

Delegated Decision Report

Application No:	25/0954	Statutory Period Expires:	23rd January 2026
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Site:	46 Corporation Road Newport NP19 0AW		
Proposal:	CHANGE OF USE FROM 4 BEDROOM DWELLING (C3) TO 6 BEDROOM HOUSE IN MULTIPLE OCCUPATION (RESUBMISSION)		
Applicant:	M Layton		
Type:	Full	Ward:	Victoria
Decision:	REFUSED		

1. BACKGROUND

- 1.1 Planning permission was recently refused for the change of use of the property to an 8bed HMO. The application was refused for the following reasons:

01 The proposal will have a significant adverse effect on interests of acknowledged importance, namely safety and residential amenity by reason of flooding and the intensification of occupation in a flood risk area and ground floor bedrooms. No information has been submitted that mitigates this objection, contrary to policy SP3, GP2, H8 of the Newport Local Development Plan 2011-2026 (Adopted January 2015) and Technical Advice Note 15: Development, Flooding and Coastal Erosion (March 2025).

02 The proposed development, by reason of its scale/significant intensification of occupation by unrelated tenants with associated visitors, siting and close relationship to neighbouring properties, and significant number of HMO rooms in the vicinity, will result in unacceptable and unneighbourly impact associated with a greater degree of activity, noise and disturbance and a significant adverse impact upon the character of the area, residential amenity and social cohesion. 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.

- 1.2 The main difference between the previous and current scheme is that the number of bedrooms has been reduced to 6 with no ground floor bedrooms.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is an end of terrace dwelling set over three storeys on Corporation Road. It is situated in a densely populated urban residential area, which is characterised by linear rows of terraced dwellings having small forecourts set behind a dwarf wall. Rodney Parade sports ground is located to the rear (south-west) of the site and there is a lane to the north-west side of the property providing access to commercial units at the rear of the property. Some neighbouring units appear to be sub-divided into flats but many nearest residential properties, notably opposite appear to be retained as family housing. During officer visits the street had a pleasant appearance with no obvious proliferation of letting boards in the vicinity. Waste storage is generally contained to front forecourts with only a few properties taking less care with receptacle storage arrangements. Corporation Road is a busy thoroughfare and visual assessment suggests that some properties are poorly maintained at present for reasons unknown. However, this would not in itself amount to evidence of significant decline in the wider area.

- 2.2 The character of the area is mainly of a residential nature, although there are numerous commercial uses including a health centre and vehicle repair garage as examples. The city centre lies approximately 700m away to the west of the site.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The proposal is for the change of use of the existing dwelling (C3) to an 6no. bedroom HMO (C4) following refusal of a change of use to 8no. bedroom HMO (Sui) which is currently subject to an appeal.
- 3.2 The proposed layout would comprise of two living rooms and kitchen at ground floor with 5

bedrooms at first floor and a further bedroom at second floor level. All but one of the bedrooms would be en-suite. Externally, refuse would be stored to the front forecourt and at the rear external amenity space would be provided along with a shed for cycle storage.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
25/0611	CHANGE OF USE FROM 4 BEDROOM DWELLING (C3) TO 8 BEDROOM HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS)	REFUSED – appeal submitted	2.10.2025

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 8 - Flooding

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,⁹ 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 no objection to the proposed development as submitted and provide the following advice.**

Flood Risk

The planning application proposes highly vulnerable development (change of use from dwelling to house in multiple occupation (HMO)). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 3 (Sea) and within Technical Advice Note (TAN) 15 Defended Zone.

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. Our role is to provide you with detailed advice on the findings and conclusions of the Flood Consequences Assessment (FCA) in relation to flooding from rivers and/or the sea, including the impact on flooding elsewhere. For advice on flood risk from surface water and or small watercourses you should consult with your Lead Local Flood Authority.

We note that the current application is a resubmission of a previous proposal (25/0611) which included bedrooms on the ground floor. The current application does not include bedrooms at ground floor level and therefore will not result in any increased vulnerability to the ground floor. Notwithstanding, we have reviewed the submitted FCA undertaken by Floodplan Ltd, dated 4th November 2025 and provide the following technical advice for your information.

Technical Advice

The submitted FCA notes that the site is located within the TAN 15 Defended Zone and that flood data was obtained from the NRW River Usk model. During the 0.5% (1 in 200 year) event plus climate change allowance (CCA), the FCA states that the site will experience flooding up to 8.26 mAOD, which equates to a flood depth of 660mm. This exceeds the frequency threshold set out within Figure 5 of TAN 15 (2025).

