

# Delegated Decision Report

|                 |         |                    |        |                             |
|-----------------|---------|--------------------|--------|-----------------------------|
| Application No: | 26/0140 | Statutory Expires: | Period | 23 <sup>rd</sup> April 2026 |
|-----------------|---------|--------------------|--------|-----------------------------|

|            |                                                               |       |           |
|------------|---------------------------------------------------------------|-------|-----------|
| Site:      | 40 Stow Hill Newport NP20 1JG                                 |       |           |
| Proposal:  | LISTED BUILDING CONSENT FOR ALTERATIONS TO WINDOWS AND DOORS. |       |           |
| Applicant: | S Flay                                                        |       |           |
| Type:      | Listed Building                                               | Ward: | Stow Hill |
| Decision:  | GRANTED WITH CONDITIONS                                       |       |           |

## 1. BACKGROUND

- 1.1 This application has been submitted to the Council as a standalone application for Listed Building Consent. Due to the nature of the proposal, it is considered that no associated application for Full Planning Permission is required.

Having suffered significant damage resulting from a fire in 2018, applications for demolition of the unsalvageable rear portion of 40 Stow Hill, alongside retention, restoration and repair of the most significant principal façade onto Stow Hill were approved (see 21/1106 & 21/1107).

## 2. SITE LOCATION AND CONTEXT

- 2.1 40 Stow Hill (formerly Zanzibar nightclub) is prominently located, with its principal, classical front in elevated position overlooking Stow Hill. North Street forms the rear boundary to the site. The whole is located within the Town Centre Conservation Area. The site sits adjacent to Grade II Listed Bethel Pentecostal church, located immediately to the south. To the opposite side of the road, Grade II listed St Mary's Catholic Church, with associated Presbytery and Institute (Cadw Refs: 3036, 23130 & 23131 respectively) are located nearby to the north-east.

According to John Newman (The Buildings of Wales: Gwent/Monmouthshire, p. 434), this former Baptist Chapel was built in 1862–3 to the designs of local architects Habershon and Pite.

- 2.2 The relevant Cadw report (Reference Number 3042), describes the asset as:

*“Exterior:*

*Grand temple front of 3 bays, based on Italian Renaissance models. Stucco; Roman Doric. Heavy pediment with oculus. Doric entablature and pilasters. Doorway with bracketed pediment. C20 extension to L.*

*Interior:*

-

*Reason for designation:*

*Listed for contribution of grand classical front to Stow Hill conservation area.”*

## 3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks Listed Building Consent for the installation of 5 no. windows and 2 no. doors, all formed in metal, to the retained principal elevation of the Grade II listed asset. It therefore constitutes what is essentially a variation of approved information to those applications made in 2021 (wherein said windows and doors were proposed to be formed in timber).

## 4. RELEVANT SITE HISTORY

|         |                                                                                                                                                  |                         |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 12/0793 | DEMOLITION OF MAJORITY OF EXISTING BUILDING, RETENTION OF LISTED FRONT FACADE, CONSTRUCTION ON THE STOW HILL FRONTAGE BEHIND THE RETAINED FAÇADE | Granted with conditions |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|

