

Brinkworth, Emma (Planning Officer)

From: Arnall, Guy
Sent: 31 July 2025 13:39
To: Brinkworth, Emma (Planning Officer)
Cc: Gunther, Neil (Senior Enforcement Officer - Strategic)
Subject: RE: Planning Consultation Request for case ref: 25/0553 (164 Commercial Street Newport NP20 1JN) (Listed Building Consent)

Hi Emma

Re: LISTED BUILDING CONSENT APPLICATION FOR INSTALLATION OF REPLACEMENT SHOP FRONT (PART RETROSPECTIVE)

1. Legislative and Policy Framework

Section 96 of the Historic Environment Wales Act 2023 states that:

- (1) On determining an application for listed building consent, a planning authority or the Welsh Ministers may grant or refuse consent.*
- (2) In considering whether to grant listed building consent, a planning authority or the Welsh Ministers must have special regard to the desirability of preserving—*
 - (a) the listed building to which the application relates,*
 - (b) the setting of the building, and*
 - (c) any features of special architectural or historic interest the building possesses.*
- (3) Listed building consent has effect for the benefit of the listed building and the land on which it is situated, and of all persons for the time being interested in the building and land; but this is subject to the terms of the consent.*

Section 4 of The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 states that:

- 4.—(1) An application for listed building consent must include with it a statement referred to as a heritage impact statement.*
- (2) A heritage impact statement must—*
 - (a) describe the special architectural or historic interest of the listed building to which the application relates and its significance, with particular reference to the part of the listed building affected by the works,*
 - (b) explain the objective that the works are intended to achieve and why they are desirable or necessary,*
 - (c) include a summary of the options considered for the purpose of achieving the objective in sub-paragraph (b) and the reasons why the proposals to which the application relates are preferred,*
 - (d) describe the works and the design principles which have been applied to them,*

(e)include a schedule of works,

(f)describe how the works will affect the character of the listed building as a building of special architectural or historic interest, including an assessment of the impact of the works on the significance of the building, and

(g)describe how issues relating to access to, or in, the listed building have been dealt with, but excluding issues relating to access to, or in, any part of a listed building which is used as a private dwelling.

Planning Policy Wales (Edition 11) was revised and restructured in February 2021 to coincide with the publication of, and take into account the policies, themes and approaches set out in, Future Wales - the National Plan 2040 and to deliver the vision for Wales that is set out therein.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.

PPW11 takes the seven Well-being Goals and the five Ways of Working as overarching themes and embodies a placemaking approach throughout, with the aim of delivering Active and Social Places, Productive and Enterprising Places and Distinctive and Natural Places. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan-making and the decision-making process.

Chapter 6 – Distinctive and Natural Places: Recognising the Special Characteristics of Places (The Historic Environment) - is of particular relevance in the assessment of this application, with the following statements of particular relevance:

The Welsh Government's specific objectives for the historic environment seek to ...safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved; and...preserve or enhance the character or appearance of conservation areas, whilst the same time helping them remain vibrant and prosperous... (para 6.1.6)

For listed buildings, the aim should be to find the best way to protect and enhance their special qualities, retaining them in sustainable use. The continuation or reinstatement of the original use should generally be the first option, but not all original uses will now be viable or appropriate. The application of planning and listed building controls should recognise the need for flexibility where new uses have to be considered in order to secure a building's survival or provide it with a sound economic future (6.1.11).

The demolition of any listed building should be considered as exceptional and require the strongest justification (6.1.12).

PPW is supported by a series of more detailed Technical Advice Notes (TANs), including TAN 24: The Historic Environment (May 2017).

Paragraph 5.13 of TAN24 advises that when determining a listed building consent application, the local planning authority should consider the following issues:

*The importance and grade of the building and its intrinsic architectural or historic interest.
The physical features of the building which justify its listing and contribute to its significance, (for example its form and layout, materials, construction and detail) including any features of importance such as the interior, which may have come to light after the building's inclusion on the list.*

The contribution of curtilage and setting to the significance of the building, as well as its contribution to its local scene.

The impact of the proposed works on the significance of the building.

The extent to which the proposed works would bring substantial community benefits for example, by contributing to the area's economy or the enhancement of its local environment.

