

Delegated Decision Report

Application No:	25/0538	Statutory Period Expires:	20th November 2025
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Site:	<i>The Priory Hotel High Street Caerleon Newport NP18 1AG</i>		
Proposal:	<i>DETACHED BUILDING FOR USE AS OUTDOOR BAR</i>		
Applicant:	<i>c/o Agent</i>		
Type:	Full	Ward:	Caerleon
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The Priory Hotel is a mixed-use hotel and restaurant/bar located within the Caerleon ward. The Priory Hotel is a Grade II listed building (Cadw ref. 2981), designated as an early 19th century Tudor Revival house with earlier origins, but retaining significant historic character and having strong group value with the surrounding historic buildings in the centre of Caerleon. The listing information from Cadw states that the building is constructed of local red sandstone conglomerate rubble with freestone dressings and features slate roofs with red brick chimneys

2.2 The site is located within the Caerleon Conservation Area as defined by the authority's proposal map and lies within close proximity to the boundary of the Caerleon Legionary Fortress scheduled monument, the area between the Priory Hotel and Lodge. Cadw states that the monument forms an important element within the wider context of the Roman occupation of Wales and the associated structures may contain well preserved archaeological evidence concerning chronology, layout and building techniques. Therefore, the site is located within an Archaeologically Sensitive Area.

2.3 The application site is a small area located within the curtilage of the rear of The Priory Hotel, situated off High Street in Caerleon, Newport, NP18 1AG. The Priory Hotel resides on the High Street of Caerleon and has functioned as a valued hospitality establishment within the local area for circa 40 years.

2.2 Access into the site is facilitated through the property's main entrance on High Street and from the rear via the car park.

3. DESCRIPTION OF DEVELOPMENT

3.1 Retrospective permission is sought on a five-year temporary consent for the erection of a detached external building for use as a bar. The outbuilding is already present on the rear patio but the developer has been advised that its location is not acceptable and therefore seeks permission for its retention in a revised location. It would be sited to the eastern extent of the existing patio to the rear of the existing patio and against the existing stone wall, 4.2m from the rear elevation of the main building to ensure the structure does not conceal important features of the garden elevation façade. The design comprises a temporary timber-framed structure set above red-brickwork, featuring an open-fronted serving area of vertical timber slats with a shallow-pitched roof. The building currently operates as a seasonal terrace bar for outdoor events or garden hospitality and is not intended as a permanent fixture, with no ground footings, fixed foundations, or utility connections serving it.

3.2 The building measures 2.8m in width (3.4m including eaves overhang), 2.8m in depth (3.4m including eaves overhang), 2m in height to the eaves and 3m in height to the ridge of the hipped roof.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
13/0221	REDUCE HEIGHT AND TRIM BACK 6NO. CONIFERS PROTECTED BY THE CAERLEON CONSERVATION AREA	NO OBJECTIONS	16.04.2013

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)

- SP9 (Conservation of the Natural, Historic and Built Environment)
- CE5 (Locally Listed Buildings and Sites)
- CE6 (Archaeologically Sensitive Area)
- CE7 (Conservation Area)
- GP2 (General Amenity)
- GP6 (Quality of Design)

5.4 THE CAERLEON CONSERVATION AREA APPRAISAL

6. CONSULTATION RESPONSES

6.1 PRINCIPAL HERITAGE OFFICER

1. Background

The Grade II Listed Priory Hotel is located within Caerleon Conservation Area. The Scheduled Monument of Caerleon Legionary Fortress: Area between Priory Hotel and Priory Lodge is located to the south-west of the asset. Cadw list entry describes the asset as:

Exterior

The building is constructed of local red sandstone conglomerate rubble with freestone dressings and with Welsh slate roofs with red brick chimneys. It has an extremel rambling plan which is very difficult to interpret, and the main street elevation (northwest) is a considerable distance from the garden elevation (southwest). The buildings are two storeys throughout. The street elevation, from the left: a gabled section with a wing going back, this has two 2-light windows on the ground floor and a 3-light one above, all Tudor type with pointed heads to the lights and label moulds. There is a plinth and quoins to the left and the gable is outlined, pediment like, in stone, and there are kneelers and a moulded capstone to the gable. The left-hand return has a 2-light window visible on the upper floor; the ground floor is hidden by the rubble wall which connects the building to No 32 High Street (qv). This wall contains a blocked doorway on the end in red brick. The next section is a two bay one with a 2-light window on each floor to the left and the entrance to the right. This has a stone framed square headed doorway below and a stone framed 3-light oriel above, this has a parapet rising above the eaves. Low pitch roof, with a 3-flue stack on the junction