|                |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
|                | <b>OF A BUILDING TO CONTAIN 18 FLATS AND THE CONSTRUCTION OF A 2/3 STOREY</b>                                                                                                                                                                                                                                                                                                                                                                         |                                |
| <b>12/0794</b> | <b>LISTED BUILDING CONSENT FOR DEMOLITION OF MAJORITY OF EXISTING BUILDING, RETENTION OF FRONT FAÇADE, CONSTRUCTION BEHIND RETAINED FAÇADE TO CONTAIN 23 APARTMENTS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING</b>                                                                                                                                                                                                                               | <b>Granted with conditions</b> |
| <b>21/1106</b> | <b>DEMOLITION OF THE EXISTING BUILDING AND LATER EXTENSIONS, RETENTION OF THE LISTED FAÇADE ONTO STOW HILL TO ENABLE CONSTRUCTION OF TWO BUILDINGS (A &amp; B) COMPRISING 37 NO. RESIDENTIAL APARTMENTS, WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING</b>                                                                                                                                                                                          | <b>Granted with conditions</b> |
| <b>21/1107</b> | <b>LISTED BUILDING CONSENT FOR DEMOLITION OF THE EXISTING BUILDING AND LATER EXTENSIONS, RETENTION OF THE LISTED FAÇADE ONTO STOW HILL TO ENABLE CONSTRUCTION OF TWO BUILDINGS (A &amp; B) COMPRISING 37 NO. RESIDENTIAL APARTMENTS, WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING</b>                                                                                                                                                              | <b>Granted with conditions</b> |
| <b>23/0995</b> | <b>PARTIAL DISCHARGE OF CONDITIONS 2 (METHOD STATEMENT TO PROTECT EXTERIOR BOUNDARY WALL) AND 4 (PIER DEMOLITION AND REINSTATEMENT METHOD STATEMENT) OF 21/1107 LISTED BUILDING CONSENT FOR DEMOLITION OF THE EXISTING BUILDING AND LATER EXTENSIONS, RETENTION OF THE LISTED FAÇADE ONTO STOW HILL TO ENABLE CONSTRUCTION OF TWO BUILDINGS (A &amp; B) COMPRISING 37 NO. RESIDENTIAL APARTMENTS, WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING</b> | <b>Approved</b>                |
| <b>25/0519</b> | <b>PARTIAL DISCHARGE OF CONDITIONS 3 (MATERIAL SAMPLES), 5 (ROOF TILE SAMPLE/SPECIFICATION) AND 6 (WINDOW FITTING DETAILS) OF 21/1107 LISTED BUILDING CONSENT FOR DEMOLITION OF THE EXISTING BUILDING AND LATER EXTENSIONS, RETENTION OF THE LISTED FAÇADE ONTO STOW HILL TO ENABLE CONSTRUCTION OF TWO BUILDINGS (A &amp; B) COMPRISING 37 NO. RESIDENTIAL APARTMENTS, WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING</b>                           | <b>Approved</b>                |

## **5. LEGISLATIVE AND POLICY FRAMEWORK**

### **5.1 HISTORIC ENVIRONMENT (WALES) ACT 2023**

Section 96(2) of the Historic Environment (Wales) Act 2023 sets out that in considering whether to grant listed building consent, a planning authority 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.

5.2 The Development Plan comprises FUTURE WALES – THE NATIONAL PLAN 2040 and the NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026), although by virtue of Section 70(2) of the Town and Country Planning Act 1990, there is no statutory requirement to have regard to the Development Plan in determining applications for Listed Building Consent.

5.3 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

5.4 PLANNING POLICY WALES (EDITION 12) 2024

Planning Policy Wales (Edition 12) was revised and restructured in February 2024. Its primary objective 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 of relevance to the assessment of this application, particularly:

*The Welsh Government's specific objectives for the historic environment seek to:*

- *Protect the Outstanding Universal Value of World Heritage Sites;*
- *Conserve archaeological remain, both for their own sake and for their role in education, leisure and the economy;*
- *safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved;*
- *preserve or enhance the character or appearance of conservation areas, whilst the same time helping them remain vibrant and prosperous;*
- *preserve the special interest of sites on the register of historic parks and gardens;*
- *protect areas on the register of historic landscapes in Wales. (para 6.1.6)*

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

*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 (para 6.1.11)*

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

- 5.5 PPW12 is supported by a series of more detailed Technical Advice Notes (TANs), including TAN 24: The Historic Environment (May 2017).

Paragraph 5.13 of TAN 24 advises that when determining a listed building consent application, the local 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.*

It further advises that:

*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. (para 5.13)*

*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. When applicants and the local 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 and significance 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 in order to realise the benefits that well-designed interventions can bring. (para 5.14)*

- 5.6 Other relevant evidence or policy guidance includes:

- CADW, Conservation Principles (2011) and
- CADW, Managing Change to Listed Buildings in Wales (2017).

