

Delegated Decision Report

Application No:	26/0522	Statutory Expires:	Period	7th September 2026
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Site:	19 St Mary Street Newport NP20 4DG		
Proposal:	CHANGE OF USE OF THE FIRST FLOOR 4 BED FLAT TO A 3 BED HMO		
Applicant:	M Ahuja		
Type:	Full	Ward:	Stow Hill
Decision:	REFUSED		

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, 6 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. Whilst the house could be rented by a family or 3 or more unrelated individuals, it is a residence either way and rent may be paid to a landlord in either scenario.
- 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.
- 1.3 This application is a resubmission of 25/0648 which proposed a 'CHANGE OF USE FROM 1 NO. THREE BEDROOM FLAT AND 1 NO. FOUR BEDROOM FLAT TO 1 NO. 6 BEDROOM HOUSE IN MULTIPLE OCCUPATION'.
- 1.4 The previous application was refused for the following reasons:
 1. *The proposed development would result in harm to the living conditions of occupiers of the HMO, who would suffer from an oppressive living environment due to inadequate outlook and natural daylight serving Bedroom 3 and the ground floor communal kitchen. This would be detrimental to residential amenity and therefore contrary to Policies GP2 and H8 of the Newport Local Development Plan 2011 – 2026, as well as Newport City Council SPG Houses in Multiple Occupation.*
 2. *The proposal would fail to provide suitable outdoor amenity space, cycle and waste storage facilities by virtue of access to these facilities only being achievable via a narrow path and several steps. This arrangement is not only inconvenient but also impractical for regular use. The proposed route is likely to discourage frequent use of the facilities and pose accessibility challenges for individuals with reduced mobility. As such, the lack of direct, unobstructed access undermines the usability of the proposed facilities and fails to meet the principles of inclusive design. The proposal is therefore contrary to Policies GP2 and H8 of the Newport Local Development Plan 2011 – 2026, as well as Newport City Council SPG Houses in Multiple Occupation.*
- 1.5 The application was appealed to Planning and Environment Decisions Wales (PEDW) (Ref: CAS-04808-Y8X5K9) and the Inspector cited the main issue of the application as being the

effect of the proposal on the living conditions of the prospective occupants and agreed with the first reason for refusal, dismissing the appeal. Notwithstanding this, in terms of the second reason for refusal, the Inspector noted that whilst access to the outdoor amenity and storage space would not be optimal, the amenity space would provide usable external space for prospective occupants to relax and dry their clothes. Furthermore, the Inspector noted that the access to the space would not be so inconvenient or impractical that it would discourage prospective occupants from regularly using the space for amenity purposes and storage, particularly bicycles, and also suggested that front bin storage forms part of the established pattern of waste storage in the immediate area, noting that any further front bin storage from the application site would not result in material harm. The Inspector also indicated that the Council's concerns in respect of inclusive design would not justify the withholding of planning permission. In summary, based on the findings of the first reason for refusal only, the previous application was dismissed at Appeal.

- 1.6 As noted above, the current application is a resubmission of 25/0648. The current scheme differs from the previous as it is now proposed to change the use of the upper floors of the building only to a HMO. The HMO proposed would include three bedrooms and the ground floor of the building would remain as a single flat.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is located within the settlement boundary as defined by the Newport City Council Local Development Plan 2011 – 2026 (Adopted January 2015) (LDP). The site is not subject to any allocations on either the LDP Proposals Map or the LDP Constraints Map.
- 2.2 The site itself consists of a traditional two storey terraced property that directly fronts St Mary Street. The property currently contains accommodation spread over three floors, with the Existing Floor Plans showing a three bedroom flat on the ground floor accessed directly off St Mary Street. A four bedroom flat contained within the first and second floors of the property is also provided and this is accessed at first floor level via a footpath to the side of the property.
- 2.3 The rear of the site consists of a private garden area which is elevated from the property and accessed via steps from the footpath. There is no off road car parking provided within the confines of the site.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks full planning permission for the change of use of the first and second floors of 19 St Mary Street from 1 no. four bedroom flat to 1 no. three bedroom house in multiple occupation.
- 3.2 The Proposed Floor Plans indicate that the HMO would be laid out to include a kitchen, two bedrooms (both with en-suite bathrooms) at first floor level and a further bedroom with en-suite bathroom within the second floor loft space.
- 3.3 Access into the site would be provided via a footpath along the side of the property with the accommodation itself accessed from the roof top of the ground floor structure.
- 3.4 The site would include an amenity area, which is raised above the level of the dwelling due to the topography of the land and accessed via steps, along with facilities for the storage of bicycles and waste. There is no off road car parking provision provided.

