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Sent: 24 July 2026 08:46

To: Ostler, Marnie (Planning Officer) <Marnie.Ostler@Newport.gov.uk>

Subject: RE: Planning Consultation Request for case ref: 26/0534 (42 Commercial Street Newport NP20 1WX) (ADV)

Hi Marnie

Re: ADVERTISEMENT CONSENT FOR 1NO. FASCIA SIGN, 2NO. PROJECTING SIGNS, 1NO. SUSPENDED SIGN, 1NO. ATM TABLET, 2NO. ADDRESS PANELS AND VINYLs

Re: 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

Revised comments below considering further details supplied.

1. Legislation, Policy, and Guidance

1.1 Listed Buildings

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

(1)On determining an application for listed building consent, a planning authority or the Welsh Ministers may grant or refuse consent.

(2)In considering whether to grant listed building consent, a planning authority or the Welsh Ministers must have special regard to the desirability of preserving—

(a)the listed building to which the application relates,

(b)the setting of the building, and

(c)any features of special architectural or historic interest the building possesses.

(3)Listed building consent has effect for the benefit of the listed building and the land on which it is situated, and of all persons for the time being interested in the building and land; but this is subject to the terms of the consent.

The 'special regard' duty has previously been tested in the Court of Appeal in terms of the Planning (Listed Buildings and Conservation Areas) Act (1990), wherein '[Barnwell Manor](#)' confirmed that "considerable importance and weight" should be afforded by the decision maker to the desirability of preserving a listed building along with its setting.

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

4.—(1) An application for listed building consent must include with it a statement referred to as a heritage impact statement.

(2) A heritage impact statement must—

(a) describe the special architectural or historic interest of the listed building to which the application relates and its significance, with particular reference to the part of the listed building affected by the works,

(b) explain the objective that the works are intended to achieve and why they are desirable or necessary,

(c) include a summary of the options considered for the purpose of achieving the objective in sub-paragraph (b) and the reasons why the proposals to which the application relates are preferred,

(d) describe the works and the design principles which have been applied to them,

(e) include a schedule of works,

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

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

The primary objective of Planning Policy Wales (Edition 12, February 2024) is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.

PPW12 takes the seven Well-being Goals and the five Ways of Working as overarching themes and embodies a placemaking approach throughout, with the aim of delivering Active and Social Places, Productive and Enterprising Places and Distinctive and Natural Places. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan-making and the decision-making process.

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

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

For listed buildings, the aim should be to find the best way to protect and enhance their special qualities, retaining them in sustainable use. The continuation or reinstatement of the original use should generally be the first option, but not all original uses will now be viable or

appropriate. The application of planning and listed building controls should recognise the need for flexibility where new uses have to be considered in order to secure a building's survival or provide it with a sound economic future (6.1.11).

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

Applicants for listed building consent must be able to justify their proposals, show why the alteration or demolition of a listed building is desirable or necessary and consider the impact of any change upon its significance. This must be included in a heritage impact statement, which will be proportionate both to the significance of the building and to the degree of change proposed (6.1.13)

PPW is supported by a series of more detailed Technical Advice Notes (TANs), including TAN 24: The Historic Environment (March 2026).

Section 5 of TAN 24 covers listed buildings, with paragraph 5.9 setting out the following in respect of the need for LBC:

"The Historic Environment (Wales) Act 2023 requires any works of demolition, or alteration and/or extension of a listed building which would affect the character of the building as one of special architectural or historic interest, to be authorised through the process of listed building consent. It is a criminal offence to carry out such works without consent, which should be sought from the planning authority. Planning Policy Wales sets out that the aim for listed buildings should be 'to find the best way to protect and enhance their special qualities, retaining them in sustainable use.'"

