

Delegated Decision Report

Application No:	26/0237	Statutory Period Expires:	29th July 2026
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Site:	17-21 Wharf Road Newport NP19 8ET		
Proposal:	CHANGE OF USE FROM EXISTING WINDSCREEN CENTRE TO INTERNATIONAL SUPERMARKET		
Applicant:	H Cetin		
Type:	Full	Ward:	Beechwood
Decision:	REFUSED		

1. BACKGROUND

1.1 This application is a resubmission following three previous applications and the dismissal of an appeal at the site. Previous applications have included residential uses at first floor. The residential elements were not included in the appeal application and are not proposed as part of this application. The most recent application was refused for the following reasons:

- The proposals will have a significant adverse impact upon interests of acknowledged importance, namely the vitality and viability of defined centres by reason of a failure to demonstrate a quantitative and/or qualitative need for the proposed A1 use. This is contrary to national policy Future Wales - The National Plan 2040 Policy 6 - Town Centre First, Planning Policy Wales 12 and to Policies SP19 and R8 of the adopted Newport Local Development Plan 2011 - 2026.*
- The development does not provide an adequate area for both off road parking and servicing to serve the use. The development will intensify the use of the rear yard and increase pressure for servicing and parking on Archibald Street and unsafe reversing manoeuvres across and within the public highway directly in front of residential properties with associated noise and disturbance impacts. This is detrimental to highway and pedestrian safety and the amenity of neighbouring residential occupants and is contrary to Policies GP4 and GP2 of the adopted Newport Local Development Plan 2011-2026.*

1.2 Relevant to matters concerning this application, in determination of the appeal the Inspector upheld reasons relating to retail impact and highways and pedestrian safety.

1.3 This submission seeks to address the previous reasons for refusal.

2. SITE LOCATION AND CONTEXT

2.1 The building is currently vacant but was last used as a windscreen repair business. The site is within the settlement boundary and is located in a densely populated area having a mixed residential/commercial character. The building is orientated towards Wharf Road which is a busy four lane highway leading to Chepstow Road to the north and Corporation Road to the south-west. The rear of the building is orientated towards Archibald Street which is residential in character. Directly to the rear (south-east) the building abuts 69 Archibald Street which is a dwelling. Opposite the site and the other side of Wharf Road is a Tool Hire Centre. The site plan shows two separate parking areas associated with the building which are accessed via Archibald Street and directly from Wharf Road.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks planning permission for the conversion of a former windscreen centre building to a grocery store. The supporting information states that the intended occupier is a Turkish food-store.

3.2 The internal layout shows food counters and shelving. The supermarket floorspace would be approximately 133m². To the rear cycle storage is shown along with a store with customer parking and a bin store to the rear accessed via Archibald Street. The first-floor layout shows storage, an office, staff room and W/C.

3.3 The proposals also include external alterations including a hip to gable extension over the

main roof of the building, changes to openings, change from flat roof to pitch roof to the rear and roller shutters to the front ground floor openings.

4. RELEVANT SITE HISTORY

Ref. No.	Description	Decision & Date
93/0017	ALTERATION TO NO. 17 (NEW OPENING IN WALL OF FITTING BAY), CHANGE OF USE OF 19 & 21 FROM RESIDENTIAL TO USE AS GLASS REPLACEMENT CENTRE AND ALTERATIONS.	GC 21 September 2021
23/0922	CONVERSION AND CHANGE OF USE OF FORMER WINDSCREEN CENTRE BUILDING INTO GROUND FLOOR TURKISH/INTERNATIONAL GROCERY STORE, WITH 3NO. 1 BED FLATS TO FIRST FLOOR WITH A FURTHER 2NO. 2 BED FLATS IN LOFT SPACE INCLUDING HIP TO GABLE ROOF EXTENSION, REAR DORMER AND OTHER ASSOCIATED EXTERNAL ALTERATIONS	R 18 January 2024
24/0522	CONVERSION AND CHANGE OF USE OF FORMER WINDSCREEN CENTRE BUILDING TO PROVIDE GROUND FLOOR TURKISH/INTERNATIONAL GROCERY STORE, 3 X 1 BED FLATS TO UPPER FLOORS AND ASSOCIATED DEVELOPMENT THERETO	Refused / Appeal Dismissed 08 August 2024
25/0669	CHANGE OF USE FROM WINDSCREEN CENTRE TO INTERNATIONAL SUPERMARKET, HIP TO GABLE ROOF EXTENSION, INSTALLATION OF ROLLER SHUTTER AND OTHER ASSOCIATED EXTERNAL CHANGES	R 13 August 2025

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

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.

4.3.14 - In deciding whether to identify sites for comparison, convenience or other forms of retail uses in development plans or when determining planning applications for such uses,

planning authorities should first consider whether there is a need for additional retail provision. However, there is no requirement to demonstrate the need for developments within defined retail and commercial centre boundaries or sites allocated in a development plan for specific retail uses. This approach reinforces the role of centres, and other allocated sites, as the best location for most retail, leisure, and commercial activities. It is not the role of the planning system to restrict competition between retailers within centres.

4.3.15 - Need may be quantitative, to address a quantifiable unmet demand for the provision concerned, or qualitative. Precedence should be given to establishing quantitative need before qualitative need is considered for both convenience and comparison floorspace, particularly as a basis for development plan allocations.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policy SP1 Sustainability favours proposals which make a positive contribution to sustainable development.