4. RELEVANT SITE HISTORY

Application Number:	Proposal:	Decision:	Decision Date:
25/0648	CHANGE OF USE FROM 1 NO. THREE BEDROOM FLAT AND 1 NO. FOUR BEDROOM FLAT TO 1 NO. 6 BEDROOM HOUSE IN MULTIPLE OCCUPATION	Refused Dismissed at Appeal (Ref: CAS-04808-Y8X5K9)	23/10/2025 12/06/2026

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)

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).

Parking Standards Supplementary Planning Guidance (Adopted August 2015).

6. CONSULTATION RESPONSES

6.1 Local Highways Authority:

No objection, subject to amendment/conditions.

The reduction in bedrooms results in a theoretical reduction in parking demand, but any impact would be marginal.

There are no changes in terms of access and access to the rear remains poor for all occupants.

The proposed cycle store has not been demonstrated to be secure or of adequate size for the number of residents. Further, it is accessed via the bins, which is not acceptable. A separate entrance is needed along with Sheffield style racks and demonstrable security. This should be secured by way of condition.

In summary there are no highway related objections subject to the following condition.

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:

I confirm I have no objection regarding the proposals for CHANGE OF USE OF THE FIRST FLOOR 4 BED FLAT TO A 3 BED HMO.

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.

There is no information provided on any intended fire precautions. The owner of the property will have to ensure adequate fire protection. A Fire Risk Assessment should be complete by a competent person, so the owner/ landlord is aware of the fire safety requirements.

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 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 Licensing Officer:

No response received.

6.4 Waste and Recycling:

No response received.

6.5 Gwent Police:

No response received.

7. PUBLIC REPRESENTATIONS

7.1 Neighbour notification letters were sent on 20th July 2026 and a Site Notice was displayed on 24th July 2026. Twenty-two letters of objection were received from members of the public. The objections are summarised as follows:

- There is no need for the proposal and it is unwanted by members of the community, who are aware of the problems related to HMOs.
- There is a growing number of HMOs in the local area.
- Approving the HMO would lead to an over-concentration of HMOs in the area.
- The influx of HMOs in the local area is diminishing community cohesion and there are already enough in the vicinity of the site.
- The proposal will result in an increase in anti-social behaviour in the local area.
- The local area is becoming increasingly unsafe.
- The proposal will impact upon local elderly and vulnerable residents.
- The proposal would adversely impact residential amenity.
- The surrounding area is under heavy parking pressure, which the proposal would exacerbate.
- There are inadequate waste storage facilities associated with the proposed HMO.

7.2 COUNCILLORS: Councillor Miqdad Al-Nuaimi and Councillor Kate Thomas were consulted on the proposal.

Councillor Miqdad Al-Nuaimi provided the following response:

'We now have at least 3 Planning applications seeking conversion of ordinary residential houses into HMOs in the same general location and very near the already approved HMO application at the former Baneswell Community Centre and the Forner Baneswell Nursery.

Please see comments in respect of No 35 St Mary's St, and 25 St Edward St in addition to this one.

But in respect of this application, I see that it provides a much better quality of residential amenities for the would be occupants. One problem which needs clarity here is how they access the waste bin storage area and amenity area at the back.

In general because the applicant appears to have considered and accounted for the previous objections, I would not be objecting to the application, subject to the density being within the standard operated by the Council.'

No response was received from Councillor Kate Thomas.

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 part 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 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:

- 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.'*

8.1.3 Based, on the above, the general principal of the use of part of the building 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 St Mary Street streetscape is characterised by mainly traditional terraced properties, which are in residential use, most commonly as single dwellings. Properties within the vicinity do not generally benefit from off street car parking provision, with residents parking their vehicles on the surrounding streets. The proposal seeks to retain 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, with the change of use taking place within the upper floors of the existing building, therefore no different impact would arise from the development relative to the existing in respect of its external appearance within the street scene. The proposal does however include physical changes to the building's interior, which include the removal of two internal walls and the creation of additional partitions at first floor level to create the layout proposed. The physical works are considered to be minor in nature and the internal configuration would not have any

