

# Delegated Decision Report

<b>Application No:</b>	25/0937	<b>Statutory Period Expires:</b>	2nd February 2026
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<b>Site:</b>	236 Chepstow Road Newport NP19 8EN		
<b>Proposal:</b>	CHANGE OF USE FROM DWELLING (C3 USE) TO A 5 NO. BEDROOM HOUSE IN MULTIPLE OCCUPATION (C4 USE)		
<b>Applicant:</b>	C. Brown		
<b>Type:</b>	Full	<b>Ward:</b>	Beechwood
<b>Decision:</b>	REFUSED		

## 1. BACKGROUND

1.1 None.

## 2. SITE LOCATION AND CONTEXT

2.1 The property is a large mid-terrace dwelling fronting Chepstow Road. The property has four floors with a self-contained basement flat which does not form part of this application. The character of the area is predominantly residential with the exception of a dental clinic and Eveswell Primary School opposite the site. Further afield on Chepstow Road are the Maindee and Beechwood District Centres. At the rear of the property there is a detached garage which is accessed via a lane. The property has a small enclosed rear garden which has been subdivided for separate use by the occupants of the basement flat and upper floors of the property.

## 3. DESCRIPTION OF DEVELOPMENT

3.1 The proposal is for the change of use of the existing dwelling (C3) to an 5no. bedroom HMO (C4). The number of bedrooms has been reduced from six to five during the course of the application.

3.2 The proposed layout would comprise of two living rooms and kitchen at ground floor with three bedrooms and a bathroom/separate w/c at first floor and two further bedrooms at second floor level both having en-suite bathrooms.

## 4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
91/1392	DEMOLITION OF EXISTING EXTENSION AND CONSTRUCTION OF TWO STOREY EXTENSION TO REAR AND EXTERNAL STAIRCASE	GRANTED WITH CONDITIONS	6/2/1992

## 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.

## 5.3 TECHNICAL ADVICE NOTE 15 DEVELOPMENT, FLOODING AND COASTAL EROSION

8.1 - The TAN reflects the core principles of the National Strategy for Flood and Coastal Erosion Risk Management in Wales, to adopt a risk-based approach in respect of development in areas at risk of flooding and coastal erosion.

10.24 - In zones 2, 3 and TAN 15 defended zone developers must undertake a flood consequences assessment proportionate to the nature and scale of the proposal. Before granting planning permission, decision makers should be satisfied the scheme is justifiable in accordance with the principles set out in section 8, where they are not satisfied, planning permission should be refused. In these zones, Planning Authorities should seek all opportunities to provide enhanced flood protection for existing communities at risk.

## 5.4 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

SP1 – Sustainability;

SP3 – Flood Risk;

GP2 – General Amenity;

GP4 – Highways and Accessibility;

GP5 – Natural Environment;

GP6 – Quality of Design;

GP7 – Environmental Protection and Public Health;

H8 – Self Contained Accommodation and Houses in Multiple Occupation;

T4 – Parking;

W3 – Waste.

## 5.5 SUPPLEMENTARY PLANNING GUIDANCE

PARKING STANDARDS SPG;

HOUSE IN MULTIPLE OCCUPATION;

WASTE STORAGE AND COLLECTION.

## 6. CONSULTATION RESPONSES

### 6.1 Natural Resources Wales:

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding flood risk. If this information is not provided, we would object to this planning application. Further details are provided below.

Flood Risk : The planning application proposes highly vulnerable development (residential). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zones 2 and 3 (Sea) and TAN 15 Defended Zone.

We acknowledge that the existing use is highly vulnerable development (residential) and the proposed use is also highly vulnerable development (residential). Whilst we recognise there is no change in vulnerability, there is a likely increased risk to people as the proposal includes a ground floor bedroom. This may also lead to intensification of highly vulnerable use and create more pressure on emergency services should evacuation be required.

We refer you to Section 10 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025 (TAN15) for advice on how you should consider this application in line with current planning policy.

