

Delegated Decision Report

Application No:	26/0456	Statutory Period Expires:	11th August 2026
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Site:	51 Tennyson Road Newport NP19 8HX		
Proposal:	CHANGE OF USE FROM A DWELLING (C3 USE) TO A 6 BEDROOM 7 PERSON HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS USE) INCLUDING DEMOLITION OF EXISTING DILAPIDATED STRUCTURE AND CONSTRUCTION OF PART SINGLE AND PART TWO STOREY SIDE EXTENSION WITH HIP-TO-GABLE AND REAR DORMER EXTENSIONS TO FACILITATE LOFT CONVERSION WORKS; ALL WITH ASSOCIATED EXTERNAL WORKS		
Applicant:	Bah		
Type:	Full	Ward:	Beechwood
Decision:	REFUSED		

1. BACKGROUND

- 1.1 Planning permission was recently granted for extensions to the property but this permission has not been implemented. This application includes the same works with an altered internal layout which is discussed in paragraph 3.3 of this report.

2. SITE LOCATION AND CONTEXT

- 2.1 The property is a semi-detached dwelling located within the Beechwood ward. The property benefits from a front forecourt, driveway and enclosed rear garden. Attached to the side of the dwelling is a single storey structure that appears to be in a state of disrepair; indeed the property itself appears to be in a poor state of repair, and the gardens are overgrown with vegetation and it stands out in the street as a consequence. It is currently vacant. The area comprises of similar style semi-detached properties fronting the highway. It forms part of a exclusively residential street of traditional form and character. Dwellings are generally semi detached with front and rear gardens with two storey front bays and gable features to the front elevation. Tennyson Road slopes down towards Chepstow Road and the site is located on the inside of a bend in the road. Properties on the north side of the highway such as this one are elevated above the highway and houses opposite.
- 2.2 The property is set at an elevated level compared with the footpath and highway with steps leading to the entrance door. The property occupies a somewhat prominent position adjacent to a bend and has a wider frontage than some neighbouring dwellings. Its boundary is tapered to account for its location with a wide angled frontage and a triangular shaped rear garden of narrower proportions than its neighbours.
- 2.3 As a traditional street, Tennyson Road is subject to resident on road parking. The site has one off road parking space to the front and a garage at present. Numerous properties appear to have no off road parking with brick frontage walls an appealing characteristic of the street. If parking occurs on both sides of the road it narrows the carriageway to single lane and there is evidence of parking on the pavement notably at the bend outside this site.
- 2.4 The site is located within 200m of a District Centre, albeit the route includes a steep hill. It is also within 200m of a bus stop on Chepstow Road with links in and away from the city centre.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This application seeks full planning permission for the change of use of a property from a three bedroom dwelling to a six bedroom House in Multiple Occupation (HMO). One of the bedrooms would accommodate a couple thereby facilitating seven occupants within the property.
- 3.2 The current layout includes a hallway, lounge, dining room, kitchen at ground floor and three bedrooms and a bathroom at first floor.
- 3.3 The application seeks consent to demolish the existing side structure and replace with a

part single, part two storey side extension, with a hip to gable and rear dormer extension. At ground floor, the extension will extend out to the side by 5.1m at maximum and 2.8m at minimum, to infill the space between the side elevation and side boundary and would extend to the rear by 8.2m to become flush with the rear elevation. The first floor extension would be 6.9m in depth and 2.7m in width. The total height of the extensions combined would be 7.6m. The rear dormer would extend out by 3.9m from the roof slope and would have a maximum height of 2.12m. Materials include rendered walls to match the existing. The proposed layout shows a hallway, two en-suite bedrooms and kitchen/lounge at ground floor, three en-suite bedrooms at first floor and a further en-suite bedroom at second floor. The proposed layout plan shows cycle and refuse storage within the front garden.

