

Delegated Decision Report

Application No:	26/0326	Statutory Period Expires:	2nd July 2026
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Site:	14-15 High Street Newport NP20 1FW		
Proposal:	CHANGE OF USE TO THE THREE FLOORS ABOVE THE PUBLIC HOUSE TO CREATE A BOOKABLE ARTS VENUE SPACE ON THE FIRST FLOOR (USE CLASS D2), AND BOOKABLE CO-WORKING STUDIOS AND PRIVATE SHORT LEASE STUDIO SPACES TO THE SECOND AND THIRD FLOORS (USE CLASS B1), ALONG WITH PARTIAL REPLACEMENT OF REAR SINGLE STOREY EXTENSION, CREATION OF ROOF TERRACE AND ASSOCIATED INTERNAL AND EXTERNAL ALTERATIONS		
Applicant:	M Otridge		
Type:	Full	Ward:	Stow Hill
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is located within the city centre and forms part of a row of four storey terraced properties. The existing building has ornate period features, lies within the city centre conservation area, and is adjoined to the Grade II Listed Market Arcade.

3. DESCRIPTION OF DEVELOPMENT

3.1 The proposal seeks to use the first, second and third floors to be used as an arts venue and studios, along with a rear extension forming the new stair core to the first floor finished in standing seam metal cladding measuring 4.7m (d) x 3.5m (w) x 3.3m (h) and internal works to provide an enlarged arts venue with bifold doors onto the rear roof terrace. Erection of 2.5m acoustic fence on roof terrace with modular living wall.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
21/0337	REFURBISHMENT OF VACANT FIRST FLOOR AND CHANGE OF USE TO CREATE PERFORMANCE SPACE AND GALLERY ROOFTOP TERRACE SEATING AREA, RETRACTABLE CANOPY COVER, INSTALLATION OF NEW FRONT ENTRANCE/ESCAPE DOOR AND LOBBY WITH BIFOLD DOORS TO GROUND FLOOR ENTRANCE, TOGETHER WITH OTHER INTERNAL AND EXTERNAL WORKS INCLUDING NEW MVHR AND HVAC SYSTEM WITH EXTERNAL OUTLETS AND SOLAR PANELS	Granted with conditions	16.06.2022
15/0376	CONVERSION OF UPPER FLOOR FROM PUBLIC HOUSE TO 10NO. SELF CONTAINED FLATS (C3 USE) CONSISTING OF 6NO. ONE BEDROOM AND 4NO STUDIO FLATS. PUBLIC HOUSE USE TO BE RETAINED ON GROUND FLOOR (RESUBMISSION FOLLOWING REFUSAL OF 13/0580)	Granted with conditions	07.08.2015
13/0580	CONVERSION OF UPPER FLOORS FROM PUBLIC HOUSE TO 12NO. SELF-	Refused	22.05.2015

	CONTAINED FLATS (C3 USE) CONSISTING OF 8NO. ONE-BEDROOM AND 4NO. TWO-BEDROOM FLATS, ERECTION OF FOUR STOREY REAR EXTENSION TO UPPER FLOORS, INSTALLATION OF NEW WINDOWS AND RENDER FINISH TO REAR ELEVATION. PUBLIC HOUSE TO BE RETAINED ON GROUND FLOOR		
98/1021	ERECTION OF 2 EXTERNALLY ILLUMINATED FASCIA SIGNS AND 1 PROJECTING SIGN	Granted	06.11.1998
89/0748	ERECTION AND DISPLAY OF ILLUMINATED FASCIA SIGNS	Granted	09.02.1990

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 6 – Town Centre First

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

5.3 Technical Advice Note 4: Retail and Commercial Development

Technical Advice Note 5: Nature Conservation and Planning

Technical Advice Note 11: Noise

Technical Advice Note 12: Design

Technical Advice Note 23: Economic Development

Technical Advice Note 24: The Historic Environment

5.4 Historic Environment (Wales) Act 2023

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- SP1 – Sustainability
- SP9 – Conservation of the Natural, Historic and Built Environment
- SP18 – Urban Regeneration
- GP2 – General Amenity
- GP4 – Highways and Accessibility
- GP5 – Natural Environment
- GP6 – Quality of Design
- GP7 – Environmental Protection and Public Health
- CE6 – Archaeology
- CE7 – Conservation Areas
- T4 – Parking
- R1 – City Centre Schemes
- W3 – Provision for Waste Management Facilities in Development

