

Delegated Decision Report

Application No:	24/0880	Statutory Period Expires:	25 th February 2025
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Site:	56 Bridge Street Newport NP20 4BL		
Proposal:	CHANGE OF USE OF REAR GROUND, WHOLE FIRST AND WHOLE SECOND FLOOR OF THREE STOREY A2 OFFICE BUILDING TO 8NO. BEDROOM HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS)		
Applicant:	M Layton		
Type:	Full	Ward:	Stow Hill
Decision:	GRANTED WITH CONDITIONS SUBJECT TO S106 AGREEMENT		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site comprises a mid-terrace 3 storey property located on the north side of Bridge Street. The site falls within the designated City Centre and Settlement boundaries as shown on the proposals maps that accompany the Newport City Council Local Development Plan (LDP). 56 bridge Street is currently arranged as an education/training centre at ground floor the upper floors are currently vacant and are thought to be most recently used as office accommodation. Opposite the application site is the Grade II listed 24 Bridge Street. The site is outside of but within close proximity to the Town Centre Conservation Area and within an Archaeological sensitive area. There are a mix of commercial and residential units within the vicinity. There are flats situated at no. 55 adjacent to the property, and flats situated to the three properties to the rear, no. 24, 25 and 16 Railway Street. When approaching East down Bridge Street toward the Town Centre, property appearances change, with larger buildings such as Travel Lodge and the Queens Hotel.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks consent for the change of use of the rear of the ground floor, the first floor and second floor to a 8no.person HMO. The proposal would result in a reduction in size to the ground floor commercial unit and the addition of a new doorway on the front façade of the unit for a separate commercial and residential entrance. There are a total of 8no. bedrooms and 8no.bathrooms proposed. The rear amenity space holds 2no. Sheffield bike racks and an area for recycling and wheelie bins for residential use, whilst a new storage room for commercial waste has been implemented internally.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
97/1228	ERECTION AND DISPLAY OF A NON-ILLUMINATED SIGN	GRANTED	17/12/1998
94/0054	REPAIR OF FIRE DAMAGE	GRANTED	18/01/1994

5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

Policies 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), T4 (Parking), W3 (Provision for Waste Management Facilities in Development) and H8 (Self Contained Accommodation, Houses in Multiple Occupation), R1 (City Centre Schemes), CE6 (Archaeology), CE7 (Conservation Areas) of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) are relevant to the determination of this application.

5.4 Technical Advice Note

Technical advice note (TAN) 2: planning and affordable housing

Technical advice note (TAN) 5: nature conservation and planning

Technical advice note (TAN) 11: noise

Technical advice note (TAN) 18: transport

Technical advice note (TAN) 21: waste

Technical advice note (TAN) 24: the historic environment

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Houses in Multiple Occupation (HMOs) Supplementary Planning Guidance (Updated January 2017)
- Parking Standards Supplementary Planning Guidance (Adopted August 2015).
- Sustainable Travel SPG (July 2020)

6. CONSULTATION RESPONSES

6.1 Highways:

The lack of access and suitable cycle parking and refuse management provision makes the site unable to comply with current requirements, regardless of land use. Parking is not required for this site/proposal, due to the central location. We would therefore not fully support the application but raise no formal objections.

6.2 Waste: No comments received.

6.3 Principal Heritage Officer:

The building is sat on a terrace of three properties, opposite 24 Bridge Street, which is a grade II listed building. Number 56 forms an important part of the street scene, and can therefore be considered to sit within the listed building's setting. The building appears on late 1800s OS maps.

The proposals for the change of use include alterations to the front elevation. These alterations consist of replacement upvc windows with trickle vents, an additional doorway inserted into the existing window openings, the removal of decorative vent to seal the basement, and inserting a damp proof course around all openings. In principle, the proposed external works are fine, however further detail of the new door and windows will be required via condition. I would request internal trickle vents are sought, as they allow for ventilation but make the windows appear more traditional and aesthetically pleasing.

It is a shame to lose the decorative vent, and query whether this could be retained? Surely the basement requires some form of ventilation?

