

Delegated Decision Report

Application No:	25/0911	Statutory Expires:	Period	30 th January 2026
Site:	10 Gold Tops Newport NP20 4PH			
Proposal:	THE CONVERSION OF AN EXISTING DETACHED OFFICE BUILDING INTO A HMO CONSISTING OF 10 SINGLE BEDROOMS WITH ASSOCIATED SERVICES, KITCHEN AND SHOWER ROOMS. REFUSE AND RECYCLING STORAGE, AMENITY SPACE AND CAR PARKING PROVIDED EXTERNALLY			
Applicant:	P Hammond			
Type:	Full	Ward:	Allt-yr-Yn	
Decision:	GRANTED WITH CONDITIONS SUBJECT TO LEGAL AGREEMENT WITH DELEGATED POWERS AND DISCRETION TO REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED WITHIN THREE MONTHS OF THE COUNCIL’S RESOLUTION TO GRANT PLANNING PERMISSION			

1. BACKGROUND

- 1.1 A House in Multiple Occupation (HMO) is a house occupied by people who are usually unrelated and have private bedrooms but shared facilities such as kitchens, living areas and bathrooms. Up to 2 unrelated tenants can reside in a property that is still classed as a C3 dwelling for planning purposes. However, once unrelated tenants exceed this number, the property is referred to as a HMO. In planning terms, up to 6 unrelated individuals is classed as a HMO in Use Class C4. Anything above 6 would be considered as a Sui Generis use (in a class of its own). In this case, 10 tenants are proposed. In a HMO, like a dwelling, the occupants are expected to live as a household, sharing facilities in the property. However, typically they will occupy with tenancy agreements or contracts per room/occupant.
- 1.2 The personal details of occupants themselves is not a planning matter. Neither is the reputation, background, business, etc of the landlord/owner. The Local Planning Authority will and can only concern itself with land use planning considerations in the public interest and consequently concerns for the identity of future HMO occupiers, the details of rental agreements and charges, the history and personal details of the landlord and other similar matters, will not ordinarily inform a planning application assessment and are not considered relevant to this case.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site includes a substantial detached building located within the settlement boundary as defined by the Newport Local Development Plan 2011 – 2026 (Adopted January 2015) (LDP). The site is not subject to any Proposals on the LDP Proposal's Map, nor any constraints on the LDP Constraints Map.
- 2.2 The Parking Standards Supplementary Planning Guidance (SPG) identifies the site as being located within Parking Zone 3. There are several trees within and adjacent to the application site which are subject to Tree Preservation Orders (TPOs). In addition, the property is located to the immediate north of the Grade II* Listed Newport Civic Centre as well as opposite Nos. 11 and 12 Gold Tops, which are Grade II Listed.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks full planning permission for the change of use of 10 Gold Tops from an office to a 10no. single bedroom house in multiple occupation.
- 3.2 The Proposed Floor Plans indicate that the HMO would be laid out over four floors. A living room, kitchen, shower room, W.C and one bedroom would be located within the lower ground floor and four bedrooms and a shower room would be at ground floor level. To the first floor, a further three bedrooms and a shower room would be sited, whilst the second floor would include two bedrooms. The change of use would take place within the footprint of the existing building, with no extensions proposed. In addition, the newly created HMO would utilise the existing fenestration arrangement.

- 3.3. The main pedestrian entrance into the building would be provided off Godfrey Road to the west, with a second entrance off Gold Tops also in existence. The change of use would benefit from the existing car parking arrangements, with three spaces accessed off Gold Tops and a further seven spaces shown as being accessible off Godfrey Road.
- 3.4. The site would incorporate an area of outdoor amenity space in its north western corner and bin storage facilities would be sited to the south of the site. The Proposed Site Plan also shows provision for dedicated cycle storage facilities to the east of the building.

4. RELEVANT SITE HISTORY

Application Number:	Proposal:	Decision:	Decision Date:
15/0140	THE REFURBISHMENT AND UPGRADE OF AN EXISTING OFFICE BUILDING WITH MINOR ALTERATIONS TO THE FLAT ROOF EXTENSION	Granted with Conditions	13/03/2015
89/0427	FELLING OF SYCAMORE TREE T17 OF BOROUGH OF NEWPORT TPO NO.8 1986.	Granted with Conditions	18/09/1989

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.

