

Delegated Decision Report

Application No:	25/1040	Statutory Period Expires:	2nd March 2026
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Site:	44 Bassaleg Road Newport NP20 3EA		
Proposal:	CHANGE OF USE OF AN EXISTING DWELLINGHOUSE (C3) TO A 6-PERSON HOUSE IN MULTIPLE OCCUPATION (C4)		
Applicant:	P Sikorska		
Type:	Full	Ward:	Allt-yr-Yn
Decision:	REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The site is located within an urban residential area adjacent Bassaleg Road with a graveyard located to the southeast. The mid-terraced property two storey property retains the period features to the front elevation notably through the red brick with banding and full height bay windows. A small garden area is located forward of the principal elevation enclosed with low boundary wall, piers and railings. Two bus stops are located on Bassaleg Road adjacent the application site. Adjacent the site lies Monmouth House School. Access is also provided to the rear of the property via Chick Lane leading to a garage associated with the application site; it is noted that due to the width of Chick Lane is restricted.

3. DESCRIPTION OF DEVELOPMENT

3.1 Change of use of existing residential house to form a 6no. person House in Multiple Occupation (HMO). No external alterations are proposed.

4. RELEVANT SITE HISTORY

None.

5. PLANNING POLICY

5.1 Historic Environment (Wales) Act 2023

5.2 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 Technical Advice Note 24 – The Historic Environment

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- SP1 – Sustainability
- SP9 – Conservation of the Natural, Historic and Built Environment
- GP2 – General Amenity
- GP4 – Highways and Accessibility
- GP6 – Quality of Design
- H8 - Self Contained Accommodation and Houses in Multiple Occupation

- T4 – Parking
- W3 – Provision for Waste Management Facilities in Development

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- Waste Storage and Collection
- Wildlife and Development
- Parking Standards
- Housing in Multiple Occupation

6. CONSULTATION RESPONSES

6.1 Principal Heritage Officer: The property in question is located near the GII Listed Historic Parks and Garden of St. Woolos Cemetery to the west and is considerably separated from Stow Park Conservation Area (to the east) by both the road itself and the large buildings of Monmouth Court and Monmouth House School. I cannot see that any external alterations are proposed and therefore the setting of the above mentioned assets will be preserved.

6.2 Environmental Health Officer: No response.

6.3 HMO Licencing Officer: I have no concerns regarding the proposal for the alterations of 44 Bassaleg Road, Newport, NP20 3EA for use as proposed in the planning application reference number: 25/1040.

If the dwelling is to become a HMO under the Housing Act 2004, Part 2, and where it will be occupied by more than two households, the most appropriate person (usually the landlord/owner of the property) should apply to the Environmental Health Housing Team on 01633 656656 or hmo@newport.gov.uk for a HMO licence. The applicant is advised to read Newport City Council's Houses in Multiple Occupation (HMO) Licensing Standards document referred to above, which details standards and licensing conditions for HMOs subject to licensing. The document can be viewed on Newport City Council's website.

In addition to HMO Licensing, private landlords are required by the Housing (Wales) Act 2014 to be registered. Also private landlords who undertake letting and management activities or their managing agents, will need to obtain a licence from Rent Smart Wales and undergo training. For further information contact the Licensing Authority; Cardiff City Council, Rent Smart Wales, PO Box 1106, Cardiff CF11 1UA, Tel No: 03000 133344, website <https://www.rentsmartwales.gov.wales>

The applicant must also be aware that from 1 st December 2022 the Renting Homes (Wales) Act 2016 came into force and has changes the way all landlords in Wales rent their properties and is advised to refer to the following link on the internet

6.4 Gwent Police: No response.

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

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

6.6 Newport Access Group: No response.

6.7 Highways Officer: Not policy compliant but no formal objection subject to conditions.

Highway Comments:

The proposed changes would require the provision of three car parking spaces to comply with the Parking SPG. Three spaces are currently required and six would be required for the HMO.