No data has been provided for the 0.1% (1 in 1000 year) event plus CCA and therefore no velocities or upper end climate change estimates. If your Authority is minded to request this information, we would be happy to review again.

Upper End Climate Change Estimates

TAN15 (paragraph 4.3) states that *'detailed Flood Consequences Assessments, to accompany planning applications, will be required to consider a range of climate change scenarios, including upper end estimates, making reference to the Welsh Government guidance on climate change allowances for planning purposes'*.

Current Welsh Government guidance on climate change allowances for planning purposes states that this information should be used to inform mitigation measures that help to ensure the long term resilience of the development. You may therefore wish to request the Applicant provides this information. However, please note, it is not our role to comment on the acceptability long-term resilience of individual developments.

As such, should you choose to request this information, it will be a matter for your Authority to assess information provided in respect of the upper end climate change estimate. To assist you, we recommend you seek advice from other appropriate advisors e.g. LPA emergency planners/LLFAs.

Refuge Space

In our opinion, provision of communal areas as a 'safe' space as a form of mitigation, or as part of an evacuation/flood emergency plan is not a sustainable means of managing flood risk. However, it is not our role to comment on the acceptability of such proposals for individual developments, and as such, we recommend you / the LPA seek advice from other appropriate advisors e.g. LPA emergency planners/LLFAs.

6.2 Local Highways Authority: The survey is not checkable as it does not include all of the information specified by the Lambeth methodology. In particular it does not include the

assessment of the available parking (just totals) or sketches to show where parking was available and the photos show times that are not appropriate and some are not identifiable within the area described in the report. Furthermore, we are unable to confirm the extent of parking available matches that shown in the table. Indeed, some eg Harrow simply do not match the information available on Google maps.

The methodology requires the area to be approximately 200m in a driveable route which has not been adhered to, and it requires the surveys to be undertaken in the early hours when it is reasonable to assume all residents are at home. Whilst we doubt it would make a big difference these were undertaken in the evening. Based on the above such we can give little weight to the survey.

The report suggests that the parking demand is reduced on the basis of sustainability, but there is no sustainability assessment. Furthermore, HMO rooms are individual households. The lowest allowable parking provision is 1 per household as set out in the sustainability guidance and that is all the SPG requires anyway. On that basis sustainability does not reduce the requirements (and hasn't been established).

Highway assessment of the parking requirements based on the SPGs is (assuming the house is currently occupied):

Occupants + Visitors - existing requirement

$(8 \text{ rooms} \times 1) + (8/5) - 3 = 6.8$ which should be rounded to 7.

Actual demand varies based on a number of factors including location and quality of the accommodation.

Taken at face value the report shows spaces available which would be sufficient. However, Highways cannot confirm this unless the survey information needed for validation is provided.

Cycle storage is proposed; however, it is not appropriate, but it has now been confirmed that there is direct access to the garden. Any shared facility must provide sufficient space to secure and remove/replace cycles easily. What is proposed is only suitable for a single household. This could be addressed by way of condition.

Notwithstanding the waste management proposals, Highways concerns regarding waste management remain as nobody has responsibility for the Plan. Bins are considered likely to remain in the footway permanently. We also note that the storage area does not have level access to the path or footway.

In summary, Highways cannot support the development due to issues with bins and bikes. These could however be addressed sufficiently by way of conditions. At this stage we are unable to comment fully on the impact of parking, however it appears there is some capacity on street, and any impact is likely to be low.

We would therefore offer no formal objection subject to a condition to provide more appropriate cycle storage.

- 6.3 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 applicantis encouraged to check with the SAB team directly.
- 6.4 Dwr Cymru – Welsh Water: The application appears to rely on existing sewer connections and no new connections are to be made with the public sewerage system. Nonetheless, for the avoidance of doubt we would be grateful if you could provide the developer with the following advisory: *The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industry Act 1991.*
- 6.5 Environmental Health: I confirm I have no objections to the proposals; however the following condition should be attached to any permission granted;
Construction Environmental Management Plan
No development shall take place until a site specific Demolition and Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:
- Procedures for maintaining good public relations including complaint management, public consultation and liaison
 - Arrangements for liaison with the Newport City Council Noise & Neighbourhood Team

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within permitted hours
 - Mitigation measures as defined in BS 5228: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
 - Procedures for emergency deviation of the agreed working hours.
 - Measures for controlling the use of site lighting whether required for safe working or for security purposes.
 - Measures to mitigate demolition dust and material causing a nuisance to local residents, for example sheeting of loads and wheel washing apparatus
- Reason: To protect the amenities of occupiers of other premises in the vicinity

Development/Construction Hours

To protect the amenity of existing residents, I would recommend that there is no arrival, departure, loading or unloading of vehicles, development and/or construction (including land raising and demolition if required) occurs outside the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays. There shall be no development on Sundays or Bank Holidays.