Policy SP3 Flood Risk ensures development is directed away from flood risk areas.

Policy SP19 Assessment of Retail Need sets out the retail hierarchy for where retail development should be located. 1. Newport City Centre; 2. A Defined District Centre; 3. Local Centres; 4. Out of Centre.

Policy GP2 General Development Principles – General Amenity states that development will not be permitted where it has a significant adverse effect on local amenity in terms of noise, disturbance, overbearing, light, odours and air quality. Development will not be permitted which is detrimental to the visual amenity. Proposals should seek to design out crime and anti-social behaviour, promote inclusion and provide adequate amenity for future occupiers.

Policy GP4 General Development Principles – Highways and Accessibility states that development should provide appropriate access for pedestrians, cyclists and public transport along with appropriate car parking and cycle storage. Development should not be detrimental to the highway, highway capacity or pedestrian safety and should be designed to enhance sustainable forms of transport and accessibility.

Policy GP5 General Development Principles – Natural Environment states that proposals should be designed to protect and encourage biodiversity and ecological connectivity and ensure there are no negative impacts on protected habitats. Proposals should not result in an unacceptable impact of water quality or the loss or reduction in quality of agricultural land (Grades 1, 2 and 3A). There should be no unacceptable impact on landscape quality and proposals should enhance the site and wider context including green infrastructure and biodiversity.

Policy GP6 General Development Principles – Quality of Design states that good quality design will be sought in all forms of development. In considering proposals, a number of factors are listed which should be considered to ensure a good quality scheme is developed. These include consideration of the context of the site; access, permeability and layout; preservation and enhancement; scale and form of the development; materials and detailing; and sustainability.

Policy GP7 General Development Principles – Environmental Protection and Public Health states that development will not be permitted which would cause or result in unacceptable harm to health.

Policy R8 Small Scale Retail Proposals states new small scale retail proposals outside of the city and district centres will only be permitted when new residential development would be served or the proposals would cater for under-provision; the proposal is of an appropriate scale; there's no adverse effects on viability of any defined centre; and there are no unacceptable effects on the local amenities or general character of the area.

Policy T4 Parking states that development will be expected to provide appropriate levels of parking.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

Parking Standards

Wildlife and Development

Security Measures for Shopfronts & Commercial Premises

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 change of use from a windscreen centre (less vulnerable development) to an international supermarket (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. Based on the plans submitted no residential development is planned as part of this application. We have not reviewed the submitted Flood Consequence Assessment (FCA) as we consider the proposal to be low risk. However, it is for the planning authority to determine whether the risks and consequences of flooding are acceptable. Therefore if you require technical advice on the submitted FCA to arrive at this judgement, please notify us and allow us additional time to undertake the review.

European Protected Species – Bats No ecological information has been submitted in support of this application. We recommend you seek the advice of your Authority's internal ecological adviser about the requirement for further information to be submitted in support of the application, the need for bespoke surveys and the scope of further information, where required.

6.2 Local Highways Authority:
Highway recommendation:
Objection.

Highway Comments:

For ease of reference our comments use the same headings as the Nene Valley Technical Note (TN) (no date or reference found).

1. Introduction

The nature and scale of the store is understood, and the principle of re-use is not a concern subject to a practical arrangement.

We do not consider there is any meaningful relationship with Maindee District Centre.

1. Policy

From a Highways' perspective the key policies are those that address public safety. The responses issued previously to the draft TN, do not constitute a "rigid suburban parking response". They required full and correct information to assess the proposals, and this is still lacking. Therefore "evidence led decision making" is still impossible. The issues raised are safety related and put pedestrians first.

1. Existing Site Context and Lawful Fallback

The context and fallback have not been presented. The TN does not provide any information to support the assertion that the extant use or any fall-back position is worse than what is proposed. It would be acceptable to change the nature of the commercial activity as long as it is shown to be no worse or any impacts are mitigated.

1. Corrected Trip Generation Assessment

We note the correction and welcome the amended TRICS assessment. The supporting data is not presented; however, the new forecast trip numbers are accepted as broadly proportionate and show significant levels of activity for a residential street. The evening peak for example is predicted to have 47 movements in the hour with the morning peak predicted to have 38. This raises a number of concerns around the access and the adjacent junction.

The site access is considered in section 7 below. The vehicular access to this site is via residential roads, with weight and directional controls. All customers must approach via these residential streets. It appears likely that most would approach via Eveswell Street, using the box junction with Chepstow Street, potentially impacting the school and Fire station.

All will exit onto Wharf Road where vehicles are likely to queue beyond the access in peak hours and obstruct Wharf Rd if turning right (here or next right) as they would not be likely to cross in one movement.

An increase of 10% over existing volumes (or 30 movements) would normally trigger an assessment. To understand the weight that should be given to these concerns the application should include surveys to establish the existing movement out of Archibald Street as well as full TRICS profiles.

We would seek input from the local fire and rescue service as this could impact emergency vehicles if they use this route to reach Wharf Rd.

1. Pass-by, Diverted and Linked Trips

It appears that the applicant now understands that pass-by and diverted trips do not help as they are all new to Archibald Street. We note that discounting is not relied upon.

Whilst we accept that it is possible to park in the Maindee centre and visit multiple stores/services, it is unlikely there would be any significant number of trips shared with this development. The Retail study suggests that this store fulfils a specific role but also overlaps other stores in terms of offer. That added to the perceived severance suggests that there

would be no significant cross over and no pass by.