Any increase in actual demand is likely to be small and could be accommodated on street, therefore this does not raise an objection.

The existing garage is not considered suitable as the access is not safe due to having no pedestrian visibility at the junction of Chick Lane and west Park Rd and other accesses along the route. We would suggest that the garage would be better suited to providing cycle storage.

Secure enclosed cycle parking with Sheffield style racks should be secured by way of condition.

Based on the above there are no objections on highway related grounds subject to the following conditions.

Suggested Conditions:

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

- 6.8 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 the 14th January 2026 and a Site Notice was put up on the 23rd January 2026.

- 7.1 NEIGHBOURS: 21no. objections (summarised):

- Significantly worsen parking, safety, and congestion
- Increase refuse problems and fly-tipping
- Contribute to anti-social behaviour and crime
- Harm child and vulnerable resident safety
- Damage community cohesion and residential character

- Add to an already excessive concentration of HMOs
- Reduce quality of life and property values

7.2 COUNCILLORS:

7.2.1 Councillor Evans: No response.

7.2.2 Councillor Fouweather: I do believe there would be an issue with parking as the area is already oversubscribed.

Therefore I would like a parking survey carried out although I am not sure if I can ask for this.

If you could let me know about room sizes that would help helpful.

I do not want to run out of time regarding calling the application to committee so please accept this as a formal request for the application to go to the planning committee.

However should things prove satisfactory then I will reconsider my request.

7.2.3 Councillor Drewett: I write to object to the current application for a House in Multiple Occupation (HMO) at the above-mentioned property, situated within a well-established - even tidy - residential area that is widely recognised for its high standards of cleanliness, order, and civic pride. It is, quite simply, a "proper" residential street where people take care of their surroundings. I ask you to consider how these existing high standards will be protected and preserved should this application be approved? How, in practical terms, can we continue to Keep The Handpost Tidy?

While I recognise the role that HMO's can play in meeting housing demand, I am deeply concerned that, if this application is granted without robust and enforceable conditions imposed on the landlord, it may lead to significant problems relating to waste storage, refuse disposal, and the overall cleanliness and appearance of the surrounding area. What specific safeguards are currently in place to prevent such outcomes, and are they sufficiently robust for an HMO of this nature if the area is to remain tidy - proper tidy?

Experience of comparable developments demonstrates that HMOs, when not properly managed, can generate a substantially higher volume of household waste than single-family dwellings. Without clear oversight and strict controls, this often results in overflowing bins, refuse bags being left on pavements, and waste being stored in unsuitable locations for extended periods. When people see such untidiness they are encourage to fly-tip at that spot. Such outcomes are not only unsightly but also unhygienic, attracting vermin, creating unpleasant odours, and posing potential public health risks - hardly what anyone would describe as lush living. On what evidence can you be satisfied that this property will not contribute to these adverse yet well-documented issues that arise from HMO's?

The Handpost neighbourhood has long upheld the principle that clean, well-maintained streets are essential to residents' quality of life. It is a tidy area ? consistently so. The neighbourhood reflects the values embodied in the widely recognised message "Keep Wales Tidy": a commitment not merely to minimum standards, but to actively maintaining a litter-free, hygienic, and visually pleasant environment for all who live here. These standards are not accidental; they are the result of consistent care, responsible behaviour, and appropriate management of domestic waste, reflecting the principles of "Caru Cymru". Do you accept that approving developments which risk increased litter and refuse would be contrary to these shared values? It is therefore a matter of serious concern that, if this HMO application were to be approved without stringent and enforceable conditions, it could undermine these high standards of cleanliness. HMOs, by their nature, generate significantly higher volumes of waste than single-family homes. Without strict oversight, this often leads to refuse being stored incorrectly, bins overflowing, and litter accumulating in front gardens, side passages, or on the public highway. Such outcomes run directly counter to the "Keep Wales Tidy" ethos and risk eroding the clean, orderly, and proper character of this area. This is not merely an aesthetic issue. Poorly managed waste can quickly result in