We acknowledge the submission of a 'Flooding Statement'. However, we are unable to give

you technical advice on the acceptability of flooding consequences as no Flood Consequences Assessment (FCA) has been submitted. The advice in paragraph 10.24 of TAN15 is clear '*In zones 2, 3 and TAN 15 defended zone developers must undertake a flood consequences assessment proportionate to the nature and scale of the proposal. Before granting planning permission, decision makers should be satisfied the scheme is justifiable in accordance with the principles set out in section 8, where they are not satisfied, planning permission should be refused.*' Therefore, in accordance with paragraph 15.4, we advise you to use your powers to request further information.

*TAN15 advises that the FCA should be proportionate to the nature and scale of the proposal. Developers should refer to all relevant sections of the TAN to determine the scope of the FCA that is required for this particular proposal. Further guidance is also available on our website.*

*We also note from the submitted plans that a ground floor bedroom is proposed. We advise that the applicant may wish to amend the proposed layout such that no self-contained units are situated on the ground floor.*

*Furthermore, should you be minded to go against our advice, you should inform us at the earliest opportunity prior to granting consent and allow sufficient time for us to make further representations.*

*Please note, if an FCA is not submitted or any subsequent FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we may object to the application.*

**Other Matters:** *The advice in this letter relates to matters which are included on our consultation topics list. We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.*

*We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.*

6.2 Local Highways Authority: **Highway recommendation:** No objection subject to conditions.

**Highway Comments:**

The site appears to have a garage, but it is not claimed to be parking or cycle parking. It would be acceptable as cycle parking (only) and this should be secured by way of condition, not least to prevent use as a garage which would be unsafe as there's no visibility and the ginnel<sup>1</sup> is narrow. To provide appropriate levels of security and avoid abuse it is necessary to install Sheffield style racks.

No bin stores appear to have been provided either and highways would raise concerns that bins may be left permanently on highway causing obstruction and amenity issues. A condition to provide storage (separate from cycles) and management is therefore recommended.

In terms of sustainability, it is accepted as appropriate, but this does not influence the parking requirements as they are only one per unit anyway, which is the minimum accepted after discounting.

The application is accompanied by a parking survey which suggests that there is very little available parking during times of peak demand. Highways have reviewed the data / report and find there is probably more overall than the tables suggest. That said the photos only show a small number of spaces available and are not time stamped. (One looks like the same photo on both nights so may be double counted?).

The survey could have included parts of Conway Road, which may or may not have had space available.

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<sup>1</sup> alley

Highways consider there are three additional spaces needed to comply with the SPG and the survey has shown them to be available. It doesn't demonstrate any spare capacity therefore Highways cannot be supportive, but do not raise a formal objection, subject to the following conditions.

**Recommended Conditions:**

Except for site clearance and remediation no development shall take place until a scheme for the provision of cycle parking in accordance with the Council's current standards has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no building works, which reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

Prior to first occupation of the development hereby permitted a servicing and waste management strategy shall be submitted to, and approved in writing by, the Council as Local Planning Authority. For the avoidance of doubt the strategy shall set out design and operational proposals for servicing and the storage, transfer and collection of waste ensuring that appropriate arrangements are made. The strategy shall be subsequently implemented in accordance with the approved details.

Reason: To ensure that adequate on-site provision is made for servicing and waste management collection including allowance for the storage, transfer and collection of waste to reduce impact on residential amenity and the general amenity of surrounding occupiers.

- 6.3 Environmental Health: I refer to the above application passed to Environmental Health Housing for comment. I have no concerns regarding the proposal for the alterations of 236 Chepstow Road Newport NP19 8EN for use as proposed in the planning application reference number: 25/0937.

If the dwelling is to become a HMO under the Housing Act 2004, Part 2, and where it will be occupied by more than two households, the most appropriate person (usually the landlord/owner of the property) should apply to the Environmental Health Housing Team on 01633 656656 or [hmo@newport.gov.uk](mailto:hmo@newport.gov.uk) for a HMO licence. The applicant is advised to read Newport City Council's Houses in Multiple Occupation (HMO) Licensing Standards document referred to above, which details standards and licensing conditions for HMOs subject to licensing. The document can be viewed on Newport City Council's website.