1. Parking Survey Dataset and Methodology

Highways do not accept that the methodology and parameters were appropriate for the reasons previously provided. A new survey however is not requested. The results should omit streets that could not be used conveniently and assess the discreet gaps. It is suggested in the TN that photos and mapping is available to demonstrate the number of spaces available. This information should be presented if the survey is to be given any weight.

It is noted that there is on site parking claimed (this is discussed in detail in the next section) however there is an issue in so far as customers pass most of the on-street spaces before they know if they can park in or close to the shop. They are unable to circulate without a significant loop of main and residential roads to get back to Archibald (Street).

We are content to review the survey information when it is adjusted and presented whole. At this time however the survey cannot be given any weight.

1. Revised Layout, Parking, Cycle Parking and EV Provision

The TN now includes a plan to show the proposed customer provision of parking, which consists of three spaces with no space to manoeuvre and an access that isn't wide enough for two-way movements. In addition, the space is shared with the service vehicles (considered further in the next section).

Although there are no swept paths it is clear that neither the space or the access is practical. In effect there is zero accessible / safe customer parking in curtilage. Combined with the lack of on street parking this raises further objection. It is not accepted that unsafe and impractical arrangements are better than a "suburban format parking layout" whatever that is.

It is clear from the TN that there will be significant levels of visitor parking required with circa 19/23 arrivals in the peaks. The TRICS data have not been provided but would readily demonstrate accumulation greater than the provision. Given that the access doesn't accommodate two-way movements it is academic anyway.

We note that the only parking is for customers and there is no provision for staff. The yard on the other side of the property is not used for anything. Indeed, it is obstructed by customer cycle parking.

1. Access, Visibility and Pedestrian Safety

The plan referred to in the TN shows visibility splays through the boundary wall and in the neighbour's land. Furthermore, the vehicular visibility is drawn to some random point and not within 1m of the kerb line as required. Therefore, it demonstrates that there is insufficient visibility for pedestrian or vehicular safety.

It is academic anyway as vehicles cannot turn within the site. The drivers would cross the footway "blindly". And at an angle that doesn't allow them to make effective observations (even going forward).

The reference to collision records is not helpful as the nature of the access/use will be changed. It is not even known if it was used for vehicles to exit in the last five years. Images on Google Maps appear to show a drive through operation, which would mean no manoeuvring in this yard and no exit via this gate.

1. Servicing and Refuse Strategy

The plans referred to show goods in in the same area as customer parking. Again, there are no swept paths to show this is practical and there is certainly no possibility of vehicles entering and leaving in forward gear. This is not a suitable arrangement.

The TN suggests that presenting the swept paths/basic information would be "a drawing presentation matter". The applicant must demonstrate that the proposals work before we can support them. The previously submitted swept paths made it clear that the vehicle could not manoeuvre within this yard.

Furthermore, it is not accepted that all deliveries would be made with a vehicle of similar proportions to a large 4x4.

In terms of refuse the document refers to the "agreed waste management arrangements". It is not clear what has been agreed or who agreed. Private collections on street would be required and would obstruct the street. Whilst there is some control (compared to LA collections) these are still going to clash with customers and other highway users.

Furthermore, highways do not consider the suggested delivery/collection strategy is practical or enforceable.

1. Sustainable Transport and Local Amenity Benefits

The only point made and accepted in this section is that provision of specialist foods may be convenient for some customers and reduce the distance they travel to purchase them. Given

the relatively small customer base, convoluted routes and likely catchment however we would not expect this to represent a significant saving in terms of vehicle mileage.

11. Alternatives and Planning Balance

The previous use is not considered worse than the proposed in terms of highway matters. It appears to have catered for a steady stream of customers on site with a one-way operation and windscreens do not require large vehicles to deliver (or fit) them.

The other points raised are not for Highways to comment on.

12. Suggested Planning Conditions

Highways would not support the access and parking provision.

The visibility is not achievable.

Any proposed servicing plan is unlikely to be able to address our concerns or be enforceable.

Any potential solutions should be set out prior to determination to avoid conditions that cannot be discharged.

Highways do not consider that the impacts can be managed via conditions and maintain an objection.

- 6.3 Dwr Cymru – Welsh Water: We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Condition

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

- 6.4 SAB Drainage: 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 visit the website. For further information, or contact the SAB team sab@newport.gov.uk for further discussions.
- 6.5 Environmental Health: No response.
- 6.6 Senior Scientific officer: In terms of air quality in respect of the below planning application, I recommend the following planning conditions be applied:

- Sustainable energy / heating systems: No development shall commence on site until a scheme of sustainable energy / heating systems has been submitted to the local planning authority (LPA). Considerations should include the quality of building insulation, suitability of air source / ground source heat pump or ultra-low emission boiler installation and PV panel fitting. The scheme must be approved by the LPA prior to implementation and thereafter be permanently retained.

Reason: To prevent unacceptable harm because of air pollution (Policy GP7); There must not be a significant adverse effect upon local amenity in terms of air quality (Policy GP2).

- Ultra-low emission vehicle infrastructure: No development shall commence on site until a scheme of ultra-low emission vehicle (ULEV) infrastructure within the parking provision has been submitted to the local planning authority (LPA). The scheme must be approved by the LPA prior to implementation and thereafter be permanently retained.