unhygienic conditions, attract vermin, generate unpleasant odours, and create ongoing litter problems that are difficult to reverse once established. Allowing such a situation to develop would be wholly inconsistent with the Council's duty to protect residential amenity and to promote clean, safe, proper and well-kept neighbourhoods. A community that has worked hard to remain litter-free should not be placed at risk by inadequate planning controls. Residents should not have to fight to keep their street tidy when it already is. How do you reconcile this duty with approving an application that lacks clear, enforceable waste management assurances, and are you prepared to accept responsibility should such foreseeable consequences arise?

If you are minded to approve the application, I strongly suggest that this should only be done by including exceptionally high standards of waste management conditions being applied to this property, explicitly aligned with the principles of "Keep Wales Tidy". These conditions should be detailed, robust, and enforceable, and should include:

- o The provision of ample, secure, and clearly designated refuse and recycling storage sufficient for the maximum number of occupants, ensuring that waste is contained at all times. How will adequacy be assessed, and by whom?
- o A mandatory, written waste management plan, actively enforced by the landlord or managing agent, setting out clear expectations for tenants and reinforcing the importance of maintaining a litter-free property. Will this plan be publicly available and subject to review?
- o Strict controls preventing refuse from being left outside the property, in front gardens, or on pavements outside designated collection times, in order to preserve the area's clean appearance. What mechanisms will be used to ensure compliance on a day-to-day basis?
- o Ongoing landlord responsibility for monitoring compliance, reflecting the understanding that maintaining cleanliness is a management obligation, not merely a tenant preference.

What consequences will follow if this responsibility is neglected?

Crucially, these conditions must be backed by meaningful sanctions capable of being enforced against the Landlord / letting agent. Without effective enforcement mechanisms, even well-worded conditions risk being ignored, to the detriment of the wider community. Persistent failures to meet required cleanliness standards should result in penalties or formal intervention. Upholding "Keep Wales Tidy" standards requires not just encouragement, but accountability - otherwise it's just words. Can you confirm that such sanctions will be actively applied rather than merely available in theory?

I wish to emphasise that this objection is rooted in a desire to protect an area that has consistently demonstrated pride in being clean, tidy, and free from litter. Maintaining these standards benefits residents, visitors, and the wider community alike. Any development that risks lowering these expectations should only proceed if it can demonstrably meet - and maintain - the high bar already set. Are you confident that this application, as currently presented, truly meets that bar and keeps the area tidy - proper tidy?

Thank you for considering this representation. I trust that you will recognise the importance of preserving a litter-free environment and ensuring that the principles of "Caru Cymru" remain actively upheld in planning decisions.

8. ASSESSMENT

8.1 Principle of Development:

- 8.1.1 The application site is located within a settlement boundary as designated by the maps contained within the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Therefore, the principle of development accords with Policy SP1.