- 3.4 The application also proposes engineering works to the rear garden. The concrete hardstanding immediately outside of the rear of the property will be reduced by 0.15m.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
26/0130	DEMOLITION OF EXISTING SIDE DILAPIDATED STRUCTURE AND CONSTRUCTION OF PART SINGLE AND PART TWO STOREY SIDE EXTENSION WITH HIP-TO-GABLE AND REAR DORMER EXTENSION(S) TO FACILITATE LOFT CONVERSION WORKS; ALL WITH ASSOCIATED EXTERNAL WORKS TO INCLUDE PARTIAL REAR GROUND REDUCTION FOR DAMP PROOFING WORKS. ALLOW FOR NEW FLAT ROOF COVERING TO PORCH STRUCTURE	GRANTED WITH CONDITIONS	21/05/2026

5. PLANNING POLICY

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

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

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

- 5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

- 5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

SP1 – Sustainability;

SP9 – Conservation of the natural, historic and built environment

GP2 – General Amenities;

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.

5.4 SUPPLEMENTARY PLANNING GUIDANCE

PARKING STANDARDS SPG;
HOUSES IN MULTIPLE OCCUPATION;
WASTE STORAGE AND COLLECTION.
WILDLIFE AND DEVELOPMENT

6. CONSULTATION RESPONSES

6.1 Local Highways Authority: **Highway recommendation:**

No objection subject to conditions.

Highway Comments:

The application makes reference to cycle storage but does not provide details. This should be addressed by way of condition.

The SPG requires 3 spaces for the extant development and 7 for the proposed HMO. As such there is a theoretical additional demand of 4 spaces. It is well documented that HMOs do not have high car ownership. Therefore, the impact is anticipated to be marginal.

A parking survey has been provided with the application. It is not detailed enough to be considered fully compliant with the accepted methodology but contains photos showing spaces available during the survey. The photos are not time stamped, however appear to show available parking capacity within 200m of the site on both nights surveyed.

In conclusion, there are no highway related objections, subject to the following condition.

Suggested Condition:

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

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

6.2 Environmental Health Licensing: No response.

6.3 Environmental Health Housing: I have no concerns regarding the proposal for the alterations of 51 Tennyson Road, Newport, NP19 8HX for use as proposed in the planning application reference number: 26/0456.

6.4 Gwent Police: I have reviewed the development plans and associated documents through the Newport Planning portal. 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 of Beechwood, for a 12-month period between 1st July 2025 – 1st July 2026.

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

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

Crime/Incident Type	Section – Maindee	Ward - Beechwood	*Site – Tennyson Road	Demand % Ward v Site
Residential Burglary	124	15	0	0
Criminal Damage	504	80	0	0
Theft (non-shoplifting)	259	28	0	0
Vehicle Crime	322	50	5	10%
Bicycle Crime	17	3	0	0
Drugs	126	15	0	0
Public Order	454	64	0	0
Anti-Social Behaviour	230	32	2	6.25%

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

Chepstow Road is currently subject to a multi-agency Problem Solving Plan to address Anti-social behaviour.

Policy Support:

- The Crime & Disorder Act 1998 created a statutory partnership between local authorities, the police and other key partners to work together in reducing crime and disorder in all aspects of their work.
- Section 17 of the Act states:
“It is the duty of the authority to exercise its various functions with due regard to the likely effect on crime and disorder in its area and the need to do all that it reasonably can to prevent crime and disorder.”
- TAN 12 Design. Para 5.17.1 “Local authorities are required to have due regard to crime and disorder prevention in the exercise of their functions under Section 17 of the Crime and Disorder Act 1998. Consideration should be given to practical ways in which the design of development can reduce opportunities for crime, disorder and anti-social behaviour.”

Planning Policy Wales

- 4.10.12 Local Authorities under Legal Obligation to consider the need to prevent and reduce crime and disorder.
- 8.2.1. – Transport – Provision of safe, convenient and well signed routes
- 9.1.1. –Housing – Objective to provide homes that are in good condition, in safe neighbourhoods and sustainable communities
- 9.1.2. Housing – Greater emphasis on quality, good design, and the creation of places to live that are safe and attractive.

Should the Planning Committee approve the application, we would respectfully ask that a condition is set as part of the planning Terms and conditions, to ensure that recommendations are put in place. This will ensure that all legal requirements are met and the premises will be run in the most efficient and appropriate manner.

Secure by design recommendations are made.