Technical Advice Note (TAN) 15: Development, Flooding and Coastal Erosion

- 5.3 Newport Local Development Plan (2011-2026):

SP1 (Sustainability)

SP13 (Planning Obligations)

SP18 (Urban Regeneration)

GP2 (General Amenity)

GP4 (Highways and Accessibility)

GP5 (Natural Environment)

GP6 (Quality of Design)

GP7 (Environmental Protection and Public Health)

T4 (Parking)

W3 (Provision for Waste Management Facilities in Development)

H8 (Self Contained Accommodation and Houses in Multiple Occupation)

- 5.4 Supplementary Planning Guidance:

Houses in Multiple Occupation (HMOs) Supplementary Planning Guidance (Updated January 2017).

6. CONSULTATION RESPONSES

6.1 Local Highways Authority:

No objection subject to conditions.

The proposed cycle store is not appropriate. It is not inclusive (suitable for all bike types and user abilities) and it is not sufficiently secure (need to secure both wheels and frame when multiple users/households have access). A suitable weatherproof provision should be secured by way of condition.

There are no proposals to alter the access and no measurable intensification of use.

The plans indicate 10 on site parking spaces however some are not deep enough, and some do not allow drivers to approach highway at a safe angle or turn within the site. Notwithstanding this they are all existing provision.

Regardless of the actual practical provision the site is within zone 3 for parking assessments and the SPG requires 9 spaces for the extant use. It requires 10 plus two visitor spaces for the proposed use.

The difference is marginal and the likelihood of all HMO residents having a car is low. We would therefore not offer an objection on parking policy.

In conclusion there are no highway related objections subject to a condition to secure more appropriate cycle provision.

Suggested Conditions:

Notwithstanding the proposed cycle store and 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 Officer:

No objections.

Please note that the minimum bedroom size required for a one-person accommodation in a Shared House is 6.51m², and for a two-person accommodation, it is 11m². To determine the appropriate number of occupants, consideration must also be given to the number, type, and quality of amenities available within the property. For full details, please refer to the guidance document titled Houses in Multiple Occupation (HMO) – Property Standards – Standards for HMOs Subject to Licensing.

The fire risk assessment action plan should be followed. I would advise that as well as reviewing the LACORS Fire Safety Guidance they should also review the HMO Licensing Standards.

If it is intended for the dwelling to be converted into a House in Multiple Occupation under the Housing Act 2004, Part 2, 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 EHHousing@newport.gov.uk for a HMO licence.

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.

- 6.3 HMO Licencing Officer: There are no existing HMOs within a 50 metre radius of the application site.
- 6.4 Housing Development Manager: No response received.
- 6.5 Planning Contributions Manager: Details of the required planning contributions provided.
- 6.6 Recycling Project Manager:
We would anticipate the property receive a single 240l 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 collections being suspended with the Council reserving the right to refuse collection until suitable bin specifications are met.

- 6.7 Landscape Officer:
There are no landscape constraints to the proposal. The external changes are minimal: installation of recycling area and bicycle store.

Existing planting consists of evergreen mature shrubs which should be retained as this contributes to the street scene. Please note presence of mature tree on adjacent landholding – I have assumed top level parking from Gold Tops will require no change to levels or surfacing as per note on proposed site plan.

The amenity area is obviously limited in area, further limited by level changes, and is overlooked from the street, in addition there are no private balconies. As this is a conversion and not new build, I am unclear on whether there are any national or local guidelines for external amenity space provision.

Where amenity space is restricted, applications will often cite the distance to public open space. It is unclear whether the existing surface is to be changed within the recycling area. The fence height and finish is unclear and would be on view from Godfrey Road with fencing elevated above the existing brick wall and no room for planting to soften. There may be scope for trellis and climbers but this is not an ideal solution. Retention of the vegetation in the plots south corner is an important part of visual screening for the recycling area.

There appears to be no scope for further planting to meet LDP GP5.
As this is a very tight site for 10 single bedrooms, if parking is insufficient for the proposal and a change to the external layout is required, please reconsult.

- 6.8 Ecology Officer: No response received.
- 6.9 Principal Heritage Officer:
The property in question is prominently located upon the corner of Gold Tops and Godfrey Road, near the GII* Listed Newport Civic Centre (across the road, to the south) and the Grade II Listed nos. 11 & 12 Gold Tops (across the road, to the north-west).

Most notably, the property frames near views of the Civic Centre and its prominent tower from the western end of Gold Tops and the long down-slope view from the top of Godfrey Road, where the northern elevation of the Civic Centre steps dramatically down the hill.