Paragraph 5.14 of TAN24 advises that when determining a listed building consent application, the local planning authority should consider the following issues:

"When determining a listed building consent application, the planning authority should consider the following issues:

- The importance and grade of the building and its intrinsic architectural or historic interest.*
- The physical features of the building which justify its listing and contribute to its significance, (for example its form and layout, materials, construction and detail) including any features of importance such as the interior, which may have come to light after the building's inclusion on the list.*
- The contribution of curtilage and setting to the significance of the building, as well as its contribution to its local scene.*
- The impact of the proposed works on the significance of the building.*
- The extent to which the proposed works would bring substantial community benefits for example, by contributing to the area's economy or the enhancement of its local environment.*

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

It further advises that:

“Many listed buildings can sustain a degree of sensitive alteration and extension to accommodate continuing or new uses. Past changes that reflect the history of use and ownership may themselves be aspects of the special interest of the listed building.⁸⁰ When applicants and the planning authority assess the heritage values and significance of a listed building, which is the subject of a consent application, they must consider the sensitivity of that building to the proposed changes. Sustaining the special interest of a listed building through the process of alteration, extension or re-use is exacting and should always be based on specialist knowledge and skill to realise the benefits that well-designed interventions can bring.” (para 5.15)

Other relevant evidence or policy guidance include:

- Cadw, *Conservation Principles* (2011)
- Cadw, *Managing Change to Listed Buildings in Wales* (2017)
- Cadw, *Heritage Impact Assessment in Wales* (2017)

The Newport Local Development Plan 2011-2026 (adopted in January 2015) sets out the relevant planning policies at the local level, insofar as heritage matters are concerned. The adopted plan sets out objective 5 that is *“To ensure that all development or use of land does not adversely affect, and seeks to preserve or enhance, the quality of the historic and built environment”*.

Thereafter, Strategic Policy SP9: Conservation of the Natural, Historic and Built Environment sets out the local authority’s approach in this respect:

“The conservation, enhancement and management of recognised sites within the natural, historic and built environment will be sought in all proposals.”

1.2 Town Centre Conservation Area

In respect of Conservation Areas, Section 160 of The Historic Environment (Wales) Act 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."

NCC's SHOPFRONT DESIGN SUPPLEMENTARY PLANNING GUIDANCE October 2021 states that:

"3.4 Almost all advertisements on listed buildings will constitute an alteration to the building and therefore require listed building consent in addition to any advertisement consent. Special care is essential to ensure that any advertisement displayed on, or close to, a listed building does not detract from the integrity of the building's design, historical character or structure, and does not spoil or compromise its setting."

"9.8.8 Listed buildings and all buildings within conservation areas should only install lighting that is sensitive to the character of the building/area. Illumination of signs or advertisements will only be permitted where it is demonstrated that there is a positive contribution to the preservation and enhancement of the area/building."

2. Observations

42 Commercial Street is a [Grade II Listed Building](#) located within the [Town Centre Conservation Area](#).

According to Cadw's list description:

*"History
1895, by E A Lloyd Oswell.*

Exterior

Free Renaissance style. Three storeys, bathstone on Portland stone plinth. Balustraded parapet; top 2 storeys articulated by giant Composite pilasters. Curved corner bay with triple window to top floor; on first floor, triple window with swan-neck pediment, and relief frieze; doorway has heavy pedimented hood on large brackets, cartouche and relief.

To R of entrance, 5 bays alternating single and triple windows, those on first floor with reliefs in heads, and pediments to triple windows. End bay in Commercial Street rises to form attic with pavilion lead roof. North (Llanarth Street) elevation of 3 bays, single windows to ends, 2 windows to centre where, on first floor, windows have pediments, and balustraded balcony on heavy brackets.

Reason for designation

High quality bank building on important corner site."

The asset in question is a substantial late nineteenth century stone-built bank in an ornate Classical Revival style. The building occupies a prominent corner location and is distinguished by its curved corner bay, domed turret, richly modelled façades, and high-quality decorative detailing. Its scale, architectural quality and landmark corner position make it a significant feature of Newport's historic commercial centre. It is, therefore, highly illustrative the prosperity and civic confidence associated with the town's development as a major commercial and industrial centre from the late 19th century and the influx of wealth to Newport as a result of its shipping industry and the wider context of the success of mining in the South Wales Valleys.

