **Escape and Evacuation Routes**

The highly vulnerable development is contained at first floor, which remains flood free in all events. The FCA advises that should the occupiers wish to evacuate the site then considerable flood warning lead time would provide plenty of time to evacuate the site safely, but would be dependent on occupiers signing up to the NRW flood warnings.

Paragraph 11.3 of TAN 15 requires that:

- Escape and evacuation routes are present; and
- Flood emergency plans and procedures are agreed and in place.

The FCA advises that Christchurch Road is approximately 80 metres north of the site, and this remains flood free in all events.

8.6.9 Flood Emergency Plans and Procedures

The FCA states a flood response plan will be beneficial to highlight actions to evacuate/stay put in the event of a flood.

8.6.10 Flood Resistant and Resilient Design

Due to the age and construction of the property, it is considered less susceptible to structural damage.

8.6.11 Flood-Free Design for 0.5% Events Plus Climate Change

During the 0.5% (1 in 200 year) plus climate change allowance tidal flood event, the building is predicted to flood to a maximum depth of 0.54m.

Whilst all habitable accommodation would be at first floor and flood free, the ground floor lobby would flood to this depth. Therefore the site is not flood free in the 0.5% annual exceedance probability plus climate change event and this does not comply with Figure 5 of TAN 15.

0.5% Tidal Breach Event

During the 0.5% (1 in 200 year) plus CC tidal breach flood event, the building is predicted to flood to a maximum depth of 220mm. This does not comply with Figure 5 of TAN 15.

8.6.12 Flood Depth and Velocity in Extreme Events

During the 0.1% (1 in 1000 year) plus climate change allowance tidal flood event, the building is predicted to flood up to 1.45m at a maximum velocity of 0.11m/s.

Whilst all habitable accommodation would be at first floor and flood free, the ground floor lobby would flood to this depth. This flood depth exceeds the tolerable conditions in Figure 6 of TAN 15 (600mm).

0.1% Tidal Breach Event

During the 0.1% (1 in 1000 year) plus climate change allowance tidal breach flood event, the building is predicted to flood to a maximum depth of 1.61m. This flood depth exceeds the tolerable conditions in Figure 6 of TAN 15 (600mm)

8.6.13 Flood Assessment Conclusion

While the submitted FCA provides data, it does not adequately demonstrate compliance with the tolerable conditions outlined in Section 11 of TAN 15.

The site currently benefits from one residential unit, so the proposal introduces one additional unit which is of high vulnerability in flood risk terms. The FCA has demonstrated that in all predicted events, including breach scenarios, both first floor units will remain flood free and only the ground floor lobby would flood. As such, if residents chose not to evacuate the premises to the closest flood free location i.e. Christchurch Road approximately 80m north of the site, then they would be contained at first floor for the duration of the tidal flooding event.

The scheme would bring a currently vacant first floor of the premises back into a sustainable use and would provide an additional unit of residential accommodation within a sustainable

location within the urban boundary. This has merit and would contribute towards meeting NLDP objectives.

Overall, it is considered that whilst the FCA has failed to demonstrate compliance with the TAN 15 tests, given that there is no primary residence at ground floor, it is considered that on balance the proposal has demonstrated that the risks of flooding could be appropriately managed.

Accordingly, the proposal complies with Policy SP3 of the Newport Local Development Plan 2011–2026 (adopted January 2015) and the guidance set out in TAN 15.

8.7 Section 106 Planning Obligation matters:

- 8.7.1 In 2010 the Community Infrastructure Levy Regulations (2010) came into effect. Reg 122 of these regulations sets out limitations on the use of planning obligations. It sets out three tests that planning obligations need to meet. It states that planning obligations may only constitute a reason for granting planning permission if the obligation is:

In this case, the developer has provided information in relation to the viability of the planning obligations relevant to the scheme...(officers must explain what information received, what viability issues raised and our assessment of them, how has this affected the planning obligation agreed by officers)?

a) Necessary to make the development acceptable in planning terms; (the obligations of the Section 106 Agreement are necessary to ensure adequate education provision, secure affordable housing on site, provide sufficient open space and ensure its continued maintenance, monitor air quality, promote local employment benefits, secure appropriate long-term marketing of the retail/ commercial units and to improve accessibility for vehicles and pedestrians to/ from the development to ensure policy compliance.)

b) Directly related to the development; (the obligations of the Section 106 Agreement are directly related to the development.)

and

c) Fairly and reasonably related in scale and kind to the development (the obligations as set out in the Section 106 Agreement, both in terms of scale and kind of obligations being required, are fair and reasonable to ensure the aforementioned contributions for the development of this strategic site).

- 8.7.2 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 & Economic Development	To make a financial contribution towards off site affordable housing	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	Not agreed	Yes

Viability

- 8.7.3 In this case, the developer has provided information in relation to the viability of the planning obligations relevant to this scheme. A viability appraisal has been submitted to the Local Planning Authority for consideration and has been appraised by the Planning Contributions Manager
- 8.7.4 Economic viability is an important material planning consideration on the potential scope and scale of planning obligations. Developer profit will normally be a range between 15% and 20%, depending on risk and market conditions. The Applicants profit falls below 15% (even without S106 contributions). An 'open book' viability appraisal was undertaken. It concludes that, *"Given the information provided and the data from comparable evidence it is clear the scheme is unviable in terms of making a contribution to the section 106 payments"*.
- 8.7.5 Taking into account the Viability Appraisal submitted and the developer profit which falls below 15%, the Planning Contributions Manager has concluded that the S106 obligations should be waived in this instance.

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 Overall, the proposal is compliant with the relevant policies of the Newport Local Development Plan 2011-2026 (adopted January 2015).

10.2 The application is granted with conditions.

11. DECISION

GRANTED WITH CONDITIONS

Approved Plans and Documents

01 The development shall be implemented in accordance with the following plans and documents: 4430.PL.02 - Existing and Proposed Block Plans Rev A; 4430.PL.06 - Proposed Elevations Rev B; 4430.PL.05 - Proposed Plans Rev B; Green Infrastructure Statement; 25303-R-601- Flood Consequence Assessment.

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

Pre –occupation conditions

Implementation of Ground Floor Internal Configuration

02 Prior to the occupation of either flat hereby approved, the associated ground floor internal configuration hereby approved, including the cycle and refuse storage, shall be provided as shown on the approved plans, kept clear of obstruction and retained in a useable condition thereafter.

Reason: To ensure adequate residential amenity, refuse storage and cycle storage is provided, in accordance with Policy SP1 and W3 of the NLDP 2011-2026 (adopted January 2015).

Biodiversity Enhancement

03 Prior to the occupation of either flat hereby approved, the proposed bird box as shown on the approved drawings shall be installed and shall retained thereafter.

Reason: To ensure ecological enhancement in accordance with Policy SP1 and GP5 of the NLDP 2011-2026 (adopted January 2015).

General conditions

NOTE TO APPLICANT

01 This decision relates to plan Nos: 4430.PL.01 - Site Location Plan Rev A; 4430.PL.03 - Existing Plans Rev A; 4430.PL.04 - Existing Elevations Rev A; Viability Appraisal; Funding Position Letter.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, GP2, GP4, GP5, GP6, GP7, H8 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 This permission relates solely to the change of use of the first floor accommodation. The existing ground floor use does not form part of this application and is not altered or authorised by this permission. Any proposal to change the use of the ground floor will require the submission of a separate full planning application for a change of use.