

Delegated Decision Report

Application No:	25/0553	Statutory Period Expires:	13th March 2026
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Site:	164 Commercial Street Newport NP20 1JN		
Proposal:	LISTED BUILDING CONSENT FOR THE REPLACEMENT OF SHOP FRONT (PART RETROSPECTIVE)		
Applicant:	L Mohammad		
Type:	Listed Building	Ward:	Stow Hill
Decision:	Refused		

1. BACKGROUND

- 1.1 Since submission, the application has undergone amendments based on objections from the Principal Heritage Officer. The assessment of this application is based on these plans.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is a mid-terraced building located on Commercial Street, within the Stow Hill Ward. It is a Grade II listed property (LB Ref: 3014), situated within the Town Centre Conservation Area. Residential accommodation occupies the upper floors. The surrounding area is of mixed use, featuring both commercial and residential properties, and is characterised by a diverse range of shopfront styles and architectural designs.
- 2.2 The four-storey building features a three-window classicising front, with stucco finish, a parapet and cornice, and shallow pilasters to the ends. The top floor has three 12-pane sash windows set in architraves, while the second floor also has three 12-pane sashes, each set in architraves with pediments. On the first floor, the outer bays are fitted with splayed oriel windows with sash glazing.
- 2.3 The ground floor formerly featured a well-designed and proportioned shopfront/ Although it was modern, it featured a stall-riser, bolection-moulded window frames, decorative pilasters, and a unified entablature. Although more modern than the rest of the building, it was considered to complement the historic character of the Listed Building. The shopfront has recently been altered and has removed such features, and no includes a modern shopfront with larger windows, flush doors and an awning affixed to the front, all of which are unauthorised. These unauthorised works are the subject of this current application.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks Listed Building Consent for the installation of a replacement shopfront, which is already largely complete. The proposals include a new internally illuminated projecting sign, featuring white lettering and coloured images on an aluminium composite tray panel, extending the full width of the shopfront. A full-length awning canopy is also proposed. Internally mounted roller grid shutters are included, though limited details have been provided regarding their housing and materials. Alterations are made to the windows and doors. New pilasters are also proposed as part of the scheme.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
94/0703	ERECTION OF NON-ILLUMINATED PROJECTING SHOP SIGN	Granted with Conditions	22.09.1994
01/0372	ERECTION OF EXTERNALLY ILLUMINATED PROJECTING SIGN	Granted with Conditions	18.05.2001
25/0552	INSTALLATION OF REPLACEMENT SHOP FRONT (PART RETROSPECTIVE)	Pending Consideration	N/A
25/0554	ADVERTISEMENT CONSENT FOR THE	Pending	N/A

	DISPLAY OF SIGNAGE ON THE FRONT AND SIDES OF THE SHOP FRONT CANOPY	Consideration	
25/0563	RETENTION OF SIGNAGE TO THE FRONT AND SIDES OF THE SHOP FRONT CANOPY	Pending Consideration	N/A

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.

6.1.5 - The planning system must take into account the Welsh Government's objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations.

6.1.9 - Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

5.3.1 Policies GP2 (General Amenity), GP4 (Highways and Access), GP6 (Quality of Design) and CE7 (Conservation Areas) of the Newport Local Development Plan 2011-2026 (Adopted January 2015) are relevant to the determination of this application.

5.4 TECHNICAL ADVICE NOTES

5.4.1 Technical Advice Note (TAN) 5: Nature Conservation And Planning, Technical Advice Note (TAN) 7: Outdoor Advertisement Control and Technical Advice Note (TAN) 24: The Historic Environment are relevant to the determination of this application.

5.5 HISTORIC ENVIRONMENT ACT (2023) WALES

5.6 Consideration has also been given to the following documents:

- Managing Change to Listed Buildings in Wales (CADW)
- Managing Conservation Areas in Wales (CADW)
- The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024

6. CONSULTATION RESPONSES

6.1 **Royal Commission for Ancient Monuments:** No comments received

6.2 **Amenity Societies:** 164 Commercial Street is a Grade II listed building which dates back to

the eighteenth century. Its historic fabric and classical frontage have architectural and evidential value, and make a positive contribution to the Newport town centre Conservation Area.

This application lacks a detailed Heritage Statement which assesses the significance and age of the fabric affected and describes the proposed works and their impacts. As such, it does not meet the requirements of Planning Policy Wales para. 6.1.13.