6.5 Waste Manager: No response.

6.6 Ecology officer: I have considered this application in relation to section 7.0, Figure 4 - 'Checklist for protected/priority Species Surveys' set out in the Wildlife and Development SPG, which sets out the criteria we use for deciding when a bat survey is needed. The nature and location of these buildings and the works proposed to them suggest that there is a reasonable likelihood of an impact upon roosting bats, therefore any application should be supported by a bat survey to determine if this is the case. Specifically in this instance, the property is close to Beechwood Park where bats are likely to be prevalent, and we know that bats prefer to roost close to areas where they can forage for food. The building itself appears to be in some disrepair, and potential access points for bats are visible on Google StreetView, so I am satisfied that the property has bat roost potential. Finally, the nature of the work proposed makes it inevitable that a bat roost would be disturbed, if one were present.

In the first instance a preliminary survey of bat roost potential should be undertaken. This can take place at any time of year. The outcome of a preliminary roost assessment will include one of the following:-

- an adverse impact upon bats is so unlikely that no further action in relation to bats is necessary, or
- the likelihood of an impact is low, such that precautionary mitigation measures can reduce this likelihood still further, or
- the likelihood of an impact upon bats is high, so further survey are needed in order to establish exactly what the impact would be, or
- the outcome is uncertain due to, for example, lack of access to certain areas of the building, so further survey are needed in order to establish exactly what the impact would be, or
- the impact is certain and can be defined precisely on the basis of the preliminary assessment, such that no further surveys are needed, but a licence issued by NRW would be required to allow works to proceed legally.

If a more detailed survey is required, this can only take place between May and September inclusive. Therefore I advise that the applicant undertakes a preliminary assessment at the earliest opportunity.

As the garden is very small I do not see that asking for a full Preliminary Ecological Appraisal is justified, as the impacts on biodiversity are likely to be correspondingly small. However the Applicant should be reminded to avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

The GI Statement is not adequate in that it does not describe the current GI resource on site and then propose measures to result in a net benefit for green infrastructure. Therefore I do not advise that we accept the GI Statement in its current format.

- 6.7 SAB Drainage: Having reviewed the submitted information, a SAB application may not be required but if there are any external works exceeding 100square metres then we would encourage the applicant to visit the website for further information, or contact the SAB team sab@newport.gov.uk for further discussions.
- 6.8 Dwr Cymru – 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.

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 30th June 2026, Site Notice was put up on 10th July 2026.

- 7.1 NEIGHBOURS: 190 objections received summarised below:

- Parking in the area is already an issue with many properties not having off street parking and the proposals will exacerbate this with potentially 7 people living at the property plus visitors;
- Increased vehicle movements;
- Out of character with the area;
- They proposed layout poses a fire risk to occupants;
- The change of use will result in noise and disturbance to neighbouring residents;
- Additional overlooking;
- Reduction in light to neighbours;
- Greater waste storage requirements could result in vermin if not managed correctly;
- The extensions will result in increased surface water flooding;

- Loss of a family home;
- HMOs are known to result in increased anti-social behaviour and breakdown in social cohesion;
- The proposal would result in overcrowding of the property and the occupants would have a poor standard of amenity;
- The parking survey is flawed and does not provide an accurate representation of parking demand;
- It should not be assumed that occupants of a HMO will not have cars;
- Loss of green infrastructure;
- The applicant has been underhand applying for the extensions first and then the HMO;
- The rooms are too small for the occupants and account must be had of the chimney breast and en-suites;
- Party wall concerns;
- Personal safety concerns;
- The gradient of the roads in the area affect parking;
- There are blue badge holders living in the vicinity;
- Additional vehicle movements;
- Insufficient capacity in the drainage system;
- Overdevelopment;
- Poor design;
- Will set a precedent for more HMOs;
- Newport west has far fewer HMOs;
- The location is not sustainable
- The application contains no details of intended occupants;
- Residents are concerned for the safety of children if this is granted;
- The proposals would result in increased crime;
- Residents should be prioritised over landlord's profits;
- The GP and dental practices on Chepstow Road are already at full capacity;
- The parking survey is deliberately misleading and inaccurate;
- The proposals will impact negatively on property prices;
- The proposals will result in overshadowing and overlooking and a detrimental impact to neighbour's privacy;
- The nature of the occupants is unknown yet it is stated that they are less likely to own cars;
- The property would not be well maintained as a HMO compared with a single dwelling;
- This is not the answer to the housing crisis;
- Biodiversity concerns;
- There are bats in the vicinity of the property and a full survey should be undertaken;
- Impact on social cohesion;
- People of various nationalities not upholding family and neighbourhood values;
- Impact on shift workers from additional noise and disturbance;
- Lack of neighbour consultation by the applicant;
- Occupant are more likely to be using drugs and drinking alcohol;
- The dating on the plans is incorrect;
- The application has been submitted in stealth;
- Increased anti-social behaviour;
- There is extensive research which proves that HMOs can be linked directly to increases in anti-social behaviour and crime, including serious violence extending to murders which have taken place in such properties;
- The area is not suitable for many single men to be cramped in a small house.