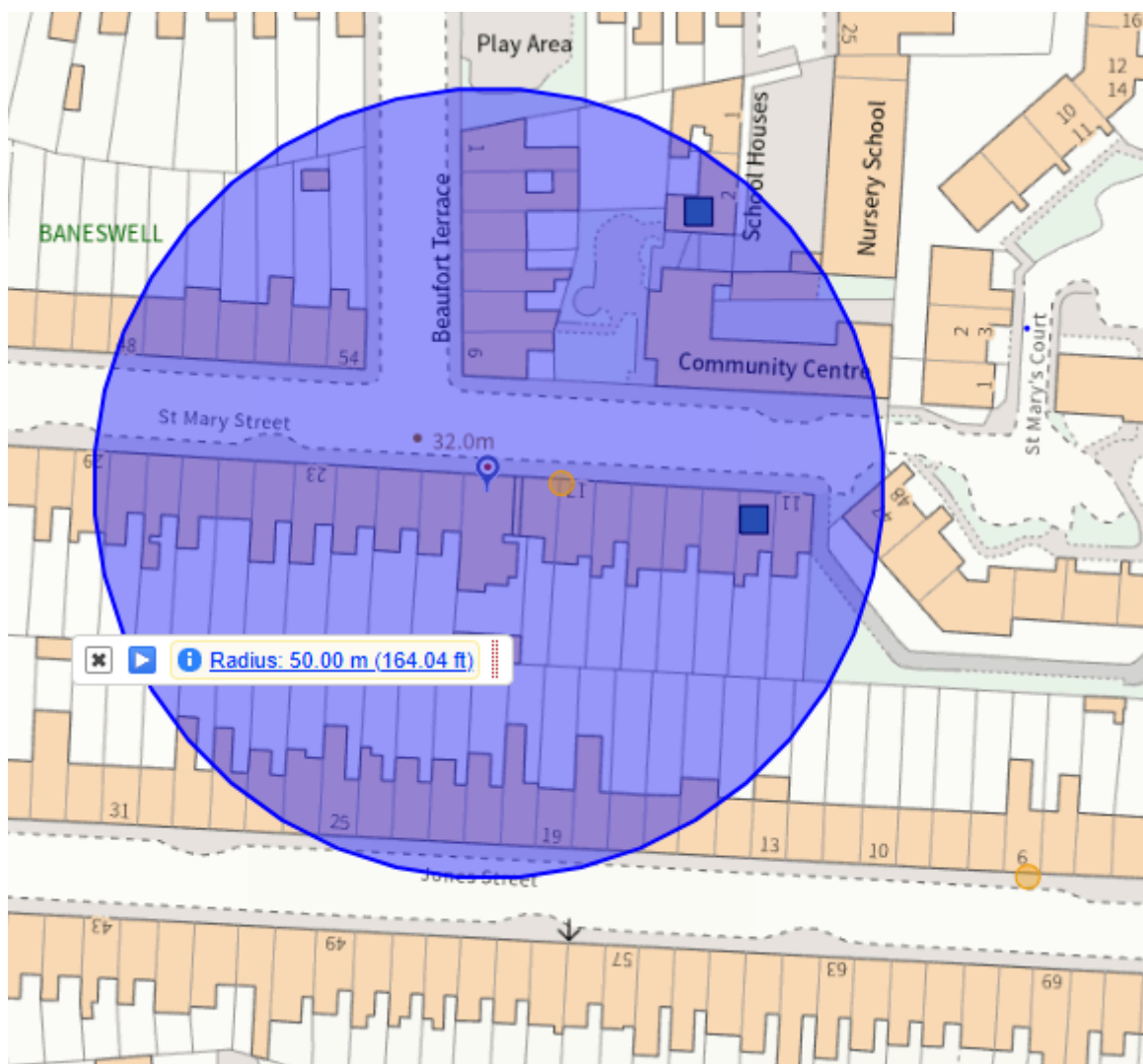
unacceptable adverse impact upon the character and appearance of the application site or surrounding area.

