

Delegated Decision Report

Application No:	25/0215	Statutory Period Expires:	26th June 2025
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Site:	40 Stow Hill Newport South Wales NP20 1JG		
Proposal:	PARTIAL DISCHARGE OF CONDITIONS 11 (MATERIALS) AND 13 (ROOF TILE SAMPLE/SPECIFICATION) OF 21/1106 DEMOLITION OF THE REAR PORTION OF THE EXISTING BUILDING AND LATER EXTENSIONS, RETENTION OF THE LISTED FAÇADE ONTO STOW HILL TO ENABLE THE CONSTRUCTION OF TWO BUILDINGS (A & B) COMPRISING 37 NO. RESIDENTIAL APARTMENTS, WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING		
Applicant:	S Flay		
Type:	Discharge Conditions	Ward:	Stow Hill
Decision:	Approved		

1. BACKGROUND

- 1.1 21/1106 was granted for: *DEMOLITION OF THE REAR PORTION OF THE EXISTING BUILDING AND LATER EXTENSIONS, RETENTION OF THE LISTED FAÇADE ONTO STOW HILL TO ENABLE THE CONSTRUCTION OF TWO BUILDINGS (A & B) COMPRISING 37 NO. RESIDENTIAL APARTMENTS, WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING*

2. SITE LOCATION AND CONTEXT

- 2.1 40 Stow Hill (also known as Zanzibar at the time of listing) is a grade II listed building. It dates from 1863 and it is listed for its contribution of grand classical front to Stow Hill conservation area. It is currently located in the Town Centre Conservation Area. It sits adjacent to Bethel community church. Both buildings have significant damage as a result of a fire in 2018.
- 2.2 The application site has neighbouring buildings to the north and south. To the north on the Stow Hill side is 34-38 Stow Hill, which is a three storey office building (occupied by solicitors), on the North Street side there are residential properties (6-8 North Street). To the south on the Stow Hill side is Bethel community church and sitting behind the church are two residential properties (1 and 2 Wesley Place), which have a rear boundary sharing the southern side boundary of the application site. On the north Street side there are residential properties, no 12 North Street, has a side elevation and boundary adjacent to the application site.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks to discharge conditions 11(Materials) and 13 (Roof Tile samples) of application 21/1106:

11 No work shall be commenced on the construction of the approved scheme until details/samples of materials and finishes to be used on the external surfaces of the new apartment blocks, which

have not already specified in the approved drawings, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out using the approved materials.

Reason: In the interests of visual amenity and to protect the character and appearance of the conservation area, in accordance with policies SP9, GP2, GP6 and CE7 of the Newport Local Development Plan.

13 Prior to the construction of the new pitched roof behind the retained façade a specification and sample on site of the natural roof tiles shall be submitted to and approved in writing by the Local Planning Authority. The new roof shall be finished using the approved specification and sample of roof tile.

Reason: In the interests of safeguarding the special character of the Listed Building, and to protect the character and appearance of the Town Centre Conservation Area, in accordance with policies SP9 and CE7 of the Newport Local Development Plan.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
21/1106	DEMOLITION OF THE REAR PORTION OF THE EXISTING BUILDING AND LATER EXTENSIONS, RETENTION OF THE LISTED FAÇADE ONTO STOW HILL TO ENABLE THE CONSTRUCTION OF TWO BUILDINGS (A & B) COMPRISING 37 NO. RESIDENTIAL APARTMENTS, WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING	GC	18/01/2023

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

6. CONSULTATION RESPONSES

6.1 Principal Heritage Officer:

Thank you for consulting me on this application which seeks to discharge details for conditions 11(materials) and 13(roof tiles) of 21/1106. The site is situated within a conservation area and the two new builds sit behind a grade II listed facade. I note that

this DOC does not relate to the listed facade, and details of this must be discharged via a separate application.

Condition 11 of 21/1106 specifies that materials and finishes to be used on all external surfaces of the new apartment blocks should be submitted. A material schedule has been submitted as well as labelled elevation drawings. Upvc windows, soffits and rainwater goods are proposed, as well as a natural slate for Block A and cement tiles for Block B. A query I have would be whether the applicant is open to having aluminium windows on the front elevation of Block A which is visible from Stow Hill. Due to the sensitivity of the site, this would be more sympathetic to the architectural and historic interest of the listed building but also the wider conservation area. Furthermore, another suggestion is that the proposed natural slate should be used on both blocks for a more uniform appearance of the site. It would relate better to the listed facade, adjacent listed buildings and conservation area. I would ask this is considered by the applicant.