7.2 COUNCILLOR DEBORAH DAVIES: I am writing to place my objections to planning application 26/456

The proposal is for a substantial rebuild of the property to accommodate 7 tenants.

Looking the frontage design I am concerned that is not in keeping with the surrounding properties which were built in the early 1900s and are of a traditional design. It would not be in keeping with neighbouring properties and therefore be notably different. A potential eyesore.

I note that there are no measurements provided for the kitchen/lounge area and I question

whether this would be large enough to accommodate 7 tenants who will be cooking, eating, washing clothes and relaxing in this space? When comparing its size to the next door bedrooms I am concerned that it is too small and the space would be easily over crowded and not convivial to communal living.

The application states that cycle storage and bin storage will be on the driveway. None of this is mapped out so its impossible to assess whether the provision would be adequate for seven tenants, especially given the additionality of recycling bags/bins that would be required. It's impossible therefore to make any assumption that the driveway will be large enough to be utilised as a parking space.

Finally parking is major concern. I note the highway's report states that parking survey provided is not fully compliant. I have considered the survey and I agree there are issues. A 5am snapshot does not reflect the actual parking within the local area. This is heavily residential with very little off street parking available. The nearby park attracts visitors and parking spaces are very often full on weekends. The bend on Tennyson Road by no 71 is just not used for parking. Parking would block the junction from Milton Road and the ability to see oncoming traffic. The bend is incredibly sharp and steep therefore parking on this bend is considered unsafe and is avoided. I would argue that there would be 7 vehicles which would create additional pressure on an already densely packed area

I wish to call this application into to be considered by the planning committee, if officers have determined they will approve.

- 7.3 COUNCILLOR MARK SPENCER: Please be advised, that I echo Cllr Davies comments, and would like to call it in if officers have determined to approve

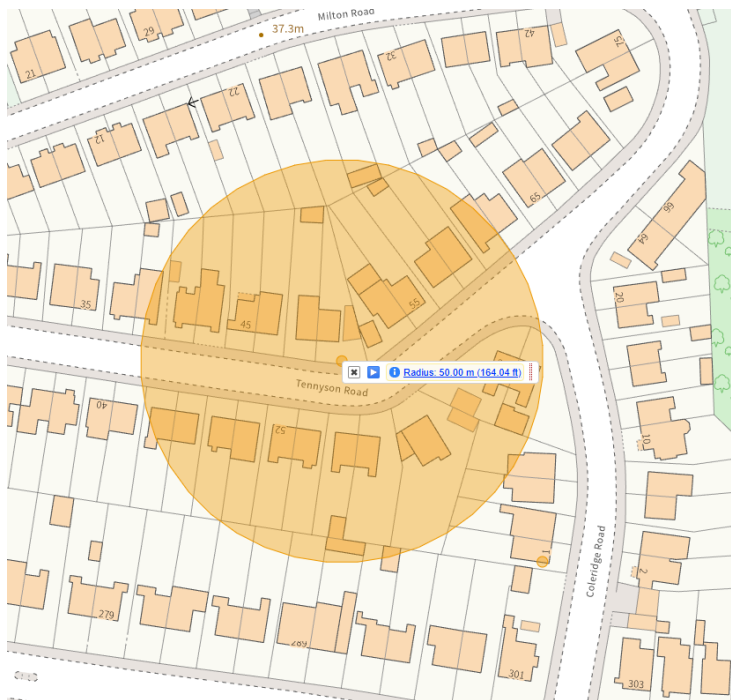
8. **ASSESSMENT**

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. The personal details of occupants themselves or the personal circumstances of neighbours are not planning matters. Neither is the reputation, background, business, etc of the landlord/owner.

