

# Delegated Decision Report

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|------------------------|----------------|----------------------------------|-------------------------------------|
| <b>Application No:</b> | <b>25/0378</b> | <b>Statutory Period Expires:</b> | <b>12<sup>th</sup> October 2025</b> |
|------------------------|----------------|----------------------------------|-------------------------------------|

|                   |                                                                                    |              |                 |
|-------------------|------------------------------------------------------------------------------------|--------------|-----------------|
| <b>Site:</b>      | <b>232 Hendre Farm Drive Newport South Wales NP19 9HT</b>                          |              |                 |
| <b>Proposal:</b>  | <b>PROPOSED CONVERSION TO A 3NO. BEDROOM HMO INCLUDING CHANGES TO FENESTRATION</b> |              |                 |
| <b>Applicant:</b> | <b>S Crosdale</b>                                                                  |              |                 |
| <b>Type:</b>      | <b>Full</b>                                                                        | <b>Ward:</b> | <b>Ringland</b> |
| <b>Decision:</b>  | <b>REFUSED</b>                                                                     |              |                 |

## 1. BACKGROUND

1.1 None.

## 2. SITE LOCATION AND CONTEXT

2.1 The application site is a three bedroom end of terrace dwelling located to the east of Hendre Farm Drive, in the Ringland Ward. The area is typically suburban with a well established estate network of residential streets with front and rear gardens, limited off road parking and visible communal green spaces and associated landscaping. Houses are generally quite generous semi detached or terraced units of similar proportions and scale arranged in uniform patterns facing the highway. It has a distinct residential character enhanced by the presence of green verges and spaces that afford it a spacious and pleasant amenity.

2.2 It is set down from the highway and accessed via a stepped front garden, with side access provided to a large rear garden. Directly north, the dwelling adjoins the mid terraced property at 234 Hendre Farm Drive and to the south is a terrace of three storey dwellings. The rear (east) boundary backs onto the rear garden boundary of 30 Playford Crescent. It is clear that the street and neighbouring streets consist of a majority of single dwellinghouses and this forms part of its character.

## 3.1 DESCRIPTION OF DEVELOPMENT

3.1.1 This application is seeking planning permission for the change of use of the existing Dwellinghouse (Use Class C3) to a 3no. bedroom House in Multiple Occupation (HMO) (Use Class C4). External alterations to fenestration are also included and relate to a new front door, additional ground floor and first floor window in the rear elevation. The application originally included a fourth bedroom at ground floor, however during the course of the application amended plans were submitted omitting this.

3.1.2 The ground floor is accessed via a front porch and contains a living room, kitchen and W/C with shower. At first floor, there are 3no. bedrooms (one with ensuite) and a communal bathroom. Attic space is provided for storage via a loft hatch. Externally, the curtilage of the property includes a stepped access to the front, with side pedestrian access leading to a large rear garden. Refuse storage is shown on the plans to be located at the side of the property. No off street parking is provided.

## 3.2 CLARIFICATION OF PROPOSED USE

3.2.1 During the neighbour consultation process, a number of responses (both objecting to and supporting the application) have been received that refer to the nature of the proposed use of the property and residents who would occupy it. This planning application is seeking permission for the change of use of the existing dwelling house to a House in Multiple Occupation. A HMO is typically three or more unrelated individuals living together in a property and sharing communal facilities, such as a kitchen, living room and bathroom.

3.2.2 The personal characteristics (such as but not limited to age, gender or employment status) of the occupants of a HMO are not material planning considerations. Planning decisions must be based on land use impacts that may arise from the nature of occupancy and not individual circumstances.

- 3.2.3 In this instance, the application has confirmed that the maximum number of occupiers would be six i.e. two per bedroom. For clarification, if planning permission is granted for the HMO then it would not be possible to control the characteristics of the occupants – only the maximum number of occupants and bedrooms.

#### **4. RELEVANT SITE HISTORY**

None.

#### **5. PLANNING POLICY**

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

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

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 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;

GP2 – General Amenity;

GP4 – Highways and Accessibility;

GP5 – Natural Environment;

GP6 – Quality of Design;

GP7 – Environmental Protection and Public Health;

H8 – Self Contained Accommodation and Houses in Multiple Occupation;

T4 – Parking;

W3 – Waste.

##### **5.4 SUPPLEMENTARY PLANNING GUIDANCE**

PARKING STANDARDS SPG;

HOUSE IN MULTIPLE OCCUPATION;

WASTE STORAGE AND COLLECTION.

#### **6. CONSULTATION RESPONSES**

6.1 GWENT POLICE: No response.

6.2 WELSH WATER DWR CYMRU: No objection.

6.3 HIGHWAYS: The application does not include details of waste or cycle storage, which would be needed to garner Highways' support. The change increases the parking requirements based on the SPG by almost 2 spaces.