As an advisory note, I query the requirement for a DPC around all openings. Given the age of this property, it is likely to be of solid construction type, therefore the masonry cannot have modern, non-permeable additions placed on to it. This would prevent the 'breathable' nature of the building which could damage the stonework and likely still result in a build-up of damp/mould. The installation of new windows with their sealants should be sufficient to prevent water ingress. However, I'm aware this falls under PD, so the owner can take this advice as they please.

Therefore, I support the application with the following conditions:

Prior to their installation, further details of the proposed windows and door on the front elevation, drawn at a scale of at least 1:20, shall be submitted and agreed to in writing by the Local Planning Authority. The works shall then take place in accordance with the approved.

Reason: In the interest of preserving the setting of the listed building in accordance with section 314A of the Town and Country Planning Act 1990.

Prior to the removal of the decorative vent, further information on the ventilation of the basement shall be submitted and agreed to in writing by the Local Planning Authority. The works shall then take place in accordance with the approved.

Reason: In the interest of preserving the setting of the listed building in accordance with section 314A of the Town and Country Planning Act 1990.

(*Changes were made to the rear elevation after the response above and the principal heritage officer has no further concerns*).

- 6.4 Environmental Health Housing:
No comments.

Original comments

I would not have concerns regarding the proposals. The owner of the property will have to ensure adequate fire protection and must be mindful that the fire detection and separation will be increased in comparison to a standard shared house because they are above a commercial premises. A Fire Risk Assessment should be complete by a competent person, so the owner/ landlord is aware of the fire safety requirements. I would advise that the owner reviews the LACORS Fire Safety Guidance and also reviews the HMO Licensing Standards.

- 6.5 HMO Licensing: No comments received.

- 6.7 Police: No comments received.

- 6.8 Planning Contributions Manager:

1. Introduction

Based upon a development of 1 x 8 bed house, the following S106 planning obligations are required to mitigate the impact of the development.

2. Affordable Housing

Commuted sum payments for affordable housing will normally be sought on developments of 1 to 2 dwellings anywhere in Newport. The site lies within the Housing Target Area of Newport West. Newport West requires the delivery of 30% affordable housing on new development. The equivalent commuted sum generated is £2,064

This sum will be paid prior to occupation and index linked to the RPI

3. Fees

Administration Fee

The Council charges an Administration Fee of £200 for progressing and subsequent monitoring of the S106 planning agreement

Fee to be paid upon signing of the legal agreement

Legal Fee

Planning Obligations can be contained in Unilateral Undertakings or s.106 Agreements. Unilateral Undertakings are usually drafted by the developer's solicitors, whereas s.106 Agreements are usually drafted by the Council's in-house solicitors (but there is no general objection to developers arranging for their own solicitors to draft the s.106 Agreement with prior agreement). Either way the developers will be responsible for the Council's legal costs incurred in relation to the process of drafting, approving and completing the s.106 Agreement and Unilateral Undertakings, including costs of title investigation which is necessary to ensure the correct parties enter into the Deed. There is a minimum contribution to legal costs of £700, although more time-consuming and complex documents would require an increased contribution to legal costs.

- 6.9 Welsh Water:

We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. We recommend that the

existing private drainage on site should be utilised to avoid any new direct connection to the public sewerage system.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Condition

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

6.10 Environmental Health:

I refer to the above application passed to the Environmental Protection Team for comment.

I can confirm that I have no objections to the proposal. The developer has indicated that they will be using the Noise Impact Assessment from planning application 21/0740. I have reviewed this assessment and find it acceptable. To ensure the development is constructed in accordance with the submitted report—specifically regarding noise protection between commercial and residential areas, as well as external noise—these measures will be secured through planning conditions attached to any permission granted.
Noise Insulation

Prior to first occupation of the basement and first floor flat hereby approved, a scheme of sound insulation works to the wall/floor/ceiling structure between ground floor commercial use and the residential use 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: In the interests of residential amenities.

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.

7. **PUBLIC REPRESENTATIONS**

Neighbour and Ward member notification letters were sent on 04/11/2024, Site Notice was put up on 08/11/2024.