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Shopfront Design
- Sustainable Travel
- Waste Storage and Collection

- Archaeology and Archaeologically Sensitive Areas
- Wildlife and Development
- Parking Standards

6. CONSULTATION RESPONSES

6.1 Principal Heritage Officer:

1. Legislation, Policy, and Guidance

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.”**

2. Observations

2.1 Significance

14-15 High Street comprise a paired red-brick commercial block of late-C19 date; an unlisted heritage asset prominently located within The Town Centre Conservation Area.

The building is a well-preserved example of late Victorian/Edwardian commercial architecture. Scale, materials, roof-form and detailing of its front elevation make a clear and positive contribution to the architectural quality, historic character, and townscape value of the Newport Town Centre Conservation Area. As such, the asset is identified as a 'positive Contributor' within the relevant CAA. In particular:

- Composition of the front elevation is richly decorative, symmetrical, and well ordered, lending coherence to the streetscape (and urban grain derived from medieval burghage plots). This front demonstrates a high level of architectural ambition, typical of Newport's late Victorian and Edwardian prosperity.
- At ground floor, shopfronts framed by original, decorative pilasters, likely in Forest of Dean sandstone. Though modern (post-1934), the proportions, material and detailing of the painted shopfront joinery is of traditional form, is designed to reflect the architectural ambitions of the principal elevation above and serves to reinforce both the asset's historic commercial use. This is somewhat let down by a proliferation of unsightly services and by crudely applied awnings, the latter of which are surface-mounted and bolted into the stone pilasters using metal plates.
- Upper floors are formed in pressed-red brick, reinforcing the strong Victorian/Edwardian identity of the historic city centre.
- First and second floors are framed by red brick pilasters, topped by an ornate entablature. Paired semi-circular headed windows are formed in highly decorative (likely 'Bath') freestone, joined by pilasters topped with escutcheons.
- Paired 'Palladian' windows to the third floor, also formed in highly decorative (likely 'Bath') freestone.
- The elevation is topped with prominent stepped 'Dutch' gables with ornate moulded stone copings and bold string courses in stone, forming a strong and decorative roofline.
- Existing windows are hardwood casements throughout. Though unpainted, judging by historical evidence they clearly reflect of the original form and design of the building to all levels (though externally applied blind boxes have been lost over time). The semi-circular headed windows to no.14 retain their decorative moulding to transoms, whilst those to no.15 have been lost.
- Rainwater goods are original cast iron, with breakfront rainwater heads to roof level.

2.2 Impact

Whilst the front elevation is very prominent within the conservation area public realm, the rear is unseen due to the position of the building within its deep urban block. Therefore, I am concerned with the following proposed works and their potential for impact upon the character and appearance of the Town Centre Conservation Area:

- It is proposed to replace existing front elevation windows with *"New Jet Black (RAL 9005) aluminium frame double glazed windows with half fixed half side-hung casement with fixed arched head (to match existing mullion and transom formation)."* As noted above, existing windows clearly reflect of the original form and design of the building to all levels. However, they have seen some harmful alteration over time, most notably a lack of painted finish (which is beyond planning control) and a loss of decorative mouldings to the units within no.15. Upon this basis, replacement in aluminium profiled to match the existing (as shown within the proposed drawings now supplied) would, in this particular case, be considered to unify the façade and result in only minimal harm to the character and appearance of the Town Centre Conservation Area due to the change in material from traditional timber. The only caveat is that there must be no visible trickle venting or weep holes to their external faces. Provided the applicant is satisfied that this is possible with the model specified, the condition below should be added to any approval.
- It is proposed to replace existing front elevation doors with *"New single swing primary and secondary entrance doors, material and style to match existing. Minor repairs to adjacent woodwork."* Suitable details have been supplied.