Based on the photos of the building before and after the works, the retrospective works comprise the following:

- Removal of the square windows with decorative detailing and surround, and replacement with larger modern glass windows with a lower stall riser.
- Possible removal of the neoclassical pilasters (difficult to establish from the photographs).
- Insertion of a new canopy.
- Repainting of the frontage black.

The classical detailing of the front window was mentioned in the listing and appears to be historic. The changes undertaken have resulted in the loss of the external historic character of the building at the street level, clearly negatively impacting the building's historic, architectural, and communal values, and negatively impacting the character and appearance of the conservation area. At a ground floor, the building now appears externally as entirely modern, with no legible classical features.

Under Section 117(1) of the Historic Environment (Wales) Act 2023, it is a criminal offence to undertake works to a listed building without the required permissions. This protection exists to ensure that harmful works are not undertaken without justification and to protect nationally significant heritage.

The CBA are of the opinion that the proposed (undertaken) works do not meet the requirements of paras. 6.10 and 6.11 of Planning Policy Wales, as it they have resulted in the loss of 'features of special architectural or historic interest' on the listed building and have not protected or enhanced its special qualities. We do not consider that this application would have been granted permission if it had been applied for prior to works being undertaken; this is evidenced by the withdrawal of a previous application (05/1586) for the replacement of the shop front.

We urge your local authority to refuse retrospective permission for these harmful alterations and require the owners to restore the historic character of the listed building. Permitting these alterations would undermine the system of listed building consent and fail to safeguard the significance of the building and the wider townscape.

6.3 **Principal Heritage Officer:**

2nd March 2026

Existing

The 'pre-existing shopfront' shows slim-framed and very modern-looking doors. This is not the case: they were clearly 'half-glazed' and made from painted timber, with lower panels designed to match the height of the adjacent stall-riser (see Google Street View, June 2018).

This would need to be amended, as we would expect to see this detail reinstated (see below).

Proposed

The doors are shown as modern, slim, aluminium-framed units, this is not considered to preserve the character or appearance of the 'existing' painted timber, resulting in harm to both the special architectural and historic interest of the listed asset, and the character and appearance of the conservation area.

An "*Internally illuminated acrylic box projecting sign*" is proposed to the fascia. This is contrary to Item 9.2.2 of our SHOPFRONT DESIGN SUPPLEMENTARY PLANNING

GUIDANCE, October 2021 and would not be considered to preserve the 'existing' architectural interest of the GII asset, which comprises suitably scaled and individually applied lettering. The result is harm to both the special architectural and historic interest of the listed asset, and the character and appearance of the conservation area.

The above-mentioned SPG also notes that “9.2.11 *Projecting box signs are generally not acceptable.*” This is particularly true for this GII listed building with a traditionally arranged timber shopfront. There is no existing projecting sign. An “*Internally illuminated acrylic box projecting sign*” is proposed. This is not considered to preserve the 'existing' architectural interest of the GII asset. The result is harm to both the special architectural and historic interest of the listed asset, and the character and appearance of the conservation area.

Positioning for both the fully retractable canopy and internal roller-shutter are considered acceptable in theory. However, the application should make clear what type (and colour) of shutter is proposed – noting that a dark-finished Grille (Lattice) would probably be least visually impactful when deployed. As it stands, we have insufficient information to assess impact upon both the special architectural and historic interest of the listed asset, and the character and appearance of the conservation area.

31st July 2025

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, bevelled 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.

1.1.1. 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.

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 grilles/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.

1.1.2. 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.

1.2. 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 collection-

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.

7. PUBLIC REPRESENTATIONS

A Site Notice was put up on 01.08.2025. A Press Notice was published on 09.08.2025.

7.1 No representations were received.

8. ASSESSMENT

8.1 Principle of Development

8.1.1 The application site is located within a settlement boundary as defined by the proposals maps contained within the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) accordingly no concern is raised in this regard.

8.1.2 The subject of the application site is a listed building, therefore the principle of the development falls, in part, to be established by the impact of the development upon the Listed Building which is expanded upon in this report.

8.2 Impact on Listed Building

8.2.1 The application seeks Listed Building Consent for various alterations to the shopfront, including the installation of an awning, shutters, a new shopfront sign, and changes to the fenestration and entrance doors. The site previously featured a well-proportioned, traditionally designed shopfront, incorporating a defined stall riser, belection-moulded window frames, decorative pilasters with ornate capitals, and a fascia with cornice detailing. It appears that these details have been removed as part of the proposals. The fascia signage was modestly scaled. While not original, the former shopfront was sympathetic in design and complemented the classically arranged upper façade of the building.