It further advises that:

The listing grade may be a material consideration but is not in itself a reliable guide to the sensitivity of a building to alteration or extension. For example, many grade II buildings are humble, once common building types, listed precisely because they are relatively unaltered examples of their kind and their special interest can be damaged by inappropriate alteration or extension. (para 5.13)

Many listed buildings can sustain a degree of sensitive alteration and extension to accommodate continuing or new uses. Past changes that reflect the history of use and ownership may themselves be aspects of the special interest of the listed building. When applicants and the local planning authority assess the heritage values and significance of a listed building, which is the subject of a consent application, they must consider the sensitivity of that building to the proposed changes. Sustaining the special interest and significance of a listed building through the process of alteration, extension or re-use is exacting, and should always be based on specialist knowledge and skill in order to realise the benefits that well-designed interventions can bring (para 5.14).

Other relevant evidence or policy guidance include:

- CADW, Conservation Principles (2011)
- CADW, Managing Change to Listed Buildings in Wales (2017).

Newport's Supplementary Guidance for Shopfronts and Security Measures for Shopfronts is outlined as part of the analysis below.

2. Analysis

164 Commercial Street is a Grade II Listed asset. According to the Cadw list entry, it features a:

Four storey, three window classicising front. Stucco; parapet and cornice; shallow pilasters to ends. Top floor has three 12-pane sash windows set in architraves. Second floor has three 12-pane sashes in architraves with pediments. On first floor, outer bays have splayed oriel windows with sash glazing. On ground floor, modern shopfront in simple classical style.

For the analysis below, the term 'existing' refers to the previous condition of the building and the term 'proposed' refers to the work which has been carried out without listed building consent.

Though modern, the existing ground floor shop front is well designed and well proportioned; featuring tangible stall-riser, bolection-moulded window frames, decorative pilasters (with ornate capitals) supporting a unified entablature (fascia with cornice mouldings). The fascia signage is modestly scaled and designed. In this way, and though not original, the existing shopfront compliments the classically-arranged façade to the upper storeys of the building and makes a positive contribution towards the special interest of the listed asset.

According to our SHOPFRONT DESIGN SUPPLEMENTARY PLANNING GUIDANCE, October 2021:

1.6 There are areas within Newport where stricter controls are applied to ensure the special character is protected; i.e. Conservation Areas, Locally Listed Buildings and Listed Buildings. In such settings sympathetic shopfront design and the use of appropriate and traditional materials will be expected to maintain and protect the character of the area or building. Where a traditional or historic shopfront or façade exists, the Council will encourage its retention. The enhancement of the design can be achieved through repair rather than replacement. Where a shopfront has been lost it can be re-established. This will involve careful research and design of a well-proportioned, resolved high quality modern design.

2.1. Awning

According to our SHOPFRONT DESIGN SUPPLEMENTARY PLANNING GUIDANCE, October 2021:

9.9.5 A blind or canopy should sit within the structure and not detract from architectural features. Blind boxes should not project forward of the building line or sit uncomfortably above the cornice. It may be possible to fit the blind box on the underside of the structural soffit.

9.9.6 A fully retractable, canvas material would usually be the only suitable type of blind for a building of special character. A 'blind lath' which forms part of the cornice, would be the suitable mechanism for retracting the blind, as it could be made barely visible when not in use.

In Conservation Areas and listed buildings original cornices and corbels should be maintained, restored or reinstated.

Proposals within the Conservation Area or within Listed buildings should retain and reinstate existing features. Where restoration is required, new design proposals should be informed by buildings of similar historical character or based on archival evidence and materials replaced on a like-for-like basis.

It is unclear how the proposed awning has been affixed to the building and whether it has damaged the ornate capitals of the existing pilasters. Drawing 164CS-1807-PE/E/P (Pre-existing, Existing As-built & Proposed Right Side Elevation) does not accurately depict the existing shopfront. Therefore, insufficient detail or analysis has been provided in order to demonstrate that the special interest of the asset will be preserved by its installation, contrary to Section 4 of The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024.

Judging by the supplied photographs, the awning has certainly obscured the decorative existing shopfront within principal views of the asset. As it stands, the proposed is considered to be harmful to the special architectural interest of the listed asset.

2.2. Shutters

According to our SHOPFRONT DESIGN SUPPLEMENTARY PLANNING GUIDANCE, October 2021:

10.1. The Council will seek to adopt a balanced approach to shopfront security. Shopfronts should be designed using materials that make burglary and petty vandalism very difficult, and be implemented in a way that makes the City feel safe and attractive to people outside of trading hours.

10.2. Security measures should not dominate the shopfront or facade since this will compromise the quality of the environment and ultimately make the place less attractive for shoppers.