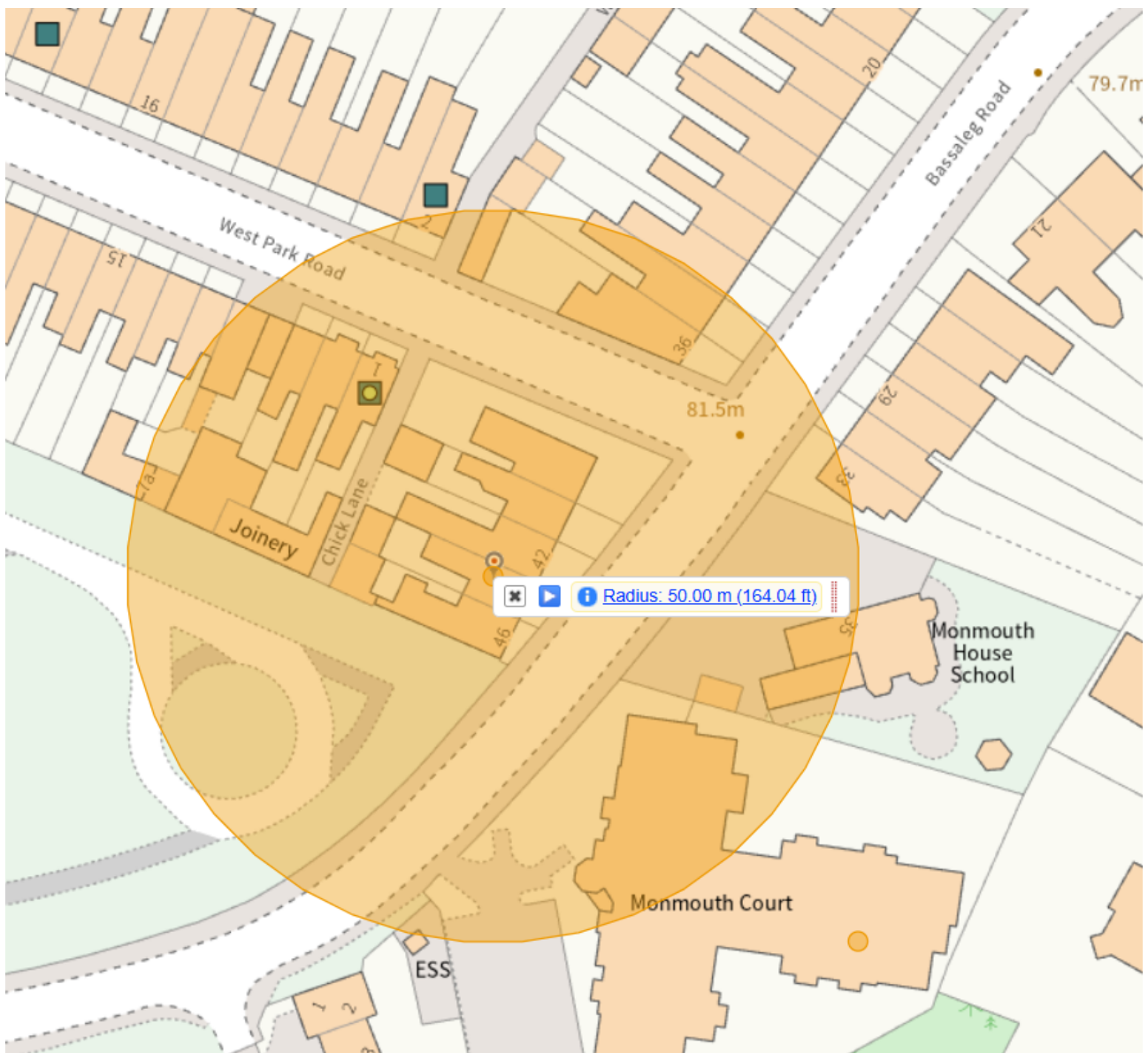
8.2 Impact upon Amenity and HMO Criteria

- 8.2.1 Numerous concerns have been raised by local residents and Councillors on the aspect of residential amenity for neighbours and future occupants, parking and concentration of

HMO's. Given the proposed use as a C4 House of Multiple Occupation, the noises generated would be similar to that of the existing dwellinghouse given that the existing and proposed uses are by nature, residential. Furthermore, noise levels within a residential unit are controlled via separate legislation under Building Regulations 2010, therefore to secure a scheme of noise insulation in the interests of future occupants would be considered as a duplication of controls thereby not meeting the six tests for the attachment of conditions.