Noise Insulation

Prior to first occupation, a scheme of sound insulation works to the floor/ceiling/party wall structures between the properties shall be implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained thereafter in perpetuity.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

Waste storage and Recycling

Prior to first beneficial use, a scheme for the provision of waste storage and recycling shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first beneficial use and thereafter maintained for the duration of the use.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected

Advisory:

If Air Source Heat Pumps (ASHPs) are intended to be installed in the residential scheme for sustainable heating source; further acoustic impact information will be required, including an environmental noise assessment to consider the cumulative impact of multiple ASHPs. Further information is available from the Environmental Protection team.

- 6.6 Gwent Police: I have reviewed the development plans through the Newport Planning portal reference 25/0954. 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 (Victoria) and specifically the proposed development site location of Corporation Road for a 12-month period between 1st November 2024 – 1st November 2025.

From a Policing perspective the development is located in the Newport County Borough Council area, within the Maindee section and Victoria 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	Ward - Maindee	Section-Victoria	*Site – Corporation Road,	Demand % Ward v Site
Anti-Social Behaviour	878	233	26	11.1%
Residential Burglary	102	32	5	15.6%
Criminal Damage	468	108	20	18.5%
Theft(non-shoplifting)	208	61	10	16.3%
Vehicle crime	281	92	3	3.2%
Bicycle Crime	22	11	0	0

**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 is currently two HMO property within a 50-meter radius of the proposed development. I can confirm 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.

Recommendations are made with regard to secure by design.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 13th November 2025, Site Notice was put up on 13th November 2025.

7.1 NEIGHBOURS: 11no objections have been received and are summarised below. A petition in objection to the proposals has been received with 26 signatories:

-There is no parking available people are parking and blocking driveways.

We don't need another HMO as others are causing problems

-This type of development is completely unsuitable for this location and will have a serious negative impact on the neighbourhood.

It will bring a significant increase in noise, activity and general disturbance. Corporation Road is a residential street where people expect a reasonable level of peace and stability. HMOs often involve multiple unrelated adults with different routines, working hours and lifestyles. This creates constant movement at various times of day and night, along with a higher likelihood of noise complaints. Neighbours living directly beside or opposite the property will be the ones suffering from this constant disruption.

-Parking on Corporation Road is already a major challenge for residents. Many people struggle daily to find a space anywhere near their home. Converting this property into a six-person HMO will only make an already difficult situation much worse. It is entirely unrealistic to assume that six adults will not have cars. With no adequate off-street parking provided, the additional cars will spill onto the road, causing congestion, blocking access, and putting even more pressure on the few parking spaces available. This will create long-term frustration and conflict for everyone living nearby.

-This proposal represents clear overdevelopment of a standard family home. A four-bedroom house is not designed to accommodate six unrelated adults with separate lifestyles. Increasing the density of occupancy to this level raises concerns about waste, safety, and property management. HMOs require strong oversight to ensure they do not become neglected or poorly managed, and there is no reassurance in this application about how the property will be supervised or maintained. Without firm and responsible daily management, HMOs often lead to anti-social behaviour issues, untidiness around the property, increased rubbish, and further strain on the surrounding homes.

-HMOs can also change the character and stability of a neighbourhood. High turnover, lack of long-term residents, and minimal connection to the local community all undermine the cohesion of the area. This neighbourhood relies on responsible, settled households who contribute to the community. Introducing a high-density HMO risks disrupting that balance and lowering the overall standard of the area.

-This application is effectively a repeat attempt to push through the same development that

has already been rejected.

-The previous refusal clearly acknowledged that the property, the road, and the surrounding area was not suitable for high-density HMO use. Since then, no physical alterations, layout improvements, safety upgrades, parking solutions, or management changes have been made. Reducing the proposed occupancy from eight tenants to six does not alter any of the core deficiencies.

-The proposal will significantly damage the character and cohesion of the community.