with the wing to the left and a single flue one in the rear slope. To the right again is a five-window range along the street with the windows placed randomly, apart from the four furthest to the right. All windows are 2-light as before, but they vary in size and only the ground floor ones have label moulds. The roof pitch is different and the ridge higher than the previous range. Next comes a long range which is blind apart from a single introduced 2-light window, plain roof with a massive chimney stack. There are also indications of blocked openings. This range was the stables (and was previously listed together with the boundary wall qv) but it has now been incorporated into the hotel as a range of bedrooms. The garden elevation, from the right: a gabled wing with a 4-light timber mullion and transom oriel over a similar window. Then comes a single bay range with the roof in line with the elevation. This has a 3-light mullion and transom casement below and above, and a 6 over 3 pane sashes in the left return of this range. Then comes a single gabled bay with a modern 2-light window above and below, the upper one has a small, possibly Tudor, niche to the right of it. The left return of this has a huge lateral stack with four tall brick flues, these are set on the diamond and panelled, the fourth and largest is on the square. Next comes a parallel range set back, with the hotel entrance and a small paned casement on the ground floor and three casements above, all these are late C20 joinery: massive lateral stack entirely hidden by creeper. Next comes the long lower range, previously the stables now bedrooms. Nine bays, doors and windows below, windows above, 2 and 3-light casements all late C20, massive ridge stack. Reason for Designation Included as an early C19 Tudor Revival house with earlier origins but retaining significant historic character and having strong group value with the surrounding historic buildings in the centre of Caerleon.

According to the Planning Statement submitted with this application:

'In April 2025, an enforcement notice was issued by Newport City Council following the unauthorised development of the detached external building. Following a meeting with the East Area Planning Manager, it was determined that relocating the outdoor bar further from the building and closer to the southern extent of the existing patio would be acceptable.

The external building comprises a temporary timber-framed structure set above red-brickwork and features an open-fronted serving area of vertical timber slats with a shallow-pitched roof. It operates as a seasonal terrace bar for outdoor events or garden hospitality and is not intended as a permanent fixture, with no ground footings, fixed foundations, or utility connections serving it.

The proposed development seeks a five-year temporary consent for an outdoor bar and associated works. The development proposes the retention and relocation of the building within the eastern extent of the existing patio and against the existing stone wall. It is considered that this is best positioned to ensure the structure does not conceal important features of the garden elevation façade.'

2. Analysis

1.1 Setting of the listed asset.

I would concur with the informal advice offered by our East Area Development Manager. The present, unauthorised location is in very close proximity to the rear elevation of the asset. Its location obscures the ornate, hood-moulded transom-and-mullion ground-floor window of a two-storey bay within principal pedestrian approach from the west.

Relocation to the eastern extent of the existing patio, against an existing stone wall, is considered a suitable compromise. As identified within the Planning statement, the proposed structure is of modest size and form (with slated hipped roof), and of traditional materiality (red-brick and timber). The structure will no longer directly obscure - or unduly distract from appreciation of - the asset, and therefore the Setting of the GII asset will be preserved.

1.2 Impact upon Caerleon Conservation Area.

Considering the abovementioned form of the proposed, its proposed location to the rear of the building, and the screening offered by neighbouring trees within principal views available from the open space to the south-eastern end of The Scheduled Monument of

Caerleon Legionary Fortress, it is considered that the proposed will not impact negatively upon the character or appearance of Caerleon Conservation Area.

1.3 Impact upon Scheduled Monument.

According to Cadw Map evidence, the north-eastern boundary of SM *Caerleon Legionary Fortress: Area between Priory Hotel and Priory Lodge* is contiguous with the hardstanding boundary to the rear of the asset (see below). Therefore, the proposed is considered to constitute development which has a direct physical impact on a scheduled monument and therefore Welsh Ministers (Cadw) should also be consulted upon the proposal.

The applicant may wish to check the precise location of the proposed (and relocate/amend plan if necessary). However please note that, irrespective of any small relocation Cadw must still be consulted as the development falls under the consultation requirement thresholds copied below:

Welsh Ministers must be consulted upon:

Development which has a direct physical impact on a scheduled monument.

Development likely to be visible from a scheduled monument and which meets one of the following criteria:

it is within a distance of 0.5 kilometres from any point of the perimeter of a scheduled monument;

it is within a distance of 1 kilometre from the perimeter of a scheduled monument and is 15 metres or more in height, or has an area of 0.2 hectares or more;

it is within a distance of 2 kilometres from the perimeter of a scheduled monument and is 50 metres or more in height, or has an area of 0.5 hectares or more;

it is within a distance of 3 kilometres from the perimeter of a scheduled monument and is 75 metres or more in height, or has an area of 1 hectare or more; or

it is within a distance of 5 kilometres from the perimeter of a scheduled monument and is 100 metres or more in height, or has an area of 1 hectare or more.

