

Re: CONVERSION OF UPPER FLOORS OF COMMERCIAL PREMISES INTO FOUR SELF-CONTAINED FLATS (RESUBMISSION OF 25/0120)

Legislation, Policy, and Guidance

The Historic Environment (Wales) Act 2023 (HEWA 2023) came into force 4th November 2024 and repeals the previous legislative framework for the protection of the Historic Environment in Wales, including the Planning (Listed Buildings and Conservation Areas) Act 1990.

In respect of Conservation Areas, Section 160 of the HEWA 2023 imposes the general duty (derived from Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990)) that “In exercising a planning function in relation to a building or other land in a conservation area, a person must have special regard to the desirability of preserving or enhancing the character or appearance of that area”.

Planning Policy Wales (Edition 12, 2024) states that:

“6.1.14 There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings.

6.1.15 There is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level. In exceptional cases, the presumption may be overridden in favour of development considered desirable on public interest grounds.”

Policy CE7 of Newport Local Development Plan 2011 – 2026, January 2015 states that:

DEVELOPMENT WITHIN OR ADJACENT TO CONSERVATION AREAS WILL BE REQUIRED TO:

- i) BE DESIGNED TO PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA, HAVING REGARD TO THE CONSERVATION AREA APPRAISAL WHERE APPROPRIATE.
- ii) AVOID THE REMOVAL OF EXISTING HISTORIC FEATURES, INCLUDING TRADITIONAL SHOPFRONTS AND JOINERY.
- iii) USE MATERIALS WHICH ARE TRADITIONAL, OR APPROPRIATE TO THEIR CONTEXT.
- iv) COMPLEMENT OR REFLECT THE ARCHITECTURAL QUALITIES OF NEARBY BUILDINGS WHICH MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER OF THE AREA.
- v) PAY SPECIAL ATTENTION TO THE SETTINGS OF BUILDINGS, AND AVOID THE LOSS OF ANY EXISTING DOMESTIC GARDENS AND OPEN SPACES WHICH CONTRIBUTE TO THE CHARACTER OF THE AREA.
- vi) AVOID ADVERSE IMPACT ON ANY SIGNIFICANT VIEWS, WITHIN, TOWARDS AND OUTWARDS FROM THE CONSERVATION AREA.

Analysis

42C Commercial Street is located within the Town Centre Conservation Area. As a non-dwellinghouse, there is no 'PD' for external alteration.

As existing, the ground floor shopfront has seen considerable harmful alteration since June 2018 (see below), with the painted timber elevation having been over-clad with tiles, and the fascia enlarged and brought harmfully forwards. This work has, in turn, caused harm to the character and appearance of the Town Centre Conservation Area. I cannot see that this work has been authorised.



To the upper floors, this prominent front elevation has a richly ornate masonry (now crudely painted), wherein the windows are formed in painted timber, with particular interest attributable to the curved-plan sashes which terminate the projecting first-floor bay, and the and semi-circular heads to the sashes of the second. These fine upper floors and their windows make a positive contribution to the character and appearance of the Town Centre conservation area.

Windows

The proposed front elevation drawing states '*K: Internal secondary glazing with white UPVC sash windows*'. This seems rather ambiguous, though it is clarified by the DAS, which states that '*Internal secondary UPVC sash windows will be installed for thermal and acoustic insulation*'. Provided you are happy that there will be no external alteration of the existing timber windows to the front elevation, I have no issue with this.

Majority of windows to the rear elevation of the principal building are little seen, due both to the form of the building, and the fact that the rear service road does not constitute public realm. Upon this basis, I have no concern regarding proposed window alterations here.

Shopfront

As noted above, the existing shopfront has seen very harmful and unconsented alteration. Should a new doorway be introduced within the existing, this will unbalance the symmetry of the elevation and cause even further harm to the character and appearance of the Town Centre Conservation Area. Upon this basis, it is my view that the whole shopfront should be reconsidered, to produce a ground floor elevation of better symmetry and higher quality, as per Item 5.3. of our Shopfronts SPG, which states that *'When altering shop fronts, efforts should be made to reinstate the horizontal and vertical lines and the proportions of the parent building, as well as uncovering and reinstating lost architectural features where possible.'*

Therefore, existing drawings need to show the previous condition (timber shopfront shown above), with proposed drawings showing the same, with new doorway. Detailed drawings (elevation and section) of the proposed area of amendment should also be requested, either up-front or via condition.

Other

The DAS states that there will be *'Mechanical ventilation for kitchens, showers, bin stores, and cycle stores.'*

Where will the external ducts be located and how will they appear? We do not wish to see them placed upon the prominent front elevation of the building.

Many thanks,

Guy Arnall

Prif Swyddog Treftadaeth / Principal Heritage Officer

Swyddog Dirprwyedig (Adeiladau Rhestredig) / Delegated Officer (Listed Buildings)