-Our area is a stable residential community made up of long-term residents, families, and owner-occupiers. Introducing a large HMO in this location will:

- increase transience and reduce neighbourhood stability
- undermine community cohesion
- increase comings-and-goings at all hours
- escalate noise disturbance
- disrupt the quiet residential character that residents rely on

-Parking is already at crisis levels and this would make it unmanageable. Residents frequently struggle to find spaces, and congestion presents safety risks for road users, pedestrians, and children.

-A 6-bedroom HMO means multiple unrelated adults each with a high likelihood of owning a vehicle. This will intensify congestion, make the road less safe, and further erode the amenity of residents.

-Waste, bins, and hygiene will deteriorate visibly

-HMOs generate far more waste than a single household. Yet this application provides no plan for:

- increased bin capacity
- proper external waste storage
- preventing rubbish overflow
- managing weekly waste output
- preventing vermin or litter accumulation

Without adequate measures (which have not been provided), this will significantly harm the appearance, cleanliness, and hygiene of the neighbourhood.

-The property still does not demonstrate suitability or compliance for a high-density HMO. The applicant has provided no evidence of:

- fire safety upgrades
- compliant room sizes
- adequate communal space
- safe escape routes
- noise insulation
- responsible long-term management

-These requirements are core conditions for HMO suitability. The absence of meaningful evidence indicates that the application is incomplete and cannot satisfy licensing standards.

-The cumulative impact of HMOs in the area is already excessive

-Residents are already feeling the strain of growing rental conversions and HMOs on this road and surrounding area. Approving yet another large HMO in this area would further unbalance the housing mix and accelerate the decline of residential stability.

-The Council has a duty to prevent over-concentration. This application would do the opposite.

-The area is saturated with multi-occupied properties, one with approximate 11 bedroom HMO next door already exist now along the street creating issues with anti-social behaviour, parking difficulties and rubbish/fly-tipping.

-The occupation of the property as an HMO by up to 6 people living independently would result in a demonstrable increase in the numbers of comings and goings from the site and a greater level of noise and disturbance in comparison to the existing use as a family dwelling house.

This proposal is entirely unsuitable for this property and this neighbourhood, and it raises several serious concerns for local residents.

Parking is a massive issue in the area and we already have to pay to park outside (or as close to) our homes as possible. This is exacerbated by taxis in the area, a taxi repair

business often leaving cars on the road and in residential parking spaces for months. Foreign registered vehicles parked all over the place. Cars with either no tax or MOT (or both) often parked on these roads and streets.

These houses were designed for family use only and not as HMOs. Please check covenants.

Infrastructure, designed in Victoria times, cannot cope with the ever-increasing and incorrect usage, e.g. fats poured down drains and so on.

There appears to be a lack of co-operation with the council with regard to leaving stuff in front gardens/aprons. A walk around the area will reveal some houses with discarded materials dumped in the front. I myself have had stuff dumped in my front garden when the local dumping place (the garage adjacent to number 20 Cedar Road) has filled up or the dumper wishes to dump on the sly. Whenever occupants of HMOs do a moonlight flit, their rubbish is left outside the houses. I have paid a private waste collector to have rubbish removed from the garage next door due to rats, the council will not touch it because it's on private land.

I have had my rubbish bin stolen three times - not wishing to cast aspersions - but it's got to the stage now, where I have to pay to have the bin replaced through no fault of my own.

-This used to be a safe, residential area. This is no longer the case due to drug use and anti-social behaviour (see Argus for details) and the high turnover in these HMOs.

-HMO involves drug issues. Anti-social behaviour, we don't want that in this part of Newport.

- 7.2 COUNCILLOR FARZINA HUSSAIN: I am writing to submit a further formal objection to the resubmitted planning application for the proposed HMO at 46 Corporation Road. The application has been amended from an 8-bedroom HMO to a 6 Bedroom HMO, However, I would like to state that my previous objection remains fully valid.

Although the number of bedrooms has been altered on paper, the layout, impact and substance of the application remain entirely unchanged. The fundamental issues concerning overconcentration, parking pressure, waste management, and community impact still apply exactly as before.

I am also attaching the petition signed by residents, which was originally submitted in objection to the 6-bedroom proposal. This petition should continue to be considered as an objection, as the concerns raised by residents have not been addressed.

Furthermore, after reviewing the applicants parking survey, I have identified several issues that call into question the accuracy and reliability of the evidence provided. Multiple photographs in the survey depict "available" parking spaces that are misleading due to the angles from which they were taken. These images create the false impression of spare capacity, however, the spaces shown are directly outside properties that have their own private parking spaces, meaning public parking is not possible. There are several such examples within the survey, making the overall assessment unreliable.

