

# Delegated Decision Report

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|------------------------|----------------|----------------------------------|--------------------------|
| <b>Application No:</b> | <b>25/0536</b> | <b>Statutory Period Expires:</b> | <b>21st October 2025</b> |
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| <b>Site:</b>      | <b>13 Caerau Crescent Newport NP20 4HG</b>                                                                                    |              |                  |
| <b>Proposal:</b>  | <b>REPLACEMENT OF EXISTING WINDOWS WITH UPVC CASEMENT WINDOWS AND CREATION OF ADDITIONAL WINDOW OPENING IN SIDE ELEVATION</b> |              |                  |
| <b>Applicant:</b> | <b>R Radford</b>                                                                                                              |              |                  |
| <b>Type:</b>      | <b>Full</b>                                                                                                                   | <b>Ward:</b> | <b>Stow Hill</b> |
| <b>Decision:</b>  | <b>Refused</b>                                                                                                                |              |                  |

## 1. BACKGROUND

- 1.1 The property is located within the Stow Park Conservation Area and is listed within schedule 1 of the Article 4 Direction. Schedule 2 of the Article 4 direction restricts Permitted Development rights for the *'Removal, renewal or alteration of doors, door frames, windows and window frames, set within external walls of dwelling houses... Insofar as any such development referred to above would front onto a highway or open space.'* As the proposed changes will be applied to windows that face the highway, planning permission is required.

## 2. SITE LOCATION AND CONTEXT

- 2.1 The application site is a semi-detached property situated within the Stow Hill ward and lies within the Stow Park Conservation Area. Positioned in a prominent central location on Caerau Crescent, the property features a distinctive second-floor faceted oriel window, which faces the south-westerly approach and is a notable feature within the streetscape. Despite some unsympathetic alterations, the property, being one of only three on the street covered by the Article 4 Direction, retains original features that contribute positively to the character and appearance of the Conservation Area. The Article 4 Direction has been agreed with the Welsh Government Minister, reflecting the robust evidence base provided by the Stow Park Conservation Area appraisal which clearly demonstrates that the property contributes positively to the character and appearance of the area.

## 3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks consent to alter various windows from timber to uPVC casement windows and the creation of an additional window opening in the side elevation of the rear kitchen extension.

## 4. RELEVANT SITE HISTORY

- 4.1 None.

## 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.

6.1.6 - Planning decisions should ensure that heritage assets and their settings are protected and, where appropriate, enhanced in a manner appropriate to their significance.

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 document:  
- Managing Conservation Areas in Wales (CADW)

6. CONSULTATION RESPONSES

6.1 ***Principal Heritage Officer:***

**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:

*"6.1.14 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."*

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."

13 Caerau Crescent is a property within Stow Park Conservation Area (CA). There is an Article 4(2) Direction within the CA restricting (amongst other items), 'Permitted Development' (PD) for: *'Removal, renewal or alteration of doors, door frames, windows and window frames, set within external walls of dwelling houses... Insofar as any such development referred to above would front onto a highway or open space.'*

As identified within the Stow Park CAA:

*"3.6.3 Although the architectural styles throughout the Conservation Area vary from building to building, there is a common palette of characteristic features. This includes:*

- *Prominent gable ends;*
- *Tall chimneystacks;*
- *Hung tiles;*
- *Canted or squared bays, and turrets;*
- *Large windows, often with smaller lights in the upper pane;*
- *Half timbering;*
- *Barge boards;*
- *Ridge tiles; and*
- *Sculpted detailing such as date stones"*

The same document goes on to state that:

*"4.3.7 Replacement uPVC windows which have many uncharacteristic features compared to original timber units (false glazing bars, thicker frames and different opening mechanisms) and detract from the architectural value of the buildings and streetscape. They can also be detrimental to the condition of historic buildings.*

*5.2.6 uPVC is an inappropriate and harmful material for historic buildings: it can damage their condition and detract from their character. Traditional joinery items such as windows and front doors should be kept and repaired wherever possible or replaced with traditionally designed timber alternative where the original has deteriorated beyond repair. The use of timber also offers sustainability benefits over uPVC units which cannot be easily recycled.*

*Understanding 'Like-For-Like'*

*A term frequently used in conservation is 'like-for-like' replacement or repair. This is frequently – and mistakenly – taken to mean that a modern alternative that generally echoes the style of the element removed is acceptable. However, this is not accurate or acceptable. Like-for-like should always be interpreted as an alternative that matches the historic element removed in terms of its material, dimensions, method of construction, finish, means of installation and any other feature specific to the original element, such that the modern replacement is hardly discernible from the original (accepting that its condition will be greatly improved where the original has failed beyond repair).*

*For example, modern uPVC windows in imitation of Victorian-style sash windows but with false glazing bars and top-hung casement opening mechanism do not constitute a like-for-like replacement for the traditional timber-framed Victorian sliding sash windows, although they appear to look similar stylistically.”*

## **1. Analysis**

13 Caerau Crescent is prominent within the streetscape, particularly where its unusual second-floor faceted oriel window fronts views within the south-westly approach. Despite some negative existing alterations (render to the prominent end elevation and loss of timber sash windows to both the oriel window at second floor and the ground floor windows adjacent to the canted bay), its rich polychromatic brickwork, highly-expressive form and its surviving timber sliding sash windows (some with typical, multiple upper-lights) all make a very positive contribution towards the character and appearance of the building - and therefore the wider conservation area. Thus, it is specifically identified as a positive contributor towards the CAA.

