

Delegated Decision Report

Application No:	25/0611	Statutory Period Expires:	7th October 2025
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Site:	46 Corporation Road Newport NP19 0AW		
Proposal:	CHANGE OF USE FROM 4 BEDROOM DWELLING (C3) TO 8 BEDROOM HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS)		
Applicant:	M Layton		
Type:	Full	Ward:	Victoria
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

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 quite a dense residential area, which is characterised by linear rows of terraced dwellings having small forecourt 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.

2.2 The character of the area is predominantly residential, although this is intermixed with some commercial uses including a health centre and vehicle repair garage. 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 8no. bedroom HMO (Sui generis).

3.2 The proposed layout would comprise of 2no. bedrooms, living room and kitchen at ground floor with 5 further bedrooms at first floor and a further bedroom at second floor level. All 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

None.

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 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 (House in Multiple Occupation). The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 3 (sea) and within the 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.

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.

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 would **object** to the application.

Protected Sites

We note the site is within approximately 200 metres of the River Usk Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).

From the information provided, we consider that the proposal is not likely to have a significant effect on the SAC due to the nature of the development and the lack of potential pathways to the protected site.

Our advice may change should modifications be made to the proposed development prior to the determination of the application. If there are any changes to the proposed development which may affect the consideration of potential environmental impacts, please consult us again before you determine the application.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), it is for your Authority to carry out the test of Likely Significant Effects for the proposed development. Should you conclude that the proposal is likely to have a significant effect on a SAC, either alone or in combination with other plans or projects, an appropriate assessment must be made on the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify.

6.2 Local Highways Authority: **Highway recommendation:**

Further information requested.

Highway Comments:

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 there are no date/time stamped and identifiable photos. Without these we can give no weight to the survey.

Time stamped photos are key because the assumption that the number of spaces available is the result of the length divided by 5 less the number of cars parked. This assumes efficient use of the space, when in fact there could be lots of gaps too small to use, but adding up to a number of car lengths.

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 13 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 and there does not appear to be any access without pushing the bike through the house. Notwithstanding the lack of access, 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.

Highways also have concerns regarding waste management. This is likely to be left in the footway permanently as nobody has responsibility for returning the bins. We also note that the storage area does not have level access to the path or footway.

In summary, Highways are unlikely to support the development due to issues with bins and bikes. At this stage we are unable to comment on the impact of parking, pending further detail of the parking survey, which are needed for validation.

- 6.3 Waste Manager: We would anticipate the property receive a single 180l bin for kerbside collection with recycling bags, boxes for kerbside collection also with one council tax paid on the property as a whole.

From April 1st 2020, developers or owners of all new residential units will be required to purchase bin provision for each unit serviced to meet the Council's specification. 120L, 180L, 240L and 360L wheeled bins must be purchased/obtained from Newport City Council. 660L and 1100L bins can be purchased elsewhere but it is strongly recommended to speak to NCC Waste Management Refuse Management beforehand to ensure the bins fit the Refuse Department collection vehicles safely. Failure to purchase correct bin(s) will result in collections being suspended with the Council reserving the right to refuse collection until suitable bin specifications are met.

- 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 objection regarding the proposals. Please note that the minimum bedroom size required for a one-person accommodation in a Shared House is 6.51m², and for a two-person accommodation, it is 11m². To determine the appropriate number of occupants, consideration must also be given to the number, type, and quality of amenities available within the property.
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- 6.6 Gwent Police: No response.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 14th August 2025, Site Notice was put up on 22nd August 2025.

- 7.1 NEIGHBOURS: 11no objections have been received and are summarised below. A petition in objection to the proposals has been received with 37 signatories:

-I object to this HMO application due to:

Traffic/Parking Issues

Anti Social Behaviour

Drug use.

Overflowing bins/excessive litter

Property not maintained

Overgrown Garden into adjacent property

Increase Noise

Property Value decline

Landlords don't care who they put in these properties as long as they collect their rent.

Also this will cause resentment with the community and may lead to violence.

-I wish to object to the application on the following grounds:

Overdevelopment and intensification of use

The proposed density would place pressure on local infrastructure and services, leading to a detrimental effect on the character of the area.