As highlighted previously, Corporation Road already experiences a significant overconcentration of HMOs, including two large HMOs within approximately 50 metres of the application site, in addition to several registered HMOs along the street. The introduction of another high-density HMO whether labelled as 6 or 8 bedrooms would exacerbate existing issues including:

- Severe on-street parking congestion
- Noise and disturbance
- Pressure on waste and refuse management
- Increased transient occupancy and reduced community cohesion

Considering the lack of meaningful amendments and the continuing concerns raised by residents, I strongly urge the council to refuse this application. The proposal remains inappropriate for an already heavily impacted residential street and would negatively affect the amenity, wellbeing, and character of the local community.

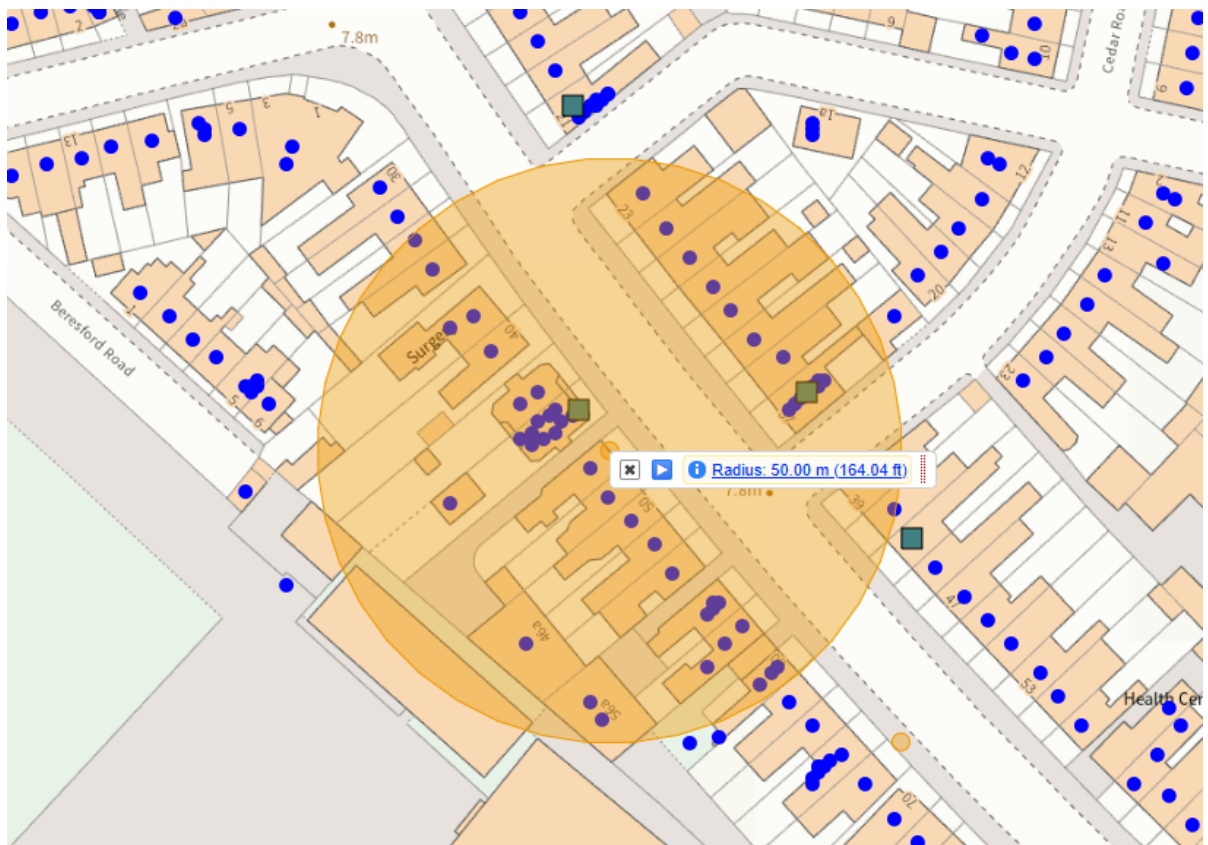
8. ASSESSMENT

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 15% threshold area. When taking a 50m radius from the address point of the application site, the full front elevations of 26no. properties are caught. There are two existing registered HMOs within the 50m radius and if the application were to proceed, this would result in a percentage of just under 12%, therefore the 15% threshold would not be exceeded. There has been no material change in this regard following the refusal of the previous application. The diagram below shows a 50m radius with existing HMOs represented by green squares:



8.3 Whilst the 15% threshold would not be exceeded by the presence of existing HMOs within a 50m radius, every application needs to be determined on its individual merits. In this instance there are two existing HMOs situated just outside of the 50m radius, one at 43 Corporation Road and one which is prominently located on the corner of Corporation Road and Bedford Road (i.e. 21 Corporation Road having six beds). A neighbouring property directly to the north-west of the application property; no.44 Corporation Road (inside the 50m radius) is an existing large HMO having ten beds along with a large HMO on the corner of Cedar Road and Corporation Road with 7 bedrooms. Given the proximity of these existing HMOs to the application site, due consideration should be given to them and the potential cumulative impact on the character of the area arising from the proposed change of use. Whilst the LPA could apply a condition seeking to limit the number of people living

at the property to no more than that being applied for, as a six bed HMO there would be potential for six people to reside at the property with associated visitors and activity and the loss of a single family dwelling. No's 21 and 43 Corporation Road are just outside of the 50m radius and are licensed as 6 bed HMOs each. As such all of the existing HMOs combined amount to a high number of HMO bedrooms (29) within the immediate vicinity and same street and a higher proportion of transient residents in the vicinity. The Council's SPG identifies that this can lead to less community cohesion, underuse of community facilities and can alter the character of the area. In addition, there are further HMOs and large hostels active or proposed within 500m of the site at Clarence Place. This includes:

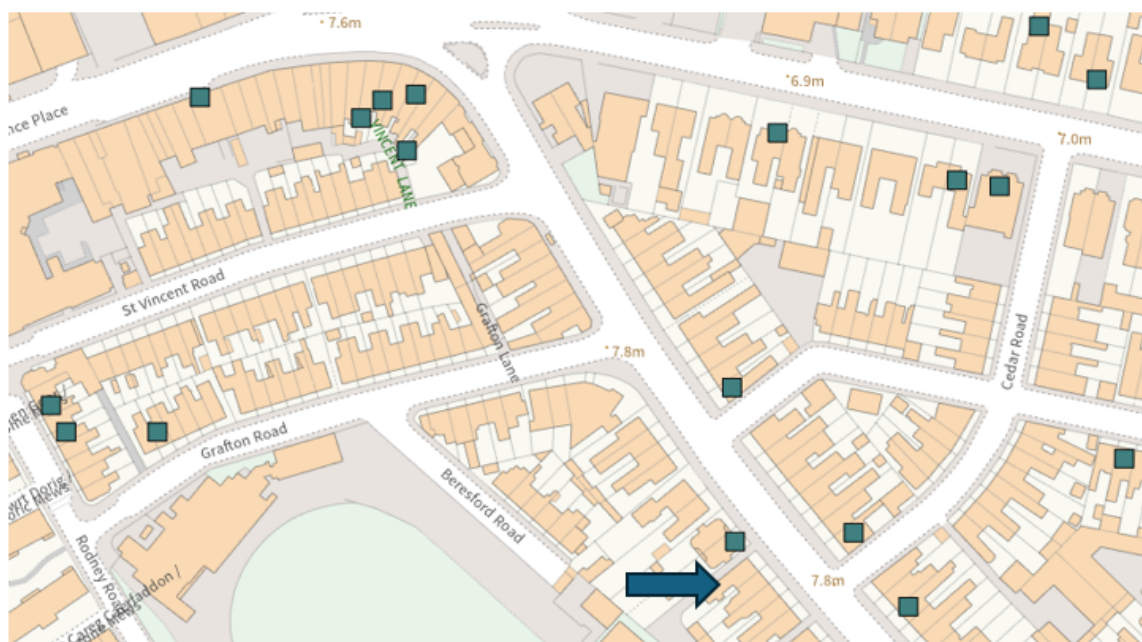
-26-28 Clarence Place licensed for 8 households consisting of no more than 14 individuals,

-48-50 Clarence Place licensed for 11 Households consisting of no more than 11 Individuals,

-52-54 Clarence Place which is a 12 bed hostel currently in operation,

-10 Clarence Place which has planning permission for use as a 5 bed HMO (not currently licensed by Environmental Health) with an application currently under consideration for use of upper floors as an 8 bed hostel (25/0852).

- 8.4 The image below shows the location of the nearby HMOs (not hostels cited above as these are not licensed by Environmental Health) with the application property indicated by the blue arrow.