Reason: To prevent unacceptable harm because of air pollution (Policy GP7); There must not be a significant adverse effect upon local amenity in terms of air quality (Policy GP2).

-Access to active travel storage: No development shall commence on site until suitable cycle storage provision has been agreed with the local planning authority (LPA).

Reason: To prevent unacceptable harm because of air pollution (Policy GP7); There must not be a significant adverse effect upon local amenity in terms of air quality (Policy GP2).

In terms of contaminated land in respect of the below application, it is unclear whether any earthworks will occur as part of the application. If these works are expected I recommend the following planning condition be applied:

-Unforeseen land contamination: Any unforeseen ground contamination encountered during development, to include demolition, shall be notified to the Local Planning Authority (LPA) as soon as is practicable. Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, an appropriate ground investigation and/or remediation strategy shall be submitted to and approved in writing by the LPA, and the approved strategy shall be implemented in full prior to further works on site. Following remediation and prior to the occupation of any building, a Completion/Verification Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to and approved in writing by the LPA.

Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 17th April 2026, Site Notice was put up on 24th April 2026.

7.1 NEIGHBOURS:

3no objections received summarised below:

-The proposals will exacerbate the existing parking problems in the area;

-It is impossible to park near our home and this will result in a high turnover retail business and overwhelm existing capacity on-street;

-A windscreen centre operates on an appointment-only basis, generating low-intensity vehicle turnover. Conversely, an international supermarket relies on high-volume, high-frequency customer visits. The current site lacks the physical space to accommodate the parking demand required.

-Due to the severe lack of available on-site parking, shoppers and delivery vehicles will inevitably resort to dangerous roadside parking, double-parking, or mounting local pavements. This will restrict visibility at junctions, block emergency service access, and create a hazardous environment for pedestrians.

-Supermarkets require frequent servicing by large Heavy Goods Vehicles (HGVs). The constraints of the existing site mean these delivery vehicles will be forced to reverse or unload directly on the public highway, causing severe traffic gridlock and compromising road safety.

-The proposed development fails to meet local and national planning policies regarding safe

access, parking standards, and highway capacity. It represents an overdevelopment of a constrained site that cannot support the infrastructural demands of a supermarket.

1no response received in support of the proposals, summarised below:

-Parking has always been an issue in this area and I do not believe this proposal would make a significant difference. Many people using a local convenience shop would walk rather than drive, especially those living within the surrounding streets and flats. I believe having a local shop here would actually benefit the community. It would improve access to everyday essentials, particularly for elderly residents and people without transport, and would bring an empty unit back into use rather than leaving it vacant. Small convenience stores are common within residential areas and operate without causing major disruption. Deliveries and operating hours can also be controlled through planning conditions if required.

8. ASSESSMENT

8.1 Principle of Development:

The site is located within the settlement boundary and in an area having a mixed character of both residential and commercial. The re-use of this prominently sited vacant building has merit. However, the site is constrained with limited parking availability. Furthermore, national and local planning policy is clear that retail uses located outside of retail centres must demonstrate need and if need is established then it must be demonstrated that no sequentially preferable sites are available in the interest of preserving the viability and vitality of the city centre, district centres and local centres. These matters are discussed further below together with the other relevant considerations.

8.2 Visual Amenity/ Character and Appearance;

As noted above, the proposals include external alterations including a hip to gable roof extension over the main roof of the building, changes to openings, change from flat roof to pitch roof to the rear and roller shutters to the front ground floor openings. It was previously noted that the roof design of the building is currently a gable to one end and hip to the other and so the hip to gable roof extension would balance out the roof form of the building and is not objected to. Similarly, the proposed changes to the size and arrangements of openings and the pitched roof in place of an existing flat roof to a single storey rear element are also considered to be acceptable.

8.3 The proposed drawings show a lattice style roller shutter to openings at ground floor level to the front elevation of the building with the housing behind a fascia board. This style shutter accords with the Council's Security Measures for Shopfronts and Commercial Premises SPG and is acceptable.

8.4 The proposed external alterations do not give rise to any neighbouring amenity concerns given the siting of the building relative to the boundaries.

8.5 Retail need and Sequential Approach

The proposals include a new retail use located outside of any retail centre designated in the Newport Local Development Plan. In such locations it is necessary to show that there is sufficient need to justify the provision of a retail unit (or use best located in-centre) outside of a designated centre and in accordance with strategic LDP policy SP19 and Planning Policy Wales. Consideration should then be given to whether an appropriate site is available within a centre. Recent caselaw (*Waterstone Estates Limited v. The Welsh Ministers*) has established the primacy of the need test within Wales. The proposals equate to less than 2500m² floor space so it is not usual for the applicant to examine retail impact on existing centres via a retail impact assessment but it is open for the Local Planning Authority to require it if considers such an assessment to be justified.

8.6 To prove need the applicant must identify a catchment, calculate the available retail expenditure within that catchment and compare that with the existing retail provision within

that catchment to identify any shortfall that can serve the proposal. Any assessment of need must be commensurate with the proposal. In out of centre locations, if there is no expenditure capacity/need to serve new uses best located in a defined centre (as defined centres are more sustainable focal points of retail and community facilities per se) there is a simple policy presumption against the development. The overall methodology is well established but can be subject to interpretation and certain levels of assumption.