Development likely to affect the site of a registered historic park or garden or its setting;

Development within a registered historic landscape that requires an Environmental Impact Assessment; or

Development likely to have an impact on the outstanding universal value of a World Heritage Site

1.4 Archaeologically Sensitive Area

I see that Heneb have been consulted and have no comments to offer upon archaeology.

6.2 CADW (ANCIENT MONUMENTS)

Initial response

Advice

We have significant concerns about the impact on the scheduled monument. However, we consider that if mitigating measures were undertaken, our concerns about the impact would be reduced.

Assessment

Scheduled Monument

MM236 Caerleon Legionary Fortress: Area between Priory Hotel and Priory Lodge

This retrospective planning application is for a detached building for use as an outdoor bar at The Priory Hotel, High Street, Caerleon.

The building that is the subject of this application is some 3.37m square and 3m high, with a pitched roof. It has already been built in a location close to the hotel building and the application is to retain it but move its location some 2m to the southwest of its present location. The new location is partly inside the boundary of scheduled monument MM236 Caerleon Legionary Fortress: Area between Priory Hotel and Priory Lodge. If the building is

to be relocated in this position, then scheduled monument consent will need to be granted, and determination of this planning application should not proceed until scheduled monument consent has been granted.

It is strongly recommended that given the size of the building and that it is currently only partly inside the scheduled monument, the applicant should consider relocating the building some 1.5m to the northwest of the currently proposed location. This proposed location is outside the boundary of the scheduled monument and therefore scheduled monument consent will not be required.

The national policy and Cadw's role in the planning process are set out in Annex A.

Final response

New plans have been submitted in support of this application showing a new location for the building. This will place it just outside the boundary of the scheduled monument. As such the new building will not have a direct impact on the scheduled monument and it will not have an impact on its setting. Cadw will therefore not object to the erection of this building, but it is recommended that the applicant arranges a site visit by the Inspector of Ancient Monuments before work commences to ensure that the building is correctly sited and that no accidental damage will be caused to the scheduled monument.

6.3 TREE OFFICER

The site is within a Conservation area and the bar has been sited under the tree canopy and within the RPA of the tree. This could have an adverse impact on the future of the tree and legal consequences. A report from a bona fide Arboricultural Consultant stating the impact of the building on the tree roots and canopy of the tree is required together with full mitigation details.

6.4 HENEB (GLAMORGAN GWENT ARCHAEOLOGY)

The proposed works are within the Archaeologically Sensitive Area (ASA) of Newport and Conservation Area of Caerleon. Just outside the works area is the Caerleon Legionary Fortress: Area between Priory Hotel and Priory Lodge, a Scheduled Monument (MM236). The Priory Hotel is thought to have medieval and early 16th century origins of which some of the rubble walling appears to survive. Key features include 17th and 18th century alterations. It is a Grade II Listed Building (Cadw ref. 2981). A review of the 1st – 3rd Edition (1882; 1901; 1921) historic Ordnance Survey maps show the footprint of the property.

The proposal includes change of use with internal and external alterations. Whilst we do not condone retrospective works, the scale of the works is relatively minor and is unlikely to disturb any existing features. As such, any potential impact from the works is considered to be low. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

6.5 CAERLEON CIVIC SOCIETY

No response received to date.

6.6 SENIOR SCIENTIFIC OFFICER

I have no comments regarding air quality or contaminated land in respect of the below application.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 30/07/2025, Site Notice was put up on 31/07/2025.

7.1 NEIGHBOURS: 3no neighbours were consulted. 1no objection received to date

33 High Street

The Priory have already built the outdoor bar and are using it as a music venue since

Saturday 2nd August. The live music on Saturday went on till midnight. It was so loud that I couldn't hear my tv. Going to bed was out of the question and I had a 5am start on Sunday. When they tried to erect a permanent marquee a few years ago, it was rejected because of noise issues and because the ground stakes to hold the marquee were interfering with the Roman remains which exist under the gardens. I am not objecting because of the Roman remains but purely because of the noise which will affect me adversely. They don't respect the planning process, and I would not feel they would respect any limitations on noise from their property