- 8.5 There is a localised concentration of HMOs near the property, some of which are notably large scale, and whilst the concentration within 50m would be 12% and accord with adopted SPG, this % does not truly reflect the number of HMO bedrooms in the immediate locality and that local residents will acknowledge as part of their immediate community.

- 8.6 The above HMOs results in 29 HMO bedrooms within very close proximity to the application site. In addition to the above, as previously noted, there are further HMOs and Hostels on Clarence Place. A prevalence of HMOs can have negative impacts on an area, such as to the physical environment and streetscape, displacement of established residents by a more transient population and changes to local retail, commercial, and recreational or social facilities and services in response to the lifestyles of HMO residents, including viability of schools due to lower demand for school places. This can be noticed or perceived by other local residents as something distinctly innately different to family occupation of

dwellings, including small or medium sized homes. It can also diminish community cohesion or identity and detract from the prevailing experience of living in an area or a more enduring sense of place. Additional HMOs, including C4 HMOs, can manifest or exacerbate any or all of these negative impacts, which once established can be difficult to ameliorate. This is a primary thoroughfare into the centre of Newport where degradation of community or streetscape will be clearly evident. Although this is a single C4 HMO, officers note impacts on residential character, appearance and amenity of the area already visible to some degree and some local residents and the local councillor have objected to the proposal raising concerns including in relation to anti-social behaviour and other factors they associate with HMOs and noting impacts they already perceive from such uses that already exist, i.e. "The cumulative impact of HMOs in the area is already excessive, residents are already feeling the strain of growing rental conversions and HMOs on this road and surrounding area, approving yet another large HMO in this area would further unbalance the housing mix and accelerate the decline of residential stability, the area is saturated with multi-occupied properties, one with approximately 11 bedrooms...creating issues with anti-social behaviour, parking difficulties and rubbish/fly-tipping." These concerns are indicative of pre-existing problems with HMOs in the locality. The proposal lies in an area where there appears to be significant pressure from changes of use and subdivision of single family dwellings to smaller units with concerns by some residents that the balance of residential uses is already under strain with associated effects. The balance of residential properties should be afforded protection in line with the objectives of LDP Policy H8. The proposed change of use does not relate positively to the distinctive character and amenity of the locality or make a positive contribution to sense of identity, improve the character and quality of an area or contribute to the creation of a sustainable place. It is likely it will add to the issues already experienced in this area and referred to by objectors.

8.7 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 household or single occupant type uses such as hostels 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. This concern is increased by the fact that the hostels and HMOs in the area are generally of large size with high concentration occupancy levels in each unit. 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.

8.8 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.

8.9 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.

8.10 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. Taking bicycles through the house to store in a private rear garden is not unusual and notwithstanding the highway officer concerns in this regard, this is not ground to refuse permission.

- 8.11 *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.*
- 8.12 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.
- 8.13 In this instance the property has the benefit of a small front forecourt set behind a wall whereby refuse could be stored without spilling onto the footway. Refuse receptacles are stored behind the front boundary walls within the forecourt areas.
- 8.14 The HMO standards state that a single bedroom should be at least 6.51m², shared kitchens and living rooms for up to 8 persons should be 10m² and 16m² respectively. The combined area of the kitchen and living area is just over 63m² and so exceeds the standards. One of the bedrooms is within the loft space of the property and it is unclear whether the 18.50m² of floor space indicated on the plans has suitable headroom. However, the Council's licensing standards do not include floor area where the soffit height is less than 1.5m and so if the useable floorspace is less than this, it would be contrary to the standards. It is unclear whether the attic room has Building Regulations, this is covered by a separate regulatory body and is not a reason to withhold planning permission. The Licensing department of the Council have not commented in response to this application but previously commented and advised that no objections were offered. The proposals are not considered to raise any increased concerns in terms of amenity for future occupiers of the accommodation over the previous application.

8.15 **Highways and Parking**

The site is located on Corporation Road, which is subject to a 20mph speed limit. The parking demand created as a 4no. bed dwelling is 3no. spaces (calculated using the SPG). There is no parking on site. The proposed 6no. bedroom HMO would require 1no. space per bedroom (6no spaces), plus a visitor parking space (7no spaces in total) which is a net gain of 3no. spaces and would need to be accommodated on the highway. It should be noted that the Highways officer has mistakenly referred to 8 rooms in his response.