- 8.2.2 The proposal does not include any additional built form or additional window openings; therefore, the scheme would not alter existing relationships regarding overshadowing, levels of daylight and sunlight entering neighbouring properties, outlook or levels of privacy.
- 8.2.3 The proposal retains the rear amenity space and garage to serve the needs of future occupants. As set out within the Highways Officers comments, the garage would serve as suitable bicycle storage subject to Sheffield stands being installed. Regarding waste and recycling storage, the rear amenity space and garage space provide sufficient space for such a provision.
- 8.2.4 Each room within the residential unit would continue to be served by existing window openings therefore the levels of daylight and sunlight entering those rooms would not differ from that currently experienced. It is noted that the bedroom located in the roof space is served by 2no. rooflights; while this is not an ideal situation, weight is given to the fallback position of this room already used as a bedroom in association with a residential use. As such, this relationship is considered, on balance, acceptable.
- 8.2.5 The HMO Licencing standards outline that each one person bedroom unit has a minimum room size of 6.5sqm, communal kitchens 7sqm, and communal lounges 10sqm.
- 8.2.6 All bedrooms and the communal lounge/kitchen area exceed the minimum room size standards as set out within the HMO Licencing Standards. Furthermore, the HMO Licencing Officer raises no objection to the scheme.
- 8.2.7 The site lies within a 15% HMO Threshold area; as such, only 15% of the housing stock shall be allowed to be used as an HMO. The Council shall not only considered licenced properties, but also where planning permission has been previously granted.
- 8.2.8 Using a 50m radius as measured from the address point of the dwellinghouse, a desktop assessment has been undertaken to ascertain what planning consents and HMO licences exist within that area. Only dwellings that contain a full front elevation are included within the assessment. The total amount of dwellings within a 50m radius was calculated to be 12no. The specific addresses are detailed below:

34 & 36 Bassaleg Road
2 West Park Road
1, 3, 5 and 7a West Park Road
38, 40, 42, 44 and 46 Bassaleg Road



8.2.9 Assessment of the planning history covering the above sites has not returned any previous planning consents for HMO uses. However, HMO licences have been issued to properties 1 and 2 West Park Road.

8.2.10 The total number of HMO's within the 50m radius (including the application site), equates to 25% of the housing stock therefore exceeding the 15% HMO threshold. As set out within the HMO SPG document, the 15% threshold is based upon evidence which is considered to represent the tipping point for the concentration of HMO's to result in adverse effects upon social cohesion and the character of the area. The other material planning considerations of the scheme are considered not outweigh the potential adverse effects of a high concentration of HMO properties. Therefore, the proposal is contrary to Policies H8 GP2. This assessment is consistent with the Councils adopted HMO SPG document and recent appeal decisions CAS-03975-Y8V2G1 and CAS-04178-T5C7L8 (see Appendix 1).

8.3 Highways and Parking

8.3.1 The Highways Officer notes the existing residential use and its associated parking demand; the parking provision for the proposed use raises no objection as the Highways Officer recommends this could be accommodated for on-street. The existing garage is noted to be unsuitable for the parking of vehicles due to the visibility splays at the junction with West Park Road; however as this relationship is existing, it is considered unreasonable to base a reason for refusal on that alone.

8.3.2 Turning to cycle storage, it is considered that the existing garage area would provide suitable storage subject to cycle stands being installed internally.

8.3.3 Taking into account the above, it is considered the proposal would not lead to an unacceptable impact upon car parking or highway safety.

8.4 **Waste and Recycling**

8.4.1 The Waste Officer raises no concerns with the scheme; the rear courtyard or the existing garage provides suitable areas for the storage of waste and recycling and are conveniently located to present rubbish on West Park Road. The scheme accords with Policy W3.

8.4.2 Cllr Drewetts' comments on refuse management are taken into account as mismanaged refuse can cause great distress to residents and consequently have impacts upon character and appearance of the area and public health.

8.4.3 The role of the Local Planning Authority is to ensure that suitable facilities are provided which accord with adopted planning policies; in some cases these policies cannot mitigate for poor behaviour and mismanagement. Therefore, as long as the Local Planning Authority ensure the site has an adequate area for the storage of waste and recycling, the policy requirements are considered to have been fulfilled.

