

RE: Planning Consultation Request for case ref: 25/1037 (202 Stow Hill Ne...



Arnall, Guy

To Ostler, Marnie (Planning Officer)

Retention Policy 7 Year Delete (7 years)

Expires 05/01/2033



Wed 15:21

Hi Marnie

Re: RETROSPECTIVE PLANNING PERMISSION FOR TIMBER BOUNDARY FENCE

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:

“6.1.6 The Welsh Government’s specific objectives for the historic environment seek to:

- preserve or enhance the character or appearance of conservation areas, whilst the same time helping them remain vibrant and prosperous;*

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.

6.1.16 Preservation or enhancement of a conservation area can be achieved by a development which either makes a positive contribution to an area’s character or appearance or leaves them unharmed. Mitigation measures can also be considered which could result in an overall neutral or positive impact of a proposed development in a conservation area.”

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.”

The property is located within an Article 4(2) direction area, which restricts ‘PD’ for the:

“Erection, renewal, alteration or demolition of the whole or any part of any gate, fence, wall or other means of enclosure... Insofar as any such development referred to above would front onto a highway or open space.”

The new fence also exceeds 1 metre in height against the highway, also meaning that planning permission is required.

According to the Stow Park CAA:

Nos. 202 & 204 Stow Hill are Positive Contributors towards the CA.

3.3.1 The topographical landscape of Newport has been hewn by the flow of the River Usk, resulting in a bedrock geology of sedimentary deposits from millennia of flooding and the movement of water southwards towards the Severn Estuary.

3.3.2 The topography of the Conservation Area slopes down towards the south-east, resulting in a distinctly steep gradient along Stow Park Avenue. The localised topography within the Conservation Area results in a number of gently sloping driveways and buildings positioned on an elevated platform (as can be seen in the historic maps).

3.4.1 Important views within the Stow Park Conservation Area are largely channelled by its streetscapes, especially at intersections where views are split down diverging streets; including the junction of Caerau Road and Caerau Crescent, and the north end of Stow Park Circle. The steep slope of Stow Park Avenue also contributes to views up towards Stow Hill and down towards Belle Vue Park, with the elevated position of the terraced houses on the east side of the road emphasising their presence.

3.7.1 The open spaces within the Conservation Area are typically private gardens with lush mature planting around their edges, especially in Stow Park Crescent and Stow Park Circle. This provides important visual amenity to the streetscapes and contributes substantially to their leafy, green character. The tree cover also creates a distinctive contrast of light and shade throughout the Conservation Area, often emphasising the upper storeys of buildings as they catch the sunlight.

The mature trees in the Stow Park Conservation Area are an integral part of its character.

4.1.1 The Stow Park Conservation Area is highly significant as a demonstration of Newport’s commercial successes in the late 19th and early 20th centuries, and the impact this had on

the City's growth. The quality and variety of its architecture, combined with its distinctive greenness results in a highly significant and unusual suburb. Unlike much of the wider suburban development in Newport, Stow Park has a distinctive configuration, especially the looped arrangements in the south-west portion of the Conservation Area.

4.1.2 The different types of architecture throughout the Conservation Area is illustrative of its phased development and result in an aesthetic variety, especially the contrast of the highly visible terraces and more hidden villas. Characteristic features such as prominent gables, ornate detailing and prominent positioning add further to the aesthetic value of the buildings.

Aim and Objective 2 states that:

*Buildings, features and spaces identified as making a positive contribution to the Conservation Area will be afforded protection against harmful change.
Reason: To protect the character of the Conservation Area as a whole and the significance of its individual heritage assets, in line with Government policy.*

Aim and Objective 5 states that:

*The rich green-ness of the Conservation Area should be protected through the considered management of existing trees and careful design of new planting.
Reason: To protect a defining characteristic of the Conservation Area and to manage trees in line with other local policy.*

202 Stow Hill is identified within the CAA as “Positive Contributor” towards the character and appearance of the CA, being one of a pair of characterful semi-detached Victorian villas which pre-date Stow Park Circle as one of the earliest buildings within the area (built as Carisbrooke Villa by 1881 – see OS Map Newport - Monmouthshire XXXIII.4.2 Surveyed: 1881, Published: 1884). Particular aesthetic interest is derived from their form (with semi-circular bay windows to the front projecting range and large faceted bays terminating their principal longitudinal range), their fabric (polychromatic brick, utilising buff stock with Staffordshire Blue string courses) and their prominence (located upon the wide junction of Caerau Road and Stow Hill and terminates that identified “Important view” south along Caerau Road). By virtue of the area’s topography, the properties sit upon an elevated platform, further enhancing the prominence of no.202 within key conservation area views.

The raised platform is retained by a boundary wall is of very characterful construction, formed in snecked rubble stone with ‘Staffordshire blue’ plinth dressings and coping. These materials are very traditional in character, very typical of boundary walls to the area, and make a very positive contribution towards its character and appearance.

Loss of the hedgerow which topped the existing wall (and loss of the mature trees approved under application 25/0596) have had a very detrimental impact upon both visual amenity and the CAA-identified leafy, green character of the area. The close-boarded timber fence now constructed is comprised of materials uncharacteristic of the traditional and prevalent boundary materials within the area (which comprises of masonry walls softened with lush mature planting behind). By virtue of the raised building platform, the fence is very imposing in height against the footway and serves only to distract from the fine materiality of the existing boundary wall and provide a stark barrier which now intrudes into views of the positively contributing building behind. It therefore impacts very negatively upon visual amenity and significantly diminishes the traditional appearance and sense of

historic built form within the street scene. The result is unacceptable harm to the character and appearance of Stow Park Conservation Area, wherein *“the open spaces within the Conservation Area are typically private gardens with lush mature planting around their edges, especially in Stow Park Crescent and Stow Park Circle. This provides important visual amenity to the streetscapes and contributes substantially to their leafy, green character. The tree cover also creates a distinctive contrast of light and shade throughout the Conservation Area, often emphasising the upper storeys of buildings as they catch the sunlight.”*

The application should be refused.

Many thanks,

Guy Arnall

Prif Swyddog Treftadaeth / Principal Heritage Officer
Swyddog Dirprwyedig (Adeiladau Rhestredig) / Delegated Officer (Listed Buildings)

Adfywio a Datblygu Economaidd / Regeneration and Economic Development
Cyngor Dinas Casnewydd / Newport City Council