8.7 Planning Policy Wales, Edition 12 (PPW12) states at paragraph 4.3.14 that:

In deciding whether to identify sites for comparison, convenience or other forms of retail uses in development plans or when determining planning applications for such uses, planning authorities should first consider whether there is a need for additional retail provision. However, there is no requirement to demonstrate the need for developments within defined retail and commercial centre boundaries or sites allocated in a development plan for specific retail uses. This approach reinforces the role of centres, and other allocated sites, as the best location for most retail, leisure, and commercial activities. It is not the role of the planning system to restrict competition between retailers within centres.

8.8 It is stated within paragraph 4.3.15 that:

Need may be quantitative, to address a quantifiable unmet demand for the provision concerned, or qualitative. Precedence should be given to establishing quantitative need before qualitative need is considered for both convenience and comparison floorspace, particularly as a basis for development plan allocations.

8.9 National Policy is very clear that need is the key consideration when assessing out of centre retail applications or uses best located within a centre.

8.10 National Policy also allows justification for new out of centre uses best located in centres on qualitative need. PPW12 advises at Paragraph 4.3.16 as follows:

Qualitative assessment should cover both positive and negative aspects and may become an important consideration where it:

- *supports the objectives and retail strategy of an adopted development plan or the policies in this guidance;*
- *is highly accessible by walking, cycling or public transport;*
- *contributes to a substantial reduction in car journeys;*
- *contributes to the co-location of facilities in existing retail and commercial centres;*
- *significantly contributes to the vibrancy, attractiveness and viability of such a centre;*
- *assists in the alleviation of over-trading of, or traffic congestion surrounding, existing local comparable stores;*
- *addresses locally defined deficiencies in provision in terms of quality and quantity, including that which would serve new residential developments; or where it;*
- *alleviates a lack of convenience goods provision in a disadvantaged area.*

8.11 In this case the proposed site is not allocated in the adopted LDP and the development would not support any local retail strategy or the centre first stance supported by PPW12.

8.12 In terms of quantitative information accompanying the application, the application is accompanied by a Retail Statement. In terms of the area examined for purposes of need it states that:

-In defining a suitable catchment area that is proportionate to the scale of the proposed development for the purposes of undertaking the need assessment, consideration has been given to the core area that the proposal is expected to serve.

-The Proposed Development is for 285 sqm convenience store with a sales area of 133 sqm that will provide a specific convenience retail offer focused on produce from a specific geographical region, Turkey.

-The typical locational strategies for such convenience stores located in urban and suburban locations, such as the site, is to serve an area that typically equates to a 10- to 15-minute walking distance from the store.

-Taking into account the operational requirements and business strategy of the Proposal, it is considered appropriate and proportionate to use a 15-minute walking time as the catchment area (a roughly 1.2 km radius), which encapsulates the following defined centres:

- Beechwood District Centre;
- Caerleon Road District Centre;
- Corporation Road District Centre;
- Maindee District Centre; and
- Clarence Place Local Centre.

8.13 In terms of retail context the statement sets out the wider retail context in south Wales and the UK and states “The retail and commercial leisure market has been undergoing significant restructuring, driven by long-term trends and recent global events such as the 2008 financial crisis and the Covid-19 pandemic. Online sales have risen, leading to reduced demand for physical retail spaces, which are increasingly being converted for alternative uses. The pandemic, in particular, accelerated these trends, resulting in high street closures and changes in consumer behaviour. Reference is made to Brexit and the Russia-Ukraine conflict which it is stated has also had an impact and likely contributed to lower spending and high street store closures. These factors are not disputed.

8.14 The supporting information states the quantitative assessment follows a standard step-by-step methodology, which is summarised below.

- **Study Area** – the study will use the Study Zones 3 of the Newport Retail and Leisure Study (NRLS) Study Area outlined in Appendix A of the NRLS.
- **Population and Expenditure** – estimation of the population and its spending potential within the Study Area at the base year of 2026 and projected forward to the Design Year.
- **Existing Patterns of Trade** – calculation of the turnover of existing retail locations at the base and design years. These are derived from the results of the household survey underpinning the NRLS.

8.15 The assessment examines predicted population growth within the study area and how this will affect convenience goods spending. The statement affirms that the quantitative evidence must be considered in the context of the type, scale and function of the proposed development and that as a small Turkish grocery store it is not directly comparable with the role and function of a conventional supermarket or large-format convenience store. It confirms that the Newport Retail and Leisure Study and its 2023 Addendum identify no strategic quantitative capacity for additional convenience goods floorspace across the authority area over the plan period, however, [The Plan] does not preclude small-scale proposals where there is evidence of local under-provision, qualitative deficiency, or where the proposal would meet a specific day-to-day need not adequately served by existing facilities.

8.16 The statement confirms that existing convenience destinations within the defined area are not overtrading, to the contrary they are generally trading below benchmark. This would support the position of the Council’s Retail Study (2018) and more recent updates in preparation for the RLDP, that there is no additional capacity for convenience goods within the city and does not provide any evidence that the proposal would be unlikely to draw trade from existing centres.