The rear (southern) yard sits beneath a view of the Grade II Listed St Marks Church, where a break in the treed boundary reveals a glimpsed, medium-range view of the asset across the open back gardens of those properties which line the southern side of Gold Tops.

I cannot see that any external alteration is proposed to the property (10 Gold Tops), and the extent of existing hardstanding is proposed to remain unchanged.

The proposed cycle stone is to be concealed behind the eastern side of the building, beneath the large retaining wall to this sloping site.

A new bin store is proposed to the southern corner of the rear yard. Design for this structure is currently unclear, and care should be taken to ensure that it is not unsightly within this prominent location, so as not to impact negatively upon the setting of both the GII* Listed Civic Centre and Grade II St Marks Church. Considering the likely scale of the proposed, if well-designed, setting impact will be likely be low.

6.10 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.

6.11 Gwent Police:

From examining the crime/incident data, I am satisfied that the proposed development location is not currently being affected by any significant ongoing crime trends or patterns.

I note that this development is proposed to be used as an HMO. At present there is currently 0 (nil) HMO properties within a 50-meter radius of the proposed development.

The location of the development is located on the boundary of the Stow Hill Ward. The Stow Hill section/ward in Newport is one of the highest recording crime/incident areas within Gwent. It is a demand driver for Gwent Police due to the high volume of footfall, retail, commercial and nighttime economy premises.

Several recommendations are also provided in relation to designing out crime.

6.12 South Wales and Rescue Service:

The proposed site plan in relation to the above has been examined by The Authority and the following standing advice is given at this stage:

The developer should carefully consider the need for the provision of: -

- a) adequate water supplies on the site for firefighting purposes; and
- b) access for emergency firefighting appliances.

7. PUBLIC REPRESENTATIONS

7.1 NEIGHBOURS: Direct notification letters were sent and a site notice was displayed. Eight objections were received which are summarised as follows:

- The proposal would result in the loss of employment land.

- The proposed use would not be compatible, nor in keeping with the well established professional and residential area.
- The proposed use would alter the ambience of the area.
- The proposed use would be out of character with the immediate area.
- The proposed use would result in an over concentration of HMOs within the local area, adversely impacting upon community cohesion.
- The proposal would result in an increase in noise and disturbance and adversely impact upon residential amenity, particularly during late night hours.
- The proposal provides inadequate facilities with shared amenities, bin storage and living space.
- The proposal may adversely impact upon property value of nearby buildings.
- The proposal would not include adequate car parking provision and would result in increased traffic and public safety issues.
- The proposal would conflict with both local and national planning policies.

7.2 COUNCILLORS: Local Ward Members have been consulted directly. No responses have been received.

8. ASSESSMENT

8.1 Principle of Development:

8.1.1 In terms of the principle of the development, the application site consists of previously developed land within the defined urban boundary. It is considered that the reuse of the building would be consistent with Policies SP1 and SP18 and the general brownfield strategy within the Local Development Plan, which encourages the reuse of existing buildings.

8.1.2 As a starting point, Policy EM3 states that:

Development proposals promoting alternative uses on existing employment sites will be resisted unless:

- The site has been marketed unsuccessfully for employment purposes for a minimum of 12 months;*
- There remains a sufficient range and choice of employment land and premises to meet LDP requirements and local demand;*
- The development has no adverse impact on existing or allocated employment sites;*
- The development has no adverse impact on amenity or the environment.*

8.1.3 In terms of the above criteria, the application has not been accompanied by any information to suggest that the building has been marketed unsuccessfully for a minimum of 12 months, and a site visit to the premises confirmed that the building appears to still be in active use as an office. The Agent has assured the Council that the current business operating from the building are planning to relocate within the Newport area to avoid the loss of local employment. The latest Employment Land Survey undertaken by the Council occurred in 2020. The Local Development Plan (LDP) Annual Monitoring Report 2024 indicates that the available employment land supply is just under 11 years, whilst the LDP monitoring target is to ensure a five year supply of land for employment purposes is maintained throughout the Plan period. As such, there is currently a general over supply of employment land within Newport. In addition, the application site is not specifically allocated for employment purposes within the LDP. Based on these facts, whilst the building has not been marketed unsuccessfully, it is considered that this alone would not warrant the refusal of the application.