7.1 14 neighbours were consulted. No comments received.

7.2 Councillor Miqdad Alnuaimi:

1. I have no objection to the proposed change of use and think this is suitable location for a house in multiple occupation.
2. I am pleased to see provision has been made both for providing cycle storage and bin storage space in the rear garden. But there is no information on how the access from the these storage places to the pavement (waste collection) or to the road outside for the cycles are enabled. Also I am asking whether the provision for 2 cycles storage is sufficient given no car parking spaces are provided. Suggest 4 cycle storage places.
3. With respect to the noise assessment, the location of the development in the city centre necessitates an up-to-date noise levels assessment.
4. Are the bedrooms sufficiently ventilated to cope with maintaining a comfortable temperature, when windows have to be closed to reduce the ambient noise, on relatively warm days and nights?
5. It is very important that the manager and /or residents in the HMO, are made fully aware that disposal of waste and recyclable materials on the day of collection is done with care and responsibility to prevent unsightly conditions in the middle of the city centre.

With the above points addressed satisfactorily, I would be supportive of the application.

Councillor Kate Thomas: No comments received.

8. **ASSESSMENT**

8.1 **Principle of Development**

The application site is within the defined settlement boundary as shown on the proposals map that accompany the Newport City Council Local Development Plan, accordingly there is a presumption in favour of development and the efficient use of land is encouraged. This application relates to the change of use of office accommodation to an 8 person House in Multiple Occupation (HMO) defined as a Sui Generis use given the number of proposed occupiers would exceed 6, the upper limit set by The Town and Country Planning (Use Classes) Order 1987 (as amended).

- 8.2 Given the sites city centre location future occupiers would be well served by local amenities and would be well served by public transport, this accords with the aims/objectives as set within both Local and National Planning Policy.

The proposed development would constitute a change of use to a residential development from what is believed to be offices. From the existing plans, it appears that there could have been scope to accommodate offices as suggested by the applicant. The land used is not designated as employment land. There is no National or Local Planning Policy that would restrict the loss of office accommodation, and residential accommodation within the city centre is considered to be acceptable subject to the assessment of other material planning considerations below.

- 8.3 When assessing the acceptability of HMO's, Policy H8 applies:

8.4 *Policy H8: Self Contained Accommodation and Houses in Multiple Occupation*

WITHIN THE DEFINED SETTLEMENT BOUNDARIES, PROPOSALS TO SUBDIVIDE A PROPERTY INTO SELF CONTAINED ACCOMMODATION, BEDSITS OR A HOUSE IN MULTIPLE OCCUPATION WILL ONLY BE PERMITTED IF:

- i) THE SCALE AND INTENSITY OF USE DOES NOT HARM THE CHARACTER OF THE BUILDING AND LOCALITY AND WILL NOT CAUSE AN UNACCEPTABLE REDUCTION IN THE AMENITY OF NEIGHBOURING OCCUPIERS OR RESULT IN ON STREET PARKING PROBLEMS;*
- ii) THE PROPOSAL DOES NOT CREATE AN OVER CONCENTRATION OF HOUSES IN MULTIPLE OCCUPATION IN ANY ONE AREA OF THE CITY WHICH WOULD CHANGE THE CHARACTER OF THE NEIGHBOURHOOD OR CREATE AN IMBALANCE IN THE HOUSING STOCK;*
- iii) ADEQUATE NOISE INSULATION IS PROVIDED;*
- iv) ADEQUATE AMENITY FOR FUTURE OCCUPIERS.*

8.5 *i & iv)* The property can accommodate 8 occupiers without the need for any significant extension or alteration therefore would not prejudice the character of the building, area or living conditions of neighbouring occupiers. It is noted that the area holds a mix of residential and commercial units. Therefore, the change to residential use would be deemed acceptable in its location within the character of the area. Each bedroom and the living/kitchen area meets the space standards as set by the adopted SPG and the property would afford future occupiers access to an outdoor amenity space. The Local Highways Authority has commented on this application and raise no objection in respect of parking provision or highway safety, however, further information is needed on cycle provision and waste management which is discussed in more detail later on in the report.