8.5 **Impact upon the Listed Historic Park and Garden of St Woolos Cemetery**

8.5.1 The Grade II listed Historic Park and Garden of St Woolos Cemetery is located to the south of the site. The Principal Heritage Officer has considered the schemes impact upon the heritage asset and raises no objection. Therefore, the proposal is considered to accord with the duties under the Historic Environment (Wales) Act 2023 and Policy SP9.

8.6 **Drainage**

8.6.1 The consultation response from Welsh Water is noted, however their recommended condition is not relevant to the specific proposal as no additional built form is proposed and would therefore not meet the six tests for the attachment of conditions as outlined in the circular 016/2014.

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 proposal exceeds the HMO threshold for the area resulting in demonstratable harm on residential amenity, social cohesion and the character and appearance of the area and is hereby refused.

11. DECISION

Refuse, for the following reason(s):

01 The proposed development would result in an overconcentration of Houses in Multiple Occupancy within the area in excess of the 15% threshold as set out in the Houses in Multiple Occupation Supplementary Planning Guidance (Adopted January 2017). The overconcentration would have an adverse impact upon social cohesion, the character of the locality and general amenity of existing and future residents. The proposal is contrary to Policies GP2 and H8 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- Block Plan (Drawing ref: ADS002 P03)
- Ground Floor Plan (Drawing ref: ADS003 P03)
- Site Location Plan (Drawing ref: ADS001 P02)
- First Floor Plan (Drawing ref: ADS004 P02)
- Second Floor Plan (Drawing ref: ADS005 P02)

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP9, GP2, GP4, GP6, 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.



Appeal Decision

by Nicola Gulley MA MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 13/06/2025

Appeal reference: CAS-03975-Y8V2G1

Site address: 12 Queens Hill, Newport, NP20 5HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Holtlant Properties Limited against the decision of Newport City Council.
 - The application Ref 24/0372, dated 30 April 2024, was refused by notice dated 24 October 2024
 - The development proposed is the change of use from a dwelling to a 6-bedroom house in multiple occupation (C4 use).
 - A site visit was made on 12 May 2025.
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Decision

1. The appeal is dismissed.

Main Issues

2. The Council raises no objection to the proposal on the basis of its impact on the living conditions of the occupiers of neighbouring properties or highway safety. The main issues are therefore the impact of the proposed development on the character and appearance and social cohesion of the area.

Preliminary Matters

3. At my request the Council has submitted information which confirms that Nos. 22, 24, 32 and 38 Queens Hill are all licenced houses in multiple occupation (HMO) in accordance with the requirements of Housing Act 2004; and that No. 30 Queens Hill does not have an HMO license.
4. In addition, the appellant has submitted a revised plan showing the 50-metre radius around the appeal site and an amended threshold calculation for the proposal.

Reasons

5. The appeal site comprises a modest mid terraced dwelling with a small front and rear garden set in a small block of similarly proportioned properties. The site is situated in a

predominantly residential area close to the city centre and within walking distance of a range of commercial, educational, community and public transport related services.