8.17 The proposed supermarket is estimated to generate a turnover of approximately £0.8m in 2029, based on a net sales area of 133 sqm and an average sales density of £6,018 per sqm. This figure is considered to be particularly high when compared with national averages and is considered to be disproportionately high given the absence of any additional capacity for convenience goods within the city. The applicant contends that the estimation is not high, but rather is cautiously low. However, the supporting information appears to contradict this stating that: *“The proposed operator is a small independent specialist ethnic grocery store. Such stores may reasonably be expected to trade at a considerably lower productivity than national multiple convenience retailers because they typically include a greater proportion of imported, specialist, dried, frozen, counter, deli and lower stock-turnover lines, and because the unit includes a specialist destination element rather than a purely high-throughput convenience*

format.” The assessment includes the following sensitivity table for comparison with other retailers:

Scenario	Assumed sales density	Estimated turnover at 133 sqm net sales
Lower sensitivity based on Costcutter benchmark	£4,596 per sqm	c. £0.61m
Tested Retail Statement assumption	£6,018 per sqm	c. £0.80m
Iceland benchmark comparison	£6,663 per sqm	c. £0.89m
Spar benchmark comparison	£7,484 per sqm	c. £1.00m

- 8.18 The statement contends that in retail composition terms, the proposal would most appropriately fall within the ‘Other, Zone 3’ category used within the benchmark assessment rather than within the identified mainstream convenience operators. That category is identified as exhibiting a modest degree of overtrading, and therefore the limited level of trade diversion associated with the proposal would not materially affect the trading performance of existing convenience destinations. It concludes that the quantitative evidence indicates that the proposal would operate at a scale proportionate to the local retail market and would not give rise to any significant adverse effects on the vitality or viability of existing centres or stores. Rather, the development would broaden consumer choice by introducing a specialist convenience offer that complements the existing retail provision within the catchment area.
- 8.19 The statement affirms that the principal need case for the proposal is qualitative and goes on to justify this on the basis that the proposal would broaden consumer choice and support linked trips with Maindee District Centre, thereby making a positive contribution to the DC. The broadening of retail choice is a benefit that could be replicated time and again for individual retailers and only limited weight is attributed to this. The applicant considers the site to be in an edge of centre location. Whilst it is acknowledged that the site is within close proximity of the District Centre, as noted in paragraph 7.4 of PPW “Factors such as the size of the retail and commercial centre, local topography and presence of physical barriers to access may influence any assessment.” Given the location of the site, separated from the DC by a dual carriageway and disjointed relationship with Maindee DC, these factors indicate that it should not be regarded as edge of centre and it is considered that linked trips are less likely. The site is not highly accessible on foot, and this is indicative of its out of centre location. The vehicular accessibility matters and one way system in Archibald Street mean that it also unlikely to result in shoppers travelling by car to Maindee DC (where there is on street parking to the front of units and a public car park) from carrying out joint visits with the application premises. In her consideration of the appeal the Inspector noted that the site is out of centre and did not differentiate the site as being edge of centre. On this basis only limited weight is attached to the qualitative benefits of the proposals that has been offered.
- 8.20 In terms of the quantitative benefits of the development the applicant states the proposal would fill a specific qualitative gap. For many customers, the range of goods provided (such as bread, milk, eggs, dairy products, cheese, fresh and frozen meat, fresh produce, rice, bulgur, pulses, flour, oils, canned and jarred goods, tea, coffee, confectionery, soft drinks, frozen goods and household top-up items) are everyday staples forming part of normal household food shopping. As such, the proposal would improve access to culturally appropriate staple goods for local communities, whilst also broadening the choice available to the wider population. It is stated that operationally, the store would differ from a mainstream convenience format in a number of important respects:
- the sales area is modest, at approximately 133 sqm, with upper floor space used for ancillary storage, staff welfare, office and back-of-house functions;
 - the store would have a higher proportion of specialist imported, ethnic, halal, dried, frozen and counter / deli goods than a general convenience operator;
 - it would be likely to serve a mix of top-up, specialist destination and locally based shopping trips, rather than functioning as a large-scale main food shopping destination;
 - its catchment and trading overlap with mainstream operators would therefore be limited by the principle of ‘like competing with like’; and
 - the store would complement, rather than duplicate, the existing general convenience offer in Maindee and the wider area.

