

Delegated Decision Report

Application No:	25/0764	Statutory Period Expires:	1st December 2025
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Site:	2 Livingstone Place Newport South Wales		
Proposal:	PROPOSED CHANGE OF USE FROM FOOD OUTLET (A3) TO TATTOO STUDIO (SUI GENERIS)		
Applicant:	E Paul		
Type:	Full	Ward:	Victoria
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is located on Livingstone Place near to the junction with Chepstow Road in Maindee which is a busy thorough fare in and out of the city centre. The building is a two storey mid-terrace property with the units either side having commercial uses with residential uses above. The property is currently vacant but was last in use as a deli and catering service. It has a small yard to the rear with the railway line lying beyond the site.

3. DESCRIPTION OF DEVELOPMENT

3.1 The proposed floor plans show a reception area with the studio behind this and an office and kitchen to the rear. No external alterations are proposed.

3.2 The intended opening hours are 10am to 5pm Monday to Sunday.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
07/1110	RETENTION OF NON-ILLUMINATED FASCIA SIGN	REFUSED	07/1110
07/1383	RETENTION OF FIRST FLOOR SIGN	REFUSED	07/1383

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)

- SP1 – Sustainability
- SP3 - Flood Risk
- GP2 – General Amenity
- GP4 – Highways and Accessibility
- GP5 – Natural Environment
- GP6 – Quality of Design
- T4 – Parking
- W3 – Provision for Waste Management Facilities in Development

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Sustainable Travel
- Wildlife and Development
- Waste Storage and Collection
- Parking Standards

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 less vulnerable development (Tattoo Studio). 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.

The application proposes a change of use to a less vulnerable use as defined in Technical Advice Note 15: Development, flooding and coastal erosion (TAN15), dated 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 TAN15 which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

6.2 Local Highways Authority:

Highway recommendation:

No objection.

Highway Comments:

The proposed use is likely to be less onerous in terms of traffic generation, parking and servicing. There are therefore no highway related objections.

6.3 Environmental Health: I confirm I have no objections to the proposed development due to no Environmental Protection concerns. This decision is based on the information/details submitted.

6.4 Dwr Cymru – Welsh Water: Dwr Cymru Welsh Water has no objection to this application.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 9th October 2025.

7.1 NEIGHBOURS: No responses have been received.

8. ASSESSMENT

8.1 Principle of Development:

Located within the urban boundary there is a presumption in favour of development in principle. The area has a mixed residential and commercial character with the unit sandwiched between two commercial units with residential units at first floor and so

residential amenity is a key consideration. The site is not within a District Centre and the proposal is for a change of use to a use best located within a centre. However, given the current A3 use is also a use best located in-centre according to PPW, the proposals do not prejudice centres-first policies and will not result in an adverse impact to the vitality of viability of the nearby district centre.

8.2 Visual Amenity/ Character and Appearance;

The proposals do not include any external alterations to the building and so would not result in an adverse impact to the visual amenity of the building or wider area.

8.3 Residential Amenity:

As noted above, the area has a mixed residential and commercial character. The building currently has an A3 use and there are also a number of commercial properties close by such as a barber's shop and hot food takeaway. It is considered that the use of the building as a tattoo parlour will not result in increased noise and disturbance when compared with the A3 use. The Council's Public Protection Manager was consulted on the application and offered no objection.

8.4 Whilst the intended opening hours are between 10am to 5pm Monday to Sunday, given the semi-commercial character of the area and the existing use which appears to be unrestricted, it is considered that opening between 9am to 6pm Monday to Saturday, and 10am to 5pm on Sundays and Public Holidays is acceptable.

8.5 Movement:

The site is located within parking zone 3 and does not benefit from any off street parking provision. However, the Council's Highways officer has been consulted and advises that as the proposal is considered to be less onerous in terms of traffic generation, there is no highway objection. Furthermore, the site is located within a highly sustainable area with Chepstow Road having good public transport links and there is a public car park nearby. The proposals are not considered to result in an adverse impact in terms of parking or highways safety.

8.6 Air Quality/ Soundscape:

The site is located within an Air Quality Management area. The Council's Air Quality SPG therefore requires a Simple Air Quality Assessment to establish whether there would be any increased worsening to air quality as a result on the proposals. Such an assessment has not been provided. However, it is recognised that the building has a commercial fall-back use and as noted above, the proposed use is considered to result in a reduction in traffic generation than the previous use. Given the fall-back use of the building it is considered that the absence of a simple air quality assessment does not justify a reason to refuse.

8.7 Drainage/ Flooding:

The planning application proposes change of use from an A3 use to a tattoo parlour. Both uses are categorised as less vulnerable development. 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. Having regard to the nature of the proposed use, the proposals are not considered to result in an increased risk to life from flooding and no objection has been received from NRW.

8.8 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. However, given the nature of the proposals which is for change of use of an existing premises with no external alteration or built development, such enhancement is not considered warranted in this instance.

8.9 **Waste:**

There is sufficient space for waste storage to the rear of the premises and the proposals do not result in any concerns in this regard.

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 use is not considered to result in an adverse impact to residential amenity or highway safety.

10.2 The application is granted subject to the following conditions.

11. **DECISION**

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents: 2.

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

General Conditions

02 The hours of operation shall be restricted to 09:00 to 18:00 Monday to Saturday, and 10:00 to 17:00 Sundays, Bank or Public Holidays. Outside of these hours the premises shall be vacated and closed to the public.

Reason: In the interests of the amenities of occupiers of adjoining properties in accordance with Policy GP2 of the NLDP.

NOTE TO APPLICANT

01 This decision relates to plan Nos: 1, 2, 3.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP3, GP2, GP4, GP5, GP6, 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.