- It is proposed to *“Replace 2 No. hoppers and downpipes to the front elevation.”* I would reiterate here that the existing are original cast iron and are considered to make a very positive contribution towards the character and appearance of the building – and therefore the Town Centre Conservation Area. It should not be a problem to accurately replicate the existing in cast metal and I would again suggest that you request details will be up-front for any proposed replacement.
- It is proposed to *“Clean all front elevation stonework and inspect all stone closely to determine the full condition, minor stonemason repairs to be made as necessary, to match existing.”* Though not necessarily within our control, I would highly recommend that low-pressure DOFF or TORC systems are used, to prevent saturation or abrasion of the historic fabric – and accelerated future decay.
- It is proposed to *“Repoint mortar to the front elevation as required and fill all redundant fixing holes.”* Again, not necessarily within our control, but I would highly recommend a well-gauged non-hydraulic lime mix, with detailed method statements regarding workmanship, to heritage standards. If NHL is proposed, it should be maximum nHL2, due to concerns regarding strength of pre-mix products.
- I would also note that this feels like a missed opportunity to remedy the very unsightly external shopfront awnings which are crudely bolted to the pilaster stonework – and will doubtless result in long term harm if fixings are ferrous in nature.

Conditions

There shall be no visible trickle vents or weep holes to the exterior face of any new windows which front the highway.

Reason: To preserve the traditional appearance of the new windows and to preserve the character and appearance of the Town Centre Conservation Area in accordance with Section 160 of the Historic Environment Wales Act 2023 and Policy CE7 of Newport Local Development Plan 2011 – 2026, January 2015.

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Reason: To preserve the traditional appearance of the new windows and to preserve the character and appearance of the Town Centre Conservation Area in accordance with Section 160 of the Historic Environment Wales Act 2023 and Policy CE7 of Newport Local Development Plan 2011 – 2026, January 2015.

- 6.2 Ecology Officer: I have considered this application in relation to section 7.0, Figure 4 - 'Checklist for protected/priority Species Surveys' set out in the Wildlife and Development SPG, which sets out the criteria we use for deciding when a bat survey is needed. The nature and location of these buildings and the works proposed to them do not suggest that there is a reasonable likelihood of an impact upon roosting bats, so I would not ask for a bat survey on this occasion. Specifically, the buildings are not close to any suitable foraging or commuting habitats for bats, and are set in an urban area subject to light disturbance. The proposed works will not alter the main roof of the building, and in terms of the external aspects are limited to cleaning masonry and re-fitting windows. However we can never totally rule out the potential presence of bats so we should attach our Bat Advisory Note if consent is granted.

Bat Advisory Note

Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are known to be roosting, Natural Resources Wales (NRW) must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and undertake bat surveys if necessary.

Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result.

NRW can be contacted at:-

Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-

5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228

- 6.3 Drainage Manager: No response.
- 6.4 Environmental Health Officer: Have reviewed the submitted documents and have no objections to the proposed development. A development of this nature is likely to generate noise/vibration/dust and these may lead to statutory nuisance complaints from some residents living closer to the proposed site. I would suggest the following conditions should be attached to any permission granted to reduce or prevent such complaints;

Construction Environmental Management Plan

No development shall take place until a site specific Demolition and Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- Arrangements for liaison with the Newport City Council Noise & Neighbourhood Team
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within permitted hours
- Mitigation measures as defined in BS 5228: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Measures to mitigate demolition dust and material causing a nuisance to local residents, for example sheeting of loads and wheel washing apparatus

Reason: To protect the amenities of occupiers of other premises in the vicinity.

Commercial and Industrial Noise

The rating level of the noise emitted from [fixed plant and equipment (mechanical and electrical), mobile plant and vehicles (these need to be an intrinsic part of the overall sound from premises or process), loading and unloading of goods (industrial and/or commercial)] located at the site shall not exceed the existing background level at any premises used for residential purposes when measured and corrected in accordance with BS 4142: 2014;

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

6.5 Waste Manager: No response.

6.6 South Wales Fire Service: The Fire Authority has no objection to the proposal and refers the Local Planning Authority to current standing advice issued by the Authority.

6.7 HENEB: Thank you for notifying us of this application; consequently, we have reviewed the detailed information contained on your website.

