

Planning Statement

Proposed Development: Change of use of the first and second floor flat to a High-Quality Three-Bedroom House in Multiple Occupation (HMO, Use Class C4). The ground floor flat is retained in its existing lawful use as self-contained residential accommodation (Use Class C3) and will be fully renovated.

Address: 19 St Mary Street, Newport, NP20 4DG

Prepared: 10th July 2026

1. Introduction

1.1 This statement is submitted in support of a planning application for the change of use of the first (and second) floor flat at 19 St Mary Street, Newport, from a four-bedroom self-contained flat to a high-quality three-bedroom House in Multiple Occupation. The ground floor of the property, comprising a three-bedroom flat, is retained in full in its existing lawful use and will be comprehensively renovated for continued residential occupation. No change of use from the current flat or subdivision is proposed at the ground floor level.

1.2 This is a revised application, brought forward following the dismissal of an appeal against the refusal of an earlier scheme for the whole building. The current, reduced-scope proposal has been specifically and directly designed around the Planning Team's and Inspector's findings, as set out in Section 2 below.

2. Planning History and Summary of the Appeal Inspector's Findings

2.1 An application (Ref 25/0648) for change of use of the whole property to a single six-bedroom HMO was refused by Newport City Council on 23 October 2025, for two reasons: (1) harm to living conditions from inadequate outlook and daylight to Bedroom 3 on the ground floor and the ground floor communal kitchen; and (2) inadequate outdoor amenity, cycle, and waste storage arrangements due to access via a narrow path and steps.

2.2 That decision was appealed to the Welsh Government under section 78 of the Town and Country Planning Act 1990. The appeal (Ref CAS-04808-Y8X5K9) was dismissed by the Inspector, L. Hughson-Smith, in a decision dated 12 June 2026, following a site visit on 17 April 2026. The Inspector's findings are directly relevant to this revised application and are summarised below.

2.3 The amenity space, access, and cycle/waste storage arrangements (Reason for Refusal 2) were found acceptable. The Inspector held that the rear outdoor amenity area, while lacking soft landscaping, provided usable external space for occupants to relax and dry clothes, and would accommodate adequately sized cycle and bin storage (paragraph 6). While the stepped, narrow side access was found to be "not optimal" and would create "some inconvenience," the Inspector concluded this was not unusual for terraced properties, and was not so impractical as to discourage regular use of the facilities (paragraphs 7–8). They

accepted that any tendency toward front bin storage reflected an established local pattern already present in this part of St Mary Street, rather than a consequence of the scheme itself, a conclusion reinforced by the absence of objection from the Highway Authority (paragraphs 9–10). While acknowledging the access was not fully step-free or ideal for inclusive design, the Inspector found it was not so poor as to prevent meaningful use of the space, given the established and inherently constrained relationship between the building and its external areas as an existing terraced property (paragraph 11). The Inspector expressly recorded no wider concerns in relation to housing density, HMO concentration, or the sustainability of the location.

2.4 The sole reason for dismissal was internal living conditions at the ground floor level (Reason for Refusal 1). The Inspector found that the ground floor kitchen and Bedroom 3, due to their proximity to a substantial retaining wall to the rear and enclosure created by the roof structure, would result in a "gloomy and oppressive environment," despite the windows being south-facing (paragraph 13). Because the ground floor kitchen was the only conveniently accessible communal space for the occupier of Bedroom 3 — the upper floor kitchen being reachable only externally via the amenity space — the Inspector concluded that occupier would have convenient access only to internal spaces suffering from poor outlook, restricted light, and oppressive enclosure, resulting in unacceptable living conditions contrary to LDP Policies GP2 and H8 (paragraphs 14–15).

2.5 The Inspector considered and preferred the lawful two-flat fallback position. The Appellant had argued that Bedroom 3 and the kitchen were already in equivalent use within the existing lawful ground floor flat, such that the HMO scheme would result in no worse conditions than the fallback position. The Inspector rejected this. They found that under the existing lawful use, the bedroom and kitchen form part of a self-contained flat with access to a separate living room benefiting from a reasonable outlook and good natural light — providing an alternative internal space away from the constrained rooms (paragraph 18). The proposed HMO would have removed that alternative, leaving the Bedroom 3 occupier reliant on the constrained kitchen as their only shared space. On that basis, the Inspector concluded the existing lawful two-flat fallback position would provide materially better living conditions than the appeal scheme, and did not justify the harm identified (paragraph 19).

2.6 The benefits of the scheme did not outweigh the harm identified. The Inspector acknowledged the benefit of the low-cost, single-person accommodation the scheme would have delivered, but found that, given the small scale of the proposal, this benefit was limited and did not outweigh the harm to living conditions for the occupier of bedroom 3 (paragraph 20).

2.7 This application responds directly to those constraints. Rather than reconfiguring the ground floor's internal layout, the Applicant has removed it from the HMO proposal entirely, preserving it as the very fallback arrangement the Inspector found preferable, while confining the HMO conversion to the first and second floor flat, where the Inspector identified no defect of any kind.