Parking and Highway Safety - an 8-bed HMO would generate multiple vehicles, far in excess of the provision available at the property. This road and the surrounding roads already experience high levels of on-street parking, and additional demand would cause congestion, reduce visibility, and increase risk to pedestrians and cyclists.

-Impact on Residential Amenity - HMOs of this scale often result in higher levels of noise, disturbance, and comings-and-goings compared to a single household. This will have a negative effect on the quiet enjoyment of neighbouring properties, particularly during evenings and weekends.

-The proposed change risks undermining the established family character of the area.

-High concentrations of HMOs erode community cohesion, reduce long-term residency, and lead to transient occupancy patterns that negatively affect neighbourhood stability.

- Converting a 4-bed dwelling into 8 bedrooms raises concerns over the adequacy of shared facilities (kitchen, bathrooms, waste storage).
- Without sufficient amenity space and facilities, the accommodation would not provide a satisfactory standard of living for future occupants, contrary to planning policy.
- We already have enough HMO on this are of Corporation Road which already has its issues.
- The area is saturated with multi-occupied properties, one with approximately 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 8 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.
- Keep it as C3 family dwelling house as its already sandwiched between other HMO's.

This change raises several serious concerns:

- Overcrowding & Noise
- Parking & Congestion
- Unethical Overdevelopment
- Impact on Community Cohesion
- The infrastructure is already overloaded when you have multi-generational households, placing an unbearable strain on things like sewers and drainage, schools, doctors and so on. A simple walk around the area will reveal that certain households are incapable of dealing with their own rubbish.

- 7.2 COUNCILLOR FARZINA HUSSAIN I am writing to formally object to the planning application for the proposed conversion of 46 Corporation Road to an 8 Bedroom HMO. My objections are based on the following concerns:
1. Overconcentration of HMOs
Corporation Road already contains a high number of HMOs. The property immediately next door to No 46, as well as the property directly opposite on the corner are already large HMOs. Adding another 8 Bedroom HMO would clearly constitute overconcentration and further undermine the balance of housing. There are also unregistered HMOs which have been reported. The introduction of a further larger HMO will exacerbate the existing imbalance of the housing types and undermine the character of the area, which should remain balanced and a sustainable community.
 2. Parking and Traffic Issues
The proposed HMO is likely to generate significant additional parking demands, Corporation Road already suffers from a shortage of resident parking spaces, worsened by the presence of 3 Car Workshops 1 at the side of 46 Corporation Road, 1 four doors down next to 56 Corporation Road and 1 on Bedford Road, these workshops already take up valuable on street parking and create congestion. An 8 Bedroom HMO could add multiple vehicles to an already overcrowded situation.
 3. Waste Management Concerns
Large HMOs create considerable household waste. With existing HMOs already struggling to manage refuse, this proposal risks further fly-tipping, overflowing bins, and general waste mismanagement, negatively impacting both hygiene and the street environment.
 4. Noise Disturbance and Anti-Social Behaviour
A High density 8 Bedroom HMO is likely to increase noise levels and disturbances for existing residents. Similar properties nearby have already contributed to complaints regarding late-night activity and Anti-social behaviour. Increasing the number of HMOs will only worsen these problems.
 5. Impact on Community Cohesion and wellbeing
An excessive number of HMOs reduces the availability of family housing and erodes the sense of long-term community. Residents feel stressed and concerned about the ongoing shift in housing balance, with transient populations making it difficult to maintain a stable, cohesive neighbourhood.
- In light of these issues, I strongly urge the Planning Department to refuse this application. The proposed HMO would not safeguard the amenities of current residents. Should you be minded granting this application I would like it to come before the Planning Committee, where I and residents would like to attend to put our objections forward.