Information in the Historic Environment Record (HER), curated by this Trust, shows that the application is located in Newport's Town Centre Conservation Area and within the Archaeologically Sensitive Area of Newport; in the medieval town, less than 200m from the castle and riverside, and approximately 250m from the site of the 14th century Friary, in an area of continuous settlement and industry throughout the medieval and Post-medieval periods. The application area has been significantly altered during the early years of the 20th century, with the creation of the arcades.

Whilst archaeological remains are known to have survived in the wider area, the proposed works are for a change of use, and do not involve any significant ground disturbance works and are therefore, unlikely to affect buried archaeological remains or require archaeological mitigation.

It is our opinion, as the archaeological advisors to your Members, that as there is no requirement for archaeological mitigation, we have no objection to the positive determination of this application. However, the Record is not definitive and it remains a possibility that archaeological features may be encountered during the work; please contact us if this occurs, as mitigation may be required.

6.8 Highways Officer: No objection.

The site is located within parking zone 1 (City centre) so there are no parking spaces required for the proposed uses. This reflects the sustainability of the location in transport terms.

Servicing would be no more onerous than existing and adjacent uses, so raises no issues.

Cycle parking for staff and visitors should be provided, however it is not clear if there is suitable access or space to provide meaningful storage for staff.

In conclusion there are no highway related objections.

- 6.9 Dwr Cymru/Welsh Water: We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. We recommend that the existing private drainage on site should be utilised to avoid any new direct connection to the public sewerage system.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Condition

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on the 8th May 2026 and a Site Notice was put up on the 15th May 2026.

- 7.1 NEIGHBOURS: No comments received.

- 7.2 COUNCILLORS:

- 7.2.1 Councillor Al-Nuaimi: No response.

- 7.2.2 Councillor Thomas: No response.

8. ASSESSMENT

8.1 Principle of Development:

- 8.1.1 The application site is located within the city centre and is therefore inherently sustainable and close to local amenities. The proposal accords with Policy SP1 which seeks to focus development within sustainable locations and accords with the Town Centre First approach as contained within both local and national Planning Policies. The proposed use is considered to be acceptable and appropriate within the city centre positively contributing to the vibrancy and vitality of the centre, accordingly no objection is raised to the principle of the development.

8.2 Impact upon the Listed Building and Conservation Area

- 8.2.1 The Historic Environment (Wales) Act 2023, Section 96 places a duty upon the Local Planning Authority to have due regard to the desirability of preserving the listed building to which the application relates, the setting of the building, and any features of special architectural or historic interest the building possesses.

- 8.2.2 The application site is physically connected to the Grade II Listed Market Arcade, however the proposed development does not include any works or development affecting the Market Arcade. The Principal Heritage Officer has raised no concerns regarding impact upon the Grade II listed building, therefore the Section 96 duty is considered to have been fulfilled.

- 8.2.3 The site is located within the Town Centre Conservation Area and the existing building has many period features and represents as a typical example of a Dutch gable finished in red

brick with ornate detailing around the windows and gable ends. The ground floor shopfront has also retained the timber fenestration resulting in symmetry and continuity across the principal elevation.

- 8.2.4 Section 160 of the Historic Environment (Wales) Act 2023 places a duty upon the Local Planning Authority 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'*.
- 8.2.5 The Principal Heritage Officer highlights that the building is well-preserved example of late Victorian/Edwardian commercial architecture which overall make a positive contribution toward the overall appearance and architectural value of the area.
- 8.2.6 The works to the rear of the building have raised no concerns from the Principal Heritage Officer as these would not be visible from wider public vantage points within the Conservation Area given the height and enclosed nature of the rear elevation thus having a neutral impact upon the CA and the setting of the Listed Building.
- 8.2.7 The front elevation fenestration is proposed to be replaced with black aluminium double glazed units to the upper floors along with replacement timber doors at the ground floor. The Principal Heritage Officer has noted that the replacement fenestration shall have no trickle vents or other modern features; the submitted window details includes notes confirming this along with the use of slimline double glazing.
- 8.2.8 The proposed elevation details also includes the replacement of the rain hoppers and downpipes; no specific details have been submitted regarding this and the Principal Heritage Officer requires the replacements to be cast iron due to the positive contribution the existing makes to the principal elevation. As such, a condition is attached to ensure the replacement rain hoppers and down pipes are cast iron.
- 8.2.9 The method of stonework cleaning to the principal elevation has the potential to adversely impact the appearance of the conservation area and the long-term retention of historic fabric which positively contributes toward the overall appearance of the conservation area. Therefore, it is considered necessary and relevant to the development proposed to ensure that any stone cleaning work is carried out using a low-pressure DOFF or TORC system; a suitably worded condition is attached to the decision.
- 8.2.10 The repointing of the principal elevation also has the potential to adversely impact the appearance of the conservation area. The Principal Heritage Officer outlines a suitable non-hydraulic lime-mix should be used for the building to continue to positively contribute toward the overall appearance of the building on the conservation area. As such, a condition is attached to the decision for the submission of details relating to the mortar mix along with the a detailed method statement outlining where repairs are to occur and how these will be carried out.
- 8.2.11 It is considered the proposed development preserves the special features and characteristics of the Conservation Area in accordance with the Historic Environment (Wales) Act 2023 and Policies SP9 and CE7.