8.3 Car Parking and Highway Safety:

- 8.3.1 The application site is located within Parking Zone 2. The submitted floor plans indicate that the building consists of two residential units, which would generate a car parking requirement of one space per bedroom, resulting in a total requirement of seven spaces. The proposed HMO would contain three bedrooms, which would equate to an SPG car parking requirement of three spaces. As such, there would be a reduction in car parking demand of one space.
- 8.3.2 The concerns submitted by local residents regarding car parking are noted and it is acknowledged that no 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 PEDW 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.
- 8.3.3 It is noted that no objections have been received from the Local Highways Authority in respect of the application, however it has been noted that the proposed cycle store has not been demonstrated to be secure or of adequate size for the number of residents. Notwithstanding this, should planning permission be granted, details of a suitable cycle store could be secured by way of condition.

8.4 Concentration of HMOs:

- 8.4.1 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.*'
- 8.4.2 Many of the comments from local residents cite concerns regarding the concentration of HMOs in the local area, and that the introduction of the proposed would result in diminished community cohesion. 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 15% threshold area.
- 8.4.3 The mapping below shows a 50 metre radius taken from the address of the application site. It shows that there are two existing registered HMOs present. The Council's HMO Licensing Officer has however advised that there is only one currently present, that being 12 St Mary Street. Notwithstanding this, if the application were to proceed, and the calculation is to include two existing HMOs and the proposed, they would make up approximately 8% of the local housing stock. Consequently, the concentration of HMOs within the 50 metre radius would remain as less than the 15% threshold and so HMO concentration levels are not grounds to refuse permission in this case.



8.5 Residential Amenity and Noise:

- 8.5.1 The submitted Floor Plans show that the existing upper floors of 19 St Mary Street are in residential use, as one flat, consisting of four bedrooms. In planning terms, this is considered one household. Households are regarded as families, including single persons and co-habiting couples. The proposal would result in the creation of a three bedroom HMO, which, in planning terms would be regarded as three separate households. Overall, there would be an increase in the number of households from one to three within the upper floors of the building, and when taken with the flat at ground floor level, there would be a total of four households formed within 19 St Mary Street, rather than two as per the current situation. It is considered that the activity generated by three persons living independent lives, along with their visitors, and their comings and goings could lead to a level of activity that would be more marked and intensive than that which could reasonably be expected to be associated with one single household, as per the existing arrangement within the upper floors of the building. In addition, it is considered that the level of activity is more likely to be noticeable in this location due to the close knit relationship of the terraced properties and the flat below.
- 8.5.2 Taking into account the intensification of the use of the site, along with the nature of the terraced property in relation to its neighbours, including the existing flat below, it is considered that the overall activity generated by the HMO would give rise to frequent disturbance along with unacceptable noise transmission into the ground floor of the property and through the party walls into the neighbouring dwellings. It is not considered that these impacts could be adequately mitigated. As such, it is considered that the proposal would result in unacceptable harm to the amenities of neighbouring properties, including occupiers of the ground floor flat, which would be contrary to Criteria i) and iii) of Policy H8.
- 8.5.3 Criteria iv) of 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 bedroom sizes for the HMO use could be provided within the property. In terms of communal space, each individual household within the HMO would have access to a shared kitchen only, with no other internal communal space proposed.

- 8.5.4 A recent Appeal (Ref: CAS-04663-K4D5H0) was dismissed due to limited and poorly configured usable floor space of bedrooms. In this instance, whilst the bedrooms are regarded as adequate, it is considered that the proposed kitchen is not. This space would be irregular in shape which results in limited usable space. In addition, a portion of the kitchen space adjacent to the countertops and which would provide access to the dining table is approximately 1.15 metres wide and the presence of the entrance door would also further impact upon usable space. This constrained space would not be suitable for use by three separate households, and it is therefore considered that the proposal has not been arranged or designed in a manner that maximises living standards for occupants. The proposal would therefore fail to provide adequate living conditions for future occupants and would therefore be contrary to the requirements of LDP Policies H8 and GP2.
- 8.5.5 As noted above, the change of use would take place within the upper floors of the building only. As such, access into the HMO would be via an existing pathway directly off St Mary Street, which leads to a set of steps that would take occupiers to the rear amenity space of the site. From there, an access door at first floor level on the rear elevation of the building is reached via the rooftop of the single storey structure below. This is considered to be a poor and convoluted arrangement. In addition, the access being to the rear would provide little public vantage, would be poorly lit and would provide opportunity for crime. In addition, it would result in an access arrangement that is likely to cause fear of crime to future occupiers and visitors to the property. Whilst it is acknowledged that the access is existing and could currently be used to serve one flat, the current planning application would provide for a use of far greater intensity and therefore result in further harm, which is considered unacceptable. 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. The impact of planning decisions on crime is therefore a material consideration. The perceived fear of crime impacts upon amenity and well being which is also a material consideration. The proposal would be contrary to Objective 9 of the Local Development Plan which seeks to provide an environment that is safe. It would also be contrary to Policies GP2 and H8, which seek to design out the opportunity for crime and anti-social behaviour and provide adequate amenity for future occupiers.
- 8.5.6 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 a communal space to the rear of the building, which has allocated space for the storage of waste and bicycles. There is also a smaller bicycle storage area shown on the proposal plans at ground floor level. It is noted that no detailed information of the bicycle stores has been provided regarding their design, capacity, and security and as pointed out by the Council's Highways Department an external store should have access independent of the bin store and Sheffield style racks to constitute appropriate provision. The internal store also needs racks to be practical/secure. These issues could however be addressed via conditions. Consideration of this matter has been given to the recent appeal decision at this site, where it was concluded that the suboptimal arrangement of the rear amenity and storage space would not warrant withholding planning permission. This however does not overcome the concerns raised regarding access into the HMO itself, as described above.