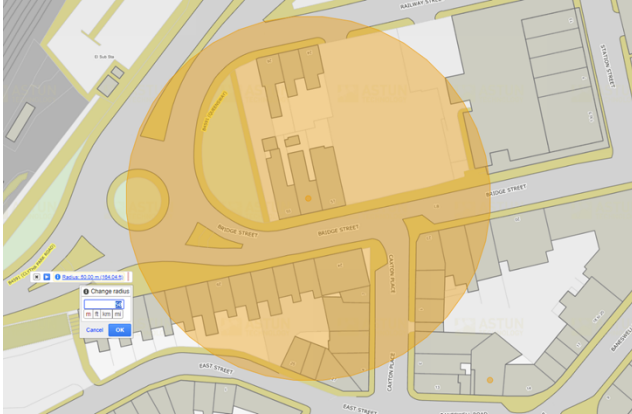
8.6 *ii)* The Councils adopted methodology for assessing an appropriate concentration of HMO's in this area allows for a 15% limit of the total number of dwellings to be HMO's within a 50 metre radius of the application site. If the proposal were to be approved, HMOs would constitute 9% (1 of 11 properties) of the selected housing stock and the proposed development would fall within permitted thresholds. Therefore, in this regard, it would not exceed the threshold set out and would be compliant under Policy H8. However, other amenity factors should be taken into consideration.

8.7 *iii)* In respect of noise, the surrounding area typically holds commercial units to the ground floor. The adjacent neighbouring properties are no. 55 and no.57. It appears under 13/0072 that 4no. self-contained flats were given permission to the upper floors at no.55 Bridge Street. It is unclear what the upper floors serve at no.57. Moreover, the ground floor use cannot be confirmed, however, this appears to have been an education facility. The opening hours cannot be controlled for this ground floor unit, and this could have an effect on residents above and to bedroom 1. The applicant has suggested that noise reduction material will be applied to the ceiling of the ground floor retail unit to minimise noise. The applicant has undertaken a noise survey. Environmental Health have suggested the scheme proposed for sound insulation should be secured via condition. Moreover, it should be considered Newport Train Station is within close proximity to the host site, however, there has been no objection from Environmental Health in this regard.

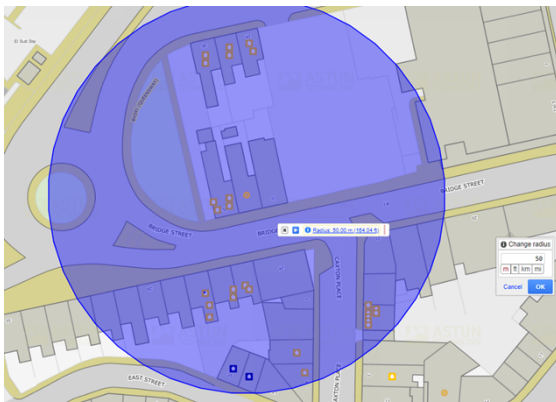
8.8 **Visual Amenity/ Character and Appearance;**