8. **ASSESSMENT**

8.1 **Visual Amenity/ Character and Appearance;**

The property is within the Caerleon Conservation Area and in close proximity to the Caerleon Legionary Fortress Scheduled Monument and The Grade II Listed Priory Hotel. As the site lies in a conservation area, the development is required to preserve or enhance the character or appearance. The works are limited to the siting of an outbuilding to the rear of the listed Priory. The development is considered unlikely to detract from the character and appearance of the wider Conservation Area, largely due to existing screening, intervening features, and its modest size. The materials of the structure are of traditional appearance and do not jar or compete with the listed Priory and its setting and given the context, in respect of its existing screening, as well as the small scale of the building. Considering the form of the development, its proposed location to the rear of the building, and the screening offered by neighbouring trees within principal views available from the open space to the south-eastern end of The Scheduled Monument of *Caerleon Legionary Fortress*, it is considered that the proposed will not impact negatively upon the character or appearance of Caerleon Conservation Area. Therefore, it is considered that proposal would not have an adverse impact on the Caerleon conservation area, in accordance with Policy CE7 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

8.2 It is considered that the present, unauthorised location is in very close proximity to the rear elevation of the Priory Hotel which is a listed asset. The current location obscures the ornate, hood-moulded transom-and-mullion ground floor window of a two-storey bay within the principal pedestrian approach from the west. The relocation to the eastern extent of the existing patio, against an existing stone wall is considered a more suitable location. As identified within the Planning statement, the proposed structure is of modest size and form (with slated hipped roof), and of traditional materiality (red-brick and timber). The structure will no longer directly obscure - or unduly distract from appreciation of - the asset, and therefore the Setting of the GII asset will be preserved.

8.3 Given the development is within proximity of the Caerleon Legionary Fortress: Scheduled Monument, CADW (Ancient Monuments) have been consulted. Initially CADW raised concerns about the impact on the scheduled monument, however, upon receipt of updated plans showing a new location for the outbuilding, Cadw are satisfied that it is just outside the boundary of the scheduled monument, and the building will not have a direct impact on the scheduled monument nor its setting.

8.4 **Residential Amenity:**

In terms of siting, the detached building would be located 8m from the nearest shared boundary (shared with no.33 High Street) however intervening structures and existing vegetation are likely to block all views of the development from the rear elevation windows and rear garden. As such, it is not anticipated that the proposed building would impact the neighbouring property by means of a loss of light, a loss of privacy nor an overbearing effect.

8.5 It is acknowledged that concerns have been raised regarding potential noise and disturbance arising from the use of the outbuilding as a bar however this is a long established hospitality use with outdoor terrace that can accommodate events. The outdoor space is naturally limited by factors such as weather and the bar would be seasonal only, preventing users of the terrace having to enter in and out of the building to purchase drinks. It is very small scale and in itself is unlikely to demonstrably intensify the use of the rear garden and patio over and above the existing.

8.6 **Other Issues:**

The outbuilding is sited beneath the canopy of an existing mature tree, although the tree is not protected. The Tree Officer has noted that the bar is within the Root Protection Area (RPA) of the tree and has requested a tree report. Notwithstanding the Tree Officer's request, the outbuilding is not intended as a permanent fixture, with no ground footings, fixed foundations, or utility connections serving it. It will be sited upon an existing hard surface, and no ground works are required. Given the above, any impact upon the RPA of the tree will be minimal and the absence of tree information is acceptable in this instance.

9. **OTHER CONSIDERATIONS**

9.1 ***Crime and Disorder Act 1998***

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 ***Equality Act 2010***

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 ***Newport's Well-Being Plan 2018-23***

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. **CONCLUSION**

10.1 Overall it is considered that the proposed development will not harm the character and appearance of the Conservation Area or the setting of the grade II listed building. It is therefore considered that the proposals are policy compliant and accord with the Historic Environment Act (Wales) 2023.

11. DECISION

GRANTED WITH CONDITIONS

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

- Site Location Plan
- 250625 Planning Statement,
- 101 - Existing/Proposed Location Reference Images,
- 102 - Proposed Location Plan REV A

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

02 This permission shall be for a limited period expiring 1 January 2031 when the building(s) shall be removed, the use discontinued and the land restored to its former condition.

Reason: In the interests of preserving the setting of the listed building and Scheduled Ancient Monument and the character and appearance of the Caerleon Conservation Area. Policy SP9, GP6 and CE7 of the adopted LDP.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan, 250625 Planning Statement, 101 - Existing/Proposed Location Reference Images, 100 - Proposed Location Plan, 100 - Existing Location Plan.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP9, CE5, CE6, CE7, GP2 and GP6 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.