- 8.21 In terms of customer profile, this is expected to include local Turkish, Middle Eastern, Mediterranean, Balkan / Eastern European and other ethnic communities, whilst also attracting wider residents seeking specialist and international food products.
- 8.22 The supporting information states that based on the 2021 Census, the Victoria Ward (which takes in the Maindee area) includes a population within selected ethnic categories that are likely to be relevant to the proposal's specialist offer. These categories include: 'Asian, Asian British or Asian Welsh: Other Asian'; 'Mixed or Multiple ethnic groups: White and Asian'; 'Mixed or Multiple ethnic groups: Other Mixed'; 'White: Other White'; 'Other ethnic group: Arab'; and 'Other ethnic group: Any other ethnic group'. The total population within those categories was identified as approximately 1,474 persons in 2021 and applying the average annual population growth rate used in the Retail Statement evidence base results in an indicative selected ethnic population of approximately 1,529 persons by 2029 within Victoria Ward alone. Multiplying this figure by the 2029 per capita convenience expenditure of £2,558 indicates a gross convenience expenditure pool of around £3.9m per annum before adjustments for special forms of trading and before recognising that much of this spend is already committed to mainstream food shopping. The applicant contends that this demonstrates there is a meaningful local population and associated expenditure base for the specialist offer. However, there is no evidence that the local ethnic population in the Victoria Ward of Newport which primarily constitutes 'Asian' (as defined by the census) is not adequately served by the existing ethnic grocery provision in the area. For example, the Mas Bazaar/Kolys Foods store which is a specialist Asian grocery store in Tredegar Street. It is stated that it is not directly comparable to the proposed Turkish focussed convenience store and is located materially further away. However, this store is located within 0.9 miles of the application site and given that the proposal is anticipated as serving as a destination for top-up shops, it is not considered unreasonable or unrealistic to anticipate that customers are already served by this provision. The case for why it is not directly comparable to the proposed store is not well made.
- 8.23 The Retail Statement is considered to lack qualitative information relating to the way in which the proposal would fill an identified gap in providing staple goods to the identified demographic and the operational differences between the way in which the intended Turkish supermarket would function compared to more generalised supermarkets.
- 8.24 Qualitative need based on the information supplied is given more limited weight as occupancy can change and conditions should not or could not control the origin of goods or the types of food for example. As said elsewhere in this report, whilst a specific demographic may be the target audience of this application, the land use consented will be retail and cannot be restricted to a specific category of user/customer. If planning permission were to be granted the Council cannot control the occupancy of the unit by a particular retailer and so any benefit of the assimilation could be lost. The qualitative need information offered by the applicant in support of the proposals is considered to be very limited and does not justify the proposals in the absence of quantitative need information.
- 8.25 The retail need information accompanying the application is lacking and flawed and is not considered to justify the scheme. There is a policy presumption against the development and this must carry very significant weight indeed.
- 8.26 The proposal is contrary to policies SP19 and R8 of the adopted Local Development Plan.
- 8.27 Case law in Wales is clear that retail tests relating to sequential test and retail impact are not required in the event that need cannot be shown. Whilst need has not been demonstrated in this instance, for the purpose of completeness the sequential test supporting the application has been examined.
- 8.28 Newport city centre is top of the hierarchy of centres in the Council's administrative area and is the focus of all commercial services serving the entire population of the City. Pressures upon it and other defined centres, arising from reduced retail expenditure capacity in the catchment, leakage of expenditure to neighbouring centres outside Newport, increased vacancy rates in centre, loss of anchor stores and well known brands/chains and lack of new commercial start ups in centres along with evidence of decline/lack of vitality and general vibrancy and environmental decline have significant adverse impacts upon these centres and

the city as a whole in both the short and long term. To repeat development of out of centre sites for uses best located in centres without very robust justification and satisfaction of retail planning policy objectives would be reckless and set an undesirable precedent.

- 8.29 In application of the test it is for the applicant to robustly show that no more appropriate site is available or suitable. Caselaw requires a degree of flexibility is shown in site assessment in order to prevent an applicant setting such a stringent requirement that only their chosen site could ever meet it.
- 8.30 In terms of sequential information, the Council raised concerns with regard to the size of the units considered as part of this as whilst the building has a gross internal floorspace of 285sqm, the ratio between the sales and non-sales area is disproportionately high in this instance with the sales spaces constituting 133m² compared to the non-sales upper floor square meterage of 152m². It was therefore considered that the full 285m² was unjustified for examining potential alternative sites and this had potential to impact the sites that have been reviewed. The applicant subsequently adjusted this to consider the sequential position using a lower floorspace threshold based on the 133 sqm net sales area. Notwithstanding this adjustment the sequential assessment concludes that no suitable and available sequentially preferable alternative site has been identified that could accommodate the Proposal.
- 8.31 29 sites were considered as part of the Sequential Assessment with a two-stage filtering format. Of the sites examined, none succeeded past stage 1 relating to floorspace requirement and location. Whilst the Council does not dispute the findings of the SA and it cannot be concluded that there are any sequentially preferably units available, notwithstanding this, the need for the proposed A3 uses have not been established in accordance with local and national policy.

8.32 **Air Quality/ Soundscape:**

The site is located within an Air Quality Buffer. 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 it is proposed to change to an A1 use. Commercial uses by their nature can require the associated use of vans and lorries which are likely to result in a greater air quality impact than the proposed residential and small scale retail use. On balance, in the absence of such information and 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.

8.33 **Movement:**

Key finding of the appeal decision is that the site is situated within a sustainable location in proximity to bus stops on Wharf Road and as such, the reduction in parking spaces proposed compared to the advised number of spaces in the Parking SPG is acceptable in this case. However, the Inspector shared the Highway Authority's concerns that the layout and access arrangements of the proposed car park for the retail store would be inadequate and that the restricted space available within the site would result in vehicles having to reverse out of the car park with limited visibility of passing pedestrians. The Inspector concluded that given her concerns in regard to the vehicular access and turning arrangements associated with the car parking area proposed for the retail store and the serious risk this poses to pedestrian safety along with the uninterrupted and safe flow of traffic on Wharf Road, the proposed development would be harmful to the safety and convenience of highway users contrary to Policy GP4 of the LDP which requires proposals to, amongst other matters, provide suitable and safe access arrangements:

..."given the one-way restriction and high level of on street parking, I share the Highway Authority's concerns in regard to the practicalities of large heavy goods vehicles (HGVs) utilising Archibald Street and potential disturbance this would cause to residents of the surrounding area. The appellant refers to other retail uses outside of district centres which are serviced by on street deliveries, including on Chepstow Road and Jeffrey Street. Nevertheless, the relevant planning permissions relating to such uses are not before me so do not influence my assessment of the appeal scheme."