- 8.9 The properties within the close vicinity of no.55 Bridge Street are typically three storey properties with 2no. windows on the first floor and 2no. windows on the second floor on the principal elevation creating a coherent visual appearance along the streetscene. The proposed external alterations consist of replacement upvc windows with trickle vents, an additional doorway inserted into the existing window openings, reduction in shopfront window, the removal of decorative vent to seal the basement, inserting a damp proof course around all openings on the front elevation, removal of ground floor window on the rear elevation to create a new doorway and removal of existing rear doorway to new window. It should be considered that the area is adjacent to the Town Centre Conservation Area and opposite 24 Bridge Street which is a Grade II listed building. Policy CE7 suggests that development should not harm the Conservation Area. Section 96 and 160 of the Historic Environment Act (Wales) 2013 requires the Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of that area/building. The Principal Heritage Officer has been consulted on the application and has suggested, number 56 forms an important part of the street scene, and can therefore be considered to sit within the listed building's setting. The Principal Heritage Officer has suggested the alterations are fine, however further detail of the new door and windows will be required via condition and internal trickle vents are sought, as they allow for ventilation but make the windows appear more traditional and aesthetically pleasing. The decorative vent is proposed to be removed on the front elevation to serve the basement, the principal heritage officer has queried whether this could be retained as the basement may need ventilation. However, adding a condition for a vent to remain cannot be conditioned as it is not circular compliant (WGC016/2014- October 2014). Building control regulations will be able to advise on this. Therefore, the development would not detrimentally harm the setting of the Conservation Area and Listed Building and is compliant under Policy CE7 subject to further information on the windows and door.
- 8.10 The 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. In "defined areas" this limit is 15%, in other areas, 10%.' When taking a 50m radius from the address point of the application site, encompassing the entire principal elevations, 11no residential properties are caught. There are currently no HMO's within this radius. As the property is within a defined area within the HMO threshold map, a 15% limit is used. There are currently no existing HMOs within the 50m radius and this has been confirmed by the Councils HMO licensing team.
- 8.11 If the proposal were to be approved, HMOs would constitute 9% (1 of 11 properties) of the selected housing stock and the proposed development would fall within permitted thresholds. Therefore, in this regard, it would not exceed the threshold set out and would be compliant under Policy H8. However, other amenity factors should be taken into consideration.

50m radius (Green squares depict HMO's):



8.12 In terms of residential properties, 11no. residential properties were caught and can be seen in the 50m radius below:



8.13 The Houses in Multiple Occupation SPG suggests, *'Each building constructed as, or converted into, flats will be counted as one property...This area will include all residential properties the entire principal elevations (normally the front walls) of which lie within a 50-metre radius of the application site.'*

8.14 Below is a list of residential properties caught from the Councils mapping services:

1. 26 Railway Street= Flats
2. 25 Railway Street= Flats
3. 24 Railway Street=Flats
4. 55 Bridge Street= Flats on upper floors
5. 25 Bridge Street= Flats on upper floors
6. 26 Bridge Street= Flats on upper floors
7. 27 Bridge Street= Flats on upper floors
8. 5 Caxton Place= Flat on upper floor
9. 21 Caxton Place= Flats
10. 25 East Street= Terraced dwelling
11. 26 East Street= Terraced dwelling.

8.15 Residential Amenity

The HMO SPG suggests, *'In no circumstances may an HMO and a non-residential unit (e.g. a shop) share a single entrance.'* The existing layout holds only one entrance, the addition of a second entrance would separate the uses entry points. This amendment has been made to accommodate comments made within the SPG. Therefore, this would be deemed acceptable, and the changes would not harm the character of the building in line with Policy H8. Moreover, other properties such as no.26 Bridge Street holds 2no. separate doorways. Therefore, it would not appear incongruous within the streetscene in line with Policy GP6.

8.16 Within the Housing in Multiple Occupation SPG, it outlines that, *Living rooms, moreover, should not be next to, directly above or directly below a bedroom in a neighbouring property.* Given the shape of the building, there are no neighbouring properties above, or below the living area.

8.17 In terms of noise insulation, a noise survey has been undertaken. The Councils Environmental Health Department has been consulted on this application and have provided comments and have suggested the noise assessment is taken from 21/0740 and find it acceptable. To ensure the development is constructed in accordance with the submitted report—specifically regarding noise protection between commercial and residential areas, as well as external noise—these measures will be secured through planning conditions attached to any permission granted. Construction hours will also be conditioned to minimise any noise disturbance.

8.18 Policy H8, also suggests that development should hold *appropriate levels amenity for future occupiers.* The HMO standards state that a bedroom should be at least 6.51m² for a single occupancy room and 11m² for a two-person room, a kitchen for up to 8no. persons should be at least 10m² and a living room for up to 8no persons should be at least 16m². The kitchen adheres to the requirements set out. There is a kitchen area provided on the plans. This equates to 14.56m² which would adhere to the standard set out for a 8no. person HMO. In terms of bedroom sizes. In terms of living area, this equates to 15.9m². This would be deemed acceptable. All bedrooms meet the minimum size requirements set out within the standards. The living space falls short by 0.1m², however, this is marginal and therefore is not considered to result in any unacceptable adverse impact. The Environmental Health Housing Team did not provide updated comments since the ground floor configuration has changed. However, it is noted that the space standards have been checked above and would be deemed acceptable. Additionally, Environmental Health housing did not have objections previously and suggested that sufficient fire protection should be installed.

