

Newport City Council

Newport City Council
Regeneration Investment & Housing
Civic Centre
Godfrey Road
Newport NP20 4UR

01633 656656
planning@newport.gov.uk
www.newport.gov.uk



Application for a Lawful Development Certificate for an Existing Use or Operation or Activity,
including those in breach of a planning condition

Town and Country Planning Act 1990: Section 191 as amended by Section 10 of the Planning and
Compensation Act 1991; Town and Country Planning (Development Management Procedure)
(Wales) Order 2012

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Details

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number Suffix

Property Name

Address Line 1

Address Line 2

Town/city

Postcode

Description of site location (must be completed if postcode is not known)

Easting (x)

Northing (y)

Description

Applicant Details

Name/Company

Title

Mr

First name

fernando enrique

Surname

mendoza contreras

Company Name

Address

Address line 1

The Rectory Church Road

Address line 2

Address line 3

Town/City

Cowley

Country

United Kingdom

Postcode

UB8 3NB

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Email address

***** REDACTED *****

Reason for Lawful Development Certificate

Which category describes the existing use or operation or development for which the certificate is sought

- ☒ An existing use
☐ An existing operation
☐ An existing use, operation or activity in breach of a condition

Being a use, operation or activity in effect on the date of this application

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to

C4 - Houses in multiple occupation

Description of Existing Use, Operation or Activity

Please describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates

The property is currently utilized as a House in Multiple Occupation (HMO), operating in full compliance with relevant housing regulations. The activities associated with this use include the following aspects which i would like you to consider.

A. Renting out individual rooms to tenants, allowing for shared living arrangements while providing each tenant with their own private space.

B. Offering shared facilities, including kitchen, bathrooms, living room, eating room, utility room, Garden, which are maintained for the convenience of all tenants.

C. Managing tenancy agreements to ensure proper adherence to local regulations, including the responsibilities related to maintenance and safety.

D. Ensuring compliance with all applicable HMO regulations, thereby providing a safe and suitable living environment for all occupants.

E. There is not part of the land outside of the house that it's used for any type of work or activities the house and land is full Residential house.

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- ☐ The use began more than 10 years before the date of this application
☐ The use, building works or activity in breach of condition began more than 10 years before the date of this application
☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
☐ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
☐ The use as a single dwelling house began more than four years before the date of this application
☒ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

If the certificate is sought on 'Other' grounds please give details

The property was given a Permission to be use as HMO BEFORE I bought it in 2018.

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- ☐ Yes
☒ No

Please state why a Lawful Development Certificate should be granted

I am submitting this application for a lawful development certificate for the property, which operates as a House in Multiple Occupation (HMO). The property is managed responsibly, complies with all regulations, and provides valuable community service.

The property meets all local housing regulations and safety standards, with necessary licences and certifications in place. Safety features, including smoke detectors and fire extinguishers, are inspected weekly by our estate agent. It has consistently operated within the law, as evidenced by the three HMO licences granted to different landlords over the years.

The HMO is crucial in providing affordable housing solutions for students, young professionals, and others who may not afford standalone accommodation. Our tenants have clear goals, and we support them in achieving these goals Ex:

Tenant 1: A musician who saved for a deposit to buy his home.

Tenant 2: A footballer who lived with us while waiting to sign with Newport Football Club.

Tenant 3: Two individuals housed through local immigration authorities; one is finishing university, and the other works at Amazon.

Since 2018, we have tenants well-educated, none have requested a car permit, as we do not offer any parking spaces at the time of renting out the rooms. Furthermore, the neighbours have not made any complaints regarding the house, which demonstrates our commitment to maintaining positive community relations.

I take proactive measures, including regular maintenance and tenant support services, demonstrating responsible ownership. A lawful development certificate provides legal clarity, benefiting both owners and tenants by ensuring lawful use and preventing disputes.

As of 2025, our tenants contribute to the local economy through employment. We also implement eco-friendly practices, including a recycling programme, promoting environmental responsibility.

The property does exceed the maximum tenant limit ensuring safe accommodation. Clear communication with tenants regarding noise management helps maintain good relations with neighbours. All safety checks and permits are in place, and the HMO use aligns with local planning policies.

Given these reasons, I respectfully request the lawful development certificate to confirm the property's HMO status, solidifying its legal standing and supporting its positive community contribution.

I'm an investor in Wales for 7 years, I understand the importance of maintaining good relationships with council departments.

I am currently remortgaging, and the bank has requested a Suis Generis Planning Permission Certificate.

After consulting council representatives, I was advised to obtain a lawful development certificate.

I was unaware that this certificate was required, especially since the change of use occurred in 2013, before Class C4 was introduced in 2015.

If I had not applied for the remortgage, I would not have realised the need for this certificate. I would have pursued it earlier if knew.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

12/10/2013

In the case of an existing use or activity in breach of conditions has there been any interruption?

- ☐ Yes
☒ No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

- ☐ Yes
☒ No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

- ☐ Yes
☒ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☐ Yes
☒ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has pre-application advice been sought from the local planning authority about this application?

- ☐ Yes
☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

Authority Employee/Member

With respect to the Authority, is the applicant or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you?

- ☐ Yes
☒ No

Declaration

I/We hereby apply for Lawful development: Existing use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

fernando enrique mendoza contreras

Date

06/06/2025