There is no information provided to address parking; however it appears possible to demonstrate that there would be sufficient on-street parking.

- 6.4 ENVIRONMENTAL HEALTH: No response.
- 6.5 HMO LICENSING: Raise concerns of bedroom sizes for two persons sharing.
- 6.6 WASTE: No response.
- 6.7 SAB: No objection.

## **7. PUBLIC REPRESENTATIONS**

Neighbour and Ward member notification letters were sent on 28<sup>th</sup> May 2025 and a Site Notice was put up on 30<sup>th</sup> May 2025.

- 7.1 NEIGHBOURS: All neighbours within 50 metres of the site were consulted (44no. properties) and 54no. responses have been received. Comments received have been summarised below;

### Objections (29no.)

- Increased parking issues due to multiple tenants adding to existing parking problems in the local area;
- There is already a HMO close to this property;
- Noise pollution and disturbance;
- High turnover of tenants causing issues;
- Loss of family home;
- Fear of crime/safety;
- Increased refuse.

### Support (25no.)

- The property has been renovated to a high standard;
- Support for the use of the property by mothers and children who need somewhere to live.

- 7.2 COUNCILLORS LACEY/LINTON/CORTEN: Have been consulted. Comments received are listed below;

Councillor Lacey:

I am making this request on the basis of significant local concern and the material planning issues outlined below:

1. Over-concentration of HMOs: There is already an established HMO within a short distance (four doors away), and further intensification risks exceeding acceptable thresholds and undermining community balance. This may be contrary to existing policy on HMO saturation in residential areas.
2. Parking and Highway Impact: The property has no off-street parking provision, and the surrounding streets already suffer from high parking demand and congestion. An additional HMO will likely worsen this situation and could lead to highway safety concerns.
3. Impact on Amenity and Character: This area of Ringland is already experiencing socio-economic challenges, and there are strong concerns from residents about the impact of another multi-occupancy dwelling on local services, amenity, and cohesion.

Given the public interest in this application and the policy considerations involved, I believe it is appropriate and necessary for this application to be considered by committee.

Councillor Corten: I fully support Councillor Lacey's comments.

## **8. ASSESSMENT**

- 8.1 **Key Considerations:**

- 8.1.1 The main considerations of this application are whether the proposals will result in an over-concentration of HMO's 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 and impact on parking and associated highway safety.

## 8.2 Principle of Development:

- 8.2.1 The application proposes the reuse of an existing dwelling that is located within the urban boundary as per the Newport Local Development Plan 2011-2026 (adopted January 2015) and in a location that whilst not perhaps considered highly sustainable, is on a bus route and within walking distance of Ringland Centre, which is currently undergoing refurbishment and will provide local amenities.

## 8.3 Concentration of HMOs and Impact on Character and Appearance and Amenity

- 8.3.1 Policy H8 (Self Contained Accommodation and Houses in Multiple Occupation) states; 'within the defined settlement boundaries, proposals to subdivide a property into self-contained accommodation, bedsits or a house in multiple occupation will only be permitted if:

- i) the scale and intensity of use does not harm the character of the building and locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on street parking problems;
- ii) the proposal does not create an over concentration of houses in multiple occupation in any one area of the city which would change the character of the neighbourhood or create an imbalance in the housing stock;
- iii) adequate noise insulation is provided;
- iv) adequate amenity for future occupiers.'

- 8.3.2 In support of Policy H8, the Council has adopted Supplementary Planning Guidance (SPG) on Houses in Multiple Occupation, which provides further detail on how such applications are assessed. The SPG notes that clusters of HMOs can impact the composition of communities and detract from local visual amenity. To manage this, the SPG introduces thresholds beyond which HMOs are considered to negatively affect the character of an area. Specifically, the guidance sets a limit of 15% HMO concentration in defined areas and 10% in all other areas.

- 8.3.3 The application site falls within a 10% threshold area. A survey of the housing stock within a 50m radius of the site identifies the full front elevations of 17 residential properties, of which one (224 Hendre Farm Drive) is a registered HMO. This equates to a current HMO concentration of 6%. The proposed development would introduce a second HMO within this radius, increasing the concentration to 12%, thereby exceeding the threshold set out in the adopted SPG. The guidance clearly states that proposals exceeding these thresholds will not be supported unless, when considered against all other material considerations, they are deemed to serve the public interest. Whilst the exceedance of the threshold for HMOs in percentage terms may only be small, issues relating to compliance of the scheme with the Council guidance on room size and licensing are also relevant. Any benefits arising from increased housing choice for example are benefits that could be achieved in similar locations where the threshold set by the Council is not exceeded. The character of a single family dwellinghouse and that of HMOs is generally materially different. In this case overall occupancy will also be high for the size of dwelling with 6 occupants proposed along with any associated friends and visitors bearing in mind each couple or person will occupy as independent tenants. This will have an effect on the activity generated by both people and vehicles and this change will likely be noticed by neighbours and notably those that share common boundaries with close juxtaposition between gardens for example.