- 8.34 The previous submissions included parking provision to serve the retail store in an area to the north-east of the building accessed via Wharf Road. The scheme no longer includes parking to this area. The site plan accompanying the application indicates 3no customer parking spaces to the rear of the building via Archibald Street. This area is also indicated for deliveries/servicing. No swept path information has been provided and it is clear that neither the space or the access is practical.
- 8.35 In this case, the close juxtaposition of the external yard area accessed off Archibald Street, and the residential properties close by mean that residents will both see and hear activity within the yard with all the associated issues this brings in terms of service vehicle noise such as reversing alarms, engine revving, doors slamming. The proposed supermarket use can reasonably be expected to have longer opening and servicing hours compared to the previous use with a need for regular deliveries to replenish stock and constant comings and goings of customers. TRICS forecasts show an evening peak is predicted to have 47 movements in the hour with the morning peak predicted to have 38. The yard as shown does not appear to be capable of accommodating staff, customer and deliveries without a high likelihood of such elements spilling out onto the adjoining street. The Highways Officer has advised why this is harmful to highways and pedestrian safety. The restricted space available within the site would result in vehicles having to reverse out of the car park with limited visibility of passing pedestrians. Vehicles would be reversing and turning on/in close proximity to the designated footway to the detriment of both local pedestrians and shoppers visiting the site. Given the site's location within an urban area surrounded by a number of residential streets and Maindee District Centre nearby, the pedestrian footway is well used. Furthermore, given the one-way restriction and high level of on street parking, the practicalities of large heavy goods vehicles (HGVs) utilising Archibald Street and potential disturbance this would cause to residents of the surrounding area is of significant concern.
- 8.36 The applicant contends that *"the key planning and highways question is not whether the proposed store will generate any vehicle movements, but whether it would introduce a new or unacceptable highways risk when compared with the lawful and historic commercial use of the site. The site is not a vacant plot with no established transport activity; it is an existing commercial premises with lawful vehicle access, parking, servicing and customer/staff movements associated with its former windscreen centre use. The proposed use would formalise and manage these arrangements through an approved layout, defined parking areas, cycle parking, EV provision, visibility improvements and controlled servicing."* Whilst the fall-back use of the site is duly acknowledged and the Inspector would have also given weight to this in their decision making, the highways impacts arising as a result of the retail proposal are considered to be materially different and acknowledging the merits of the proposals which include the re-use of a vacant building, the proposals are unacceptable with regard to highway safety and neighbouring amenity and no information has been provided that would mitigate this objection.
- 8.37 With regard to cycle parking, two spaces are shown to the rear of the building, as per the previous submission. In relation to this the Inspector confirmed that whilst there are no details as to whether the cycle spaces would be secure and undercover as advised by the Council's Sustainable Travel SPG, further details regarding security measures for the cycle parking could be secured under condition.

8.38 **Drainage/ Flooding:**

The planning application proposes change of use from a windscreen centre to a supermarket. 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. NRW have reviewed the Flood Consequence Assessment accompanying the application. The FCA states: - The site minimum ground level is 7.54 metres Above Ordnance Datum (mAOD). - The finished floor levels will be set at the existing finished floor levels and it is considered impractical to raise the finished floor levels further. NRW advise that the FCA satisfactorily demonstrates that the risks and consequences of flooding are manageable to an acceptable level. NRW therefore, have no objection to the application as submitted.

8.39 Having regard to the nature of the proposed use, the proposals are not considered to result in an increased risk to life from flooding.

8.40 **Biodiversity:**

The proposals include biodiversity enhancement measures in the form of a bird box which is in accordance with PPW12 which requires a net benefit for biodiversity resulting from development.

8.41 The Council's Ecology officer has previously considered the proposals in relation to potential for impact on European Protected Species and advises that as the building is not situated near any suitable foraging habitat for bats and as the application does not entail any demolition, even if bats were present then the impact would be minimal. As such it is not considered that a bat survey is required in this instance.

8.42 **Waste:**

The site plan indicates waste storage to the rear of the site to be collected from Archibald Street, which the Inspector considered was acceptable. As such there is no objection to this.

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 It has not been demonstrated that there is a retail need for the development, to the detriment of the vitality and viability of nearby sequentially preferable retail centres.

- 10.2 The proposals would provide an inadequate level of space for both parking provision and servicing/deliveries, to the detriment of highways and pedestrian safety and the amenity of neighbouring occupants on Archibald Street.
- 10.3 The application is refused.

11. DECISION

REFUSED

01 The proposals will have a significant adverse impact upon interests of acknowledged importance, namely the vitality and viability of defined centres by reason of a failure to demonstrate a quantitative and / or qualitative need for the proposed A1 use. This is contrary to national policy Future Wales, The National Plan 2040, Policy 6 – Town Centre First; Planning Policy Wales 12 and to Policies SP19 and R8 of the adopted Newport Local Development Plan 2011 - 2026.

02 The development does not provide an adequate area for both off road parking and servicing to serve the use. The development will intensify the use of the rear yard and increase pressure for servicing and parking on Archibald Street and unsafe reversing manoeuvres across and within the public highway directly in front of residential properties with associated noise and disturbance impacts. This is detrimental to highway and pedestrian safety and the amenity of neighbouring residential occupants and is contrary to Policies GP4 and GP2 of the adopted Newport Local Development Plan 2011-2026.

NOTE TO APPLICANT

01 This decision relates to plan Nos: PL01, PL02A, Retail Statement 260107A and Addendum June 2026, FCA KRS.0766.001.R.001.C October 2025, GIS, Transport Statement February 2026 and Technical Note June 2026, Parking Survey February 2026.

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