8.2 **Amenity/ Character and Appearance;**

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. In "defined areas" this limit is 15%, in other areas, 10%. This site is located within the 10% threshold area. When taking a 50m radius from the address point of the application site, the full front elevations of 30 properties are captured and there are no existing registered HMOs within the 50m radius. Therefore, if the application were to proceed, the percentage of HMOs would be 3.33% and the 10% threshold would not be exceeded. Furthermore, the area around the appeal site does not currently exhibit any of the characteristics often associated with a high concentration of HMOs, such as disrepair, littering or anti-social behaviour. Consequently, HMO concentration levels are not grounds to refuse permission in this case. The 50m radius can be seen below. HMOs are represented by green squares with none shown within the 50m radius or close to it:



- 8.3 Whilst the proposals would not result in an over concentration of HMOs, every planning application needs to be determined on its individual merits and in this instance the proposals are for a large six bedroom, seven person HMO (sui generis), a significant intensification of use compared to the current 3 bedroom residence. The area has a pleasant suburban feel, characterised by family homes of a similar scale. The proposed HMO, by reason of its scale accommodating up to seven people and siting and juxtaposition would have a close physical relationship with closest neighbours on Tennyson Road. 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, there would be potential for seven people to reside at the property with associated visitors and activity. Whilst the property is served by amenity space to the front, and rear (the useable space being primarily to the rear), this area is not particularly large or usable giving the site topography and tapers narrowly towards the rear of the garden.
- 8.4 The proposals include side extensions and a loft conversion with a hip to gable roof extension. The extensions have previously been approved under application 26/0130 as a householder extension and whilst some elements were noted as not according with the Council's guidance, having regard to the design of the existing property and all other relevant factors, it was considered to be acceptable in terms of both design and neighbouring amenity. Having regard to the extant permission the extensions are considered to be acceptable in terms of visual and neighbouring amenity. However, the works are extensive and are considered to be further indication of the over intensification of the proposed use of the property. It is considered inevitable that there would be an increased level of noise and disturbance as a result of the significant intensification of the use of the property that can reasonably be expected from 7 tenants residing there (compared to a 3 bed residence that may have 4 related occupants and it would stand out as a large HMO).
- 8.5 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/G4240/W/18/3204514 is one case. The appeal relates to a proposed conversion from a dwelling to a 9 bed HMO at a site in Tameside. The Inspector noted that *"9 unrelated adults would live at the property, which would be a far more intensive use of the building. This would lead to a significant increase in comings and goings, at various times of day, with a higher incidence of visitors. This pattern of movement has the potential for increased noise and disturbance to neighbours."*

Moreover, bedrooms would be likely to be used for recreation, TV watching, listening to music, and receiving guests.” It is considered that the proposed change of use of the application property and associated significant intensification of occupancy would result in a similar adverse impact.

8.6 Similarly 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 juxtaposition of the application property in relation to neighbouring properties it is considered that there is a high likelihood of other neighbouring properties being adversely affected by such an overly-intense use of the dwelling as proposed.

8.7 Tennyson Road and the neighbouring streets have a pleasant character with properties generally well looked after and having a well maintained appearance. There is no evidence of fly tipping or collection of waste that may indicate signs of a lack of social cohesion, notwithstanding the current dilapidated appearance of the application property. It is apparent from the neighbour objections that there is strong concern from residents that the introduction of a HMO would result in increased anti-social behaviour and crime and disorder. Gwent Police have been consulted on this application, and have provided details of incidents recorded in the area together with secure by design recommendations. They raise no objection to the proposals. HMOs offer a form of accommodation that is important to achieve a varied mix of housing supply and can cater for students, transient professionals or those seeking lower cost housing opportunities for example. An Inspector made the following comments in respect of a recent appeal ref: CAS-02221-T4B3P5 at 287 Caerleon Road, Newport.

“Some local residents have raised concerns which appear to be based on unfounded assumptions regarding crime and the anti-social behaviour of future occupants of the development. However, there is no firm evidence, for example from Police records, that if there have been any such occurrences in the locality, they are attributable to occupants of the property or others in the street.”

8.8 It is acknowledged that the context of Caerleon Road and Tennyson Road are different, with the former being a main thoroughfare in and out of the City. Nonetheless, this Inspector’s consideration relating to crime and anti-social behaviour is typical of other HMO appeal decisions in Newport and whilst neighbour concerns in this regard are noted, the characteristics of future occupants are not a planning matter. However, the quality of the amenity of future residents and existing occupiers is material.