This application proposes replacement of all windows to the building. As the property is a Dwellinghouse, PD rights are restricted for windows to the front elevation only.

### Window 1

The existing is a characterful, white-painted timber sliding-sash window featuring an asymmetric eight-over-four pane arrangement and ornate ‘horns’, all in the ‘Queen-Anne Revival’ style. As such, it makes a very positive contribution towards the character and appearance of the building - and therefore the wider conservation area.

It is proposed to replace the existing with a 50-50 split uPVC window, featuring a 15-over-two arrangement, with two side-opening casements to the lower half. This proposed would entirely alter the character of the existing window, including its traditional arrangement, materials and means opening. It would be considered an alteration which is harmful to character and appearance.

### Window 2

Existing windows to the first-floor oriel are formed in white-painted timber, set behind ornately moulded stone transoms and mullions. There are fixed timber lights to the centre, with flush-closing side-hung casements to the lower sides and top-hung casements to the upper sides. Though it is likely these windows were all once timber sliding-sash windows (which ran behind the ornate stonework), their existing material and arrangement maintains some of the appearance of timber sliding sashes.

It is proposed to replace the existing with face-closing casement windows in uPVC. This would be a material change from traditional timber which would also increase the visible margins of the side-hung windows, resulting in a non-uniform and modern appearance, which would result in negative impact upon existing character and appearance.

### Windows 3 & 4

The existing are modern metal-framed windows, split horizontally into three uneven panes. It is proposed to replace the existing with a 50-50 split uPVC window, featuring a 15-over-two arrangement, with two side-opening casements to the lower half. This would result in some enhancement to existing character and appearance.

### Window 5

The existing is a timber window with upper top-hung face-closing casement which still retains the basic form of the original asymmetric sash division to the upper floor windows. It is proposed to replace the existing with a 50-50 split uPVC window, featuring a 15-over-two arrangement, with top-opening and face-closing casement to the lower half. This would be a material change from traditional timber fabric, which would maintain the top-hung opening but eliminate the surviving asymmetric division. On balance, this alteration would result in neutral impact upon existing character and appearance.

### Window 6

The existing is a characterful, white-painted timber sliding-sash window with an asymmetric five-over-two pane arrangement, ornate ‘horns’ and moulded meeting rail, all in the ‘Queen-

Anne Revival' style. It is proposed to replace the existing with a 50-50 split uPVC window, featuring a 15-over-two arrangement, with top-opening and face-closing casement to the lower half. This proposed change would entirely alter the character of the window, including its traditional arrangement, materials and means opening. It would be considered an alteration which is harmful to character and appearance.

#### Window 7

The three windows to this ground floor bay are characterful, white-painted timber sliding-sash windows with an asymmetric one-over-one pane arrangement, ornate 'horns' and moulded meeting rails. It is proposed to replace the existing with 50-50 split uPVC windows, featuring a 15-over-two arrangement, with top-opening and face-closing casement to the lower half. This proposed change would entirely alter the character of the window, including its traditional arrangement, materials and means opening. It would be considered an alteration which is harmful to character and appearance.

The remaining windows do not front the highway (or an open space) and are not under our control.

## **2. Conclusion**

The supplied HIA concludes that:

*The new windows will improve the appearance of the building and provide a return to a traditional aesthetic. The new windows will also provide a substantial improvement in energy efficiency to the property.*

- *Owners are keen to return the property closer to its original appearance externally and internally;*
- *Wooden sliding sash windows are cost prohibitive and do not offer long term ease of maintenance benefits;*
- *Wooden sliding sash windows are single glazed which do not offer improved energy efficiency advantages;*
- *UPVC options offer the appearance, energy efficiency and maintenance requirements as outlined in the objective.*

Whilst it is agreed that there would be some benefit gained from unification of window design to the front elevation of this building (including particular benefit from the replacement of Windows 3 and 4), overall, it is considered that these proposals would result in harm to the character and appearance of Stow Park Conservation Area, contrary to Section 160 of the HEWA 2023, PPW Edition 12, and Policy CE7 of Newport Local Development Plan.

I would also note here that it is possible to manufacture timber windows from very stable and long-lasting acetylated timber, which can incorporate slimline vacuum or gas-filled double-glazed units (with perimeter seals/spacers coloured to match the painted finish), which have much improved u-values over single glazing. In addition, Approved Document L explicitly states that work to buildings within a conservation area does not need to comply fully with energy efficiency requirements where to do so would unacceptably alter the dwelling's character or appearance.

## **7. PUBLIC REPRESENTATIONS**

Neighbour notification letters were sent on 02.09.2025.