8.3 **Urban Regeneration**

- 8.3.1 The reuse of the currently derelict upper floors for use suited within a city centre setting is considered to accord with the aims of Policy SP18 as previously identified the proposed use(s) are considered to be acceptable and complementary to the city centre adding to the offering and contributing to the vitality of the centre. Bringing these spaces back into use accords with the aims and objectives of the LDP and the requirements of national planning policies.

8.4 **Impact upon Amenity**

- 8.4.1 The building has an existing lawful use as a public house A3 of the Town and Country Planning (Use Classes) Order 1987 (as amended); the planning history relating to previous changes of use to flats and more recently under an extant consent 21/0337 to an arts space

however from the submitted site photographs within the supporting information there is no clear indication that any of the previous consents were implemented.

- 8.4.2 The extant consent of 21/0337 permitted the use of the first floor outside area as a roof terrace seating area and erection of acoustic fencing. The use of the roof terrace area was previously limited in the interests of residential amenity; due to the similarities between the extant and proposed scheme and that there has been no change to the local plan policies within that time, it is considered necessary to attach a condition limiting the use of the roof terrace. The proposed first floor plan includes the relocation of air conditioning units to the retained flat roof area. The Environmental Health Officer has noted the presence of the proposed plant equipment and requires the attachment of a condition ensuring that the noise level emitted from the plant equipment shall not exceed existing background noise levels in the interests of residential amenity. The proposed refurbishment works and use of the building is considered to not result in any adverse impacts over and above what is expected of such a use in the city centre and it is therefore considered that residential amenity would not be significantly affected by the reuse of this city centre site.
- 8.4.3 The rear elevation sees a minor alteration to the fenestration however any outlook or views gained would not be materially different to those already gained. As such, the proposal would not lead to any additional overlooking of neighbouring sites or residential properties.
- 8.4.4 The erection of a new stair core/extension at the rear of the building linking to the roof terrace area is modest in scale and would not lead to any additional overshadowing or reduction in the levels of daylight and sunlight entering neighbouring properties. The scheme overall is considered to not result in any adverse impacts upon residential amenity in accordance with Policies GP2 and GP7.
- 8.4.5 The suggested condition for the submission of a Construction Environment Management Plan (CEMP) is noted, however the majority of the works are internal and the rear extension is modest in scale; furthermore highway access to the High Street is restricted during working hours. It is considered that a CEMP is overly onerous when considering the scale of development proposed. As such, a CEMP is not secured by way of condition.
- 8.5 **Highways and Parking**
- 8.5.1 The proposal does not involve any alteration to the existing highway network and would therefore not result in any harm upon the safe and efficient use of the highway in accordance with Policy GP4.
- 8.5.2 The proposed floor plans do not include any bicycle storage and the Highways Officer acknowledges the absence of available space internally or the availability of outdoor space to provide suitable bicycle storage. Furthermore, the site is located within Parking Zone 1 as such no allocated parking is required given the inherent sustainability of the site.
- 8.5.3 The Highways Officer raises no objection to the scheme and it is considered the scheme accords with Policies GP4 and T4.
- 8.6 **Impact upon Ecology**
- 8.6.1 The Ecology Officer has noted that the site is unlikely to support bat roosts given the nature and location of the building and the works proposed do not involve the replacement of roof coverings. No further ecological surveys are therefore required, however an informative note is added to the recommendation should any protected species be encountered during the construction phase.
- 8.6.2 The application is not supported by a Green Infrastructure Statement as required by Planning Policy Wales (Ed.12). It is accepted that the site has an urban context and that opportunities to incorporate biodiversity enhancements are limited. Despite this, the proposed roof terrace acoustic fencing seeks to install a modular living wall system. To ensure the living wall system achieves a biodiversity enhancement a condition is attached to ensure it is installed and maintained for a minimum period of 5 years.