For these reasons, the asset also makes a very positive contribution towards the character and appearance of the Town Centre Conservation Area, wherein *"corner buildings are among the most prominent in the Conservation Area, especially on Commercial Street where there are a number of junctions with secondary thoroughfares. Clock towers, turrets and protruding bays are common features on these buildings, making them prominent markers within the streetscape and the visual flow from one street to another smoother."*

The extant signage results from application [13/0086](#), wherein the present internally illuminated projecting signage, fascia signage and ATM header originate.

At this time, previous heritage concerns centred upon any proposed signage directly within the principal and prominent corner entrance :

"The majority of signage replaces modern signage of a similar nature, to which I have no objection...I am, however, very concerned by the addition of "sign D" above the main entrance. This would be attached to the richly ornamented stone hood above the door, which would require listed building consent. Any application for LBC would need to demonstrate that it could be attached without damage to this important historic feature, and at present I am not convinced that this is possible, especially as power would be required to supply the proposed LED illumination. As such, I cannot support this part of the proposals."

I would echo these concerns and am unable to support any form of suspended sign (Detail 4 within Proposed Signs document), which will inevitably distract from and intrude into views of the prominent ornamented pedimented doorway and carved decorative stonework of the grand principal entrance to the building. This will result in harm to the special interest of the asset.

Projecting Signage

As before, existing projecting signage is bracketed and internally illuminated. Upon this basis, the proposed (Detail 3 within Proposed Signs) represent little in the way of harmful alteration, provided that the existing brackets and cabling (and their associated penetrations are retained). If these too are proposed for replacement, Listed Building Consent issues regarding fixings come to the fore (see below).

Fascia Signage

Signage to the curved entablature frieze above the principal corner doorway is proposed to be illuminated (Detail 2 within Proposed Signs). As far as I am aware, the existing is non-illuminated and therefore, as proposed, the works represent harm to the special interest of the listed asset; both in terms of the distracting nature of the finished appearance and any new penetrations/routes required for cabling. Notwithstanding this matter, there are also concerns regarding making-good to any redundant fixing holes resulting from any change here and the nature of new fixings (which should be minimal in number/size, and non-ferrous). These matters only be controlled via LBC – as per the typical condition provided below.

Detail 1 within proposed Signs shows replacement of the existing long fascia board of muted colour with one in dark green to suit the branding of the owner. The existing already obscures triglyph stonework detailing of the entablature frieze in a harmful manner and any increased prominence of this board (as proposed) would result in further harm to the special interest of the listed asset. The applicant should seek its removal as part of any works here, to be replaced with individually applied and non-illuminated lettering applied directly to the stonework (fixing details etc for which would be required)

Other

I have no issues with refreshing of ATM tablets (Detail 5) and associated vinyl (Details 6&7), or the proposed night safe vinyl (Detail 09). These represent what is essentially a *'like-for-like'* replacement of the existing.

Similarly, I have no in principal concern with the proposed address panel (Detail 8), though the same issues regarding fixing and making good to stonework apply here.

Conclusion

As proposed, these works represent harm to the special architectural and historic interest of the listed asset and, by extension, harm to the character and the appearance of the conservation area.

I would also highlight that listed building consent is required for these works, which should be applied for and decided concurrently.

Typical LBC Condition for new Signage

Prior to practical completion of the works hereby approved, all redundant signage fixings shall be carefully removed from the Bath stone façade. All redundant fixing holes, scars, or areas of disturbance which result from the works hereby approved shall be made good using a suitable lime-based repair mortar (free of cement). The chosen mortar shall be appropriate to the masonry, compatible in strength and permeability, and finished to match the existing Bath stone in colour, texture, and tooling.

Reason: To safeguard the character and appearance of the listed building in accordance with Section 96(2) of the Historic Environment (Wales) Act 2023 and Policy SP9 of the Newport Local Development Plan 2011 – 2026.

Many thanks,

Guy Arnall

Prif Swyddog Treftadaeth / Principal Heritage Officer
Swyddog Dirprwyedig (Adeiladau Rhestredig) / Delegated Officer (Listed Buildings)

Adfywio a Datblygu Economaidd / Regeneration and Economic Development
Cyngor Dinas Casnewydd / Newport City Council