8.9 In terms of amenity consideration for any future occupiers of the HMO units, the Council’s Environmental Health (Housing Licensing) department provides standards on room-size requirements for HMOs. The HMO standards state that a single bedroom should be at least 6.51m and 11m² for a two person bedroom, shared kitchens and living rooms for up to 7 persons should be 10m² and 14m² respectively. All bedrooms exceed this standard including the attic room taking account of useable space given the head heights and en-suite bathrooms. The kitchen and lounge is a shared area of approximately 24m² and is acceptable. The Councils Licencing Officer has set out a number of standards required to obtain a separate HMO licence. As these matters are controlled through separate legislation it is not appropriate to control these through the planning regime if planning permission were forthcoming. In short, the amenity of future residents in this regard is acceptable on balance, however the intensification of use of the site by reason of its location, does have an unacceptable impact upon the amenity of neighbouring residents and the character of the area.

8.10 **Movement:**

The site is located on Tennyson Road, which is subject to a 20mph speed limit. As a three bedroom dwelling the existing property generates a parking demand of 3no. spaces in accordance with the Council’s Parking Standards SPG. The property has one off street

parking space which is to be retained. The garage is in a dilapidated state and is to be demolished. The proposed use as a 6no. bedroom HMO generates a parking demand of 1no. space per bedroom plus 1no. visitor space per 5 bedrooms. As such, the proposed parking demand is 7no. spaces, leading to an increase in 4no. spaces that would need to be accommodated on street. The impact on parking availability and consequential impact on residential amenity and highway safety is raised in a significant amount of the neighbour objections received

- 8.11 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 response. The application is accompanied by a parking survey. The survey lacks detail but shows space is available. A parking survey has been provided with the application. It is not detailed enough to be considered fully compliant with the accepted methodology but contains photos showing spaces available during the survey. The photos are not time stamped, however appear to show available parking capacity within 200m of the site on both nights surveyed. Neighbours have provided photos that show a distinctly high demand for streetparking but these cannot be verified and during officer site visits, on road spacing was available although it is noted that this would not have likely been during periods of peak parking demand.
- 8.12 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 a District Centre, albeit the route includes a steep hill. Regardless, the site scores highly in sustainability terms when examined against the Council's Parking SPG. 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.
- 8.13 Parking was considered as part of a recent appeal decision relating to a site in Newport (28 Brynglas Road CAS-04663-K4D5H0) and in their determination of the appeal the Inspector noted the highly sustainable nature of the location of the property and considered that *"future occupiers would have realistic alternatives to the private car to access services, facilities and employment opportunities within the local area and city centre."* And that *"given the sustainable location of the appeal site, that the proposed HMO would be more attractive to those without regular access to a private car. It is, therefore, my view that rather than increasing demand for on-street parking, the proposal is more likely to limit the reliance on the private car in accordance with the aims of PPW."* The Inspector noted shortcomings with the parking survey as highlighted by the Council's Highways officer and that these findings are reinforced by representations from residents and the local councillor and acknowledged that *"competition for on-street parking is extremely high during peak periods, which can give rise to instances of inconsiderate or indiscriminate parking and can lead to inconvenience for residents."* However, the Inspector concluded that the proposal would not materially increase parking demand and, therefore, would have minimal effect on existing local highway conditions and local residential amenity. The application site is considered to have some similar characteristics to Brynglas Road in terms of sustainability with a district centre and public transport links within walking distance but in amenity terms has some key differences as, unlike Brynglas Road, the street is exclusively residential although is close to a district centre and a bus route. Neighbouring objections have referred to a number of blue badge holders in the vicinity and their need to be able to park in close proximity to their homes. However, this is not considered to be specific to this site and there will inevitably be blue badge holders living near to other HMOs. This has not altered the outcome of previous appeal decisions. Key in this case is that the NCC Highways Officer does not object. With a lack of technical highway objection and the considerations above, a reason for refusal on parking and highway safety grounds would not be robust or justified and criterion (i) of policy H8 is met.
- 8.14 As noted above, the application includes details of cycle storage within the front garden serving the property and this can be secured by condition. The alternative is to wheel bikes through the property to the rear garden which may be preferable to occupants.
- 8.15 **Refuse**