8.7 **Impact upon the Character and Appearance of the Area**

- 8.7.1 The positive contribution of the existing principal elevation has already been outlined within the previous sections of this report. The proposed replacement fenestration would not lead to any harm upon the wider character of the area and integrates with the overall appearance.
- 8.7.2 The works to the rear are out of public views from the street due to intervening developments. The proposed works to the rear elevation integrate with the existing building form of the host building and any views gained of the rear elevation from any private vantage points or from within the building itself would not be adversely impacted. The proposal accords with Policy GP6.

8.8 **Impact upon Archaeology**

- 8.8.1 The site is located within an archaeologically sensitive area; the consultation from HENEB outlines the sites location in close proximity to the castle, riverside and 14th century Friary and the significant alterations which have occurred during the 20th century through the creation of the Market Arcade. The change of use therefore requires no archaeological mitigation or submission of method of works given that no development is proposed below ground level. The proposal accords with Policy CE6.

8.9 **City Centre Schemes**

- 8.9.1 The proposed reuse of a prominent vacant derelict unit within the city centre for uses associated with the existing lawful use is considered to positively contribute toward the aims of Policy R1 which seeks refresh and regenerate the city centre. The proposal accords with R1.

8.10 **Waste and Recycling**

- 8.10.1 No comments have been received from the Waste Officer raising any concerns with the scheme. The existing lawful use of the site as A3 and therefore the waste arising from the existing use is considered to be similar to that already generated. No details are included within the application as to how waste and recycling is managed and therefore details are secured by way of condition. Subject to condition the proposal accords with Policy W3.

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 proposal seeks a suitable reuse of a prominent city centre building providing leisure and workspaces; the scheme accords with the aims of relevant national and local planning policies and is therefore granted with conditions.

**11. DECISION
GRANTED WITH CONDITIONS**

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

- Existing Elevation A (Drawing ref: L(21)001 Rev B)
- Existing & Proposed (Drawing ref: L(31)001 Rev A)
- Existing & Proposed (Drawing ref: A(31)002 Rev A)
- Existing & Proposed (Drawing ref: L(31)003 Rev A)
- Existing & Proposed (Drawing ref: L(32)001 Rev A)
- Proposed Elevation D (Drawing ref: L(21)104 Rev A)
- Proposed Elevation C (Drawing ref: L(21)103 Rev A)
- Proposed Elevation B (Drawing ref: L(21)102 Rev A)
- Proposed Elevation A (Drawing ref: L(21)101 Rev A)
- Existing Elevation D (Drawing ref: L(21)004 Rev A)
- Existing Elevation C (Drawing ref: L(21)003 Rev A)
- Existing Elevation B (Drawing ref: L(21)002 Rev A)
- Existing Second Floor Plan (Drawing ref: L(20)004 Rev A)
- Existing First Floor Plan (Drawing ref: L(20)003 Rev A)
- Location Plan (Drawing ref: L(20)001 Rev A)
- Proposed Section A (Drawing ref: L(22)001 Rev A)
- Existing Section A (Drawing ref: L(22)001 Rev A)
- Proposed Roof Plan (Drawing ref: L(20)105 Rev A)
- Proposed Third Floor Plan (Drawing ref: L(20)104 Rev A)
- Proposed Second Floor Plan (Drawing ref: L(20)103 Rev A)
- Proposed First Floor Plan (Drawing ref: L(20)102 Rev A)
- Proposed Ground Floor Plan (Drawing ref: L(20)101 Rev A)
- Proposed Basement Floor Plan (Drawing ref: L(20)100 Rev A)
- Existing Roof Plan (Drawing ref: L(20)006 Rev A)
- Existing Third Floor Plan (Drawing ref: L(20)005 Rev A)
- Existing Ground Floor Plan (Drawing ref: L(20)002 Rev A)
- Existing Basement Floor Plan (Drawing ref: L(20)001 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 Prior to the installation of any replacement rainwater goods on the principal elevation, details of a cast metal replacement shall be submitted to and approved in writing by the Local Planning Authority. Development shall only commence in accordance with the agreed details and retained for the duration of the use.