- 8.3.4 Planning applications must be determined in accordance with the adopted Local Development Plan and associated guidance unless material considerations indicate otherwise. While some support has been expressed by local residents regarding the provision of accommodation for a specific demographic, the planning system does not allow

for control over future occupiers. As such, limited weight can be afforded to this aspect, and the assessment must focus solely on the land use.

- 8.3.5 Other representations have raised concerns regarding the cumulative impact of additional HMOs in the area. As noted, the proposal would exceed the established threshold and result in a shift in the balance between single and multiple occupancy dwellings. Furthermore, the proposal will include up to 6 unrelated individuals in an area where houses are generally 3 bedroom houses occupied by families. This change is considered likely to undermine the existing well established residential character, amenity and social cohesion of the area, thereby diminishing the overall quality of the living environment and amenity of neighbouring residents.
- 8.3.6 The proposal is contrary to Policy GP2 and H8 of the NLDP 2011-2026 (adopted January 2015) and the adopted Houses in Multiple Occupation SPG.

#### 8.4 Residential Amenity of Future Occupiers

- 8.4.1 Site visit indicates that the current layout of the property does not match the existing and proposed drawings. Policy iv) ensures adequate amenity for future occupiers of the proposed HMO. For up to 6 persons, HMO licensing standards state the kitchen of a HMO should be 10sqm and the living room 12sqm. Both rooms have been measured on site and exceed these measurements and in general amenity terms are satisfactory for 6no. residents. The minimum size as confirmed by HMO Licencing for a single bedroom is 6.51sqm and for a double is 11sqm. The table below demonstrates the sizes of the three bedrooms proposed as shown on proposed floor plan;

| Bedroom | Two Person Requirement | Proposed Size | +/-      |
|---------|------------------------|---------------|----------|
| 1       | 11sqm                  | 10.20sqm      | -0.80sqm |
| 2       | 11sqm                  | 9.60sqm       | -1.40sqm |
| 3       | 11sqm                  | 6.70sqm       | -4.30sqm |

- 8.4.2 The proposed HMO would serve as the primary residence for its occupants, with each double bedroom representing the occupant's sole area of private space within the property. It is noted that all bedrooms are intended to accommodate two persons, however, each room falls below the minimum HMO Licence bedroom space standards required to support an acceptable level of residential amenity.
- 8.4.3 In addition to concerns regarding room sizes, a site visit was undertaken during which measurements of individual rooms were recorded. This exercise revealed discrepancies between the scaled dimensions shown on the submitted plans and the actual measurements on site. For example, the entrance to Bedroom 2 is located differently on the ground compared to the proposed floor plans, and the room itself was found to be smaller than indicated and measured 1.90m in width on site, whereas the plans show a width of 2.30m.
- 8.4.4 While some of the other discrepancies may appear minor, they contribute to a broader concern regarding the accuracy of the submitted plans and the adequacy of the proposed accommodation, particularly in relation to the intended occupancy levels for each bedroom. Taking account of space required to open bedroom doors, the bedrooms provide limited space to accommodate a double bed and other furniture reasonably expected to enable an acceptable standard of amenity for room occupants. The configuration of rooms on site includes alcoves and set backs in rooms whereas on plan such rooms are shown as square and generally more usable. In short, the bedrooms are inadequate and provide an unacceptable standard of overall amenity for future occupiers.
- 8.4.5 The House in Multiple Occupation (HMO) Supplementary Planning Guidance (SPG) states 'HMO's should provide outdoor amenity space in which residents can relax, dry their clothes and store refuse and recycling bins. Shared amenity spaces will be acceptable so long as they can accommodate every resident of the properties they serve. The rear garden is large and there would be sufficient space for residents to share as well as for the storage of refuse receptacles. The rear garden is closely associated with its nearest residential neighbours so

intensification of activity will be notable to such neighbours, albeit the garden offers acceptable amenity for future occupiers. However, this would not outweigh the concerns already raised.

- 8.4.6 Each bedroom would fail to meet the minimum HMO licensing standards for bedroom sizes for two persons and their size and configuration will provide an unacceptable standard of amenity for future occupiers. This is contrary to Policy GP2 and H8 vi) of the NLDP 2011-2026 (adopted January 2015) and the House in Multiple Occupation SPG.