6. Policies GP2 and H8 of the adopted Newport Local Development Plan (2015) (LDP), seek, amongst other things, to ensure that proposals for new development do not have an adverse impact on residential or visual amenity, respect the character and appearance of the area and do not result in an over concentration of HMOs.
 7. Additional guidance is contained in the Council's Supplementary Planning Guidance on HMOs (2017) (SPG). The SPG includes a two-tier threshold for the assessment of proposals for the development of HMOs in Newport which makes clear that proposals which would increase the number of properties in multiple occupation, considered as a proportion of the total housing stock, above a specified threshold will not be supported. In this case, the SPG seeks to ensure that no more than 10% of the housing stock within a 50-metre radius of the appeal site would be in multiple occupation.
 8. The appellant contends that: the Council's reason for refusal is based on the incorrect interpretation of the requirements of the SPG; there are 34 dwellings within a 50-metre radius of the appeal site, of which 3 would be HMOs; and this would equate to 8.82 % and, as such, would comply with the 10% threshold set out in the SPG.
 9. Conversely, the Council has expressed concern that the proposal would result in the over concentration of HMOs in the locality of the appeal site which would, in conjunction with other similar developments, have an adverse impact upon the social cohesion, character and general amenity of the area. These concerns are shared by local residents, who also point to the number of existing HMOs in the locality and the potential for the development to result in an increase in noise levels, litter, parking issues and place additional strain on local services.
 10. Whilst I note the evidence submitted by the appellant, I am mindful that the SPG requires that only those residential properties where the entire principal elevations (normally the front walls) within the radius of the site should be included in the threshold calculation. When this requirement is applied to the proposed development, it's clear that there are 24 dwellings within the radius, of which 3 or 12.5% would be HMOs and, as such, the 10% threshold set out in the SPG would be exceeded.
 11. Although this level of exceedance is not significant, I am mindful that in addition to the 3 HMOs in the 50-metre radius there are 2 further dwellings in multiple occupancy within the short block of terraced houses in which the appeal site is situated. When taken together, this would mean that just over a quarter of the dwellings in this part of Queens Hill would be HMOs.
 12. Based on my observations at the recent site visit, it is clear that 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. However, I am conscious that the development of an additional HMO will alter the balance between single and multiple occupancy dwellings in this location and, in my view, would start to erode the quality of the living environment and level of social cohesion that is currently present in the area surrounding the appeal site.
 13. As such, I consider that the proposed development would have an adverse impact on the character, appearance and social cohesion of the area contrary to the requirements of Policies GP2 and H8 of the LDP and the SPG.
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Conclusion

14. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.
15. I have also had regard to all the matters raised in support of the scheme. However, none of these factors are sufficient to alter my overall conclusions that the proposal would have an adverse impact on the character, appearance and social cohesion of the area and be contrary to the requirements of local and national planning policy.
16. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Gulley

INSPECTOR



Appeal Decision

by L. Hughson-Smith LLB MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 11/09/2025

Appeal reference: CAS-04178-T5C7L8

Site address: 133 Stow Hill, Newport, NP20 4FZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Bowes, BW3 Estates Limited, against the decision of Newport City Council.
 - The application 24/0948, dated 22 November 2024, was refused by notice dated 5 February 2025.
 - The proposed development is described as the 'change of use from retail unit on the ground floor (to remain) and maisonette above to 5 Bed HMO'.
 - A site visit was made on 8 July 2025.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs has been made by Bowes, BW3 Estates Limited against Newport City Council. This application is subject to a separate Decision.

Procedural Matters

3. The name of the appellant, as stated on the appeal form, differs to that on the original application form. As the right to appeal is reserved solely for the original applicant, the appeal will proceed in the name of the applicant as stated on the original application form.

Main Issue

4. This is whether the proposal would conflict with planning policies that seek to secure and maintain sustainable and balanced communities.

Reasons

5. The appeal property is a three storey, semi-detached mid-terrace house located on Stow Hill. The proposal seeks to change the use of the upper floors of the appeal property to a 5-bedroom house in multiple occupation (HMO), with the ground floor and basement remaining in commercial use.