- 5.7 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

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, whereby:

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

## **6. CONSULTATION RESPONSES**

### **6.1 PRINCIPAL HERITAGE OFFICER:**

6.1.1 This application has been fully considered by the Principal Heritage Officer, as author of this report.

### **6.2 AMENITY SOCIETIES:**

6.2.1 No Response.

### **6.3 ROYAL COMMISSION FOR ANCIENT MONUMENTS WALES:**

6.3.1 No response.

### **6.4 HENEB (FORMERLY GGAT):**

6.4.1 No response.

## **7. PUBLIC REPRESENTATIONS**

7.1 A Site Notice was displayed, and a Press Notice was published. No responses were received.

## **8. ASSESSMENT**

Zanzibar Club (40 Stow Hill) is listed at Grade II (Cadw Reference: 3042), principally for the contribution its grand classical front makes towards the character and appearance of Stow Hill Conservation Area.

As such, the temple-inspired elevation was retained following the devastating fire of 2018, approved for incorporation into a new development within the remainder of the site. 21/1106 & 21/1107 allowed for appropriate restoration and repair of the principal façade, with approval being given towards two different options of proposed window, as noted within the relevant LBC report:

*"With regards to the proposed windows, we would consider drawings 021 and 051 to be appropriate to the character of the listed building. This specific design would form a unique but historically accurate visual of the building and restore its former architectural aesthetic. Historical documents within the given Heritage Impact Assessment suggest this type of window may have been used on the main façade when it was constructed in the 19th century. We therefore see no reason to not restore the fenestration to its original appearance since the option is viable. The details and cross sections provided would be acceptable in principle. They would ensure the windows are constructed traditionally with sympathetic materials, whilst conforming to a modern living standard with the slim line type double glazing."*

As now proposed, prominent windows at ground and first floor levels will be restored to the more ornate and historically accurate glazing bar pattern of the two approved options, featuring circular motifs surrounded by marginal lights. There is no fundamental alteration to setting-out of basement doors. Contrary to previously approved information however, it is now proposed to form all windows and doors in slim metal framing, finished in an off-white colour.

Such chapel windows were often formed in metal historically. Considering their fine detailing (including colour-matched perimeter spacers to the slimline double glazing, and the proposed external finish with 'putty' chamfer), it is my view that the proposed windows and doors will preserve the special interest of this Grade II Listed asset, the setting of adjacent assets, and the character and appearance of the Town Centre Conservation Area.

Considering the level of information provided, no further details need be secured by condition.

## **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 minimizing 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 Section 96(2) of the Historic Environment (Wales) Act 2023 sets out that in considering whether to grant listed building consent, a planning authority 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.**

Having regard to the Local Planning Authority's statutory duties, it is considered that special interest of the Grade II listed building will be preserved. Accordingly, it is recommended that Listed Building Consent be granted, subject to conditions.

## **11. DECISION**

GRANTED WITH CONDITIONS

## CONDITIONS

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

- Site Location Plan (received 23/02/2026)
- *FORMER BAPTIST CHAPEL & ASSOCIATED LAND STOW HILL NEWPORT: HERITAGE IMPACT ASSESSMENT IN CONSIDERATION OF CONVERSION TO RESIDENTIAL USE*, dated September 2021 (Issue V1)
- *Planning, Design & Access Statement Former Zanzibar Nightclub, 40 Stow Hill, Newport, NP20 1JG*, dated October 2021 (Issue V2)
- Drawing number A500 - *Front Façade Elevation* - dated 19.02.2026
- Unnumbered Drawings - *Stow Hill Baptist Church First Floor Window & Stow Hill Baptist Church Lightwell Door* – received 23.02.2026
- Unnumbered Drawings – *Stow Hill Baptist Church/Lightwell* – received 23.02.2026

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

## INFORMATIVES:

- 1) During the works, if any hidden historic features of significance are revealed, they should be retained in-situ. Works shall be halted in the relevant area of the building, and the Local Planning Authority should be notified immediately. Failure to do so may result in unauthorised works being carried out and an offence being committed.
- 2) Section 96 of the Historic Environment (Wales) Act 2023 was relevant to the determination of this application. The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) Policy SP9 was relevant to the determination of this application.
- 3) 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.