2.8 Importantly, the Inspector did not identify any objection to the principle of HMO use at this location. Nor were objections upheld in relation to:

- sustainability of the location;
- outdoor amenity provision;

- cycle storage;
- refuse storage;
- stepped access to the rear garden;
- general suitability of the building for HMO accommodation.

3. Site Description

3.1 The application site comprises a three-storey, mid-terraced property on the southern side of St Mary Street, surrounded by properties of similar vintage, close to Newport City Centre.

The site occupies a highly sustainable location within easy walking distance of:

- Newport Railway Station
- Bus services
- Retail facilities
- Employment opportunities
- Educational establishments
- Healthcare services
- Restaurants and leisure facilities

The surrounding area contains a mixture of residential accommodation, including traditional family housing, flats and HMOs, reflecting its city-centre location.

The property benefits from an enclosed rear garden together with external storage suitable for cycle and refuse storage.

3.2 The property is arranged over three levels:

- A three-bedroom flat at the ground floor level, with independent access taken directly from St Mary Street;
- A four-bedroom flat across the first and second floors, with a wholly independent, separate entrance accessed via a dedicated side footpath adjacent to the property, confirmed on the current architect's proposed floor plans (Dwg. 2024.454_PL02_A).

3.3 The Inspector expressly confirmed that this two-flat access arrangement is already established and lawful, and that it currently serves both existing units without reported issue.

3.4 The property occupies a sustainable, highly accessible location within the settlement boundary, less than 550m (approximately a 7-minute walk) from Newport city centre, railway station, and multiple bus routes.

4. The Proposal

4.1 Full planning permission is sought for the change of use of the first and second floor flat only, from a four-bedroom self-contained flat to a three-bedroom, high-quality HMO,

comprising three ensuite bedrooms and a shared kitchen across the first floor and existing converted loft space.

4.2 Access to the HMO is taken via the existing, independent side footpath entrance at ground-floor level, wholly separate from the ground-floor flat's street-fronting entrance. This preserves the lawful, established access arrangement already serving the upper unit, with no alteration to the point or manner of entry.

4.3 The proposed floor plans (Dwg. 2024.454 PL02_A) show dedicated cycle and bin/refuse storage for the HMO.

4.4 The ground floor flat is retained in its entirety in its current lawful configuration, including Bedroom 3 and the kitchen, and will be renovated and modernised to a high standard for continued residential occupation. It remains, precisely, the fallback position the Inspector found materially preferable to the previous scheme. Importantly, the rooms identified by the Inspector as having restricted outlook and daylight will remain part of this self-contained dwelling. The Inspector specifically acknowledged that these rooms already lawfully function as part of a self-contained flat with access to a separate living room, enjoying a good outlook and natural light. The revised proposal, therefore, leaves this arrangement unchanged.

4.5 A shared external amenity space serves both the ground-floor flat and the upper-floor HMO. The garden is of sufficient size to accommodate both households; should the Council consider a shared arrangement unsuitable, the space is physically capable of division into two discrete areas, one for each unit.

4.6 The existing upper flat currently contains four bedrooms. The proposal reduces this accommodation to only three bedrooms. Rather than seeking to maximise occupancy, the proposal intentionally reduces bedroom numbers to create significantly higher quality accommodation. Each bedroom will benefit from: generous floor area, en-suite or dedicated private bathroom facilities, excellent natural light, satisfactory outlook, high quality finishes.

5. Response to Reason for Refusal 1 — Now Resolved by Exclusion

5.1 As set out at Section 2.4–2.5 above, the harm identified by the Inspector arose specifically and exclusively from the proposed change of use of Bedroom 3 and the ground floor kitchen to HMO accommodation, in circumstances where the HMO occupier of Bedroom 3 would have had no reasonable alternative internal living space. That harm does not arise under this application. Bedroom 3 and the kitchen remain part of the ground floor flat's continuing lawful use, retaining the separate living room the Inspector identified as providing a materially better standard of living (paragraph 18). The conflict with LDP Policies GP2 and H8 identified at appeal is therefore removed in its entirety, not mitigated or argued around.

6. Response to Reason for Refusal 2 — Amenity, Cycle and Waste Storage, Access

6.1 As set out at Section 2.3 above, this matter was already resolved in the Applicant's favour at appeal, for a scheme serving six HMO occupants. The current proposal reduces HMO occupancy to three bedrooms, with the ground floor flat continuing as a single household. Demand on the amenity space and dedicated cycle/bin storage is materially lower than that already found acceptable, and the confirmed floor plans demonstrate a genuinely independent access and storage arrangement for the HMO, free of any conflict with the ground floor flat's continuing use.

7. Concentration of HMOs

7.1 The Council's HMO Licensing Officer confirmed during the original application that, including this property, HMOs within a 50m radius of the site represent approximately 8% of local housing stock, well below the 15% threshold applicable to this "defined area" under the adopted HMO SPG and LDP Policy H8(ii). This conclusion is unaffected by, and applies equally to, the current reduced-scope proposal.