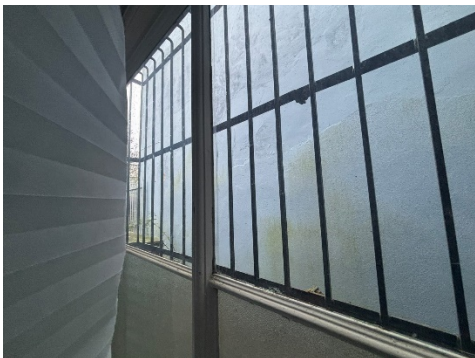
8.19 Within the Housing in Multiple Occupation SPG, it outlines that, *Rooms should be arranged and designed in a manner that maximises the living standards of occupants. For instance, living rooms, kitchens and bedrooms should neither overlook adjoining properties nor face high boundary walls.*

8.20 In terms of window to room ratio, all rooms are serviced by windows. All en-suites/bathrooms which contain windows will be conditioned to be obscure glazed to protect residential and neighbouring amenity for residents and future occupiers in line with Policy H8. When assessing outlook to high boundary walls it should be considered that the living area on the ground floor faces a high boundary wall as shown from below. This is not an ideal relationship, however, given its designation within the city centre, it is not uncommon to have some constrained relationships to windows. The window still allows light into the room. Moreover, there is intervisibility between this window and the proposed kitchen door, however, given these are both communal areas this would be deemed acceptable. The kitchen door outlook has high boundary walls either side of the window and look directly out into the rear amenity space over the bin storage area. The opening would still allow light in and this relationship would be deemed acceptable.

View from living area to bedroom 1 window:



View from living area:



8.21 The HMO SPG also states that *'HMO's should provide outdoor amenity space 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 they serve.'* It appears the property benefits from an outdoor amenity space, although small, it provides a positive attribute to the development and is not always present within the City Centre. It should be noted that palisade fencing currently sits

around the outdoor area of the amenity space providing an industrial feel. Details of boundary treatment shall be required via condition. Moreover, all bars from the windows will be removed.

8.22 The SPG suggests, *'Protected windows that face one another should be at least 21.00 metres apart (unless separated by permanent structures or evergreen trees protected by Tree Preservation Orders). ii) Protected windows that do not allow views to rooms that should be reasonably expected to be private may be less than 21.00 metres apart.'*

8.23 It should be considered that the photo taken from bedroom 2 below is the closest window to the rear properties. The distance between this window and the first floor window on the opposite property is approximately 20m. The distance between bedroom 2 window and the ground floor rear extension is approximately 11m. The distance between the properties are acceptable does not provide direct views to the neighbouring rear property lines in line with Policy H8 and GP2.

View from bedroom 2 to the rear properties:



8.24 **Movement**

In relation to parking, Policy H8 requires there are no parking problems created by the development. It is noted that some parking information has been submitted in line with the submission. There is no parking provision for the development given the central location

being located within zone 1. The application site is in close proximity to a range of public transport services and local facilities. The Highways Officer has suggested parking is not required for this site/proposal, due to the central location. Given the location within the City Centre, it is noted it is within a sustainable location, and therefore, this would be acceptable.

8.25 Bin and bike storage is proposed to the rear. The Highways Officer has suggested that the lack of access and suitable cycle parking and refuse management provision makes the site unable to comply with current requirements, regardless of land use. It should be noted that the property is a terraced property, and having a rear gate for outdoor access to storage is unviable. To the rear there are 2no. Sheffield cycle stand in the rear garden for residential use to accommodate 4no.bikes. Recycling and wheelie bins are also proposed to be stored in the garden. The Sustainable Travel SPG highlights below, for an 8no. bed HMO, 4no. bike stores are required and have been met. Further details on this will be conditioned. In terms of waste, the applicant has provided waste storage to the rear and stated that *when waste is allowed to be positioned on the pavement, occupiers will move all recycling containers to the pavement, if it's also a general waste collection, they will move the wheelie bin to the pavement as well. Once items have been collected, the containers will be moved back to the storage location on the same day as collection.* This information is deemed appropriate, however, further details on waste storage will need to be provided and will be secured via condition.