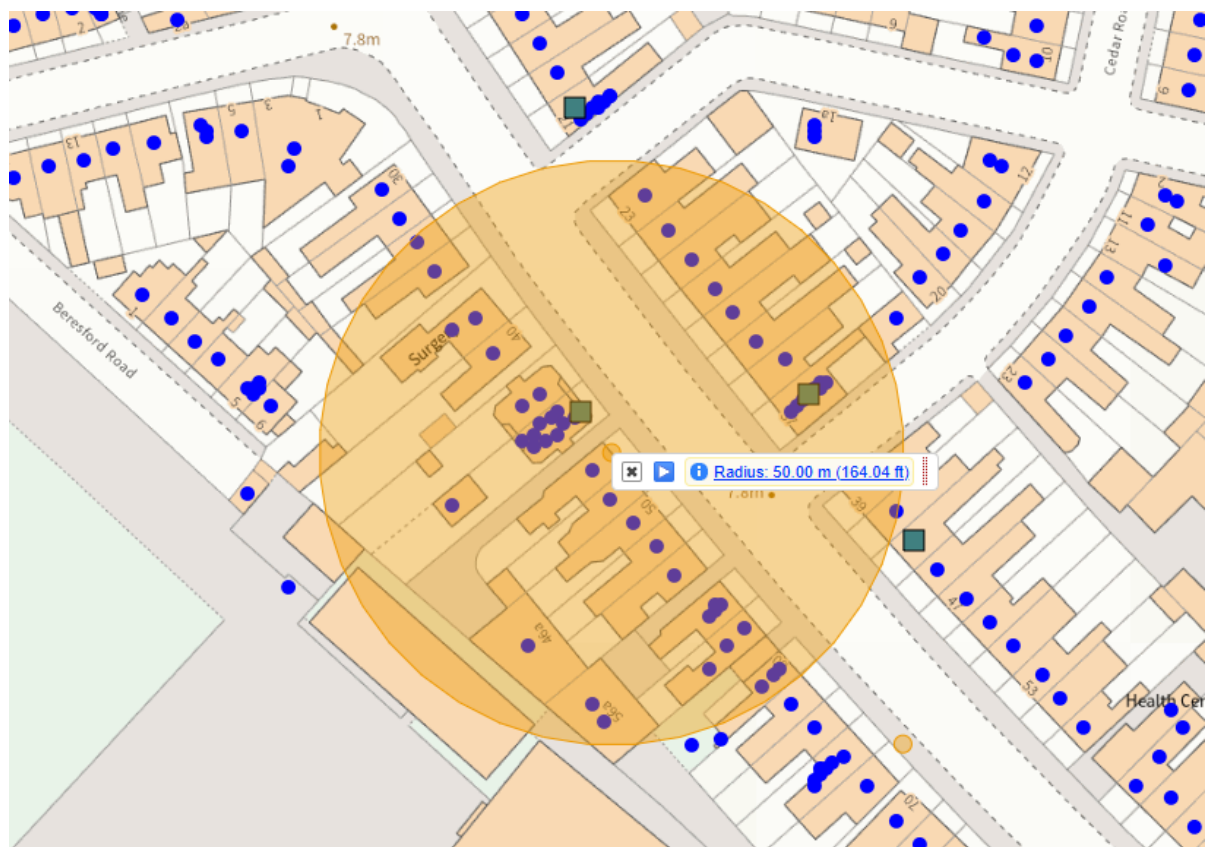
8. ASSESSMENT

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. 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 of which is prominently located on the corner of Corporation Road and Bedford Road and the neighbouring property directly to the north-west of the application property; no.44 Corporation Road (inside the 50m radius) is an existing large HMO. 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. The proposal is for a large HMO having 8 bedrooms and is a significant intensification of use compared to the current 4 bedroom residence. 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 an eight bed HMO there would be potential for eight people to reside at the property with associated visitors and activity. This is in addition to the existing HMO located next door to the property and on the opposite side of the street. The Council's Environmental Health officers advise that no.37 Corporation Road is licensed as a 7 bed HMO and no. 43 Corporation Road is licensed as a 6 bed HMO. Both of these properties are within the 50m radius. No's 21 and 44 Corporation Road are just outside of the 50m radius and are licensed as 6 and 10 bed HMOs respectively. As such all of the existing HMOs are of a large scale and subsequently there are a high number of bedrooms and 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.