## **8.5 Parking and Highway Safety**

- 8.5.1 The site is located within Parking Zone 3 and is currently a 3no. bedroom house that would generate a demand of 3no. parking spaces. No off street parking is available at the site, so this demand is currently met on street.
- 8.5.2 The proposed 3no. bedroom HMO would generate 1no. parking space per bedroom in accordance with the Parking Standards SPG. As such, the proposal generates 3no. parking spaces that would also have to be met on street as per the existing lawful use as a dwelling. Whilst the concerns of residents are duly noted in relation to parking within the local area, in accordance with the adopted Parking Standards SPG there is no increase in parking demand between the existing lawful use of the site and the proposed HMO. As such, there are no reasonable grounds to resist the proposal in relation to parking and impact on highway safety.
- 8.5.3 The Highways Officer has commented on the basis that there would be 4no. bedrooms within the HMO, but still concluded it is likely possible to demonstrate there would be sufficient on street capacity. The reduction in bedrooms, as explained results in no increase in parking demand. An area for refuse storage is provided and details of secure cycle parking i.e. a shed can be secured by condition if permission is forthcoming.
- 8.5.4 The proposal is compliant with Policy SP1, GP4 and T4 of the NLDP 2011-2026 (adopted January 2015).

## **8.6 Green Infrastructure & Biodiversity Enhancement**

- 8.6.1 Chapter 6 'Distinctive and Natural Placemaking and Well-Being' of Planning Policy Wales (PPW) Edition 12 (updated February 2024) states that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long term benefit. PPW 12 also advises that a Green Infrastructure Statement (GIS) should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. PPW 12 states that having worked iteratively, in line with Figure 12 through the stages of The Stepwise Approach, and providing a GIS that the step wise approach has been followed, a scheme of enhancements must be provided to ensure a net benefit for biodiversity.
- 8.6.2 No GIS has been submitted with the proposal, however given that the application is for a change of use and the proposal does not result in any impact on GI at the site, it is considered that if planning permission is forthcoming a suitably worded condition could be used to secure a scheme of proportionate biodiversity enhancement.
- 8.6.3 Subject to a condition, the scheme complies with Policy SP1 and GP5 of the NLDP 2011-2026 (adopted January 2015).

## **8.7 Waste:**

- 8.7.1 The proposed site plan designates an area for the storage of refuse and recycling receptacles to the side elevation of the property. This location is screened by existing fencing and is considered to be of an acceptable location and size. A suitably worded planning condition could control that this area is retained for the storage of refuse receptacles. In the case of a HMO for 6 people, the property will likely have a larger wheelie bin of 180ltr capacity

compared to the standard 120ltr capacity. However the number of receptacles overall will be akin to a single dwelling and the space allocated is acceptable.

8.7.2 The proposal complies with Policy W3 of the NLDP 2011-2026 (adopted January 2015).

## 8.8 Fenestration Alterations:

8.8.1 The proposal applies for minor amendments to the existing fenestration, including replacement front door with sidelights and an additional ground floor and first floor rear window. These alterations do not result in any impact on neighbouring residential amenity and are of an acceptable appearance and design.

8.8.2 Insofar as the application relates these external amendments, it complies with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).

## 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 results in an overconcentration of HMOs within the defined area, which undermines the existing residential character, amenity and social cohesion of the area, thereby diminishing the overall quality of the living environment and amenity of neighbouring residents and also fails to provide adequate residential amenity for future occupiers.
- 10.2 This is contrary to Policy GP2 and H8 of the NLDP 2011-2026 (adopted January 2015).
- 10.3 The application is refused.

## **11. DECISION**

### **REFUSED**

01 The proposal, by reason of inadequate sized and poorly configured bedrooms, will result in an unacceptable level of residential amenity for future occupiers. This is contrary to Policy GP2 and H8 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and the Houses in Multiple Occupation SPG (Updated January 2017).

02 The proposal will exceed the concentration threshold for Houses in Multiple Occupation as set out in the adopted Supplementary Planning Guidance. This overconcentration would undermine the existing residential character, amenity and social cohesion of the area, thereby diminishing the overall quality of the living environment and amenity of neighbouring residents. The proposal is therefore contrary to Policies GP2 and H8 of the Newport Local Development Plan 2011-26 (adopted January 2015) and the Council's Houses in Multiple Occupation Supplementary Planning Guidance (adopted January 2017).

### *NOTE TO APPLICANT*

01 This decision relates to plan Nos: 01 - Site Location Plan/Proposed Block Plan; 02 – Existing Floor Plans; 03A – Proposed Plans; 04 – Existing Elevations; 05 – Proposed Elevations; 06 – Proposed Sections; Email from Rachel Burn (25/07/2025 at 16:49) Confirming 3no. Bedrooms and 6no. Occupants.

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