REASON: In the interests of visual amenity and retention of period features within the conservation area in accordance with the Historic Environment (Wales) Act 2023 and Policies SP9 and CE7 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

03 The method of masonry cleaning to the principal elevation shall only use the DOFF or TORC method to ensure the existing brickwork is not degraded ensuring its long term retention and quality protecting its positive impact upon the wider conservation area.

REASON: To preserve the appearance of the conservation area in accordance with Historic Environment (Wales) Act 2023, Technical Advice Note 24 – The Historic Environment and Policies SP9 and CE7 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

04 Prior to the commencement of any mortar repairs to the principal elevation, details of a non-hydraulic lime mix and a detailed method statement of mortar repairs shall be submitted to and approved in writing by the Local Planning Authority. Development shall commence only in accordance with the agreed details.

REASON: To preserve the appearance of the conservation area in accordance with Historic Environment (Wales) Act 2023, Technical Advice Note 24 – The Historic Environment and Policies SP9 and CE7 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

05 The windows to be installed on the principal elevation shall not contain any visible trickle vents, weep holes or any other modern features to the external elevation.

Reason: To preserve the traditional appearance of the new windows and to preserve the character and appearance of the Town Centre Conservation Area in accordance with Section 160 of the Historic Environment Wales Act 2023 and Policy CE7 of Newport Local Development Plan 2011 – 2026, January 2015.

06 The rating level of the noise emitted from [fixed plant and equipment (mechanical and electrical), mobile plant and vehicles (these need to be an intrinsic part of the overall sound from premises or process), loading and unloading of goods (industrial and/or commercial)] located at the site shall not exceed the existing background level at any premises used for residential purposes when measured and corrected in accordance with BS 4142: 2014; Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy GP2 of Newport Local Development Plan 2011 – 2026, January 2015.

07 The Roof Terrace Seating Area as shown on the approved drawing Proposed First Floor Plan (Drawing ref: L(20)102 Rev A) shall only be used during the hours 0900 - 2200 Monday - Saturday and 0900 - 1800 on Sundays, Bank and Public holidays.

Reason: In the interests of residential amenity in accordance with Policy GP2 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

08 Prior to its installation, details of the living wall (including number and plant species) and landscape management plan shall be submitted and approved in writing by the Local Planning Authority. Thereafter, the living wall shall be maintained for a period of 5 years from the date of planting in accordance with the agreed management schedule. Any planting which dies or are damaged shall be replaced and maintained until satisfactorily established.

Reason: To ensure the proposal results in a biodiversity net gain in accordance with Planning Policy Wales Ed.12) and Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

09 Prior to the first beneficial use of the upper floors, a scheme of waste management shall be submitted to and approved in writing by the Local Planning Authority. The use shall

commence in accordance with the agreed details and shall operate in accordance with those details for the duration of the use.

REASON: To ensure the site is served by an adequate means of waste management in accordance with Policy W3 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

10 The materials to be used on the external elevations shall be carried out in accordance with the approved plans and details as contained within Condition 01 of this consent.

REASON: In the interests of visual amenity and the character of the area in accordance with Policies GP2, GP6 and CE7 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP9, SP18, GP2, GP4, GP5, GP6, GP7, CE6, CE7, T4, R1 and W3 were relevant to the determination of this application.

02 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.

03 Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are known to be roosting, Natural Resources Wales (NRW) must be contacted for advice.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Where there is a likelihood that bats are present, or where bats are found to be present, a suitably qualified and experienced ecological consultant should be contracted to provide an assessment of the impact of the proposed works, and undertake bat surveys if necessary.

Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. Otherwise, a prosecution may result.

NRW can be contacted at:-

Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-

5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228