8.6 Section 106 Planning Obligation Matters:

- 8.6.1 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, the development represents a net nil gain in residential dwellings. As such, no affordable housing obligations are requested.

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 a bird nesting box. This is considered to be proportionate to the proposed development.

8.8 Previous Refusal & Appeal

8.8.1 In terms of the first reason for refusal, the current application does not relate to the ground floor of the property, of which the living environment described in reason for refusal 1 is based on. In terms of the second reason for refusal, it was considered that suitable outdoor amenity space, along with adequate cycle and waste storage facilities was not provided by virtue of the access arrangements to them. The Inspector recognised that the access arrangements to these facilities was not ideal, however concluded that the Council's concerns did not warrant the refusal of the application.

8.8.2 In this instance, the Council is pursuing different reasons for refusal, which are based on the current plans that differ from the previously refused scheme. As noted above, the change of use proposed would only take place within the upper floors of the building and this different scheme has brought about different, new adverse impacts that are considered to warrant the refusal of the scheme.

8.9 Response to Third Parties

8.9.1 A total of twenty-two objections have been received from members of the public. All material planning considerations have been addressed above, with the remaining concerns not forming material planning considerations.

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, as detailed above.

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 proposed development fails to satisfy the requirements of the Newport Local Development Plan. The proposed development would result in an unacceptable standard of amenity for future occupiers. As such, the proposal is contrary to Policies GP2, GP6 and H8 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

11. DECISION

REFUSED, for the following reasons:

1. The proposed introduction of a House in Multiple Occupation within the upper floors of the terraced property would result in an over intensification of the use of the building, which would cause frequent noise and disturbance to the occupiers of the ground floor flat and those within adjacent residential properties. This would be detrimental to residential amenity and therefore contrary to Policies GP2 and H8 of the Newport Local Development Plan 2011 – 2026, as well as Newport City Council SPG Houses in Multiple Occupation.
2. The proposed development would fail to maximise living standards for future occupants and would not provide adequate, usable shared kitchen space. In addition, the proposed development would result in the intensification of the use of a poorly arranged, convoluted and secluded primary access, which would fail in the objective of preventing crime and anti-social behaviour and result in a fear of crime for future occupiers. As such, the proposal would be detrimental to the residential amenities of future occupiers of the development and therefore contrary to Policies GP2 and H8 of the Newport Local Development Plan 2011 – 2026, as well as Newport City Council SPG Houses in Multiple Occupation, as well as Section 17(1) of the Crime and Disorder Act 1998.

NOTE TO APPLICANT

- 01 This decision relates to the following plans: Site Location Plan, 2024.454 PL01 – Site Location Plan and Existing Floor Plans, 2024.454 PL02 Rev A – Proposed Floor Plans, 2024.454 PL03 Rev A – Elevations As Existing and Proposed, Planning Statement and Green Infrastructure Statement, received by the Local Planning Authority on 13th July 2026.
- 02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). SP1 (Sustainability), 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) and H8 (Self Contained Accommodation and Houses in Multiple Occupation) were relevant to the determination of this application.

- 03 Newport City Council's Houses in Multiple Occupation (HMOs) Supplementary Planning Guidance (Updated January 2017) and Parking Standards Supplementary Planning Guidance (Adopted August 2015) were relevant to the determination of this application.
- 04 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.