In addition to HMO Licensing, private landlords are required by the Housing (Wales) Act 2014 to be registered. Also private landlords who undertake letting and management activities or their managing agents, will need to obtain a licence from Rent Smart Wales and undergo training. For further information contact the Licensing Authority; Cardiff City Council, Rent Smart Wales, PO Box 1106, Cardiff CF11 1UA, Tel No: 03000 133344, website <https://www.rentsmartwales.gov.wales>

The applicant must also be aware that from 1st December 2022 the Renting Homes (Wales) Act 2016 came into force and has changes the way all landlords in Wales rent their properties and is advised to refer to the following link on the internet:

<https://www.gov.wales/landlords-housing-law-has-changed-renting-homes>

- 6.4 Gwent Police: I have reviewed the development plans through the Newport Planning portal reference 25/0937. Should any of these drawings be revised with significant alterations to the building design, layout, and/or specification level can I please request these are forwarded on.

To support my recommendations around the design and layout, physical security requirements, and product recommendations I have reviewed the crime statistics for the ward area (Beechwood) and specifically the proposed development site location of 236 Chepstow Road for a 12-month period between 1st December 2024 – 1st December 2025.

From a Policing perspective the development is located in the Newport County Borough Council area, within the Maindee section and Beechwood Ward. The Beechwood ward is 1 of 6 wards located within the section of Maindee.

The analysis of the statistics for the development location has focused on crime/incident types that could potentially pose a threat, risk, or harm to the development and users of:

Crime/Incident Type	Section - Maindee	Ward- Beechwood	*Site – 236 Chepstow Road,	Demand % Ward v Site
Anti-Social Behaviour	793	116	4	3.44%
Residential Burglary	75	13	0	0
Criminal Damage	321	58	4	6.90
Theft(non-shoplifting)	112	16	1	6.25
Vehicle crime	73	7	7	100%
Bicycle Crime	6	1	1	100%

*\*Site indicates with close proximity(same street, nearby/adjacent streets/roads of the proposed planning application.*

From examining the crime/incident data, I am satisfied that the proposed development location is not currently being affected by any significant ongoing crime trends or patterns. I note that this development is proposed to be used as an HMO. At present there are currently 3(**three**) HMO properties within a 50-metre radius of the proposed development.

I can confirm that the current call volume and demand from the HMO properties within the site area is not having a detrimental effect on Policing or the community within the location. The Beechwood ward is in close proximity to the Victoria ward which has a number of Temporary Accommodation hostels and large bed HMO's.

Clarence Place and Chepstow Road is currently subject to a multi-agency problem solving plan to address anti-social behaviour including drug dealing and street drinking. Recommendations are made with regard to Secure by Design.

- 6.5 SAB: Having reviewed the submitted information, a SAB application may not be required but if there are any external works exceeding 100square metres then the applicants encouraged to check with the SAB team directly.
- 6.6 Dwr Cymru – Welsh Water: This site is crossed by public sewers with their approximate positions being marked on the attached statutory public sewer record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to the Proposed Plans and Elevations, it appears the proposed development would not include and external works and therefore outside the protection zone of the public sewers measured 3 metres either side of the centreline and therefore acceptable in principle. Please note, the distance specified for this protection zone is indicative and based on industry standard guidelines.

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.