8. Room Sizes and Communal Space

8.1 The Council's Environmental Health (Housing) team raised no objection during the original application and confirmed all single-occupancy rooms would substantially exceed the statutory minimum of 6.51 sqm. This applies equally to the three bedrooms now proposed, with the ratio of shared kitchen facility to occupant substantially improved compared with the previous six-person scheme.

8.2 It is also relevant that the Council's own Delegated Decision Report on the original application accepted the principle of HMO use at this site outright, finding it consistent with Policies SP1 and SP18 and the Local Development Plan's brownfield reuse strategy (paragraph 8.1.3). The Officer further confirmed that, as no external alterations were proposed and the internal works were "minor in nature," the change of use would have no unacceptable adverse impact on the character or appearance of the site or surrounding area (paragraph 8.2.2). This finding is unaffected by, and applies with at least equal force to, the current reduced-scope proposal, which similarly involves no external alterations.

9. Fire Safety

9.1 The Applicant confirms a Fire Risk Assessment will be undertaken by a competent person prior to occupation, in accordance with the Regulatory Reform (Fire Safety) Order 2005 and the Council's HMO Licensing Standards, addressed through the separate HMO licensing regime administered by the Council's Environmental Health (Housing) team alongside this planning application.

10. Parking Provision and Transport Accessibility

10.1 This is confirmed by the Council's own Delegated Decision Report on the original application, which found that the existing two-flat lawful use generated a parking requirement of seven spaces (one per bedroom), identical to the requirement generated by the previously proposed six-bedroom HMO, such that there would be "no change in the car parking requirements between the existing and proposed uses" (paragraph 8.4.1). The Officer further noted that Inspectors at appeal generally assume lower car ownership among HMO residents in sustainable locations, and that Planning Policy Wales and Future Wales support lower parking provision in such locations, concluding there was no demonstrable adverse effect on highway safety or neighbouring amenity arising from the absence of on-site parking (paragraph 8.4.2). The current, reduced-scope proposal generates a materially lower theoretical parking requirement than the scheme already assessed on this basis.

11. Sustainable Location

The property occupies one of the most sustainable residential locations within Newport.

Residents will have convenient access to:

- Newport Railway Station;
- local bus services;
- city centre employment;
- shopping;
- healthcare;
- leisure;
- education.

Secure cycle storage will be provided.

Given the highly sustainable location, future occupiers will have reduced reliance upon private motor vehicles, consistent with Planning Policy Wales.

12. Compliance with Policy

11.1 The proposal complies with the relevant provisions of the Newport Local Development Plan (2011–2026), the HMO Supplementary Planning Guidance, and Planning Policy Wales:

- **Policy H8(i):** scale and intensity of use does not harm the character of the building or locality; no external alterations are proposed;
- **Policy H8(ii):** no over-concentration of HMOs, remaining well within the Council's 15% threshold;
- **Policy H8(iv) / GP2:** adequate amenity for future occupiers of both units — the specific harm identified by the Inspector does not arise, as the affected rooms remain outside the HMO in unaltered lawful use, and the amenity, cycle, and waste storage arrangements already found adequate at appeal for six occupants are more than

sufficient for the three now proposed, with dedicated, non-conflicting access and storage confirmed on the current drawings.

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12.2 The proposal makes efficient use of an existing building;

- provides a needed form of accommodation;
- supports sustainable travel;
- protects residential amenity;
- improves housing choice;
- contributes towards the vitality of the city centre.

13. Planning Balance

The revised proposal delivers several significant public benefits.

These include:

- retention of an existing ground-floor flat;
- provision of high-quality shared accommodation;
- improved use of existing housing stock;
- reduced bedroom numbers compared with the previous proposal;
- excellent quality accommodation with en-suite facilities;
- sustainable development within the city centre;
- efficient reuse of an existing building.
- Most importantly, the proposal has removed the sole issue identified by the Planning Inspector in dismissing the previous appeal.

14. Conclusion

14.1 This application has been carefully redesigned in direct response to the Planning Inspector's appeal decision of 12 June 2026. Rather than attempting to redesign around the identified harm, the Applicant has removed the affected rooms from the HMO proposal entirely, retaining them within the lawful, renovated fallback arrangement the Inspector himself found preferable.

14.2 The remaining element of the scheme — conversion of the first and second floor flat to a three-bedroom HMO — was subject to no adverse finding at appeal. The adequacy of amenity space, access, and cycle/waste storage serving the property has already been established by the Planning Inspectorate at double the level of occupancy now proposed, and the current, confirmed drawings demonstrate a genuinely independent, non-conflicting access and storage arrangement for the HMO.

14.3 The proposal delivers high-quality, well-managed HMO accommodation alongside a fully renovated family home within the same building, in a highly sustainable location, without repeating the harm identified in the previous appeal decision, and in full compliance with LDP Policies GP2 and H8 and the Council's adopted HMO SPG.

The Applicant respectfully requests that planning permission be granted.