The sustainable travel SPG states:

Table 1: Minimum cycle parking standards

DEVELOPMENT TYPE	CYCLE PARKING PROVISION	
	Long Stay Requirement (secure and ideally covered)	Short Stay Requirement (obvious, easily accessed and close to destination)
RESIDENTIAL		
Dwelling House, Student Accommodation, Over 50s Accommodation and Houses in Multiple Occupation	1 space per 2 bedrooms ³	1 space per 20 bedrooms

8.26 *Other considerations*

The application site is set within an archaeological sensitive area. As the development does not include ground works it is likely that the change of use would not cause harm to the setting and would be in line with Policy CE6.

8.27 *Councillor comments*

Councillor Alnuaimi has stated he has no objection to the proposed change of use and think this is suitable location for a house in multiple occupation. The suitability of the HMO within its setting has been discussed throughout the report above.

Councillor Alnuaimi has also suggested the scheme requires an up-to-date noise assessment. It should be considered environmental health have reviewed the report and do not hold objections to the survey submitted.

Councillor Alnuaimi has also raised concerns on ventilation and if these can maintain a sufficient temperature if windows need to be closed due to noise disturbance. All rooms have windows and should allow sufficient ventilation. The environmental health officer has not raised concerns over this on review of the noise assessment.

Councillor Alnuaimi has raised concerns over only 2no. bike racks provided for the scale of the development given that there is no parking provision provided. However, the amount of cycle parking proposed complies with guidance within the Sustainable Travel SPG.

Further concerns were raised from the Councillor on a waste management scheme and has expressed it is very important that the manager and /or residents in the HMO, are made fully aware that disposal of waste and recyclable materials on the day of collection is done with care and responsibility to prevent unsightly conditions in the middle of the city centre. Waste details have been discussed above and further information on waste storage will be secured via condition.

8.28 Commercial unit

The ground floor commercial unit is within the Town Centre. The HMO looks to reduce part of the commercial unit on the ground floor. No.56 Bridge Street is designated within the City Centre Shopping Area. Part of the commercial unit will be retained to the front of the unit and would still provide a commercial frontage which would still contribute to the vitality and vibrancy of the City Centre. A separate bin storage is provided within the unit for storage. Given that its use, this type of waste storage inside would be deemed acceptable.

8.31 Ecology

In terms of the requirement set out within PPW12 of a Green Infrastructure Statement, due to the scale and nature of the development proposed, a green infrastructure statement is not required in this instance and an enhancement scheme can be adequately secured via condition which is discussed next. 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 GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect, and enhance ecological networks and features of importance for biodiversity. No ecological enhancements are proposed as part of the

development. As such the proposal is currently not compliant with the aims of Policy GP5 of the NLDP 2011-2026 (adopted January 2015). This will be secured via condition.

8.31 Planning obligations

In accordance with Policy SP13 of the adopted Newport Local Development Plan 2011-2026 and the adopted Planning Obligations Supplementary Planning Guidance, development will be required to help deliver more sustainable communities by providing, or making contributions to, local and regional infrastructure in proportion to its scale and the sustainability of the location. In this case, section 106 planning obligations are required to mitigate the impact of the development in accordance with the table below.

Service Area that requires planning obligation	Purpose of planning obligation	Planning obligation initially sought by Planning Authority	Summary Heads of Terms agreed by applicant(s)	Viability Issues?
<i>Regeneration, Investment and Housing</i>	<i>to provide on site affordable housing</i>	<i>30% affordable housing units at £2,064</i>	<i>30% affordable housing units at £2,064</i>	No
Regeneration, Investment and Housing	Administration fee	£200	£200	No
Regeneration, Investment and Housing	Legal fee	£700	£700	No

HEADS OF TERMS AGREED BY APPLICANT

The Heads of Terms were agreed by the applicant in full on 26/11/2024.

