From:	Arnall, Guy
To:	Sanders, Francesca (Senior Planning Officer)
Subject:	RE: Planning Consultation Request for case ref: 26/0366 (St Helens Chapel Road Goldcliff Newport NP18 2AW) (FULL)
Date:	24 August 2026 13:37:12

Hi Francesca

Re: Proposal: RETROSPECTIVE APPLICATION FOR A REAR DORMER WITH JULIETTE BALCONY AND NEW VEHICULAR ACCESS/HARDSTANDING

Legislative Background

Schedule 13, paragraph 90 of the Historic Environment Wales Act (2023) inserts a new section (314A) into the Town and Country Planning Act (1990) which, in Wales, imposes the duty (derived from section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990) that:

> *"314A Wales: duties relating to listed buildings and features of architectural or historic interest*
> *(1)In considering whether to grant planning permission for development which affects a listed building or its setting, the Welsh Ministers or a local planning authority in Wales must have special regard to the desirability of preserving—*
> *(a)the listed building,*
> *(b)the setting of the building, or*
> *(c)any features of special architectural or historic interest the building possesses."*

The "*special regard*" duty has previously been tested in the Court of Appeal under the Planning (Listed Buildings and Conservation Areas) Act (1990), in the case of Barnwell Manor Wind Energy Ltd v E.Northants DC, English Heritage, National Trust & SSCLG where it was identified that Parliament, in enacting section 66(1), did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given *"considerable importance and weight"* when the decision-maker carries out the balancing exercise (see paragraph 29), and that said section 66(1) duty should apply *"…with particular force if harm would be caused to the setting of a Grade I listed building, a designated heritage asset of the highest significance"* (see paragraph 28).

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

> *"6.1.10 There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the building, its setting, or any features of special architectural or historic interest which it possesses."*

Newport City Council's Local Development Plan 2011 – 2026, adopted in January 2015,

sets out objectives and policies relating to the conservation of the built environment.

Regarding historic assets and their Setting, Newport LDP (2011 -26) states that:

> *"4.18 There will be a presumption in favour of the retention, safeguarding, conservation and enhancement of sites recognised as being of archaeological or historic interest including Listed Buildings, scheduled ancient monuments, Conservation Areas, locally Listed Buildings, historic parks & gardens, historic landscapes and the setting of such sites, buildings and areas.*
>
> *4.19 Listed Buildings play a significant role in the townscape and architectural heritage of the area and the Council attaches the upmost importance to their preservation. The Council, in the determination of applications for Listed Building consent, is expected to have "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." The Council will consider using all available powers to protect the historic environment, including, in appropriate cases, serving repairs notices, enforced sales and Compulsory Purchase Orders or in the case of vacant buildings, carrying out emergency repairs and seeking reparation from the owner subsequently. Supplementary Planning Guidance on Repairs and Alterations to Listed Buildings will be prepared. The Council will continue to monitor its Register of Buildings at Risk Through Neglect and Decay in order to secure the safeguarding of important buildings."*
>
> Objective 5 – Conservation of the Built Environment is "*To ensure that all development or use of land does not adversely affect, and seeks to preserve or enhance, the quality of the historic and built environment."*
>
> The Plan acknowledges that *"the quality of the built environment is a contributor to the quality of life" and that "Newport has a variety of interesting buildings and structures, including within the City Centre where many fine Victorian buildings remain"*.
>
> Paragraph 4.19 acknowledges that "*Listed Buildings play a significant role in the townscape and architectural heritage of the area, and the Council attaches the upmost importance to their preservation*."

Policy SP9 of the Newport LDP (2011-26) states that:

> *"2.34 Newport has a wide range of historically important buildings and sites. There are over 400 Listed Buildings, 15 Conservation Areas, 11 Historic Parks and Gardens, 67 Scheduled Ancient Monuments, 4 Archaeologically Sensitive Areas and over 50 square kilometres of landscape registered as being of Outstanding Historic Interest. These nationally and internationally recognised sites are complemented by a variety of locally important historic buildings and sites which*

this Plan seeks to protect. The protection, retention, safeguarding, conservation and enhancement of heritage assets will be sought, and where new development is proposed that affects the building or site or its setting, this should be of the highest quality."

'Planning Policy Wales Technical Advice Note 24: The Historic Environment' states that*:*

'1.25 The setting of a historic asset includes the surroundings in which it is understood, experienced, and appreciated embracing present and past relationships to the surrounding landscape. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. Setting is not a historic asset in its own right, but has value derived from how different elements may contribute to the significance of a historic asset.

1.26 It is for the applicant to provide the planning authority with sufficient information to allow the assessment of their proposals in respect of scheduled monuments, listed buildings, conservation areas, registered historic parks and gardens, World Heritage Sites, or other sites of national importance and their settings. The principles for assessment, however, are equally applicable to all historic assets, irrespective of their designation. For any development within the setting of a historic asset, some of the factors to consider and weigh in the assessment include:

- *The significance of the asset and the contribution the setting makes to that significance*
- *the prominence of the historic asset*
- *the expected lifespan of the proposed development*
- *the extent of tree cover and its likely longevity*
- *non-visual factors affecting the setting of the historic asset such as noise.*

The planning authority should be able to provide guidance to the applicant during pre-application discussions on the amount of information required to support a proposal. This may include providing a heritage impact statement if the proposal is likely to have an impact on a historic asset. How setting is to be addressed by the applicant should also be considered as part of any pre-application discussions.