8.2.2 The application site is a Listed Building and is located within the Town Centre Conservation Area. Policy SP9 states that the conservation, enhancement and management of recognised sited within the natural, historic and built environment will be sought in all proposals. Policy CE7 states that developments should avoid the removal of existing historic features, including traditional shopfronts and joinery.

8.2.3 The plans show that an awning is proposed to be installed on the front façade of the building, however, they do not provide any details on the method of how this will be affixed to the building. Notwithstanding this, when open, the installed awning obscures key decorative features of the former shopfront and is considered an inappropriate addition to the Listed Building. Its presence represents an unacceptable form of development that fails to preserve or enhance the character and appearance of both the Listed Building and the wider Conservation Area, contrary to Policy CE7.

8.2.4 The proposals involve alterations to the doors and fenestration. Previously, the doors were recessed, a feature that contributed positively to the character of the shopfront. Upon submission, the proposals showed the doors to be flush with the principal elevation. Following comments from the Principal Heritage Officer, alterations were submitted and the proposals now detail recessed doors. The doors would be slim, aluminium framed units, which results in a more utilitarian, modern appearance. It is evident from the works already

undertaken that modern materials and inappropriate alterations are unsympathetic and detract from the character and appearance of the Listed Building. The introduction of such modern features do not preserve or enhance the special architectural and historic of the listed building or wider Conservation Area. Undue harm has been identified and even with the alterations to the plans, the proposals are considered unacceptable.

- 8.2.5 The plans propose the installation of internal roller grid shutters. However, the Security Measures for Shopfronts and Commercial Premises SPG clearly states that shutters of any kind are not considered acceptable within a Listed Building. In this instance, no details have been provided regarding the shutter housing, materials, or finishes. Moreover, the submitted Heritage Statement fails to include any reference to the shutters or to propose any form of mitigation or justification. This is contrary to the requirements of The Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024, which state that a Heritage Impact Statement must describe the works and the design principles and explain the objectives of the proposed works and set out why they are considered desirable or necessary. Given the extent of the works and their adverse effect on the character and appearance of the listed building, it is not considered appropriate to secure these elements by condition. Consequently, a full and proper assessment of the shutters and their potential impact on the Listed Building cannot be carried out.

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 The works as originally proposed raised objections from the Principal Heritage Officer. The applicant attempted to overcome these concerns, however the revised plans were insufficient to overcome the issues. The works that are being sought are inherently harmful to special architectural and historic interest of the Listed Building and would fail to preserve or enhance the character and appearance of the Conservation Area. No mitigation measures have been included within the Heritage Statement to address such harm. The proposals conflict with policies GP6 and CE7 the requirements of PPW12 and TAN 24.

11. DECISION

REFUSED

01 The proposed development would result in undue harm to the special architectural and historic interest of the Listed Building and would fail to preserve or enhance the character and appearance of the Conservation Area. The overall impact of inappropriate alterations, including the use of unsympathetic materials and features, detracts from the character of the heritage asset and its setting. As such, the proposal is contrary to Policies CE7 and GP6 of the Newport Local Development Plan 2011–2026 (Adopted January 2015), Planning Policy Wales 12, Historic Environment (Wales) Act 2023 and Technical Advice Note (TAN) 24 and does not comply with the Council's adopted Supplementary Planning Guidance on Shopfront Design (October 2021).

02 The proposed development would have a harmful impact on heritage assets of recognised importance, specifically the character and appearance of the Listed Building, and would fail to preserve or enhance the Conservation Area. The application lacks essential details regarding the windows, doors, and shutters, and the submitted Heritage Statement does not include any mitigation measures to address this harm. As such, the proposal is contrary to Policy GP6 and CE7 of the Newport Local Development Plan 2011–2026 (Adopted January 2015), Historic Environment (Wales) Act 2023, Planning Policy Wales 12 and Technical Advice Note (TAN) 24.

NOTE TO APPLICANT

01 This decision relates to plan Nos: 164CS-1711-SHF(Rev4) - Drawings – Shopfront, 164CS-1711-ADC(Rev4) - Drawings – Signage, 164CS-2310- HERITAGE STATEMENT, 164-1807- Revised Site Location Plan, 164-1807- Revised Block Plan, 164CS-2310 - Design and Access Statement

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP6 and CE7 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.