## 7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 17/11/2025, a Site Notice was put up on 21/11/2025.

### 7.1 NEIGHBOURS: 6no objections have been received and are summarised below:

- I would like to register my objection to the proposed development of 236 Chepstow Rd to a HMO. Increasing occupancy levels of the property would be contrary to Policy GP2 (General Amenity) which seeks to protect the amenity of existing occupiers, the number of occupants coming and going, noise would negatively affect neighbours.
- Converting the property into a HMO represents overdevelopment, with an intensity of use far beyond what the house was intended to accommodate. This proposal appears unlikely to meet the minimum room sizes and amenity standards for required licensed HMOs. This would conflict with Policy H1 (Housing and Development) of the Newport Local Development Plan (LDP 2011-2026) which seeks to provide a balanced mix of housing to meet the needs of the community. This section of Chepstow Road already has a high concentration of HMO properties as is apparent when you walk along that stretch. Yet another HMO will further hasten the decline and appearance of the area. Surely the proposed development will exceed the accepted concentration of such properties allowed under planning law.
- Parking is already limited and over subscribed in the surrounding area and the addition of multiple tenants with separate vehicles would add to an already unsatisfactory situation with increased congestion and amount to a further loss of amenity to existing residents of the area. and Policy GP4 (Highways and Accessibility) which requires development to provide adequate parking and not compromise highway safety.
- Increased occupancy will inevitably lead to additional refuse and recycling needs. Without clear provision for storage and collection, this could lead to bins being left on the pavements and increased litter and vermin, harming the appearance and environment quality of the street and safety of residents walking by. I encourage planning committee to take a look at that stretch of Chepstow Road to view the squalor and mess of dozens of recycling bags / boxes / caddies that form a colourful assault course as you navigate along the pavement, for full effect I suggest they take a look the day before recycling day / bin day when the said receptacles are overflowing with the detritus that high occupancy dwellings generate, it's a shame they couldn't do it in the summer then it would be a full assault on the senses as the stench is quite something. I object to the proposed development, as it stands this part of Chepstow Road is in evident decline and the concentration of HMO properties plays a huge part in this, high concentration of residents, the appearance of the properties, the social issues that come with them and the practicalities of living alongside such properties is a very real problem for residents of the area and as such I urge the planning committee to refuse planning permission.
- Several properties in the surrounding area want to make houses into HMOs it comes to a point when it isn't viable.
- Parking is already an issue in the area, I have to pay to park my vehicle in the street but more often than not need to park in other streets due to un-permitted vehicles parking in resident parking bays.
- The amount of bins and waste out on the pavement is unsightly as it is plus fly tipping. Plus the on going issues with anti-social behaviour from other properties in the vicinity enough is enough it's not fair on law abiding citizens who are disgusted by the mess and drugs in the area.
- It really has become an eyesore.
- I object to this as the parking around this area is very difficult at the best of times and 6 more families with at least one car each will make parking even more impossible, as residents from Chepstow Road have to park in the side streets.
- The rubbish that is left outside of these large houses on Chepstow Road already presents a significant health hazard with rats regularly observed in front of these houses. Introducing a 6-bedroomed home will undoubtedly increase the waste from this property and, in all likelihood, increase the hazardous conditions in front of the house

along with the risk of further vermin.

- I am also concerned about the parking situation in my street and in Tweedy Lane. We already have issues with people who don't reside in the street parking, as well as blocking garages at the backs of our homes on Tweedy Lane. With a 6-bedroomed HMO, the likelihood is there will be even more of a parking issue moving forward.
- I am the neighbour to this property I am extremely concerned with this being a HMO. Waste management is already an issue on this block, parking and already too many HMOs in this block and around area the old Eveswell Surgery is now a HMO of 10 dwelling and the corner of Eveswell Street. The surrounding properties 238 and 240 has waste and rotting food constantly, this will also have an impact on my property sale value. I would like this all considered in the application.

7.2 COUNCILLOR MATTHEW PIMM: As a ward councillor I am opposed to unsuitable HMO applications in the ward but I will judge this proposed planning application on its merits and details when I am in a position to scrutinise it further when the case information is available to me.