- 8.16 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 and also the Local Councillor responses. 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.
- 8.17 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 within 200m of Clarence Place local centre and is approximately 700m away from the city centre. The site is located within a highly sustainable area. Demand for parking arising from HMO uses, particularly where these form a very low proportion of the housing stock in the 50m catchment area, is not considered to be a robust reason for refusing planning permission even though the potential for on road parking demand is acknowledged.
- 8.18 Parking was observed 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.

8.19 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, criterion (i) of policy H8 is met.

8.20 The application includes details of cycle storage to be accommodated within the rear garden serving the property and a condition to require this would be reasonable if planning permission were forthcoming. The Council's Highways officer has objected to this arrangement as it can only be accessed via the property. However, this arrangement is common with terrace properties such as this and given the scale of the front garden it would not be feasible to provide cycle storage here. The rear yard is secure and is considered acceptable. Given the characteristics of some sites, it is not possible to strictly accord with the SPG requirements. In this case, it is considered that a secure store at the rear of the property would offer safe and suitable storage for cycles to the benefit of the future occupiers of the property.

8.21 **Waste**

As noted above, the property has the benefit of a small front forecourt set behind a wall whereby refuse can be stored without spilling onto the footway. This is the way in which waste would be stored as a dwelling and the use as a HMO would not stand out in this respect.

8.22 The Council's Highways officer has raised concerns regarding waste management and potential for bins to be left on the footway as nobody has responsibility for returning the bins. However, such concerns could be raised with regard to all HMOs. In this instance there is space for bins to be stored off of the pavement and the application is accompanied by a waste management statement which confirms that occupiers will be responsible for returning the bins to the front forecourt of the property.

8.23 **Flooding:**

The planning application proposes highly vulnerable development, change of use of existing residential property into a 6no. bed HMO, intensifying bedroom numbers 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.”

8.24 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. The TAN also sets out the tolerable conditions (rate of water rise, speed of inundation etc) and an FCA should provide Authority's with details of how the development would comply/compare with these. The

application is supported by an FCA to enable which NRW have reviewed. They advise that during the 0.5% (1 in 200 year) event plus climate change allowance (CCA), the FCA states that the site will experience flooding up to 8.26 mAOD, which equates to a flood depth of 660mm. This exceeds the frequency threshold set out within Figure 5 of TAN 15 (2025). No data has been provided for the 0.1% (1 in 1000 year) event plus CCA and therefore no velocities or upper end climate change estimates.

8.25 *Upper End Climate Change Estimates*

TAN15 (paragraph 4.3) states that '*detailed Flood Consequences Assessments, to accompany planning applications, will be required to consider a range of climate change scenarios, including upper end estimates, making reference to the Welsh Government guidance on climate change allowances for planning purposes*'. Current Welsh Government guidance on climate change allowances for planning purposes states that this information should be used to inform mitigation measures that help to ensure the long term resilience of the development. NRW advise that the LPA may therefore wish to request that the applicant provides this information although it is not their role to comment on the acceptability long-term resilience of individual developments.

8.26 Whilst the FCA has shown that the site is not compliant with TAN15, 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. However, whilst five of the bedrooms are served by en-suite bathrooms, bedroom 3 does not have an en-suite bathroom and there is no communal first floor bathroom. As such, in the event of a flood with flood waters potentially circa 600mm, the occupier of this bedroom would not have access to a bathroom. This is likely to be for many hours while the occupier waits for flood waters to recede. The other bathrooms on this floor and on the second floor sever occupiers of other bedrooms and it is unreasonable and unrealistic to expect the occupier of bedroom 3 to be able to use these facilities. Notwithstanding, in the event of a flood occurrence it is unlikely that toilet facilities would be operational in any case.

8.27 **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.

8.28 **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.

8.29 A number of issues that have been raised within the objections received by local residents relate to the perception of HMOs and the occupants and that the proposal would devalue house prices within the vicinity. The personal details of occupants of a HMO are private interest matters and not ordinarily material considerations for planning. Similarly, property value is not a material planning consideration.

8.20 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 and associated rooms and the general balance of single family dwellings and other hostel/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, improve the character and quality of the area or contribute to the creation of a sustainable place. It will add to an existing significant level of HMO rooms and loss of single-family dwellings in the locality with associated 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: Existing floor plan, Proposed floor plan, site location plan, Parking Survey, Flood Risk Assessment, Flood Evacuation Plan, Cycle Storage, Biodiversity Enhancement Scheme, Waste Storage and Recycling, Flood Consequence Assessment.

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.