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 development would be deemed acceptable subject to conditions. It is noted that all bedrooms are of an acceptable size and are all served by windows allowing sufficient light and ventilation. Given the city centre location, no objection is raised to the principle of residential accommodation being provided on site. The rear amenity space would provide cycle and refuse storage, but further details are required for this. Moreover, the outdoor area has an industrial feel with palisade fencing. Details on boundary treatment will be conditioned. The reduction in size of the retail unit is deemed acceptable and the proposed separate entrance would also provide separate access from the commercial and residential, but further details are required for materials and details and will be secured via condition. Further information is required on noise insulation within the property and will be conditioned. A biodiversity enhancement scheme has not been provided and will also be secured via condition. Therefore, the scheme is granted with conditions.

11 DECISION

GRANTED WITH CONDITIONS SUBJECT TO S106 AGREEMENT

01 The development shall be implemented in accordance with the following plans and documents: Waste Storage and Recycling.; Cycle Storage.; Flood Risk Assessment Decision; Noise Assessment Decision.; Parking Considerations; Site Location Plan; Revised proposed first floor and second floor plans; Revised existing floor plans; Existing/Proposed rear elevation and proposed ground floor plan; Existing/proposed front Elevation Plans; 56BridgeStreet-GardenFloorplanV2; 56BridgeStreet - Site Plan.

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

02 Prior to their installation, further details of the proposed windows and door on the front elevation, drawn at a scale of at least 1:20, shall be submitted and agreed to in writing by the Local Planning Authority. The works shall then take place in accordance with the approved detail.

Reason: In the interest of preserving the setting of the listed building in accordance with section 314A of the Town and Country Planning Act 1990.

03 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

04 Prior to first occupation of the basement and first floor flat hereby approved, a scheme of sound insulation works to the wall/floor/ceiling structure between ground floor commercial use and the residential use 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: In the interests of residential amenities.

05 Prior to the commencement of development, full details of refuse storage, waste management plan and cycle storage detailing the means of disposal of all waste generated by the residential property shall be submitted to and approved by the Local Planning Authority and shall be retained for the lifetime of development.

Reason: To ensure that adequate on-site cycle parking and waste storage is retained in the interest of highway safety and residential amenity to be compliant under Policy GP2 and GP4 of Newport Local Development Plan (2011-2026).

06 No development, other than demolition, shall commence until full details of the proposed rear boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in accordance with the approved details prior to the first occupation of the associated dwelling and then retained thereafter.

Reason: To ensure the development is completed in a satisfactory manner and to preserve the character of the area.

07 Prior to the first use of the building hereby approved, all 8no. bathroom windows shall be fitted with obscure glazing to a minimum Level 4 on the Pilkington Glass Obscurity Level and shall be retained as such for the lifetime of development.

Reason: In the interests of the privacy and amenity of the occupants of the property and neighbouring occupants and in accordance with Policy GP2 of the NLDP.

08 Prior to the commencement of development, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved and retained as such for the lifetime of the development.

Reason: In the interest of protected species, in accordance with Policy 9 of Future Wales and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

09 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.

Reason: To protect the amenity of existing residents.

10 Prior to the first beneficial use of the development hereby approved, the proposed doorway on the South Eastern elevation shall be implemented fully in accordance with the submitted plans.

Reason: To ensure adequate amenity to residents.

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, GP5, GP6, GP7, CE6, CE7, SP1, SP3, T4, R1, W3, H8 were relevant to the determination of this application.

02 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.

03 As an advisory note, I query the requirement for a DPC around all openings. Given the age of this property, it is likely to be of solid construction type, therefore the masonry cannot have modern, non-permeable additions placed on to it. This would prevent the 'breathable' nature of the building which could damage the stonework and likely still result in a build-up of damp/mould. The installation of new windows with their sealants should be sufficient to prevent water ingress. However, I'm aware this falls under PD, so the owner can take this advice as they please.

04 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform

with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

05 The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

06 In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.