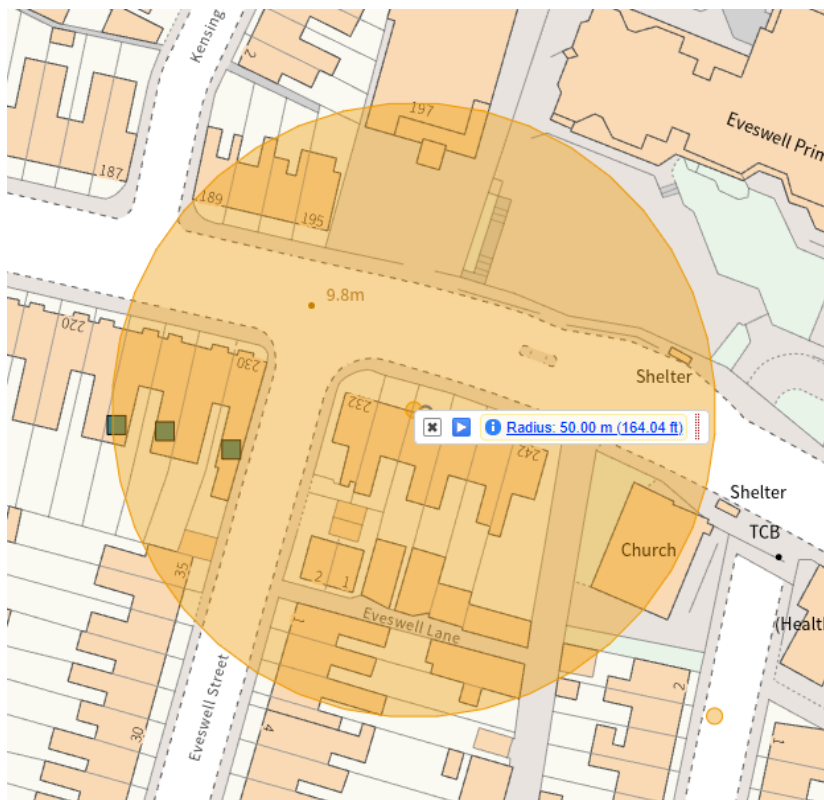
## 8. ASSESSMENT

### 8.1 Principle of Development:

The main considerations of this application are whether the proposals will result in an over-concentration of HMOs in the area, impact on the character of the area, impact on neighbouring amenity and the amenity for future occupiers including suitable provision for waste storage etc, impact on parking and associated highway impact and design and flood risk.

### 8.2 Concentration of HMOs, Impact on Character and Appearance and Residential Amenity:

The adopted HMO SPG, states that 'clusters of HMOs can alter the composition of a community and detract from local visual amenity. The guidance introduces a threshold above which HMOs are considered to detract from the character of the area. In general, the Council will not support a planning application that would take the number of HMOs, considered as a proportion of the local housing stock, above a specified limit. This site is located within the 10% threshold area. When taking a 50m radius from the address point of the application site, the full front elevations of 19no. properties are caught. There are three existing registered HMOs within the 50m radius (no's 224, 226 and 230 Chepstow Road) and the Council's Environmental Health officers advise that no. 238 Chepstow Road has a pending license resulting in 4 out of 19 properties being HMO's or just over 21%. Therefore, the threshold is already exceeded. If the application were to proceed, this would result in 5 of 19 properties being HMOs a percentage of just over 26%. The diagram below shows a 50m radius with existing HMOs represented by green squares. No. 238 Chepstow Road is an adjoining neighbour does not currently indicate as a HMO as the license is currently pending. Environmental Health officers advise the license is likely to be issued soon:



8.3 The proposals therefore result in a significant exceedance of the threshold. There is a localised concentration of HMOs near the property, some of which are notably large scale. The following properties are within the 50m radius:

- 224 Chepstow Road - 8 Households consisting of no more than 8 Individuals
- 226 Chepstow Road - 4 Households consisting of no more than 6 Individuals
- 230 Chepstow Road - 5 Households consisting of no more than 9 Individuals
- 238 Chepstow Road - 5 Households consisting of no more than 9 Individuals (license pending)

8.4 In addition to the above, no.252-254 Chepstow Road (a former Health Care Centre on the corner of Chepstow Road and Rosslyn Road) is a licensed 10 bed HMO. Whilst it is outside of the 50m radius it is in close proximity to the site (70m). Furthermore, the Council's records show that a high proportion of the housing stock within and outside of the radius (but close to the site) are flats with former single dwelling houses being converted for such use.