8.1.4 Policy H8 (Self Contained Accommodation and Houses in Multiple Occupation) is relevant to the application and 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:

- 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.'*

8.1.5 Based, on the above, the general principal of the use of site as a HMO is acceptable, subject to the proposal meeting the relevant criteria, which will be assessed further below.

8.2 Character and Appearance:

8.2.1 In terms of criteria i) of Policy H8, this part of the streetscape is characterised by mainly large properties, some of which are in residential use and others in office use. Some properties within the vicinity benefit from off street car parking provision, however there is also a high incidence of on street car parking within the surrounding streets, most likely due to the location being in close proximity to the Civic Building as well as the city centre. The proposal seeks to create a residential use for the property, which would be largely compatible with the local area. It is not therefore considered that the use alone would adversely impact the character of the building or that of the locality.

8.2.2 There would be no changes proposed to the external elevations of the property, other than the installation of two bat boxes on the south elevation and one bird box on the north elevation, with the change of use taking place within the footprint of the existing building. Existing car parking arrangements would remain, with the only changes proposed to the site's exterior being the inclusion of external cycle and waste storage facilities.

8.2.3 Based on the above, it is not considered that the proposed change of use would have any unacceptable adverse impact upon the character and appearance of the application site or surrounding area.

8.3 Residential Amenity:

8.3.1 The application site is located in a mixed use area of which the proposal would be compatible with. There is existing residential accommodation nearby and whilst it is acknowledged that the proposal may lead to an increase in comings and goings, the activity would remain residential in nature and would be appropriate within the context of the area. Additionally, it is the case that legislation outside the planning process exists to address and control issues related to noise nuisances. Taking these factors together, it is not considered that the proposal would change the use of the property to such an extent which would harm the living conditions of neighbouring occupiers. As such, it is considered that the change of use would result in an acceptable impact upon the residential amenities of neighbours.

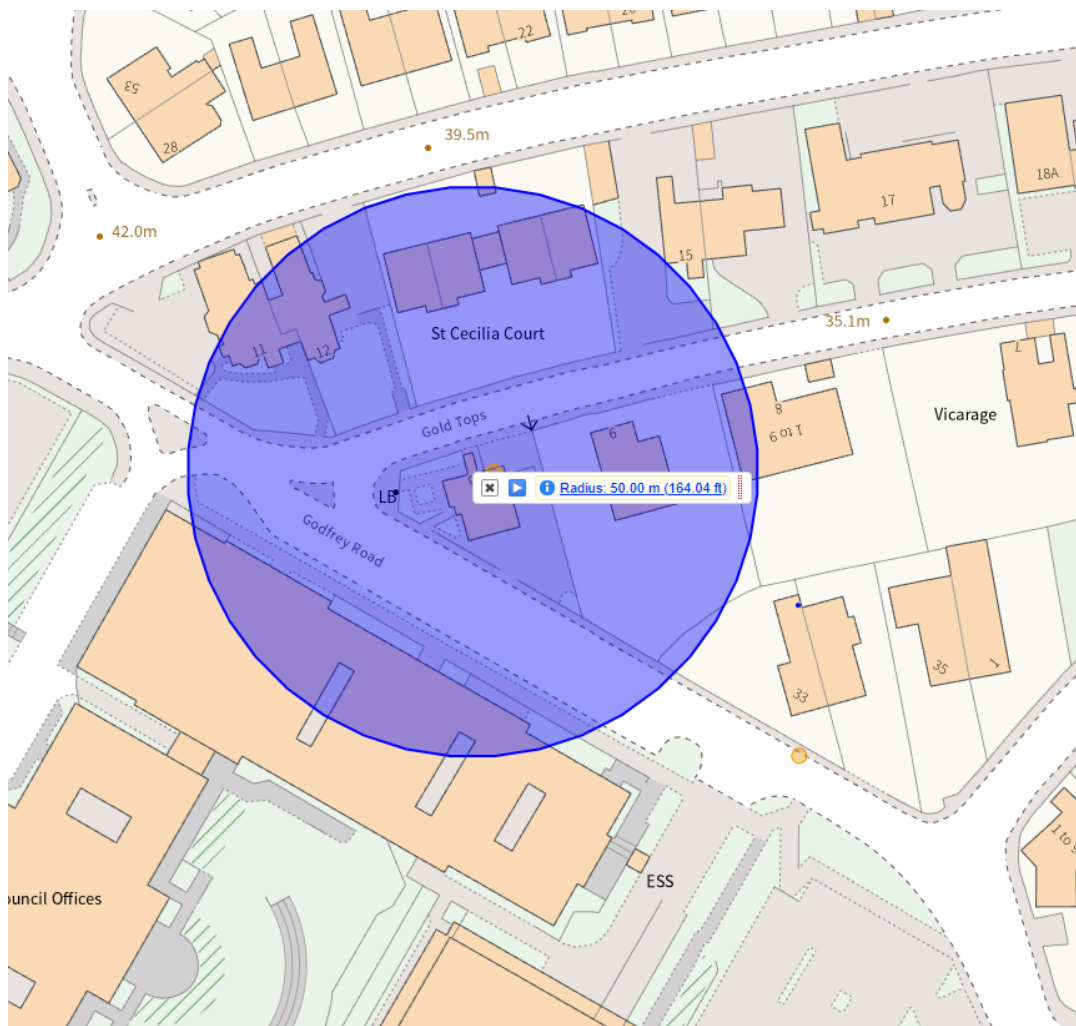
8.4 Car Parking and Highway Safety:

8.4.1 The application site is located within Parking Zone 3. The submitted floor plans indicate that the current use of the building would generate a car parking requirement 9 spaces. The proposed use would require 10 spaces, in addition to 2 visitor spaces. The Local Highways Authority have been consulted, noting that the difference in spaces is marginal and the likelihood of all HMO residents having a car is low. As such, an objection relating to a shortfall in car parking has not been raised.

8.4.2 The concerns submitted by local residents regarding car parking are noted and it is acknowledged that a shortfall of car parking spaces would be provided as part of the development. Notwithstanding this, Inspectors at planning appeal will often assume that car ownership in HMO properties will be lower and most notably in sustainable locations, such as this. The Local Planning Authority may not agree with this stance, particularly where no evidence of it is given but being aware of recent appeal decisions, the generally positive attitude of the Welsh Inspectorate to HMOs in sustainable locations, irrespective of whether they have off street parking and the policy move of maximum parking standards rather than minimum standards espoused in the SPG, it is considered that there is no demonstrable adverse effect in relation to parking demand that could robustly be argued to impact upon highway safety or upon neighbouring amenity in this case. Furthermore, PPW12 and Future Wales backs lower levels of car parking provision in sustainable locations.

8.5 Concentration of HMOs:

- 8.5.1 Criteria ii) of Policy H8 requires that the proposal does not create an over concentration of houses in multiple occupation in any one area of the city. Further to this, the adopted HMO SPG, which must also be afforded substantial weight in decision making, 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.



- 8.5.2 The image above shows a 50 metre radius taken from the address of the application site. It shows that there are no existing registered HMOs present. The Council's HMO Licensing Officer has confirmed this. Notwithstanding this, given the low density of the buildings within the 50 metre radius, there are only eight properties captured. As such, should the application succeed, the concentration level of HMO's within the locality would equate to 1 out of 8 (12.5%).
- 8.5.3 Whilst it is acknowledged that the proposal would run counter to the SPG, a recent Appeal decision (Ref: APP/G6935/A/17/3168984) relating to a proposed HMO in Newport (Planning Application Ref: 16/0968) indicated that it is also necessary to demonstrate that harm would be caused as a result of the change of use should the threshold be exceeded. So far, it has not been demonstrated that harm would arise as a result of the change of use and it is clear that currently there is no physical evidence of problems usually associated with high concentrations of HMOs in the immediate area.

8.6 Noise and Amenity of Future Occupiers:

- 8.6.1 Criteria iii) of Policy H8 requires that adequate noise insulation is provided. The Council's Environmental Health Officer has raised no objections to the proposal in relation to noise and has not requested any sound insulation works be carried out to facilitate the development. A Noise Report which would assess the impact of external noise on the internal ambient

noise of the proposed HMO has not been provided with the application. Notwithstanding this, given the local land uses present (including residential), it is not considered that a Noise Report which would assess the impact of external noise is required. As such, it is considered that the requirements of Criteria iii) of Policy H8 can be met.