7.1 NEIGHBOURS: 7 no. neighbours were consulted, no representations were received.

## **8. ASSESSMENT**

### **8.1 Principle of Development**

8.1.1 The application site comprises an existing residential dwelling that is located within a settlement boundary as designated by the maps contained within the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). The application site is also

located within the Stow Park Conservation Area and is listed within the Article 4 Direction. The principle of development is accepted, subject to meeting the requirements set out in the guidance and policies.

- 8.1.2 As outlined in CADW's *Managing Conservation Areas* document, the purpose of the Article 4 Direction is to protect original features such as external wall finishes (including historic renders or stonework), distinctive windows and doors, chimneys, garden walls, and railings. The property is recognised as making a positive contribution to the character and appearance of the Stow Park Conservation Area, as clearly demonstrated in the Conservation Area appraisal. Key characteristics, including the front timber windows, have been identified and are protected under the Article 4 Direction.
- 8.1.3 As the property is located within the conservation area, policy CE7 is of relevance. The policy states 'development within or adjacent to conservation areas will be required to; be designed to preserve or enhance the character or appearance of the conservation area, having regard to the conservation area appraisal where appropriate; avoid the removal of existing historic features, including traditional shopfronts and joinery; use materials which are traditional, or appropriate to their context; complement or reflect the architectural qualities of nearby buildings which make a positive contribution to the character of the area; 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; and avoid adverse impact on any significant views, within, towards and outwards from the conservation area.' The property is listed as a 'positive contributor' in the Stow Park Conservation Area Appraisal.
- 8.1.4 In accordance with the Historic Environment Act (Wales) 2023 which provide the legislative framework for the protection and sustainable management of the historic environment in Wales, and Planning Policy Wales edition 12 that provides the national planning policy framework for consideration of the historic environment (supplemented by Technical Advice Note 24), the primary material consideration is the statutory requirement to have special regard to the desirability of preserving or enhancing the character or appearance of that area. In addition, PPW 12 states '*There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised.*' and '*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.*'

## 8.2 Character and Appearance

- 8.2.1 The proposals introduce modern features to the front and rear of the property, including the introduction of a window in the rear extension. As outlined above, the Article 4 Direction protects the windows facing the highway or public space. The Managing Conservation Areas document highlights that changes which detract from the character and special interest of an area include the loss of traditional features, such as windows, as well as the introduction of unsympathetic materials like modern plastic windows. It also emphasises that cumulative small-scale and piecemeal changes can be particularly harmful to the historic fabric and overall appearance of the Conservation Area. With regards to the new opening proposed within the rear elevation, due to its scale and position no unacceptable level of harm has been identified arising from the additional window, however the materials proposed are not supported.
- 8.2.2 The Principal Heritage Officer has provided an individual assessment of the contribution of each window, as detailed in an earlier section (6.1). This will not be repeated here. It is agreed that there would be some benefit in unification of the window design on the front elevation, however collectively, the replacement windows would be harmful to the Conservation Area. The sentiment of retaining these features is accepted and agreed upon and it is considered that their replacement would undermine the purpose and intent of the Article 4 Direction. The proposals would fail to preserve or enhance the Conservation Area, contrary to policy CE7.

## 8.3 Residential Amenity

8.3.1 The proposed plans include the addition of a window in the kitchen extension. Due to its location and single-storey height, it is not expected that this new window will affect the privacy of neighbouring residents, compared to what is currently experienced. The proposals do not conflict with the aims of policy GP2.

#### 8.4 **Biodiversity**

8.4.1 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. Given the scale of development, it is considered that these details could be secured via a suitably worded condition.

8.6.2 In accordance with Chapter 6 of PPW 12 due regard has been given to the fact that the application should be accompanied by a Green Infrastructure Statement, however given the scale of the development proposed it is not considered proportionate to request one in this instance.

### 9. **OTHER CONSIDERATIONS**

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

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

#### 9.2 ***Equality Act 2010***

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

9.3 Having due regard to advancing equality involves:

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

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

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

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

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

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and

objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

## **10. CONCLUSION**

- 10.1 The proposed development would result in undue harm to the character and appearance of the host dwelling and would fail to preserve or enhance the character and appearance of the Conservation Area. The proposals conflict with policies GP6 and CE7 the requirements of PPW12, TAN 24 and the Historic Environment (2023) Wales act.

## **11. DECISION**

### **REFUSED**

01 The proposed development would result in undue harm to the character and appearance of the Conservation Area and would fail to preserve or enhance its special architectural and historic qualities. The introduction of inappropriate alterations, and modern replacement of traditional windows detracts from the character of the property and its contribution to the wider streetscape. 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 (Edition 12), and Technical Advice Note (TAN) 24.

### *NOTE TO APPLICANT*

01 This decision relates to plan Nos: Revised Elevations – Photographs, Revised Site Location/Site Plans, Bay - structural beams, Existing Elevations, Revised Window Details, Rear Bay Window., Heritage Impact Assessment – windows, Direct Access Statement - windows

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.