Refuse is proposed to be stored within a bin storage area to the front of the property in the garden. The number of receptacles required and potential for spillage onto the footway has been raised as a concern in neighbour objections. As a 7 person HMO the occupants will be entitled to a 180 litre wheelie bin and recycling receptacles as confirmed in the Council's Waste Storage and Collection SPG (January 2020). If planning permission were forthcoming a requirement for a waste management plan could be conditioned to ensure that a plan is in place for waste collection days and that the receptacles are removed from the highway afterwards. The proposals do not raise any undue concerns in terms of waste and recycling. Storage to the front of the premises will not appear unacceptable in principle.

8.17 **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. It is considered that such enhancements could be secured by condition if planning permission were forthcoming. Notwithstanding this, the Council's Ecology officer advises that the Green Infrastructure Statement is not adequate in that it does not describe the current GI resource on site and then propose measures to result in a net benefit for green infrastructure.

8.18 The proposal involves works to the roof. The Council's Ecologist has been consulted and advises that the nature and location of these buildings and the works proposed to them suggest that there is a reasonable likelihood of an impact upon roosting bats, therefore any application should be supported by a bat survey to determine if this is the case. The nature of the work proposed makes it inevitable that a bat roost would be disturbed, if one were present. Neighbour objections also refer to observed bat activity. As such in the first instance a preliminary survey of bat roost potential should be undertaken. The application is not supported by any such information and in the absence of this it cannot be established that there would not be an impact on European Protected Species.

8.19 Given the small size of the garden the Ecology officer does not consider a full Preliminary Ecological Appraisal is justified, as the impacts on biodiversity are likely to be correspondingly small. However the Applicant should be reminded to avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), whereby it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

8.20 **Other Issues**

It should be noted that neighbouring concerns relating to property value are not material planning considerations. Party wall concerns have been raised and this too is not a material planning consideration and is dealt with by a separate legislative body, as is fire safety. Neighbouring objectors have also raised concerns regarding the submission of this application after the granting of planning permission for the extensions in a previous application. This application includes extensions and other external works and the previous permission has not been implemented.

8.21 Comments have been received relating to health facilities within the vicinity being over-stretched. This may be so and is a common concern and the Council has not consulted the Health Board and would not ordinarily do so on applications of this scale and nature. In any case, the property is already a residence and the added demand upon local services by the additional residents proposed would not be quantifiable or likely significant in itself.

8.22 Concerns have been raised regarding the capability of the drainage infrastructure to accommodate additional demands. Dwr Cymru – Welsh Water have been consulted and confirm their equipment has capacity.

8.23 The site is not within a flood risk area and whilst neighbouring objectors have referred to possible surface water drainage issues, the site is not located within a surface water flood

risk area according to the NRW flood maps.

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 and juxtaposition/close relationship to neighbouring properties and site context will result in an unacceptable and unneighbourly impact upon neighbouring residents associated with a greater degree of noise and disturbance which is out of character with the immediate locality. This will harmfully erode the living conditions of occupiers of neighbouring residential properties,

10.2 No information is provided with regard to European Protected Species and the GIS is inadequate.

10.3 The application is refused.

11. DECISION

REFUSED

01 The proposed development, by reason of its scale/significant intensification of occupation by unrelated tenants with associated visitors, comings and goings and general activity, its siting and juxtaposition/close relationship to neighbouring properties, will be uncharacteristic and give rise to an unacceptable and unneighbourly impact upon the residential amenity of neighbouring occupiers, harmfully eroding their living conditions. This is contrary to Policies GP2 and H8 of the Newport Local Development Plan, 2011-2026 (Adopted January 2015).

02 The proposal results in a significant adverse impact on matters of acknowledged importance, namely European Protected Species. This is contrary to Policy SP1, SP9 and GP5 of the NLDP 2011-2026 (adopted January 2015), Chapter 6 of Planning Policy Wales (Edition 12) and TAN5 - Nature Conservation and Planning. No information has been provided that mitigates this objection.

NOTE TO APPLICANT

01 This decision relates to plan Nos: D100, D101, D102, Parking Survey, Planning Statement, GIS.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP9, 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.