8.4 Several appeal decisions that consider comparable intensification of use and impacts on character have been considered by officers during evaluation of this submission. Whilst each application is considered on its own merits as each appeal proposal and context is likely to differ, these decisions are considered useful in understanding how Inspectors have evaluated proposals where homes previously occupied by a family have been proposed to be used for large HMOs. Appeal decision APP/D1780/C/11/2156569 relates to the conversion of a dwelling in Southampton to an 8 bed HMO. The Inspector dismissed the appeal finding that the use would *"be perceptible, and would result in additional material harm to the living conditions of neighbours when compared to occupation as a family dwelling or a small HMO."* The Inspector identified that whilst one neighbour in particular would be acutely affected, *"others nearby could also be adversely affected."* Given the position of the application property in relation to neighbouring properties and in particular the adjoining terrace property, together with the presence of existing large HMOs in close proximity, it is considered that there is a high likelihood of other neighbouring occupants being adversely affected by the introduction of a further large HMO in the area. It is also notable that 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 the Council's HMO SPG. At the time of a recent site visit undertaken by officers there were several properties within the locality that appeared run down and neglected and having multiple bins/recycling receptacles in front gardens. This can be an indication of an over-concentration of HMOs in the locality. The Council's Licensing officer has advised of a number of complaints received within the last couple of years relating to properties within the vicinity and anti-social behaviour. There have also been complaints relating to fly tipping. With the exception of one property, all of the other properties are within a 50m radius of the application property and the other is just outside. Such complaints are often linked with a higher concentration of HMOs within an area and it is considered that the proposals have potential to exacerbate this and would result in a disproportionate number of HMOs in the area to the detriment of the amenity of neighbouring residents and contrary to Policy H8 of the NLDP.

8.5 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.

8.6 In this case, these expectations are met with communal living room 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.

8.7 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.

- 8.8 *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.*
- 8.9 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.
- 8.10 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.
- 8.11 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 31m² 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.

8.12 **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 8no. bedroom HMO would require 1no. space per bedroom (8no spaces), plus a visitor parking space (9no spaces in total) which is a net gain of 6no. spaces and would need to be accommodated on the highway.

- 8.13 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 objects on the basis the change of use requires additional off-road parking spaces which cannot be provided and whilst a parking survey has been provided, it has shortcomings and does not include all of the information specified by the Lambeth methodology. The survey does not include the assessment of the available parking (just totals) or information to show where parking was available and there are no date/time stamped and identifiable photos Without this information little weight can be attributed to the survey. (an updated survey has since been received which includes photos).
- 8.14 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.
- 8.15 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.

8.16 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.

8.17 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.

8.18 **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.

8.19 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.

8.20 **Flooding:**

The planning application proposes highly vulnerable development, change of use of existing residential property into 8no. 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 note that although highly vulnerable use already exists in the building, the application presents an increased risk because the potential intensification of the residential use may create additional pressure on emergency services should evacuation during a flood event be required.

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.”

The recently emerged replacement 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 not accompanied by an FCA to enable the LPA to make such an assessment and furthermore it includes ground floor bedrooms. It is therefore contrary to Planning Policy Wales and TAN15 (2025).

8.21 NRW object in the absence of an FCA. The proposal fails to comply with the aims of TAN15 and Policy SP3 of the NLDP 2011-2026 (adopted January 2015).

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 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.

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 The proposed HMO, by reason of its scale/significant intensification of occupation by unrelated tenants with associated visitors etc, siting in relation to existing HMOs and close relationship to neighbouring properties will result in an unacceptable impact upon neighbouring residential amenity and the character of the area.

10.2 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.

10.3 The proposal will have a significant adverse effect on interests of acknowledged importance, namely safety and residential amenity by reason of flooding and the presence of ground floor bedrooms with no provision of acceptable first floor refuge for residents and their personal possessions. No Flood Consequences Assessment is provided and no information mitigates flood risk and general safety objections. This is contrary to Policy SP3, GP2 and H8 of the NLDP 2011-2026 (adopted January 2015), Planning Policy Wales and TAN15.

10.4 The application is refused.

11. DECISION

REFUSED

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.

NOTE TO APPLICANT

01 This decision relates to plan Nos: site location plan, 46CR Proposed floor plans, 46CR Existing floor plans, Waste storage and recycling details, Parking Survey, Cycle storage details, Flood risk statement, Biodiversity enhancement details.

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.