Regarding condition 13 (pitched roof and sample), I would request, as per the condition, that a sample is provided.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 The apartment blocks are two separate blocks. **Block A** incorporates and extends to the rear and side of the retained façade on Stow Hill containing a mix of traditional and new build. It would be a five storey building, appearing as four storeys on the Stow Hill frontage, due to a drop in levels from the street frontage. The side portion of the apartment block would be set back from the retained façade by around 2m. It would be a flat roof, contemporary building, with the pitched roof of the chapel being reinstated following the fire damage.

8.2 **Block B** would sit separately from block A and the listed building. It would be located to the rear of the site. The block would respond to the topography of the site, it would be three storeys (incorporating the third storey in the roof space) along the North Street frontage, reducing to two storeys within the site. The North Street frontage would have a pitched roof, with the two storey element having a flat roof. The design of the block would also be contemporary and of the same design as block A.

8.3 Condition 11 (Materials) of 21/1106:

11 No work shall be commenced on the construction of the approved scheme until details/samples of materials and finishes to be used on the external surfaces of the new apartment blocks, which have not already specified in the approved drawings, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out using the approved materials.

Reason: In the interests of visual amenity and to protect the character and appearance of the conservation area, in accordance with policies SP9, GP2, GP6 and CE7 of the Newport Local Development Plan.

8.4 Block A

Some materials have already been previously approved on Block A under 21/1106. A material schedule has now been submitted as well as labelled elevation drawings. Upvc windows in anthracite grey, soffits in grey, and rainwater goods in upvc black are

proposed, as well as a natural slate roof tiles for Block A. The front elevation of block A proposes Blockleys sterling grey bricks and white render with Vieo 'warm wall' standing seam cladding- RAL 7016. The rear and side elevations of block A contain a mix of Brockleys sterling grey brick, Lepus grey handmade brick, white render and warm wall standing seam cladding.

- 8.4 The Principal heritage officer did not raise any formal objections to the scheme, however, queried whether the applicant would change to aluminium windows on the front elevation of Block A which is visible from Stow Hill. However, it is considered upvc was confirmed at full application stage under 21/1106. The applicant has stated that the wider context already features many properties with modern interventions, including extensive use of PVC windows and other insensitive alterations. In this light, the proposed use of PVC for the new build elements would reflect the prevailing character of the area while maintaining a clear distinction between the historic façade and the new construction. Therefore, this is deemed appropriate in this instance.

8.5 Block B

As per Block A, a material schedule has now been submitted as well as labelled elevation drawings for block B. Upvc windows in anthracite grey, soffits in grey, and rainwater goods in upvc black are proposed, as well as Thrutone fibre cement roof tiles roof tiles in blue/black for Block B. Block B's elevations contains a mix of white render, warm wall standing seam cladding, and Lepus grey handmade brick. The Heritage officer provided comment on the scheme and whilst provided no formal objection, provided comment on the use of natural slate on both blocks for a more uniform appearance of the site. It would relate better to the listed facade, adjacent listed buildings and conservation area. This was raised with the applicant, however, the roof materials were agreed on the original application. The applicant states Block B is a completely new build and a separate entity from the retained façade. Its pitched roof is only visible from North Street and has minimal relationship to the retained façade on Stow Hill. Given this, we do not believe there is a strong rationale for requesting natural slates on Block B, and cannot be accommodated at this stage. On assessment, the materials provided are deemed acceptable and the Heritage Officer has not raised formal objections.

- 8.6 Overall, it is considered that the materials proposed, and information submitted is satisfactory to partially discharge condition 11.

8.7 Condition 13 (pitched roof and sample) under 21/1106 states:

13 Prior to the construction of the new pitched roof behind the retained façade a specification and sample on site of the natural roof tiles shall be submitted to and approved in writing by the Local Planning Authority. The new roof shall be finished using the approved specification and sample of roof tile.

Reason: In the interests of safeguarding the special character of the Listed Building, and to protect the character and appearance of the Town Centre Conservation Area, in accordance with policies SP9 and CE7 of the Newport Local Development Plan.

- 8.8 The applicant has provided drawings and a sample specification, Pizarras Cupa12 Natural Slate to be used on the pitched roof on Block A. The applicant has also provided a sample, and it is considered this would be deemed acceptable. The Heritage Officer has not commented on the sample since it has been submitted, however, under review, the use

of slate is sympathetic and appropriate in relation to the listed façade and the details would be satisfactory to partially discharge condition 13.

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 Overall, it is considered that the material specification and samples provided are satisfactory to partially discharge conditions 11 and 13 of 21/1106.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: A351 Materials schedule (-); A227 Block B - Elevations sheet 2 (F); A226 Block B - Elevations sheet 1 (E); A213 Block A - Side elevation 2 (A).; A212 Block A - Side elevation 1 (A); A211 Block A - Rear elevation (A); A210 Block A - Front elevation (A); A100 - Site location plan (rev.A); Roof sample- slate Block A

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No policies were relevant to the determination of this application.

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.