8.6.2 Criteria iv) of the Policy H8 requires that adequate amenity for future occupiers of the development is provided. In addition, the Housing in Multiple Occupation SPG, outlines that rooms should be arranged and designed in a manner that maximises the living standards of occupants. For instance, living rooms, kitchens and bedrooms should neither overlook adjoining properties nor face high boundary walls. Living rooms, moreover, should not be next to, directly above or directly below a bedroom in a neighbouring property. It appears that adequate accommodation in terms of room sizes for the HMO use could be provided within the building. In addition, it is considered that each bedroom would be served by openings would provide adequate natural light and ventilation. It is noted that the Applicant would also be required to obtain a separate HMO License to ensure the property meets relevant standards.

8.6.3 The adopted HMO SPG states that 'HMO's should provide outdoor amenity space in which residents can relax, dry their clothes and store refuse and recycling bins. Shared amenity spaces will be acceptable so long as they can accommodate every resident of the properties they serve.' The property does include an outdoor communal space to the west of the building, in addition to dedicated waste and cycle storage facilities. It is noted that no detailed information of the waste store has been provided regarding its external design and security. In addition, the Local Highway Authority has commented that the cycle store proposed is not appropriate as it is not inclusive (suitable for all bike types and user abilities) and it is not sufficiently secure. These issues could however be addressed via conditions.

8.7 Biodiversity Enhancement

8.7.1 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. The application proposes to deliver biodiversity enhancements through the installation of bat roosting and bird nesting boxes. This is considered to be proportionate to the proposed development.

8.8 Section 106 Planning Obligation Matters:

8.8.1 In 2010 the Community Infrastructure Levy Regulations (2010) came into effect. Reg 122 of these regulations sets out limitations on the use of planning obligations. It sets out three tests that planning obligations need to meet. It states that planning obligations may only constitute a reason for granting planning permission if the obligation is:

- a) Necessary to make the development acceptable in planning terms; (the obligations of the Section 106 Agreement are necessary to ensure adequate education provision, secure affordable housing on site and provide sufficient open space and ensure its continued maintenance).
- b) Directly related to the development; (the obligations of the Section 106 Agreement are directly related to the development).
and
- c) Fairly and reasonably related in scale and kind to the development (the obligations as set out in the Section 106 Agreement, both in terms of scale and kind of obligations being required, are fair and reasonable to ensure the aforementioned contributions for the development of this site).

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

Service Area that requires Planning Obligation	Purpose of Planning Obligation	Planning Obligation initially sought by Planning Authority	Summary Heads of Terms agreed by applicant(s)?	Viability Issues?
Regeneration, Investment and Housing	To provide affordable housing.	A commuted sum of £2,064 in accordance with Policy H4 of the LDP and the formulae in the adopted Affordable Housing SPG.	Agreed	N/A

8.8.2 The applicant has agreed to enter into a Unilateral Undertaking to provide the affordable housing contributions outlined above.

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 On balance, the application is considered to comply with the relevant local and national planning policies and is recommended for approval, subject to conditions and the signing of a legal agreement.

11. DECISION

GRANTED WITH CONDITIONS SUBJECT TO LEGAL AGREEMENT WITH DELEGATED POWERS AND DISCRETION TO REFUSE IN THE EVENT THAT THE AGREEMENT IS NOT SIGNED WITHIN THREE MONTHS OF THE COUNCIL'S RESOLUTION TO GRANT PLANNING PERMISSION

1. The development shall be implemented in accordance with the following plans and documents:
2099 LP01 – Site Location Plan
2099 SL04 – Proposed Site Layout
2099 FP01 – Proposed Layouts
2099 EL03 – Existing and Proposed Elevations
Bat Activity Survey produced by Little Wing Ecology (Report Reference LT279-BAS-25)
Beaumaris Bat Box
1SP Schwegler Sparrow Terrace
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.
2. The property shall have maximum of ten bedrooms and maximum of ten occupants; one occupant per bedroom.
Reason: To protect residential amenity and in the interests of highway safety, in accordance with policies GP2 and GP4.
3. Notwithstanding the proposed cycle store and 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.
4. Notwithstanding the approved plans and except for site clearance and remediation no development shall take place until a scheme for the provision of waste storage and recycling 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.
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.

NOTE TO APPLICANT

- 01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). SP1 SP13, SP18, GP2, GP4, GP5, GP6, GP7, T4, W3 and H8 were relevant to the determination of this application.
- 02 Newport City Council's Houses in Multiple Occupation (HMOs) Supplementary Planning Guidance (Updated January 2017), Parking Standards Supplementary Planning Guidance (Adopted August 2015) and Planning Obligations Supplementary Planning Guidance (December 2025) 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.