1.27 Other factors which may affect the setting of a historic asset include; inter-visibility with other historic or natural features, tranquillity, noise or other potentially polluting development though it may have little visual impact.

1.28 There will be cases where a proposed development will enhance the setting of a historic asset and this will be treated as a benefit resulting from the development. Mitigation of damaging effects could be achieved through good design and in some cases screening or landscaping.

1.29 The planning authority will need to make its own assessment of the impact within the setting of a historic asset, having considered the responses received from consultees as part of this process. A judgement has to be made by the

consenting authority, on a case-by-case basis, over whether a proposed development may be damaging to the setting of the historic asset, or may enhance or have a neutral impact on the setting by the removal of existing inappropriate development or land use.'

Cadw Guidance *'Setting of Historic Assets in Wales (2017)'* states that:

Applicants for planning permission should [where required] *provide the local planning authority with sufficient, but proportionate, information to allow the assessment of the likely impact of proposals for development on a historic asset and its setting in:*

- *a World Heritage Site*
- *a nationally important ancient monument or archaeological remains (scheduled or unscheduled)*
- *a listed building*
- *a conservation area*
- *a registered historic park and garden.*

Understanding the setting of a historic asset can help you to draw up appropriate development proposals. This process can be used to identify alternative approaches and lead to improvements in the planning and design of your proposals so that they minimise harm and maximise benefit to the significance of a historic asset and its setting. This information will help the local planning authority to understand the reasons for your proposals when they are determining your planning application.

Before you submit a planning application, it is good practice to discuss your proposal with the local planning authority and, where appropriate, with the Welsh Government's Historic Environment Service (Cadw). At a pre-application discussion, you can find out whether a proposed development is likely to have an impact on the significance of a historic asset and its setting, and what assessment may be necessary.

The scale of an assessment needs to be proportionate and will be determined by the likely impact of the proposal. For proposals involving a minimum impact on a single asset, a simple checklist approach to the assessment with a short statement…may be sufficient. For projects involving multiple assets or changes considered likely to have a major impact on significance, a more detailed analysis will be necessary.

The question of what "*affect the setting*" means was considered in *R. v South Herefordshire DC, Ex p. Felton*.

Subsequently, it has been held that the extent of the setting of a listed building or ancient monument is a matter of judgement to be considered "in the round" and may include:

- the view from the building or monument towards the proposed development;
- the view from the proposed development towards the building or monument; and
- any other relevant view which includes both the building or monument and the proposed development

Observations

The building in question (and the proposed dormer in particular) is located some 40 metres to the east from the Grade II Listed Church of St Mary Magdalene (Cadw Ref: 2912) and approximately 50 metres to the east from the Scheduled Monument (SM) of St. Mary Magdalene's Churchyard Cross, Goldcliff (Cadw ref: MM313).

Both of the abovementioned assets sit within a distinct graveyard curtilage, bounded by drainage reens to south typical of the Gwent levels (which today are fragmented to south and east). To the north, west, this curtilage boundary is also defined by mature trees, providing a profound sense of enclosure for the site and its associated assets. There is also a remarkable avenue of arched trees extending south from the porched entrance, directly against which the SM sits. The vegetated boundary line to the east, however, is considerably shorter (a managed hedgerow), which exposes views of the properties 'Stray Leaves' and 'St Helens', both constructed in the later C20 and intruding into views from the church, the SM and the wider curtilage setting. These buildings are, however, both single storey structures with concrete pantile roofs, meaning the visual intrusion of such modern residential development intrusion is kept to a minimum. The whole site is accessible via public footpath from three directions:

- From the south from Goldcliff Road via the grounds to the rear of The Farmers Arms Public House
- From the north-west via the path to Henton Farm
- From the north-east via the forked path to Whitson Road

The proposed development comprises a substantial and full-width roof enlargement/dormer, creating a pronounced second-storey mass with dark cladding that materially alters the profile of the existing dwelling, introducing an additional conspicuous modern feature into views experienced from within the churchyard.

Church and scheduled medieval cross derive significance not only from their surviving fabric, but also from their historical interrelationship and their location within the historically isolated churchyard. The proposed roof enlargement would materially increase the scale and prominence of modern domestic development visible within the setting of both of the above-mentioned designated heritage assets. The development would introduce a visually assertive contemporary domestic form into important views within the churchyard, detracting from the ability to appreciate both medieval cross and church within their historic ecclesiastical context. The proposal would therefore result in harm to the significance of both the Scheduled Monument and Grade II listed church through adverse impact on their setting, the "*special regard*" for which should be afforded "*considerable importance and weight*". Such a duty should be applied with *"particular force"* in the case of a scheduled monument: an asset of the highest significance.

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: 14 August 2026 14:40
To: Arnall, Guy <Guy.Arnall@newport.gov.uk>
Subject: Planning Consultation Request for case ref: 26/0366

Dear Principal Heritage Officer

Please find attached correspondence from Newport Council with regards to planning application:

App Number: 26/0366
Address: St Helens Chapel Road Goldcliff Newport NP18 2AW
Proposal: RETROSPECTIVE APPLICATION FOR A REAR DORMER WITH JULIETTE BALCONY AND NEW VEHICULAR ACCESS/HARDSTANDING

submitted on 13 May 2026.

View details of 26/0366 at Newport Council - Planning Online:
https://eur03.safelinks.protection.outlook.com/?
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applications%2Fplan%2F26%2F0366&data=05%7C02%7CGuy.Arnall%40newport.gov.uk%7C92b
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Your sincerely
Development Management