8.5 Given the location of the application property together with the presence of existing large HMOs in the locality that combined have significant bedroom numbers, the presence of other small households close by, it is considered that there is a high likelihood of other neighbouring occupants being adversely affected by the introduction of a further HMO in the area and the balance of residential uses would be prejudiced. The Police have been consulted and advise that the current call volume and demand from HMO properties within the site area is not having a detrimental effect on Policing or the community within the location and these comments are duly noted. Notwithstanding, there is evidence of the impact of such an over-concentration with several properties having a rundown appearance with broken windows, generally poorly maintained and a high number of waste receptacles on the pavement, as can be seen in the images below:



8.6 Appeal CAS-04178-T5C7L8 for a 5-bedroom HMO at 133 Stow Hill, Newport was dismissed in September 2025 with the Inspector stating:

8. *The appeal site lies within the HMO SPG's designated 'Defined Area', for which an upper threshold of 15% of residential properties within a 50m radius of the application site is identified, beyond which HMOs are considered to detract from the character of an area. Whilst the HMO SPG is guidance and should not be applied prescriptively, the threshold set is helpful in applying Policy H8 and assessing the cumulative impacts of HMO developments. Therefore, I am satisfied that, whilst strict compliance with the identified threshold on its own is not indicative of the acceptability of a proposal, the general approach advocated by the SPG merits weight in the determination of the appeal.*

12. *However, some local residents have objected to the proposal, raising concerns including in relation to anti-social behaviour which they associate with existing HMOs in the area. These concerns are consistent with the issues highlighted in both the HMO SPG and the WG report. In the absence of substantive evidence to the contrary, I consider they are indicative of pre-existing problems with HMOs in the locality.*

13. *Taking the above factors together, the appeal property lies in an area with a good balance of residential uses which should be afforded protection in line with the objectives of LDP Policy H8. There is limited evidence before me which suggests that the cumulative effect of a further HMO would differ from the well documented problems identified in the HMO SPG and WG Report, and it is likely that the proposal would add to the issues already experienced in the area. I, therefore, conclude, the proposal would, cumulatively with other nearby HMOs, fail to maintain the existing sustainable and balanced community. This would be in conflict with the requirements of LDP Policies H8 and GP2. It would also be contrary to the objectives of the HMO SPG.*

This shows clear support by PCAC/PEDW for the objectives of locally adopted Policy in relation to exceedance of HMO thresholds and harms that flow from that.

- 8.7 Notwithstanding the above, in terms of amenity consideration for any future occupiers of the HMO units, the Council's Environmental Health (Housing Licensing) department also acts as a regulatory authority in this regard. Notwithstanding this, the adopted HMO SPG states as follows:

*Rooms should be arranged and designed in a manner that maximises the living standards of occupants. For instance, living rooms, kitchens and bedrooms should neither overlook adjoining properties nor face high boundary walls. Living rooms, moreover, should not be next to, directly above or directly below a bedroom in a neighbouring property.*

- 8.8 In this case, these expectations are met with communal living rooms and kitchen located at ground floor and all bedrooms having adequate outlook and natural light via existing windows.

*HMOs should provide outdoor amenity spaces in which residents can relax, dry their clothes and store refuse and recycling bins. Shared amenity spaces will be acceptable so long as they can accommodate every resident of the properties that they serve.*

- 8.9 Access to a small rear garden is provided to residents and this could accommodate cycle storage, details of which could be secured by condition if planning permission were forthcoming. The space is overlooked by neighbouring windows but this is no different to the existing situation and on balance is considered to provide an adequate standard of amenity.
- 8.10 *Conversion proposals should not detract from the character and appearance of the building. Any conversion involving external alterations should respect the form, scale and materials of the original building and the visual character of the area. This includes the style and proportion of window and door openings.*
- 8.11 No external alterations are proposed to the property and no changes that may encourage this property to stand out or appear different to other residences in the street.
- 8.12 The HMO standards state that a single bedroom should be at least 6.51m<sup>2</sup>, shared kitchens and living rooms for up to 8 persons should be 10m<sup>2</sup> and 16m<sup>2</sup> respectively. With two large

communal lounges and a kitchen at ground floor the combined area of these spaces exceeds the standards. The smallest of the bedrooms is approximately 7m<sup>2</sup> (first floor bedroom orientated towards Chepstow Road) and so exceeds the requirements, as do the other bedrooms. These dimensions are taken from the plans and whilst attempts have been made by officers to check the dimensions of bedrooms on site, at a recent site visit only the ground floor of the property was accessible with the staircase boxed off. Notwithstanding, the Licensing department of the Council have confirmed no objections are offered to the proposals.