10.3. Solid and pinhole shutters are unacceptable in the City Centre or the District Centres identified in the Development Plan. The punched (letter box) type is also unacceptable in and near Conservation Areas. Shutters are not acceptable on Listed Buildings. Where physical measures are required, they should be sympathetically integrated into the design of the shopfront.

10.4. Planning permission is required for all externally mounted security grills/shutters. Listed building consent is usually required if proposals for both externally and internally mounted grilles/shutters. If security shutters are proposed the applicant should refer to the Council's Supplementary Planning Guidance on Shopfront Security Shutters.

According to the Security Measures for Shop Fronts and Commercial Premises Supplementary Planning Guidance, August 2015:

1.3 Shutters are not always acceptable in planning terms and if you are intending to install them you should contact the Council's Planning Section for advice beforehand. You should always consider security measures other than shutters in the first instance. For example toughened glass or internal shuttering (which in many instances will not need planning permission, see Section 06, Internal Shutters and Grilles). Gwent Police can offer advice on 'Designing Out Crime' and should be consulted on the best way to secure your business especially if you have been the victim of a crime.

1.7 If you make a planning application to provide or retain a shutter it is essential that you provide:

- High quality drawings at appropriate (1:50) scale showing the shutter, its housing and any guide rails. You will need a drawing showing the shutter open and a drawing showing the shutter closed. The drawings should show how the shutter relates to the whole building and not just the ground floor. You will also need a drawing showing a section through the shutter and its housing so it is clear how far the housing will stick out from the shop front.*
- Your Design & Access Statement (DAS) which will form part of your application should explain why the shutter and its housing and guide rails are an appropriate security solution for your premises and preferable to other security solutions available such as those mentioned in Paragraphs 1.3 & 1.4.*
- Information on how the shutter and its housing and guide rails will relate to the building and the wider area should be included in your DAS. General guidance on writing a DAS can be found on the Council's website at: http://www.newport.gov.uk/_dc/index.cfm?fuseaction=planning.developmentcontrol&contentid=CONT414603*

The proposed shutter are of the open lattice type, fixed internally.

However, insufficient detail or analysis has been provided in order to demonstrate that the special interest of the asset will be preserved by its installation, contrary to Section 4 of The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024.

It is also clear that alternative options - such as strengthened glass - have not been sufficiently considered, as required by Section 4(c) of The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024.

As it stands, the proposed is considered to be harmful to the special architectural interest of the listed asset.

2.3. Doors

According to our SHOPFRONT DESIGN SUPPLEMENTARY PLANNING GUIDANCE, October 2021:

9.5.1 Doors should adhere with the character of the building and should allow access for all in line with the Equality Act and Part N of the Building Regulations as explained in more detail in section 12.

9.5.2 The style and character of the shopfront and building should be reflected by the design of the doorway.

9.5.3 Doorways must be easily recognised. In Newport, doorways are often recessed and splayed. It is important that original recessed doorways are retained and enhanced as they contribute to the richness of the streetscene and complements its character.

The existing recessed doors are a traditional and complementary feature which contributes positively towards the richness of the shopfront – and the significance of the asset. Their loss is not considered to preserve the special architectural interest of the listed asset.

2.4. Other Alterations

Though little detail has been provided, it appears that the existing windows have been enlarged, thus reducing the height of the stall riser and impacting negatively upon the proportions of the traditionally arranged shopfront. It is unclear whether the bolection-moulded window surrounds have been lost. Therefore, insufficient detail or analysis has been provided to demonstrate that the special interest of the asset will be preserved by this alteration, contrary to Section 4 of The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024.

If this is indeed the case, the proposed alteration would be considered harmful to the special architectural interest of the listed asset.

Conclusion

These proposals are harmful to the special architectural interest of the listed asset, contrary to Section 96 of the Historic Environment Wales Act 2023, Planning Policy Wales (Edition 11), Policy Guidance including Technical Advice Note 24: The Historic Environment, and Newport Council's Supplementary Planning Guidance.

As it stands, this application should be refused, with no need to notify Cadw.

Considering this is a retrospective application, I have copied in Neil, as we may need to enforce against the work.

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

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-----Original Message-----

From: planning@newport.gov.uk <planning@newport.gov.uk>

Sent: 23 July 2025 14:40

To: Arnall, Guy <Guy.Arnall@newport.gov.uk>

Subject: Planning Consultation Request for case ref: 25/0553

Dear Principal Heritage Officer

Please find attached correspondence from Newport Council with regards to the above planning application submitted on 14 July 2025.

Your sincerely
Development Management