6. Newport's Local Development Plan (LDP) Policy H8 permits the subdivision of a property into a House in Multiple Occupation (HMO) subject to four criteria. Criterion (ii) is the most relevant in this case and seeks to ensure 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. LDP Policy GP2 permits development that, amongst other things, would not be detrimental to the character or appearance of the surrounding area, and seeks to design out the opportunity for crime and anti-social behaviour.
7. The Council's adopted Houses in Multiple Occupation Supplementary Planning Guidance (HMO SPG) recognises that conversions of properties to HMOs can make a valuable contribution to Newport's housing stock and provide accommodation to a wide range of groups, including young professionals. However, it also identifies that concentrations of HMOs can, amongst other things, detract from the character of an area and create issues such as reduced community cohesion. These conclusions are consistent with those of Welsh Government's 'Houses in Multiple Occupation: Review and Evidence Gathering' Report (2015) (WG report) which identified widely recognised problems associated with high concentrations of HMOs, including damage to social cohesion and increases in anti-social behaviour.
8. The appeal site lies within the HMO SPG's designated 'Defined Area', for which an upper threshold of 15% of residential properties within a 50m radius of the application site is identified, beyond which HMOs are considered to detract from the character of an area. Whilst the HMO SPG is guidance and should not be applied prescriptively, the threshold set is helpful in applying Policy H8 and assessing the cumulative impacts of HMO developments. Therefore, I am satisfied that, whilst strict compliance with the identified threshold on its own is not indicative of the acceptability of a proposal, the general approach advocated by the SPG merits weight in the determination of the appeal.
9. It may be the case that only one HMO existed in the area when the application was submitted. However, planning decisions are determined based on information available at the time the decision is made, and there is no substantive evidence which indicates the two licensed HMOs identified in the officer's report is incorrect. I have, therefore, taken this to be the case.
10. On this basis, the proposal would increase the number of licensed HMOs in the area from two to three, equating to approximately 19% of residential properties within the 50m radius. This would exceed the identified threshold, and in such cases, the SPG advises that proposals will be unsuccessful unless their implementation, judged in the light of all other material considerations, would serve the public interest.
11. During my site visit, I observed that the nearest residential properties on the opposite side of Stow Hill appeared to be mostly family housing. Overall, the street had a pleasant appearance, with well-maintained property frontages and little sign of unmanaged waste or a proliferation of letting boards. Although the road was busy, there was limited evidence to suggest a significant decline in character of the area. I also note the Council's Waste Management Department did not object to the proposal, and the Designing out Crime Officer confirmed that the area is not currently affected by significant ongoing crime trends or patterns, although I note their response refers to only one other HMO in the vicinity of the site, rather than two as stated by the Council.
12. However, some local residents have objected to the proposal, raising concerns including in relation to anti-social behaviour which they associate with existing HMOs in the area. These concerns are consistent with the issues highlighted in both the HMO SPG and the WG report. In the absence of substantive evidence to the contrary, I consider they are indicative of pre-existing problems with HMOs in the locality.

13. Taking the above factors together, the appeal property lies in an area with a good balance of residential uses which should be afforded protection in line with the objectives of LDP Policy H8. There is limited evidence before me which suggests that the cumulative effect of a further HMO would differ from the well documented problems identified in the HMO SPG and WG Report, and it is likely that the proposal would add to the issues already experienced in the area. I, therefore, conclude, the proposal would, cumulatively with other nearby HMOs, fail to maintain the existing sustainable and balanced community. This would be in conflict with the requirements of LDP Policies H8 and GP2. It would also be contrary to the objectives of the HMO SPG.

Other Matters

14. The appeal site is located within the Stow Park Conservation Area (CA). Stow Hill, the main route through the CA, is defined by a diverse mix of building styles and uses including residential, commercial and St. Woolos Hospital, the latter being characterised by prominent brick and stone buildings. The proposals involve only limited physical alterations. The retention of the commercial use at ground floor, with residential accommodation above, reflects the sites existing use and is consistent with the established mixed-use character of the CA. Bearing this in mind, along with the Council's Conservation Officer raising no objection, I consider the proposal would preserve the character and appearance of the CA.
15. I have considered the benefits of the proposal including its highly sustainable location, the provision of low-cost housing and retaining the character and appearance of the appeal building. However, given the small scale of the development, I find the scope of these benefits to be limited and do not outweigh the harm I have identified above. I also note the appellant's concerns regarding the Council's handling of the application, particularly the pre-application advice given. However, these are not relevant to the merits of the proposal, therefore, I have given this limited weight in my assessment.

Conclusion

16. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.
17. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

L. Hughson-Smith

INSPECTOR