### 8.13 Highways and Parking

The site is located on Chepstow Road, which is subject to a 20mph speed limit. The parking demand created as a 5no. bed dwelling is 3no. spaces (calculated using the SPG). There is a garage to the rear of the property accessed via a lane. The proposed 5no. bedroom HMO would require 1no. space per bedroom (5no spaces), which is a net gain of 2no. spaces and would need to be accommodated on the highway. It should be noted that the Highways officer has advised that use of the garage be prevented due to safety concern regarding the ginnel. However, the garage is existing and could be brought back into use at any time without a breach of planning permission occurring and it is considered unreasonable to prevent its use. Notwithstanding, the proposals result in an increased demand for parking of two spaces.

- 8.14 Existing parking problems and concerns regarding a worsening of the existing situation and subsequent highway safety matters have been raised as significant concerns within the resident objections. The Council's Highways officer has raised concerns with regard to the methodology and shortcomings of the parking survey, but ultimately raises no objection on the basis that it does show some parking availability and due to the sustainable nature of the site.
- 8.15 The Council's Parking SPG allows for a reduction in parking provision for sustainable sites and points are awarded on the basis of a range of facilities being located within set walking distances. The Standards do not allow for a reduction below one parking space per bedroom. The Local Planning Authority has tested decisions on HMOs in relation to lack of parking several times in recent years. All have been dismissed at appeal. The key point for Inspectors is the sustainability of the location not the availability of parking. In this case the site is located on a main thoroughfare into and out of the city with good transport connections. The site is also within 200m of Maindee District Centre to the west and Beechwood District Centre is 500m to the west. The site is located within a highly sustainable area. Demand for parking arising from HMO uses, is not considered to be a robust reason for refusing planning permission even though the potential for increased on road parking demand in an area of significant existing parking pressure is acknowledged.
- 8.16 There are double yellow lines to the front of the property and so there will be a reliance on on-street parking in side streets such as Eveswell Street and Rosslyn Road. Parking was observed here by officers at the time of a recent site visits and whilst it is clearly in high demand due to the absence of off street parking provision serving houses in the area, there were on-street parking spaces within walking distance of the site. It is appreciated that parking demand will vary depending on the day and time and reliance on on-street parking may mean that occupiers are unable to park in front of, or even near to their homes. However, Inspectors have confirmed this is not justification to refuse planning permission and the availability of on street parking on neighbouring streets is sufficient.
- 8.17 Inspectors at planning appeal will often assume that car ownership in HMO properties will be lower and most notably in sustainable locations, such as this. The Local Planning Authority may not agree with this stance, particularly where no evidence of it is given but being aware of recent appeal decisions, the generally positive attitude of the Welsh Inspectorate to HMOs in sustainable locations irrespective of whether they have off street parking and the policy move of maximum parking standards rather than minimum standards espoused in the SPG, it is considered that there is no demonstrable adverse effect in relation to parking demand that could robustly be argued to impact upon highway safety or upon neighbouring amenity in this case. With this in mind and previous considerations relating to character, critera (i) of policy H8 is met.

8.18 The application does not include any details of cycle storage, however this could be accommodated within the rear garden serving the property and a condition to require this would be reasonable if planning permission were forthcoming. This space can be accessed via a gate at the rear of the property, then entering the property via the kitchen.

#### 8.19 **Waste**

It is stated that waste would be stored in a dedicated area at the rear of the property. As previously noted access can be gained from the rear lane into the garden of the property and so waste receptacles could be taken this way and presented roadside for collection. The LPA could seek to control this by condition and require a waste management plan if planning permission were forthcoming in order to prevent it being stored on street as it appears to be currently.

#### 8.20 **Flooding:**

The planning application proposes highly vulnerable development, change of use of existing residential property into a 5no. bed HMO, with each room constituting the primary residence of the occupier. NRW Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding within Flood Zone 3 – Sea Defended. NRW do not object to the proposal and note that the application does not include bedrooms at ground floor level and therefore will not result in any increased vulnerability to the ground floor. In the context of planning applications within a Defended Zone, Paragraph 10.17 of TAN15 states:

*“On brownfield sites, redevelopment proposals should not result in over-intensification of use, nor should they diminish the area’s capacity to absorb flood water or contribute to flooding elsewhere. All applications should explore opportunities to incorporate flood-resilient design where appropriate, and any proposal involving highly vulnerable development must comply with the tolerable conditions outlined in Section 11.”*

8.21 TAN15 confirms that a Flood Consequences Assessment is required for any development proposal located fully or partly in Flood Zones 2 and 3. The assessment will help the planning authority determine whether the risk and consequences of flooding are acceptable and can be appropriately managed over the lifetime of development. The assessment can also be used to establish whether appropriate avoidance or mitigation measures could be incorporated within the design of the development to ensure that over its lifetime, development minimises risk to life, damage to property and disruption to people living and working on the site and does not increase flood risk elsewhere. Whilst the FCA has not been provided, given that there are no ground floor bedrooms proposed and the property has a lawful residential use, the proposed use of the property as a HMO is not considered to result in an increased risk to life from flooding and the previous reason for refusal point relating to risk to life falls away. All occupiers would have access to bathroom facilities on the same floor as their bedroom (two rooms are en-suite) although there is a likelihood that toilet facilities would not be useable in a flood event but this would also be the case for a single dwelling.

#### 8.22 **Biodiversity:**

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 SP9 of the LDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. Bird boxes are proposed and it is considered that such enhancements could be secured by condition if planning permission were forthcoming.

#### 8.23 **Other Matters**

Dwr Cymru – Welsh Water has requested drainage conditions if planning permission is forthcoming. However, given that the proposals do not include any physical development, such conditions are not considered warranted.

- 8.24 objections have been received by local residents relating to devaluation of house prices within the vicinity. Property value is not a material planning consideration.
- 8.25 Whilst construction management conditions have been requested by Environmental Health, given the absence of any physical works, these are not warranted.

## **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 Whilst the proposals would result in an increased demand for parking when compared with the fallback use, the site is located within a highly sustainable location within close proximity to shops and services with good transport links. As such, it is not considered that the proposals would result in a demonstrably adverse impact to highway safety or neighbouring amenity insofar as parking is concerned.
- 10.2 The proposals are not considered to result in an increased flood risk when compared with the fall-back use. However, the proposed HMO is in an area where the number of HMOs

already exceeds the threshold as set out in the Council's SPG and would result in a greater exceedance of this and resulting in a high number of single occupancy rooms. The general balance of single family dwellings and other HMO accommodation appears to be impacting amenity and intensification of such uses in the local area will give rise to harmful additional amenity effects and prejudice social cohesion.

10.3 The application is refused.

## 11. **DECISION**

### **REFUSED**

01 The proposed development does not relate positively to the distinctive character and amenity of the locality or make a positive contribution to sense of identity. It does not improve the character and quality of the area or contribute to the creation of a sustainable place. It will add to an existing significantly high level of HMO rooms and will cause the loss of a single-family dwelling in the locality with associated negative amenity and social cohesion effects. This is contrary to Policies GP2 and H8 of the Newport Local Development Plan, 2011-2026 (Adopted January 2015) and the Council's supplementary planning guidance on Houses in Multiple Occupation adopted January 2017.

#### *NOTE TO APPLICANT*

01 This decision relates to plan Nos: TRD-222520-A2/02, Planning Statement October 2025, TRD-222520-A1/02, Parking Survey October 2025, GIS, Flooding Statement.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, GP2, GP4, GP5, GP6, GP7, H8, T4 and W3 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.